

Village of Byron  
Regular Council – ZBA Meeting Minutes  
June 12, 2017

**Meeting called to order at:** 7:00 pm by President Prestonise

**Pledge of Allegiance Led By:** President Prestonise

**Roll Call – Present:** Berez, Orr, Bessenbacher, Chapman, Campbell, Miller and Prestonise.

**Approval of Agenda:** Prestonise added Letter E, Parade Permit to the agenda. Miller motioned to approve the agenda for June 12, 2017 as amended; seconded by Prestonise. Voice Vote: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**Approval of Minutes:** Bessenbacher motioned to approve the minutes for May 8, 2017 as written; seconded by Orr. . Voice Vote: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**Public Comments – Agenda Items:** None

**PRESENTATION BY CIRCUIT COURT JUDGE STEWART:** Matt Stewart, Circuit Court Judge, is from Owosso and went over the number of cases and the types: Appeals, Civil, Criminal, Domestic Relations and Personal Protection. He went over Friend of Court and how federal money supports FOC and how great things are happening in FOC. Drug Court receives grant money for the support of this program of non-violent offenders and 1 in 4 affected by drug abuse. Swift and Sure Probation was covered and if probation violated they get 3 days in jail and then are back on probation. If they want a trial they get 15 days in jail and then probation. Stewart said this highlights Circuit Court and answered questions that were asked.

**Treasurers Report** – Ketchum read report and went over audit consultant results. Motion by Berez to accept report to pending audit; seconded by Bessenbacher. Voice Vote: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**Approval of Bills** – Berez gave report on bills and motioned to pay for 5/1/2017 thru 5/31/2017 with checks 25015 – 25024 and 25026, 25028 and 25030 – 25059 and voided checks 25033 and 25035 totaling \$33,770.80 less check 25025, 25027 and 25029 for \$1,634.19 with new total of \$32,136.61; seconded by Bessenbacher. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed. Prestonise questioned D & G invoice and Reed explained the hold until credit received.

**Bills Awaiting Approval** – Berez read the bill in blue folder for BS&A Cemetery program of \$400.00. Ketchum explained how Reed talked them into only charging for support and not a new install, saving us quite a bid of money. Bessenbacher motioned to pay the blue folder invoice, totaling \$400.00; seconded by Miller. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**Police Report:** Berez read the police report.

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**DPW Report:** Berez read the DPW report and suggested that the shoulder repairs be postponed until more information received. Hydrant flushing was requested and Miller motioned to run ad for hydrant flushing June 29 and June 30, 2017; seconded by Bessenbacher. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed. Berez read the request for weed killer with the cost of \$167.52 and then he motioned for the purchase of the weed killer with the cost of \$167.52; seconded by Miller. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed. Crack sealing tabled until July for more information. Berez continued with the report and sidewalks covered. Berez asked about bonded and insured companies and Gormley gave his opinion and he said we need some quotes. Miller motioned to publish ad for bids for walks in front of deli and pizza businesses with add on sidewalk in front of yellow house (Krecji) and add on for handicap ramp; seconded by Bessenbacher. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed. Berez covered the rest of the report and a discussion on trees took place and Berez will talk to Warren about it. Miller brought up Bretzlaff and his lunches and asking if a way for him to sign in and out for them. Discussion on the subject continued and it was tabled until July.

**DDA:** None

**Commissioner Report:** None

**Committee Reports:** Miller went over the Streets, Public Buildings, Grounds, Cemetery and Parks meeting. He said paving W. Lehring Rd was discussed and then covered the quotes and recommended Michigan Paving with the quote of \$104,505.50. He also explained that if it was engineered the cost would be over \$300,000.00. The cemetery marker was discussed with a possible replacement of marble at base. Berez explained using concrete to replace the base and carry it over to include the flag pole, tabled till July. It would also include replacing sign pole. Sidewalks and changing ordinance for golf carts with possible use during daylight hours discussed. Gormley will review ordinance and give council an answer in July meeting. Miller asked for a sign in the cemetery stating that it is not a public launch/landing site. Discussion on subject and Gormley suggested writing a letter taking the cemetery off the map. Miller motioned for a sign stating not a public launch/landing and for clerk to send a letter taking cemetery off the map; seconded by Campbell. Roll Call: Ayes- Orr, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Berez abstained; Passed. Orr motioned to have MPM do the work on W. Lehring Rd. from Saginaw St. to the railroad tracks for \$104,505.50; Bessenbacher seconded. Roll Call: Ayes- Orr, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Berez Abstained. Passed. Miller recommended for the clerk to call MPM for a date.

\*Berez went over the Personnel meeting held on May 23, 2017. He said that a phone line was discussed for the sexton and the existing one would be used by the police and the treasurer. Weed spraying discussed at lift stations. Mowing of vacant lots discussed and Gormley went over ordinance and explained how it works. Gormley suggested sending letters to tax payers. Discussion on cost for mowing took place. Bessenbacher motioned for a fee of \$300.00 per lot and \$50.00 for each contagious lot mowing charges; Berez seconded. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher and Miller. Nays: Prestonise; Passed.

**Old Business: A) Beckett & Raeder (Lehring Rd):** Covered in Committee Reports

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**B) Crack Sealing:** Covered in DPW Report

**C) Village Mowing Charges:** Covered in Committee Reports

**D) Changes to Noise Ordinance 92.04:** Campbell wants music enabled until 11:00 pm. Gormley suggested permits would be needed and also how many ohms; Tabled until July.

**New Business - A) Sexton and Police Line:** Berecz explained the need for a new line for sexton and keeping the old line for police use. Bessenbacher motioned to have new line installed for \$29.99 per month for a year then \$39.99 and the \$99.00 install fee; seconded by Miller. Roll Call: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**B) Complete a Project (Act 51):** Covered under DPW and Committee Reports

**C) Police Repairs – Amend Police Repairs Budget (Recommended \$2,200.00):** Reed explained the need to have the line item amended and that it would leave some it additional car repairs needed. Bessenbacher motioned to amend the police repairs line item by \$2,200.00; seconded by Chapman. Roll Call: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

**D) Transportation Asset Management Council – IRT Training:** Ketchum explained that the training involved Act 51 and that it would benefit council as well as the office. Reed said that it would involve extra hours and that it would be better if the office was closed for the training. Miller motioned to allow Ketchum and Reed to take the training from 9:00 am until 12:00 pm with the office closed; seconded by Bessenbacher. Voice Vote: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.


**E) Parade Permit:** Bessenbacher motioned to accept the Fun Day Parade Permit with some police on July 8, 2017; seconded by Miller. Voice Vote: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed. Berecz will contact Hartz.

**Any Other Business from Council /Comments:** Campbell said we needed better police presents at the parade and Berecz said that it will be addressed. Discussion on continued on the subject. Questions were asked and answered on the DDA, Friends of Shiawassee River Trail, launches and private property. Gormley said we need to get plat map and school gave permission.

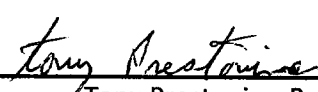
**Public Comments:** None

**Items For Next Agenda:** Crack Sealing, Loud or Unusual Noise, Cemetery Marker-base and Golf Carts

**Meeting adjourned at:** Motion to adjourn 9:18 pm by Miller; seconded by Bessenbacher. Voice Vote: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher, Miller and Prestonise. Nays: None; Passed.

  
Marsha Reed, Clerk

7/10/17  
Approval Date

  
Tony Prestonise, President