

Village of Byron  
Regular Council – ZBA Meeting Minutes  
October 8, 2018

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

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

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

**Approval of Agenda:** Prestonise, Gormley and Bessenbacher added letter C under New Business: Burns Township Parking Lot, letter A 2 under Old Business: Fines Resolution and letter F under Old Business: Church Street. Berez motioned to approve the amended agenda; seconded by Bessenbacher. Voice Vote: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Approval of Minutes:** Bessenbacher motioned to approve the minutes for September 10, 2018 as written; seconded by Berez. Voice Vote: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Public Comments – Agenda Items:** None

**Treasurers Report** – Bessenbacher read report; motion made by Berez to accept report pending audit; seconded by Chapman. Roll Call: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Approval of Bills** – Berez gave report on bills; checks 25696 - 25709, 25712-25731 minus 25710 and 25711 totaling \$16,468.51. Motion by Bessenbacher to pay the bills; seconded by Chapman. Roll Call: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Bills Awaiting Approval** – Berez read list of bills for a total of \$8,243.68. Bessenbacher motioned to approve payment of the bills in the blue folder for \$8,243.68; seconded by Chapman. Roll Call: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Committee Reports:** None

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

**DPW Report:** Prestonise read DPW report and went over various parts of the report. He said that Warren needs a motor for the salt spreader on dump truck and Berez motioned to approve the purchase of a motor for salt spreader, not to exceed \$350.00; seconded by Prestonise. Roll Call: Ayes- Berez, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**Cemetery Report:** Prestonise read the cemetery report. Prestonise brought up letter D in Old Business: Cemetery Pricing-Opening/Closing and what Genesee Valley Vault charges; a discussion took place. Bessenbacher motioned to approved the increases set for opening/closing; \$600.00 for weekdays, \$650.00 for Saturday and \$1,150.00 for Sundays and Holidays; seconded by Chapman. Roll Call: Ayes-

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Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed. Berecz asked about the other charges and yes was the answer.

**DDA:** R. Vandemark said the SRTS needs to file by October 24, 2018 or we start over. He talked about going to Burns Township and the presentation given. He said this grant is for anyone with ACT 51 monies and that would be the Village. Vandemark went over the before and proposed after pictures and what Beckett and Raeder is charging for engineering cost (\$22,000.00). Bessenbacher asked if the \$2,500.00 the Village paid comes off the \$22,000.00 and Vandemark said yes. Vandemark said we would not see funds until 2020 and Alderman is going after another grant to help cover engineering cost. Bessenbacher asked about the walks around the school and Vandemark read letter stating easement. Gormley said you could work out deal with the school. Prestonise asked who would be liable for all of the walks including the school and Gormley said the Village. Gormley said you could reach an agreement with the school to maintain the walks on school grounds. Berecz asked who would be responsible for the striping and Vandemark said the Village. Prestonise said according to the map the pick-up area is changing so where will that parking lot go and Vandemark said it will still be the same. The only changes will be the car pick-up area. He also said it sounds like the school is the biggest problem. Berecz said grant money could be used for other walks. Vandemark asked if the school maintained the walks for 20-25 years and put in their portion of engineering cost would Village agree. Berecz said we need some form of protection. Prestonise read part of resolution that refereed to cost overrun and Gormley explained cost overrun and what we could do. Discussion on the subject continued and Vandemark asked if the Village would be willing to hold a special meeting. Gormley said if a written agreement could be done between the school and the Village covering engineering cost, maintenance (anything required by ACT 51). School portion \$11,880.00. Bessenbacher suggested a split of \$5,000.00 Township, \$5,000.00 DDA, \$10,000.00 School and the \$2,500.00 Village already put in. Vandemark talked about wayfinding signs and DDA con do 2 (pictures of the signs were handed out). Vandemark asked for councils' approval to purchase the signs and the cost is \$745.00 for each sign and \$345.00 for sleeve covers for each sign; totaling \$2,180.00. Orr motioned to approve the DDA ordering two wayfinding signs totaling \$2,180.00; seconded by Bessenbacher. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed. Vandemark talked about the Zoning Ordinance and said goal is to have public hearing in November and final by December.

**Commissioner Report:** None

**Old Business – A) ORV Ordinance:** Gormley went over the ordinance and Berecz motioned to accept to enact Chapter 71 Off Road Vehicles Ordinance; seconded by Bessenbacher. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed. Gormley explained the ORV Fine Resolution and Berecz motioned to accept the resolution setting fines for violations for Chapter 71; seconded by Bessenbacher. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

**B) Dead Tree/Stump Removal Quotes:** Prestonise explained the quotes and Bessenbacher motioned to accept the quote from Clear View for removal of dead tree at 219 Saginaw St and stump removal at 11185 Silver Lake Rd; seconded by Berecz. Roll Call: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed.

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**C) ACT 51 Quotes:** Prestonise explained the quotes and a discussion took place on the area of repair (between old funeral home and Village Limits). Berecz motioned to accept quote by DOW to repair the hole by the old funeral home for \$1,680.00; seconded by Chapman. Prestonise asked if any other discussion and Prestonise said that includes the big one (side walk out) and the little one and the turn off included.

**D) Cemetery Pricing-Opening-Closing:** Covered under Cemetery Report

**E) Old Police Car:** Prestonise asked how we want to handle selling the old police car and Bessenbacher said she would put on Craig's list and FB Market Place. Price of \$1,500.00 confirmed and it was decided not to add OBO to the ad. Berecz talked about E ticket and charge of \$562.00 for equipment and program was installed as if our car was Durand's at no cost. Berecz will come back with tire quotes.

**F) Water Leak Church St:** Bessenbacher explained the water leak and we are still unable to find shut-off and that it is not connected to a well. Prestonise said he told Warren to hire company to find it.

**New Business – A) Chip Seal:** Prestonise explained what it is and explained the area to be done (Saginaw St. to Silver Lake Rd.) adding that we it may be possible to get County pricing if we do at same time. He then asked if council interested and council said yes; Prestonise will get a hold of road commission. Tabled until November.

**B) Event Permits:** Prestonise read permit for the Village Church closing from the corner to Drury's and Bessenbacher motioned to approve the permit to block street from real estate to the 4 corners from 5 pm-9 on October 31, 2018; seconded by Chapman. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed. Prestonise read the permit for the Methodist Church and Berecz motioned to approve the permit for October 27, 2018 from 5:30 pm to 8 pm closing Ann to East St; seconded by Campbell. Voice Vote: Ayes- Berecz, Campbell, Chapman, Bessenbacher, Orr and Prestonise. Nays: None; Miller absent, Passed. Barricades needed for both events.

**C) Burns Township Parking Lot:** Prestonise said that the township DPW is not doing it and township asked if Warren could do it. Prestonise said he told them what he does after 1 pm is his business. He also said he turns around there so, it is possible that he could throw salt; we would need to be reimbursed for salt. Tabled until November.

**Public Comments:** None

**Any Other Business from Council /Comments:** Bessenbacher said Chamber wants to do contest for best Christmas decorations and could they get the Village addresses and Gormley said no they can't, not legal. Campbell asked about bridge inspection and Reed explained that MDOT doing it on October 24, 2018. Berecz said Durand was told to use Byron car more and less Durand car. Prestonise said state has 300 million that will be divided and we will receive money in 2 installments. Reed said 1<sup>st</sup> installment will be October 10, 2018. Bessenbacher asked about Christmas ornaments for the Village. Discussion took place on subject. Prestonise said to bring back quotes. Tabled until November.

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**Items For Next Agenda:** Chip Seal, Township parking lot and Christmas Ornaments for Village

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



Marsha Reed, Clerk

11-12-18

Approval Date



Anthony Prestonise, President