

Village of Byron  
Regular Council – ZBA Meeting Minutes  
March 12, 2018

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

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

**Roll Call – Present:** Berecz, Bessenbacher, Chapman, Campbell, Miller (came in at 7:04 pm), Orr and Prestonise.

**Approval of Agenda:** Berecz motioned to approve the agenda with amendment of Letter E; Special Assessment District for Garbage added to new business; seconded by Bessenbacher. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Approval of Minutes:** Bessenbacher motioned to approve the minutes for February 12, 2018 and February 21, 2018 as written; seconded by Chapman. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Public Comments – Agenda Items:** None

**Treasurers Report** – Ketchum read report and motion by Bessenbacher to accept report pending audit; seconded by Orr. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Approval of Bills** – Bessenbacher gave report on bills; checks 25400-25448 totaling \$24,898.81, with checks 25408, 25410, and 25412 – 25415 subtracted for a total of \$20,811.39. Motion by Berecz to pay the bills; seconded by Chapman. - Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**Bills Awaiting Approval** – Berecz read list of bill(s) and Bessenbacher motioned to pay the bills in the amount of \$7,726.84; seconded by Miller. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**Committee Reports:** Bessenbacher said budget looks good and we are right on track. We will be holding monthly meetings to keep on top of it.

**Police Report:** Berecz read the police report. Berecz talked about the quotes from Arrowhead and Canfield for parts like lights, computer mount etc. The Arrowhead quote was \$3,170.00 and Canfield was \$10,183.02 and Arrowhead may be reduced because of equipment not needed. Berecz then went into the quotes for detailing the outside of the car and Reed asked if they had to be specialized in police vehicles or could possibly Flamingo Kid give a quote. Berecz will reach out for more quotes and motioned to table until April meeting; seconded by Prestonise. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

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**DPW Report:** Prestonise read DPW report and talked about the Chlorine Quill move/replacement and Berecz it was replumbing. Talk about the tree removal on south side of dam. Prestonise said work should start on sink hole by Ward home next week. He added we were down a man and it needs a two man team to fix it.

**Cemetery Report:** Prestonise read report and asked about the requested increase. Reed explained the difference and Prestonise asked Orr if it sounded reasonable; Orr responded yes. Berecz motioned to table cemetery increase until April meeting; seconded by Miller. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**DDA:** B. Miller said that they were moving forward with the Master Plan. Held a workshop and went over the details for the river regatta and the adding of a duck race. She added that DDA working on three wayfinding signs and they have a breakfast coming up in April 21, 2018. The date for SRTS has been moved to June 1, 2018.

**Commissioner Report:** Root talked about meetings with finance and economy. He said that it is possible that the board will be joining of Shiawassee River Trail. ORV Ordinance coming up and still working on the details for it. County adding some positions and Root said he is seeking another term.

**Old Business: A) Park Update:** Gormley said that they are working on it and will have it ready for April meeting. Berecz motioned to table the park until April meeting; seconded by Bessenbacher. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**B) DDA Resolution** Questions about the bike trail in resolution and Gormley asked if they had to be done with grant and B. Miller said that they did not have to be done as part of the grant but the resolution has to have the verbiage. Continued discussion on bike lane and other parts of the resolution including giving up control over the grant and turning it over to Vandemark. Gormley said we could add a line that says before any project can be submitted council will need to give approval and the line that says the project agreement will not include bike paths. Questions were asked if we were going to receive the maximum amount and B. Miller said we won't know how much until the grant is approved. Berecz asked about the engineering cost and B. Miller said that doesn't come into play until grant is approved. Ketchum asked if grant approved will they tell how much we are getting and B. Miller said once the engineering takes place they will tell us amount. Ketchum said so the approval for grant comes first and then the engineering, then the will say yes or no to that and B. Miller said to her knowledge that is the process. B. Miller said to Gormley that the grant process like to see the verbiage containing bike path, even though it is not in our plan, if verbiage not there they may say so they don't want bike paths no grant. She also said the resolution goes in with the grant application. Bessenbacher asked if the school was out donating any money for cost and B. Miller said they have donated a lot of time so, they have donated in-kind. Prestonise said it was brought up to H. Miller that Michigan State was going to cover the grant and it would not cost us a dime. B. Miller said they were only doing part for free and then they were going to charge us and we decided to do it on our own. H. Miller said we talked about ACT 51 money and at that time I was told that there would be no out of pocket cost for engineering so, we spent our ACT 51 money. Now we are up to date on our ACT 51, now we are asked to spend \$22,000.00 for engineering and we were told no engineering cost. B. Miller said she did not recall that there would be no engineering cost but some confusion because matching was discussed. H. Miller asked if we still

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owe the \$2,500.00 and B. Miller said yes. Prestonise asked if we have the money; discussion on where the money could come from. Reed asked if the \$2,500.00 and \$500.00 are deducted from the \$22,000.00; no was the answer. Gormley asked if you could use major/local street funds and Ketchum said the money would need to be LRP money and the key word is borrow because LRP is small; discussion on funds. Bessenbacher asked what if we only get \$10,000.00 and B. Miller couldn't answer. Gormley said they should adjust the engineering fee if you lower funds; more discussion on subject. Orr said let's do the \$2,500. 00 cost to get this thing moving; motion by Orr to approve the SRTS Resolution as amended and seconded by Miller. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**C) Quik Stop:** Prestonise said this is about the water bill and tried to get ahold of the guy to explain REU's and he doesn't have to return calls. I would like to form a committee, because we will get him here, to go explain how they figure the REU's. Reed explained how it was explained to her and that most of the households are charged 1 REU unless they have something like a day care then, they are charged more. Prestonise said how about Miller, Berecz and myself on the committee. Bessenbacher answered a question that was asked.

**New Business - A) MAGNET:** Prestonise explained the letter from MAGNET and said we get this every year and it cost \$581.00; he then asked councils wishes. Berecz motioned to not take part in the MAGNET Program; seconded by Bessenbacher. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**B) Open Public:** Prestonise moved to open the public hearing; seconded by Berecz. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed. Prestonise turned the floor over to Gormley who explained that the Site Plan Ordinance is for larger things like apartments and commercial businesses. He then explained how it works. Prestonise asked for public comments and hearing none motioned to close the hearing; seconded by Bessenbacher. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**C) Adopt Site Plan Review Ordinance:** Bessenbacher motioned to adopt the Site Plan/Zoning Ordinance as written; seconded by Miller. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**D) Adopt Zoning Fee Resolution:** Gormley explained how the fees worked and the fees listed are the minimum. Bessenbacher motioned to adopt the fee resolution as written; seconded by Chapman. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

**E) Special Assessment-Garbage:** Bessenbacher explained that Ketchum received some information on a Special Assessment for Garbage that will allow us to put it on taxes. Ketchum explained who she talked to and how it would work; this is the way Vernon did it and would be about \$114.00 a year. Could charge a little more a bank that against future increases because it is a 5 year contract; discussion on subject. Ketchum will obtain more information. Prestonise motioned to table the special assessment until the April meeting; seconded by Bessenbacher. . Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

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**Public Comments:** J. Cole asked what council wants her to do about the park board and that she has had 10 people call on the park; her number has been taken off the sign. She also asked if council wanted her to send the deposits back. Prestonise said that the council has no right to tell her what to do because there is no lease with the school. She said you were aware that the lease was up in December and she explained what the park board wants. Gormley explained why the village couldn't provide insurance and how to establish the authority for the park. More discussion took place on the subject and we need to know if the school wants to take it over. Gormley said you could hold a special meeting for the park authority and set up the authority at that time. Meeting is set for March 21, 2018 at 5 pm for park board; motion made by Bessenbacher and seconded by Miller. . Voice Vote: Ayes- Berez, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.

B. Mickelson talked about the sinking drain in front of Methodist Church. Prestonise said he would take a look at it on Tuesday.

B. Miller asked if we passed or supported the Beckett and Raeder proposal and council said it was just the resolution. Reed explained that Vandemark wanted council to have it and Gormley said he thought it needed approval if grant was issued.

J. Cole asked about having the farmers market this year. Gormley said it sounds like a zoning issue. Reed will contact AGS about the farmers market. Prestonise asked if issue we will bring up at special meeting.

G. Ward asked about new police car and Prestonise explained how we got it and what we paid for it. He also explained how much the repairs were costing on the other car.

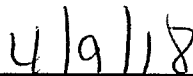
**Any Other Business from Council /Comments:** Ketchum thanked council for audit assistance.

**Items For Next Agenda:** Park, REU's, cemetery rate increase and police car detailing.

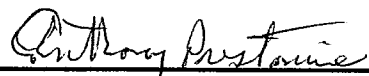
**Meeting adjourned at:** Motion to adjourn 8:37 pm by Miller; seconded by Bessenbacher. . Voice Vote: Ayes- Berez, Campbell, Chapman, Bessenbacher, Miller, Orr and Prestonise. Nays: None; Passed.



Marsha Reed, Clerk



Approval Date



Anthony Prestonise, President