

Village of Byron
Regular Council – ZBA Meeting Minutes
October 9, 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 and Prestonise. Miller absent

Approval of Agenda: Prestonise amended the agenda by changing B in Old Business to Audit Report and moving Gerry Terry to C; New Business Letter D, Red Mill was added. Bessenbacher motioned to approve the agenda for October 9, 2017 as amended; seconded by Chapman. Voice Vote: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.

Approval of Minutes: Bessenbacher motioned to approve the minutes for September 11, 2017 as written; seconded by Berez. Voice Vote: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.

Public Comments – Agenda Items: Tom Cook from Shiawassee River Trail Coalition explained the Memorandum of Understanding and asked for the support of the Village. He explained what they do and said they will help in any way possible, if needed. Sara McDowell, also from SRTC, said she lives in the Village and is in support, as are her neighbors, of SRTC. Orr asked where they would get out and both answered they would like to get out around the dam. Orr said the land is all private property. Sara asked if the Village would write a letter of support. Other questions asked and answered.

PRESENTATION: DOLLAR GENERAL (DG): Aaron B. explained that he was here before and understood the local support for Fairway. The land would need to be rezoned on the corner of Lehring and Saginaw/Byron Rd. He explained that there would be a need to go back to Dollar General to see if they are still interested in moving forward with it. He explained that DG is not a dollar store and they carry own name brand products. He said I need to know that we have support before going back to DG. Aaron asked to be allowed to open up for public comments. Berez asked about passing lane and Aaron said he would need to have approval from MDOT and gave explanation. He also said DG would cover it. More questions were asked and answered. Sara asked if there were enough people to support the stores. Aaron replied that they do a minimum lease of 15 years and will probably be longer. Justin Horvath asked how many jobs would it create and what the taxes would be like and the reply was 6-8 and more possible on delivery days and on the taxes I have no idea, which is out of my area. Aaron said if DG approves it, it probably would not happen for 6 months. Talk of rezoning and the steps needed. Root said the road is county road. Gormley advised council that they cannot give opinion one way or another.

Treasurers Report – Ketchum read report and motion by Bessenbacher to accept report pending audit; seconded by Berez. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.

Approval of Bills – Berez gave report on bills and motioned to pay checks 25188 thru 25206 and 25209 along with 25212 thru 25229, 2 checks voided for a total of \$172,169.20 minus Blue Folder for a total of

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\$15,222.17; seconded by Orr. Roll Call: Ayes- Orr, Berez, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.

Bills Awaiting Approval – None

Committee Reports: None.

Police Report: Berez read the police report.

DPW Report: Berez read report and questions about funds for tree removal/trimming and Ketchum reported \$1000.00 in Major Streets and \$2000.00 in Local Streets. Berez asked if Warren's hours for the downed tree came out of those funds and Reed said no, the funds are for professional services.

Cemetery Report: Prestonise read the cemetery report.

DDA: Vandemark asked about the sidewalk repair and wanted to know why DDA was not aware of it and not in our budget. Prestonise explained we did it to be fair and that didn't seem to work. We should help our business owners. Vandemark explained the DDA income and said do not think of us as a cash cow. Prestonise said we thought the DDA thought we were the cash cow. Gormley explained how the sidewalk ordinance works and if an assessment takes place the owners pay 50% and the Village pays 50%, otherwise the property owner pays for the replacement. Prestonise explained the time frame so the businesses would not lose any income. Vandemark said that they are filling out the application for the SRTS grant and that the goal is to have in by November and the funds would be available in 2019. He explained that the Planning Commission received a text amendment and he explained the process for it.

Commissioner Report: Root said that the county is healthy and bringing in more than spending. Dollars are going for increased road patrol in sheriff's department. Working on Pleasant View as a place for drug rehab; ground breaking for new facility that would bring in approximately 50 new jobs for county. County looking for new audit service and the new phone system will pay for itself in a years' time.

Old Business: A) Park Insurance/Bob Bucko: Bob Bucko, Insurance Representative from Stevenson Company, explained Public Act 138 and it prohibits us from insuring the park on the government insurance. They are a separate entity with separate banking and a board of its own. Both Bucko and Gormley said the only way it could happen is if the park board disbanded and the Village take it over; the park could be added to the insurance with no extra cost. Gormley said we need to find out what the school wants to do; the property owner needs to make a decision; tabled for more information.

B) Audit Report: The Village auditor, Ken Berthiaume, went over Village audit report. He explained what was done and went over what changes need to be made. He went over Independent Auditors' Report and said that the unmodified opinion is the best. HE then went over different funds and statements of revenues and expenses. Berthiaume said Village in good shape and Reed, Ketchum and Terry doing a good job with everything.

C) Gerry Terry: Ketchum and Reed explained then need to have Gerry Terry come in and asked for 20 hours. Bessenbacher motioned to have Gerry Terry to come in for 20 more hours; Berez seconded. Roll

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New Business - A) Memorandum of Understanding - SRTC: Prestonise gave his personal opinion of the Memorandum and told council they have to make up their own minds. Discussion on dams took place and upkeep of the launch. Gormley said not to debate the merits unless a motion is made. Prestonise asked if there was a motion and none was made. No action taken.

B) Event Permits: Reed explained the home coming permit and that Prestonise wanted council to be aware that he approved it. Bessenbacher motioned to approve the Jamie Anderson Fall Festival permit for October 21, 2017; seconded by Chapman. Voice Vote: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent. Question was asked about the police coverage section.

C) Auto Paper Folder: Reed explained the need with the mass mailings and that with 5 mailings it would pay for itself. Berecz motioned to purchase paper folder for \$254.00 plus shipping; seconded by Chapman. Roll Call: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.


D) Red Mill: Bessenbacher said she has had lots of complaints on the Red Mill and property across the street. Chapman said it's embarrassing to have someone come to town and see that. Janet Cole said after Friday it will be cleaned up. Gormley suggested calling AGS for code violations.

Public Comments: Mrs. Skinner said the North end of town has a trash pile. Tony Newman talked about dams and SRTC. Discussion on subject and Reed explained owner of private land installing fence to keep trespassers off land. Root said do not make it a dam issue, Memorandum and dams two different things. He also said one of council should be at the SRTC table. Prestonise said maybe they should have come to us before putting on the map.

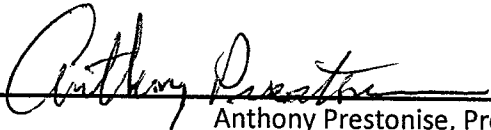
Any Other Business from Council /Comments: Bessenbacher said we have a new Village Church and parking becomes an issue with other businesses. She asked if we have heard anything from Tri County Wireless and Reed said not a thing.

Items For Next Agenda: Park

Meeting adjourned at: Motion to adjourn 9:07pm by Bessenbacher; seconded by Chapman. Voice Vote: Ayes- Orr, Berecz, Campbell, Chapman, Bessenbacher and Prestonise. Nays: None; Passed; 1 absent.


Marsha Reed, Clerk

11/13/17
Approval Date


Anthony Prestonise, President