

**VILLAGE OF PINCKNEY**  
**COUNCIL MEETING MINUTES**  
*February 8, 2010*

The Village President called the meeting to order at 7:00PM at the Village Hall, 220 S. Howell St.

**Roll Call**

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

Absent: None

**Public Forum**

Opened 7:00, closed again, no residents wished to speak.

**Amended Agenda**

Foster indicated the need to add #5 – Trail head Sewer Connection

Motion by Mohrmann to approve amended agenda; Seconded by White.

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

Nays: None

Motion carried.

**Consent Agenda**

Foster indicated need to pull out Police Report and minutes. Aseltine would like to explain new format and there is a correction to minutes.

Motion by Lavey to approve Consent Agenda with Police Report and Minutes pulled;  
Seconded by MacDonald

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

Nays: None

Motion carried in a Roll Call vote.

**Minutes Approval**

The water rate description is worded incorrectly and there is a typo in the same sentence.

It should read \$1.96/thousand gallons.

Motion by Lavey to approve corrected minutes; Seconded by White

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

Nays: None

Motion carried.

**Police Report**

Aseltine explained changes to format includes reports he was able to pull from OSSI system. Not complete as OSSI was not up and running correctly until mid January.

Also, still having e-ticketing and connectivity issues. Report may continue to evolve as Chief continues to review reporting options in OSSI.

Motion by Lavey to accept Police Report; Seconded by MacDonald

Yeas: Lavey, MacDonald, Mohrmann, Pais, Stone, White and Foster  
Nays: None  
Motion carried

### **President's Report**

Foster wondered if anyone else had issues with electronic packet. Belief is the .pdf's are scanning high resolution and when coming through that way you may need to readjust your view before printing. Also, Clerk to verify that all documents come through either as word doc or .pdf. No .txt documents in future.

Foster and Salowitz to attend Chamber class on How to Deal with Difficult People.

Mill Street project to begin this week, weather permitting. Funding sign is located in Bleacher's back parking lot. Approval received from bank-owner.

MML Capital Conference is scheduled for April 13th and 14<sup>th</sup>. The cost is \$100. White is scheduled to attend. If anyone else is interested please let Foster know.

Office staff is hoping for a Snow Day this week.

### **AGENDA**

#### **1. St Patrick's Day Parade Special Event Application –**

Motion by Lavey to waive the application fee for the St Patrick's Day parade application as organizers are all volunteers; Seconded by MacDonald

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

Nays: None

Motion carried

Motion by White to approve the Special Event Application for the Pinckney St. Patrick's Day parade; Seconded by Stone

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

Nays: None

Motion carried.

Sponsors want to make sure everyone is aware of the fundraiser for the Parade at St. Mary's on February 28, 2010. Blackthorn will perform.

#### **2. Tenant Utility Ordinance -**

Motion by Mohrmann to approve Ordinance #93, ordinance amending the Village of Pinckney Code of Ordinances by amending Title V, Public Works, Chapter 51: Water, Section 51.11, Billing and Enforcement; No free service; Chapter 52: Sewers, Section 52.35, Billing and Collections; Termination of Water and Sewer Service by Village; and Section 52.99 Penalty; Seconded by White

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

Nays: None

Motion carried in a Roll Call vote.

### **3. Sewer Bond Retirement -**

Treasurer Paul recommends utilizing funds from the Sewer Capital account to pay off the 1998 Sewer SAD Bonds as the Village is paying 4.7% in interest and only earning .3-.4% in our investments.

Motion by Lavey to accept recommendation to retire 1998 Sewer SAD Bonds; Seconded by Mohrmann

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

Nays: None

Motion carried in a Roll Call vote.

### **4. Sewer Easement –**

Foster spoke with Stoker and she summarized the options for proceeding:

1. Do Nothing: We can do nothing, but Village would still be trespassing to maintain the sewer line.

2. Abandonment: Because we are trespassing, we can abandon the line, which could involve continuing service but property owners must maintain the line OR we discontinue service to that line.

3. Prescriptive Easement (adverse possession): We determine that we own it, due to installation and maintenance by the Village for 40 years and use by the property owners. We file a lawsuit to gain the easement.

4. Special Assessment: Create special assessment district and purchase the easements, assess cost back to property owners.

5. DDA option: DDA buys property, and then grants easements to Village.

Foster indicated that carrying on “as is” is not in the best interest of the Village.

Attorney indicated we could proceed with a “quiet title” but that there is no guarantee that we would win.

Council split on whether they would be willing to pay for easements.

Pais pointed out that “historically” the land functioned as a public alley and perhaps that is why the owners and the Village believed easements were not necessary at the time that the sewer line was put in. Pais believes that the property value is low. Lavey looks at it as “value added” to the remainder of the property because the value of the sewer is high.

Pais suggested we consider an “interest in rather than a title” that way it is documented if someone does a legal search on the property.

Foster to contact the property owners about a Special Council meeting date. Foster will indicate that the position of the Village is to formalize and recognize the easements that we already have.

**5. Trail Head Sewer Line –**

The Township is considering putting in restrooms at the Trail head. Water is already available to that location the township would just need to pay for the lead. OHM estimated that running the sewer line could be up to \$80K.

Council indicated that they could not make a dollar commitment at this time without further details on planning from Township but did indicate that they are pro-development of the trailhead project.

**Public Forum opened and closed at 8:25 PM.  
Meeting Adjourned at 8:25 PM.**

Approval Date \_\_\_\_\_

Respectfully Submitted,

\_\_\_\_\_  
Amy Salowitz  
Village Clerk

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Rebecca Foster  
Village President