

**VILLAGE OF PINCKNEY
COUNCIL MEETING MINUTES
January 26, 2009**

The Village president called the meeting to order at 7:30PM at the Village Hall, 220 S. Howell St.

Roll Call

Present: Lavey, Mohrmann, Pais, Stone, White and Foster

Absent: MacDonald

Public Forum

Opened 7:31 pm. No one interested in speaking.

Closed 7:31pm

Consent Agenda

Motion by Lavey to approve consent agenda, seconded by Stone.

Yeas: Lavey, Mohrmann, Pais, Stone, White, and Foster

Nays: None

Absent: MacDonald

Approved by Roll Call vote.

President's Report

Foster welcomed Ben Duchane, a local Boys Scout, who came to learn about local government.

The Brighton Chamber of Commerce, of which Pinckney, Lakeland and Hamburg are members, presented Community Service awards at it annual luncheon last week.

PLH recognized several members for Community Investment including: CVS Hamburg for Beautification, Pinckney Diner for "Newcomer" , DDA Decorating Committee for Community Service (Business/Organization), Melissa McCotter for Community Service (Individual), Tom Benedetti for Community Service (Individual).

J. Paul is requesting that the board review the bond redemption information prior to the next meeting. Decisions must be made at the first February meeting.

Public Hearing: Code of Ordinance

Opened Public Hearing at 7:35pm. No members of the public wish to speak. Closed at 7:35pm.

AGENDA

Business

1) Police Dog – Kizer

Chief Aseltine introduced Steve and his canine partner, Kizer. Chief has given permission for team to respond to any Livingston County calls that they feel merit their attention. Steve and Kizer will be appearing at schools in Putnam Township. Steve and Kizer have undergone a great deal of training to be certified and Kizer has already had multiple narcotic finds in Pinckney, Unadilla Township and Putnam Townships.

2) CDARs-

Mark Duschane from Brighton Commerce Bank was here to answer any questions regarding the CDARs program.

Currently, the FDIC currently limits their guarantee at \$250,000. There is no limit on insured funds that do not accrue interest. Banks that participate in program must meet very specific criteria. Duchene received the custodial agreement suggested changes from Village attorneys. He doesn't know if changes will be made. Attorneys indicated that it is a form agreement therefore both parties can chose to revise agreement.

Motion by White to defer on a decision to participate in CDARs program until contract response. Seconded by Stone.

Yeas: Lavey, Mohrmann, Pais, Stone, White, Foster.

Nays: None.

Absent: MacDonald

Motion approved.

3) Conditional Rezoning of 224 and 250 E. Main

Conditional Rezoning would constitute a zoning ordinance map amendment, therefore this approval has to be in ordinance form. A Statement of Conditions is required to be part of the ordinance amendment language. Since Council did not have a formal Statement from the applicant at this time, action will be taken at the February 9 meeting. Planning Commission has already held the required public hearing and is recommending approval based on the conditions set forth in the minutes.

Applicant J. Picano owns For Kid's Sake learning Center and wishes to move her business from the Congregational Church to 224/250 E Main, former Castle Adult Care home. She stated that the biggest concern at the Planning Commission was traffic flow. Her analysis of a typical week shows that the peak hours are 7-8AM with 12 cars, one car approximately every 5 minutes, and 5-6:15pm, 5-6 cars.

J. Picano will post ingress and egress signage and showed example of entrance and exit signs she is considering. She also showed a map that delineated parking spots. There will be 11 -10X20 parking spaces. Licensing will take place for the first floor only. The second floor will house office space, storage and a parent lending library.

Council indicated that child care is the perfect use for this facility and look forward to the relocation. Concern was expressed over Condition #5 that prohibits “physical development” of the south (vacant) lot. Council wants to be sure that fencing, play structures, and small storage (“Rubbermaid shed” type) could be accommodated. Picano to submit Statement of Conditions for inclusion in the ordinance amendment.

4) Adopt Code of Ordinances

Ordinance #84 – An ordinance adopting and enacting a new code for the village of Pinckney, Michigan: Providing for the repeal of certain ordinances not included thereof; providing for the manner of amending such code; providing for the amendment of certain sections of the code; and providing when such code and this ordinance shall become effective.

Foster noted one change to the document, change date from October 2008 to January 26, 2009. Stone confirmed with group that a violation of code is a civil infraction. Annual corrections will be made by American Legal. Updates will appear as separate links on the website.

Motion by Mohrmann to adopt #84 with date change, Seconded by Lavey.

Yeas: Lavey, Mohrmann, Pais, Stone, White, Foster.

Nays: None.

Absent: MacDonald

Approved by Roll Call vote

5) Master Plan Review

This is for informational purposes only. Planning Commission will approve plan.

Mohrmann would like to see a better delineation of zoning areas at their borders. Foster is hopeful that GIS will be able to overlay zoning information on top of Tax identification/address map. In the past they haven’t been able to do so, but Village will keep asking.

Please get comments on plan to Foster ASAP so she can forward them to Planning Commission.

6) Cemetery Board Appointments.

Motion by Lavey to renew appointments of Madonna Teachout to a 3-year term expiring on 10/15/2011 and Linda Van Blaircum to a 3-year term expiring 5/1/2010. Seconded by Stone.

Yeas: Lavey, Mohrmann, Pais, Stone, White, Foster

Nays: None.

Absent: MacDonald

Appointments Approved.

7) 174 Knollwood – Sewer Connection Fee

Foster researched the minutes to determine if there was any discussion regarding the Nowakowski's connection fee. The connection fee was not refunded when sewer fees were refunded. Legal opinion is that the Nowakowski's should pay the entire \$3000 fee as that is the current connection fee.

Discussion ensued that the Nowakowski's were proceeding in good faith when they paid their connection fee that they would be connected.

Motion by White to accept original \$300 payment as connection fee for the property at 174 Knollwood in perpetuity. Seconded by Lavey

Stone noted no date on the letter from Marshall directing to connect. Foster notes the oversight but letter does provide a deadline for an appeal.

Yeas: Lavey, Mohrmann, Pais, Stone, White, Foster.

Nays: None.

Absent: MacDonald

Public Forum opened at 8:35PM.

Scout Ben Duchene indicated that he enjoyed the meeting. Public Forum closed at 8:35PM

Meeting Adjourned at 8:36PM.

Approval Date _____

Respectfully Submitted,

Amy Salowitz
Village Clerk

Rebecca Foster
Village President