

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
SPECIAL MEETING MINUTES
October 16, 2003**

Approved as submitted November 3, 2003.

DATE: October 16, 2003
TIME: 6:00 PM
PLACE: 58000 Grand River

Call to Order: Supervisor Shigley called the meeting to order at 6:04 PM.

Roll Call: Present: Joseph Shigley, Supervisor
Patricia Carcone, Treasurer
Pamela Johnson, Clerk
Ray Bisio, Trustee
Daniel Cash, Trustee
Steven Adams, Trustee
Lannie Young, Trustee

Also Present: Matt Quinn, Township Attorney
Chris Olson, Township Superintendent
Chris Doozan, Township Planner
Leslie Boisvenu, Township Engineer
Les Cash, Fire Chief

Guests: 8

1. CALL TO THE PUBLIC ON NON-AGENDA ITEMS:

Leslie Boisvenu, Giffels-Webster Engineers, introduced herself to the Board. She stated that she will be working with Loren Crandell on the future water and sewer projects in the Township.

2. APPROVAL OF THE AGENDA:

Ms. Carcone made a motion to approve the agenda as written. Mr. Adams supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved.

3. UNFINISHED BUSINESS:

A. Acceptance of Letter from Phoenix Acquisitions (Rentrop & Morrison, P.C.) regarding Pinehurst Site Condominium to rescind Rezoning

Mr. Quinn explained that in front of the Board tonight is a letter from the Attorney representing Phoenix, the developer of the property and from Thomas Moorhead, Trustee of the property. He stated that they are basically requesting that their application for the rezoning to R-0.3 and then later to the PD be withdrawn. He stated that to comply with this request they sent to the City and the Township Clerk a notice of public hearing for November to repeal both the Ordinances.

Mr. Quinn stated that this evening this is just in front of the Board to approve a motion to accept this request and then the Board's actions will proceed from here.

Mr. Young made a motion to accept the letter dated October 6, 2003 from Rentrop & Morrison, PC, Attorneys for Phoenix Acquisitions and Thomas Moorhead, Trustee of the property rescinding the rezoning. Mr. Bisio supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments.

Darcy Hollon, 24300 Martindale Road, questioned if the wording of the letter indicates that they have waived their right for future litigation. Mr. Shigley responded that he believes that the letter states without waive. Ms. Hollon questioned what Legal Counsel feels about this. Mr. Quinn stated that what they are saying is that they are withdrawing their request. He stated that they always have the right to challenge the underlying zoning.

Jim Hamilton, 24200 Martindale Road, stated that they have gone through a lot with Phoenix. He stated that they have put the Board in a position where the Township loses and they win. He stated that now it is the other way around, they are asking the Board to rescind everything that they have done so that they can win again.

Gary Rentrop, Attorney, stated that the letter is what it says. If the Board wants to act on the letter they may or they may chose to not act on the letter.

Darcy Hollon, 24300 Martindale Road, questioned if the developer has cut a deal and if so, is that deal going to be disclosed prior to the public hearing. Mr. Shigley responded that he does not know of any deal.

Roll Call Vote: Ayes: Bisio, Johnson, Shigley, Adams, Cash, Carcone, Young
Nays: None

Motion approved.

4. NEW BUSINESS:

A. Public Hearing on Truth in Budgeting and Review of the proposed 2004 Budget

Ms. Carcone made a motion to close the special meeting of Thursday, October 16, 2003 and open the public hearing for the Truth in Budgeting and review of the proposed 2004 Budget. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved.

The special meeting was closed and the public hearing was opened at 6:12 PM

Mr. Olson explained that the purpose of this public hearing is for the Township Board to receive comments on the proposed tax rate that will be levied on the tax bills.

Mr. Olson displayed the following on the overhead projector, which he briefly explained:
- Status of Tax Base for Truth in Budget Hearing
- Property Valuation Summary
- Actual Revenue Growth

Mr. Olson stated that at the conclusion of the public hearing he would like the Board to authorize this Headlee limitation so that they can notify the County.

Mr. Young questioned if they get to the point, because of their lack of fire millage and library millage, that the General Fund just isn't going to cut it and carry the expenses, do they have any

recourse where the Board could access any of the DDA funds. Mr. Olson responded that if there is going to be give back from the DDA, it has to be spread amongst all the other taxed units. He further explained how this works and discussed what the DDA has planned.

Mr. Adams questioned the expected life of the DDA. Mr. Olson responded that current plans have the DDA doing the New Hudson streetscape and that is it. He stated that they are looking at some plan amendments so that the DDA can do things with the ring road and other areas. Mr. Quinn stated that if the Township sells any bonds for any of these projects, the DDA must remain open for as long as those bonds exist. There was further discussion with regard to the DDA.

Mr. Shigley asked if there were any public comments regarding this issue. There were no public comments.

Ms. Carcone made a motion to close the public hearing on Truth in Budgeting and review of the 2004 proposed Budget and re-open the special meeting of Thursday, October 16, 2003. Ms. Johnson supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

The public hearing was closed and the special meeting was re-opened at 6:27 PM.

Mr. Olson displayed the following on the overhead projector and briefly went through explaining them:

- General Fund FY 2004 Summary
- Park Fund
- DDA
- Building Department

Mr. Young stated that he would like to go through these before going through a presentation. He noted that they just got their copy of the budget tonight and he would like to review it and digest the information before discussing it.

Mr. Olson briefly summarized these sections for the Board. He did not go into a lot of details since the Board requested that they have time to review these figures before discussing them.

Mr. Young made a motion to approve the Headlee Override for the maximum allowed. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments regarding the motion by the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote:	Ayes:	Carcone, Johnson, Cash, Young, Bisio, Adams, Shigley
	Nays:	None

Motion approved.

5. ADJOURNMENT:

Ms. Carcone made a motion to adjourn the meeting. Mr. Adams supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting was adjourned at 7:02 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk