

**Village of Pinckney
Regular Council Meeting Minutes
May 13, 2024**

President Lavey called the meeting to order in Village Council Chambers at 220 S. Howell, Pinckney, at 7:00 p.m. on May 13, 2024.

ROLL CALL:

Present: Bierman, Buerman, Conquest, Kinczkowski, Spencer and Lavey
Also Present: J. Durkin (Zoning Administrator), D. Moma (DPW Director), J. Garrison (police chief), Village attorney D. Stoker
Approximately 20 members of the public for noticed hearings.

PUBLIC FORUM:

Public Forum opened at 7:01 p.m.
Public Forum closed at 7:01 p.m. No one wished to speak.

CONSENT AGENDA:

Lavey added two items, 3. Township clerk visit and announcements and #11 Britton grave marker resolution. Buerman requested an email in correspondence be removed from the Consent Agenda and added to the agenda, #4 Butler email, making the Britton resolution #12.

Motion by Buerman to approve the Consent Agenda as amended; seconded by Bierman.
Yeas: Bierman, Buerman, Conquest, Kinczkowski, Matson, Spencer and Lavey
Nays: None
Motion carried in a roll call vote.

PRESIDENT'S REPORT:

Lavey reminded Council of the ceremony for the Britton grave marker on May 25 at 2:00. The Memorial Day parade will be on the day, May 27th as usual. Reminder of the Budget Committee meeting on Monday, May 20 at 6:00. Lavey and Durkin had a brief meeting with representatives of the Means Project May 6, they intend to continue with their plans. Lavey attended a meeting of the Friends of the Lakelands Trail on May 8, whereat Mr. Buerman was elected member-at-large. An email was received from Kathy Morehouse at Light of the World Academy. They are planning to send park name suggestions if they are still being accepted. They are. Lavey suggests Parks Committee have a meeting some time in July. Info on a Brown Bag meeting of the LivCo Planners was noted. An email from Mike Szafranski, stating his support for both hearing items.

DEPARTMENT HEAD REPORTS:

DPW: Moma reports everything is going along as expected.
PD: Memorial Day Parade and Art in the Park are coming up.

AGENDA:

1) Swearing in of PO Anne Pirkle:

Township Clerk Val Niemiec performed the duty of swearing in newly hired Police Office Annie Pirkle.

2) Swearing in of Village Treasurer Pamela Stewart:

Niemiec also served to swear in the new Village Treasurer Pamela Stewart.

3) Township Clerk Visit and Announcements

Niemiec provided information on the upcoming elections. There is a primary August 6, but the Village's non-partisan roles do not participate. Several Village trustee roles are up at the November 5 election. The deadline for getting ballot application forms and petitions in to her is July 18th, but don't wait until the last minute in case you need to make corrections. Another item on the election that will affect the Village is that the Township will be asking for one mil to dedicate to road repairs. The Township is working on an ordinance to limit short-term rentals.

4) Butler email

Lavey was asked to read the email from Marie Butler of Hell Survivors/Terrorfied Forest relating an encounter between Butler and ZA Durkin. Lavey asked the assembled if anyone there was present or had further knowledge of the event. No reply. Durkin declined to enter into an argument. Butler was allowed to speak and reiterated her views on Durkin as stated.

5) Public Hearing: Sidewalk Roll

Pat Dewey, 545 Putnam, confirms his sidewalk needs repair, but requests that the Village do it right this time. Roots from the large pine in his yard cause the damage. He endorses the price quoted by the Village. He added that there is a lack of connecting sidewalks throughout the Village. To improve walkability the Village should go back and review the variances that have been given and have those sidewalks installed.

Gay Davis, 833 Town Trail, reports that her sidewalk is failing in the same place it was a few years ago, when the Village was testing the foam repair method. The problem at her property is also tree roots.

Corey Woodard, 141 Turtle Trace, also has an issue created by tree roots and expressed concerns about possible damage to his sprinkler system. He said homeowners should be given longer to find a contractor and get quotes if they want to do the work themselves, and also stated some dissatisfaction with the HOA.

Salem Perks, 721 Town Trail, says her sidewalk does not need repair. DPW will double check.

Katrina Tanner, 194 Coyote Court, also says no repair is needed. DPW will double check.

6) Public Hearing: Lakeland Knoll opened 7:45

Frank Collins 209 E. Unadilla, is in favor of Lakeland Knoll, but is concerned about construction traffic on Village streets.

David LeClair from Livingston Engineering was present representing Marshall Blau and Lakeland Knoll. He wanted to go over the eleven conditions cited by the Planning Commission for the project to go forward. He had four in particular that he did not agree with and wanted Council to decide on. There was extended discussion then Council decided they need more information on the four items in question.

Rick Beaudin, realtor, expressed support for the project, says we need the housing and it needs to get done. Says it should have been done two years ago. Pat Dewey, says history repeats itself, it sounds like Village Edge. Developers will whine and complain and about expenses. There's a reason for completion guarantees. They are the only way to get things done right, there are always problems that need to be address. Water main, it should be a loop. The developer will insist they can't do something, but they are responsible for the cost of development. If they put something in wrong, all of us in the Village are left with the bill. If we are putting in a new well, the developer should be paying for that, too. There's a reason for a maintenance agreement. The Village will be responsible for the maintenance, probably before the construction is done. He agrees, though, that utilities should not go through the back yard, it just makes trouble. He's not opposed to the project, but says the Village has to do the right thing and look out for the Village. Please be mindful of all the rules and requirements you have, they are there for a reason.

Lavey asked those online if there were any comments. None. Hearing closed 8:29.

Stoker pointed out that the stipulations could be ironed out and put in writing to be addressed at the next meeting. LeClair asserted that the plan is compliant with engineering specifications. Moma clarified that the ask is for extension to the property line so when the Village wants to complete the loop, it will not be necessary to tear up an intersection in a new sub.

Motion by Buerman to table a decision on Lakeland Knoll until June 10 for clarification on the several items, supported by Bierman. The motion was amended to direct the attorney to work on clarifying with the developer the several points and the Village's position to have an agreement in writing.

Yeas: All.

Nays: None

Motion carried unanimously.

Online member of the public Brendan Sanborn, 319 Brentwood, warned against appeasing the developer at the expense of Village residents in a manner that will not benefit the residents. It seems like a poorly thought out idea. What is the return on investment for the Village? What effect does the increase in water rates have on residents? Next Ryan, but he could not be heard due to electronics failure. He put his comment in the chat: "I

am a plumber pipefitter who has worked on these watermains and it's expensive, look into it a lot."

7) Set Public Hearings for Budget, Millage, Utility Rates for June 10.

Motion by Matson to set public hearings and notice for them as required; supported by Kinczkowski.

Yeas: Bierman, Buerman, Kinczkowski, Matson, Conquest, Spencer and Lavey

Nays: None

Motion carried in a roll call vote.

8) 140 W. Main Request for Commercial Rehabilitation District

Stoker described the requirements for this request, as outlined in the document he provided to Council earlier today. The first step is to submit certain materials, then Council sets a public hearing. You have to approve the district first.

Motion by Buerman, supported by Spencer to set a hearing to establish a commercial rehabilitation district.

Requesters Jen and Dan Cooke were present and offered further explanation of their request and the grant they hope to get through the tax abatement. Stoker explained that the tax rate is frozen, it is not that they pay no taxes. Cooke had a different understanding, that they would pay half the taxes of the future value, as it was done for their project in Fowlerville. Kinczkowski asked for the numbers to be double-checked for this development. The Township Treasurer and the Assessor will need to be consulted.

Yeas: Conquest, Bierman, Spencer, Kinczkowski, Matson, Buerman and Lavey

Nays: None

Motion carried in a roll call vote.

9) Water Rates Discussion

Stewart had provided two potential rates as indicated by the water rate study and the study worksheet. Brief discussion recalled the plan set last year to raise the rates to cover 10% of the depreciation amount each year for the next seven years.

Motion by Kinczkowski supported by Spencer to maintain the plan from last year at the 40% level.

Yeas: All.

Nays: None

Motion carried unanimously.

10) Sign Ordinance Discussion

Council members had asked for the sign ordinance to be on the agenda. Matson asked for clarification on whether the text on a sign can be changed. Lavey and Durkin said the issue is not the messages, but that temporary signs were never permitted. Buerman wanted to make a motion to grandfather the

signs in. Stoker pointed out that the ordinance would have to be changed. Buerman and Spencer made a motion. Kinczkowski explained that it is the ordinance. He doesn't care one way or another about the signs, but we are constantly breaking our own rules and voting against ourselves. We have to do it correctly. Stoker explained the process for amending the ordinance: it has to go to Planning, Planning has to have a hearing. Council can ask Planning to review.

Motion by Buerman, supported by Kinczkowski, to send the sign ordinance back to the Planning Commission for review.

Yeas: All.

Nays: None

Motion carried unanimously.

11) Neighborhood Code Enforcement Discussion

Spencer had requested this question raised by resident Frank Collins be on the agenda for discussion. Stoker explained that citizens can have concerns and can make complaints, but the proper avenue would be to complain to the Zoning Department or the Police Department. Otherwise there is potential liability. In neighborhoods with HOAs, enforcement may be on them. Mr. Collins said he's not interested in a job, but he's had meaningful meetings with the ZA, but around his neighborhood he sees a lot of issues. He wants the Council to do its job and support our own ordinances to clean up some of these things. He provided a collection of pictures. He says nobody is addressing people living in trailers in the driveways at houses, mattresses in the yard, trailers in the street right of way. People in the new development will have to drive past this. He says we need to put some teeth into cleaning this place up.

12) Britton Memorial Plaque resolution

Lavey explained that the Sons of the American Revolution have supplied a plaque that has been installed at the cemetery. This resolution acknowledges their presentation of it, and the service of the Brittons.

Motion by Buerman, supported by Bierman to accept the plaque and acknowledge as noted.

Yeas: All.

Nays: None

Motion carried unanimously.

PUBLIC FORUM

Public Forum opened at 9:25 p.m.

Dalton Brennan, Pinckney Car Wash, asked about the time frame of the solution discussed. Kinczkowski added it will go to Planning Commission. Lavey added that Council is in receipt of the letter from Dan Hall. Dalton went on to say they have no way to communicate with the public without their sign, or promote things of their business. A little temporary sign won't do them any good. His property with the sign looks better than

Dollar General with their dandelions. He doesn't want to wait three months. They have always had positive messaging.

Mike Carney, 455 S. Howell, commented that we're taking food off his (Dalton's) table because he can't use his sign. We can't make an exception? In his opinion, you've screwed up. We small business, we're just trying to get by.

Rick Beaudin says it's about community. The Facebook posts call it Signgate 2024, you're the laughing stock. We have these two signs, to find out about things. We don't have a newspaper. People read those two signs. Go back to these two businesses and say, put your signs back up. Pinckney is not friendly and people don't want to do business here. You have this whole development, has anyone done the number on the taxes that will bring? The signs have been there 25 years, 20 years. Tell them you're not going to send the Gestapo, have them arrested for having a changeable sign talking good about our community.

Brendan Sanborn. Is disappointed about the signs. Those signs have been there a very long time, what troubles him is the lack of common sense on the enforcement side. We haven't looked at the impact on families and businesses. Businesses that do a lot for the community. Mr. Hall donates to the schools year after year. The carwash hires dozens of kids. Just look the other way. Let them put their signs back up and fix the issue.

Pat Dewey. Commented on his recent discussion with the ZA, she was very helpful, attentive and professional. DPW thanks for all your services. He dragged out a lot of brush, cleaned up well. Chief of Police, thank you. He's been in a for a few conversations, our tax dollars as work, thank you. For Zoning, he recalled past ZA Mr. Gaylord Curtis, there were often disagreements. Remember you are Council. You can fix it. He asked that we address enforcement, it is part of our job. We all pay our tax dollars, we want to get along, it's a nice community. You do your job, you fix the problems.

Closed at 9:37 p.m.

Meeting Adjourned at 9:37 p.m.

Approval Date

Linda E. Lavey
Village President