

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

**CHARTER TOWNSHIP OF LYON  
BOARD OF TRUSTEES  
MEETING MINUTES  
November 8, 2004**

Approved as submitted December 6, 2004.

DATE: November 8, 2004  
TIME: 7:00 PM  
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Shigley called the meeting to order at 7:02 PM.

2. **Pledge of Allegiance**

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

Absent: Dan Cash, Trustee

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

Guests: 36

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Regular Meeting Minutes of October 4, 2004
- Approval of Disbursements
- Financial Report for September, 2004
- Engineer Monthly Report
- Earth Tech WWTP Operations Report
- Monthly Department Reports (Fire, Zoning Officer, Building and Sheriff)

Mr. Young made a motion to approve the consent agenda as submitted. Ms. Johnson supported the motion.

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

Motion approved.

5. **CALL TO THE PUBLIC ON NON-AGENDA ITEMS**

Shirley Baker, 27239 Stancrest, discussed mail delivery designations. She noted that her daughter

53 received a letter in the mail that did not have a number on it but was delivered to the right house.

54  
55 Darcy Hollon, 24300 Martindale Road, discussed the traffic signal at Ten Mile and Martindale  
56 Roads. She indicated that she made several calls to the Road Commission for Oakland County  
57 and reported that she was told that the signal will be in place by the end of the month.

58  
59 **6. APPROVAL OF AGENDA**

60 The following items were requested to be added to the agenda:

- 61 - PEG Access (Unfinished Business)
- 62 - Pendelton Park Apartments issue (New Business)
- 63 - Langan Properties (New Business)

64  
65  
66 Mr. Bisio made a motion to approve the agenda as modified. Ms. Carcone supported the  
67 motion.

68  
69 Voice Vote:           Ayes: All  
70                           Nays: None  
71                           Absent: Cash

72  
73 Motion approved.

74  
75 **7. ANNOUNCEMENTS AND COMMUNICATIONS**

76  
77 Mr. Shigley expressed his concerns regarding the following:

- 78 - businesses in the Township
- 79 - water and sewer sales should move slower
- 80 - letter from Levy Company regarding Lyon Sand and Gravel

81  
82 **8. Public Hearing on 2005 Program Year Community Development Block Grant Funds**

83  
84 Mr. Young made a motion to close the regular meeting and open the public hearing for the  
85 2005 Program Year Community Development Block Grant Funds. Ms. Carcone supported the  
86 motion.

87  
88 Voice Vote:           Ayes: All  
89                           Nays: None  
90                           Absent: Cash

91  
92 Motion approved.

93 The regular meeting was closed and the public hearing were opened at 7:11 PM.

94  
95 Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated  
96 October 18, 2004 regarding this issue. He recommended that the Board approve the following:  
97

SUGGESTED PROJECT	DESCRIPTION	ALLOCATION
Remove Architectural Barriers	Install automatic door opening system on front doors of the Township Hall	\$15,700.00
Public Services – Senior Services	Medicare and tax counseling, health screening, educational enrichment and intergenerational classes for senior citizens	\$14,700.00
Public Services – Battered and Abused Spouses	Provide services for abuses spouses and their children through the HAVEN	\$ 2,000.00

Minor Home Repair	Fund minor home repairs for low-moderate income residents	\$ 1,000.00
	Total =	\$33,400.00

98

99

Mr. Doozan noted that these figures vary slightly from what was indicated in the review letter.

100

101

Mr. Shigley asked if there were any public comments.

102

103

104

105

106

107

108

John Hicks, 29393 Tonester Circle, requested that the Board look into using some of the CDBG funds for a "File of Life" program. He noted that Redford Township has implemented this program for their Seniors and distributed a copy of the magnet w/list that they use. He indicated that he has give Mr. Doozan a copy of the price list for this program. Mr. Doozan stated that they do have some unused funds from previous years that could possibly be reallocated, if the Board wishes.

109

110

111

112

Ms. Carcone noted that a good way to distribute something like the "File of Life" would be through the Kiwanis Club at their annual Senior dinner which is the second Monday in December, if the Board decided to go with this.

113

114

There were no other public comments.

115

116

Mr. Bisio made a motion to close the public hearing and re-open the regular meeting.

117

Ms. Carcone supported the motion.

118

119

Voice Vote:           Ayes: All  
                               Nays: None  
                               Absent: Cash

120

121

122

123

Motion approved.

124

The public hearing was closed and the regular meeting was opened at 7:18 PM.

125

126

**9. UNFINISHED BUSINESS**

127

128

**a. Resolution Approving the 2005 Community Development Block Grant Funds.**

129

130

Mr. Olson stated that the Senior Services Program was hoping to get funding in the amount of \$19,300.00. He noted that he just wanted to make the Board aware of this. He stated that with the way that the funds are divided out, it does not look like this will be possible unless there is more funds that can be reallocated.

131

132

133

134

Ms. Johnson thanked Mr. Doozan for taking into consideration the removal of architectural barriers at the Township Hall. She stated that they had an inspection of all the voting precincts before the August primary and it was recommended to have the doors automated by a member of the Paralyzed Veterans.

135

136

137

138

139

Ms. Carcone stated that she would like to see more money allocated for minor home repairs. She stated that \$1,000 is really not enough. Mr. Doozan stated that they could reprogram some funds from another year into this fund. He noted that they need to somehow get more publicity.

140

141

142

143

Ms. Carcone questioned the possibility of getting a vehicle for the Seniors. Mr. Doozan responded that this would be a possibility and that there may be funds for this down the road.

144

145

146

Mr. Doozan indicated that he would bring information back to the Board with regard to reallocating funds for the issues discussed this evening.

147

148

149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202

Ms. Carcone made a motion to approve the Community Development Block Grant Funds for the 2005 program year as described this evening by Chris Doozan. Ms. Johnson 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. There were none.

Voice Vote:           Ayes: Carcone, Bisio, Adams, Johnson, Shigley, Young  
                              Nays: None  
                              Absent: Cash

Motion approved.

**b. Pinehurst Planned Development Approval – Second Reading and Proposed Adoption – Ordinance #126A-04**

Mr. Quinn stated that this was previously scheduled for adoption this evening, but after the last meeting Gary Rentrop, Attorney for Pinehurst, called him and reminded him that this has to go before the County’s Zoning Committee before final adoption. He noted that this was sent to the County and will be considered tomorrow.

Mr. Quinn stated that this will come back before the Board at their December meeting, but in the interim, Mr. Rentrop has proposed a resolution to be adopted tonight as an interim approval. He read the interim resolution, Draft 11/08/04, into the record and submitted it to the Clerk.

Mr. Young made a motion to adopt the Interim Resolution Regarding Approval of the Pinehurst PD with the issues stated:

1. Receiving recommendation of the County Coordinating Zoning Committee or the expiration of 30 days from the submittal of the proposed PD to the committee, which ever first occurs.
2. Fulfilling the recommendations of McKenna Associates letter of October 18, 2004.
3. Providing a six (6) inch sewer lead to the abutting property owned by the Bells.
4. A four (4) foot high fence between the Pinehurst development, and those properties abutting Pinehurst on it easterly boundary, whose owners request the fence.

Mr. Adams supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. He questioned the effective date. Mr. Quinn explained the enactment of a planned development.

Mr. Shigley asked if there were any public comments. There were none

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

Motion approved.

**c. Award of Construction Contract for Woodwind Well**

Mr. Crandell explained what the Woodwind Well project is. He stated that this is being constructed through a special assessment district, which only has two participants, Woodwind Development and Kirkway Estates (Curtis Builders). He noted that the SAD has been established. He stated that over the past week they have been working with South Hill Construction to come up with a final contract price. He stated that both Woodwind and Curtis Builders are satisfied with the contract

price of \$2,791,006.31. He stated included in this price is a contingency of \$120,000. He noted that the architectural drawings for this are not yet complete. He noted that this price is higher than the original because of the cost of pipe. He stated that all the participants are aware of this and are willing to be reassessed. The contract award is \$2,791,006.31.

Mr. Crandell requested that the contract be awarded contingent upon Engineering approval.

Mr. Shigley questioned if this was a public opening. Mr. Crandell responded that this was not a public opening, and explained why it was not. Mr. Shigley stated that he was under the impression that the Township's ordinance required a public opening. He then asked Mr. Quinn for his opinion. Mr. Quinn stated that he would have to look back at the policy to see what it indicates for a well building. He noted that this is not a public building. He stated that he could check on this and report later in the meeting.

Mr. Young made a motion to table this issue until Mr. Quinn can get the information and bring it back to the Board. Ms. Carcone supported the motion.

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

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Cash

Motion approved.

**d. Acceptance of Donation Documents for Woodwind Well (Table to December)**

Mr. Quinn stated that these documents are not finalized, therefore, it should be tabled until the December meeting.

Mr. Bisio made a motion to table this issue until the December meeting. Mr. Young supported the motion.

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

Voice Vote:           Ayes: All  
                              Nays: None  
                              Absent: Cash

Motion approved.

**e. Approval of Bond Resolution for Special Assessment Bond, Series 2004-B, Martindale Road Water Main and Road Improvements Special Assessment District.**

Mr. Quinn stated that presented to the Board this evening is the bond resolution prepared by Paul Wyzgowski, Bond Attorney, for the Martindale Road Water Main and Road Improvements. The amount is \$965,760.62. He stated that this resolution is in a proper form for the Board's consideration and approval, which would then authorize them to proceed with the Bond sale.

Mr. Shigley questioned the property owners involved in this. Mr. Quinn responded that there is only one property owner, Jeff Appel, Lyon Development.

257 Mr. Bisio made a motion to approve the Bond Resolution for Special Assessment Bond, Series  
258 2004-B, Martindale Road Water Main and Road Improvements Special Assessment District.  
259 Ms. Carcone supported the motion.

260  
261 Mr. Shigley asked if there were any comments regarding the motion from the Board. There were  
262 none. He then asked if there were any public comments. There were none.

263  
264 Roll Call Vote: Ayes: Carcone, Young, Shigley, Johnson, Bisio, Adams  
265 Nays: None  
266 Absent: Cash

267  
268 Motion approved.

269  
270 **f. Approval of Bond Resolution for Special Assessment Bond, Series 2004-C, West Pontiac Trail**  
271 **Sanitary Sewer Improvements Special Assessment District.**

272  
273 Mr. Quinn stated that this bond resolution is for the installation of the sewer along West Pontiac Trail.  
274 The amount is \$6,008,167.00. He stated that this amount not only includes the construction but also  
275 the pre-purchase of sewer taps by some of the property owners. He stated that this was assessed  
276 over eleven or twelve property owners.

277  
278 Mr. Crandell stated that there are basically four developments that are within the SAD, Saddle  
279 Creek, Pinehurst, Elkow PD and Hornbrook Estates, all single family developments. There are no  
280 individual residents involved in this SAD.

281  
282 Mr. Bisio made a motion to approve the Bond Resolution for Special Assessment Bond, Series  
283 2004-C, West Pontiac Trail Sanitary Sewer Improvements Special Assessment District. Mr. Adams  
284 supported the motion.

285  
286 Mr. Shigley asked if there were any comments regarding the motion from the Board. There were  
287 none. He then asked if there were any public comments. There were none.

288  
289 Roll Call Vote: Ayes: Shigley, Young, Bisio, Johnson, Carcone, Adams  
290 Nays: None  
291 Absent: Cash

292  
293 Motion approved.

294  
295 **g. Transfer of On-Premises Class C Liquor License for Riverbank Golf, L.L.C.**

296  
297 Mr. Quinn explained the status of this issue. He gave a brief history of the site indicating that there  
298 were some plan deficiencies.

299  
300 Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated  
301 November 5, 2004 regarding this issue.

302  
303 Kevin Cleary, Attorney, indicated that the dumpster screening has been done and that the wheel  
304 stops have been ordered and will be installed when received. He stated that his client will also  
305 commit to the evergreens, as well.

306  
307 Mr. Quinn stated that this is the standard resolution form as recommended by the State of  
308 Michigan  
309 for the purpose of the request of Riverbank Golf, LLC to transfer ownership of the 2002 twelve  
310 month

311 resort Class C License in Business issued under State Statute with dance permit located at 24905  
312 Currie Road, South Lyon, MI, from Harold E. Edwards, Jr., Harold. E. Edwards, Sr. Trust, Clarence R.  
313 Charest, Successor Trustee. Those would be transferred to the four names known as Riverbank  
314 Golf, LLC, John Robert Langan, Thomas J. Langan, Jr., Kevin J. O'Malley and Keith Suda.  
315

316 Mr. Quinn stated that any motion would be in accordance with the resolution as presented by the  
317 Michigan Liquor Control Commission.  
318

319 Mr. Adams made a motion to approve the standard resolution as recommended by the State of  
320 Michigan for the purpose of the transfer of ownership of the 2002 twelve month Resort Class C  
321 License in Business issued under State Statue with a dance permit located at 24905 Currie Road,  
322 South Lyon, MI from Harold E. Edwards, Jr., Harold E. Edwards, Sr. Trust and Clarence R. Charest,  
323 Successor Trustee to the four names known as Riverbank Golf, LLC, John Robert Langan, Thomas  
324 J. Langan, Jr., Kevin J. O'Malley and Keith Suda. Mr. Bisio supported the motion.  
325

326 Mr. Shigley asked if there were any comments regarding the motion from the Board.  
327

328 Mr. Adams noted that the deficiencies should have been taken care of by the prior owner. He  
329 thanked Mr. Langan for taking care of these issues, even though they were left behind by the  
330 previous owner.  
331

332 Mr. Young questioned the dance permit portion. Mr. Quinn responded that what this is saying is  
333 that the current Class C license does have a dance permit with it. A dance permit allows for a  
334 dance floor area to be set aside so that people can dance on that dance floor. Mr. Young stated  
335 that he is not sure what a dance permit consist of. He questioned that if they approve this, are  
336 they giving approval to have a "Go Go" dance hall there. Mr. Quinn responded that they are  
337 not.  
338

339 Mr. Shigley asked if there were any public comments. There were none.  
340

341 Roll Call Vote: Ayes: Adams, Carcone, Bisio, Johnson, Young, Shigley  
342 Nays: None  
343 Absent: Cash  
344

345 Motion approved.  
346

347 **c. Award of Construction Contract for Woodwind Well (continued)**  
348

349 Mr. Quinn stated that he has reviewed the bid policy of the Township, which he read to the Board.  
350 He stated that this would not effect a capital project such as this.  
351

352 Mr. Young made a motion to award the construction contract for the Woodwind Well House  
353 contingent upon the provisions of the insurance documents, finalization of the details by the  
354 Engineer, Attorney, Superintendent and also reassessment and completion of all other documents  
355 pertaining to this issue in the amount of \$2,791,006.39. Ms. Carcone supported the motion.  
356

357 Mr. Shigley asked if there were any comments regarding the motion by the Board. Mr. Crandell  
358 stated that the motion indicated the completion of the reassessment. He noted that this will not  
359 be done for several months yet and is not necessary to be part of the motion.  
360

361 Mr. Young amended his motion to remove "and also reassessment". Ms. Carcone supported the  
362 amendment to the motion.  
363

364 Mr. Shigley asked if there were any public comments. There were none.

365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418

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

Motion approved.

**h. Minimum Parcel Size for Funeral Homes and Mortuaries – Second Reading and Proposed Adoption of Text Amendment to Zoning Ordinance.**

Mr. Doozan explained that this would reduce the minimum parcel size for funeral homes from 10 acres to 4 acres.

Ms. Carcone made a motion to amend the Zoning Ordinance, Article 22.R-2.5, Agricultural Residential District, Section 22.02. Permitted Uses and Structures, B. Special Land Uses, Sub-section 22(a) to reduce the minimum parcel size for funeral homes and mortuaries from ten acres to four acres. Ms. Johnson 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. There were none.

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

Motion approved.

**i. Impervious Surface Standards – Second Reading and Proposed Adoption of Text Amendment to Zoning Ordinance.**

Mr. Doozan explained that this was before the Board at last month’s meeting for a first reading. The ordinance would allow up to 60% of the lot in office and commercial districts to be covered by impervious surfaces and 75% in the industrial district. He stated that off-street parking would be required to be setback a minimum of 10’ for the side and rear yards in office, commercial and industrial districts. This also amends the definition of lot coverage to include paved surfaces and other impervious surfaces.

Mr. Doozan stated that at the last meeting an issue was raised about lot in residential districts. He stated that they wanted to make sure that the ordinance amendments did not affect the residential districts. He stated that they are proposing to have two separate definitions for lot coverage, one for residential and one for non-residential. Mr. Shigley noted that he brought this issue up at the last meeting because he was concerned about this, but he indicated that he is concerned about the whole ordinance.

Mr. Shigley questioned who requested that this ordinance be changed. Mr. Doozan responded that the impetus came from the Planning Commission as a result of a couple developments that came through where they large totals of impervious surfaces. He stated that right now the Township does not have anything in their ordinance that would regulate the amount of impervious surface allowed. Because of this, the Planning Commission requested that some standards be created.

Mr. Shigley stated that he looked back at some of the developments that have been approved, i.e., Wal-Mart, Liberty Chevrolet, etc., and none of them would meet this ordinance. Mr. Doozan stated that the development in Lyon Town Center and Lyon Crossing, which is a planned

419 development, would be exempt from this ordinance.

420  
421 Mr. Bisio questioned what impact this would have on commercial development in the Township  
422 in the future. Mr. Doozan responded that this is not out of line with what some of the neighboring  
423 communities require. He stated that they did look at some of the other developments that have  
424 occurred in the Township and this is not out of line with the developments that are considered  
425 good developments and the amount of impervious surfaces within those developments.

426  
427 Mr. Shigley stated that he is opposed to this and would support not voting for this. He stated that  
428 he heard on the news last night that Michigan is ranked #1 for the least employers growing in  
429 the communities. He stated that Michigan was the only State that reported a loss in employment  
430 last month, all the other States have increases. He stated that he is worried that the more they  
431 do with things like this that would slow down business is ultimately going to have an affect on the  
432 home values and the Township. He stated that he would like to have the Board give this some  
433 more thought before moving ahead with this.

434  
435 Mr. Young questioned if the neighboring communities have established a percentage rate for  
436 impervious surfaces similar to what is being proposed. Mr. Doozan responded that it differs from  
437 one community to the next.

438  
439 Mr. Young made a motion to table this issue until the December meeting to allow the Board to  
440 give it more consideration. Ms. Carcone supported the motion.

441  
442 Mr. Shigley asked if there were any comments regarding the motion from the Board. Mr. Bisio felt  
443 that they should consult with developers on this issue. Mr. Shigley felt that they should get some  
444 input from communities already established and input from businesses that they have a good  
445 relationship with in the community regarding this issue. Ms. Johnson noted that a section in the  
446 Schedule of Regulations does have a maximum lot coverage amount indicated in it right now  
447 but does not cover pavement. She questioned why residential was included. Mr. Doozan  
448 responded that the residential is not being changed at all. Mr. Young stated that he would like to  
449 go back and look at the Planning Commission minutes to understand their rational for requesting  
450 this change.

451  
452 Mr. Shigley asked if there were any public comments.

453  
454 Darcy Hollon, 24300 Martindale Road, stated that she felt that this may be a good thing. She  
455 stated  
456 that the economy has sort of taken an downturn and that there aren't a lot of jobs, but she does  
457 not believe that it is because of the impervious surface, she felt that it was because of China.

458  
459 Voice Vote: Ayes: All  
460 Nays: None  
461 Absent: Cash

462  
463 Motion approved.

464  
465 **j. PEG Access**

466  
467 There was discussion with regard to airing the Township Board meetings on cable. Mike Buck,  
468 WOCCCA discussed the results of a special meeting that WOCCCA held on October 11, 2004  
469 which produced a tentative agreement with Huron Valley Schools and Walled Lake Consolidated  
470 Schools for Public, Educational and Government (PEG) Broadcasting. He noted that he is not  
471 sure of the costs that would be involved.

473 It was discussed that the tape that Robin Allen was making this evening could be delivered and  
474 put on the Government channel. Mr. Buck stated that WOCCCA would like to have a resolution  
475 from the Board approving the use of the tape and that Huron Valley Schools would need an  
476 agreement by resolution.

477  
478 Mr. Quinn questioned what the Federal requirements are for the tapes. Mr. Buck responded  
479 that it would be whatever the Federal requirements are for anything that is broadcast over  
480 the television, i.e., Channel 2, 4 or 7, etc. It was noted that tapes could not be edited.

481  
482 Mr. Olson questioned the coverage in the Township by cable users. Mr. Buck responded that he  
483 does not know the number of subscribers in the Township. Mr. Olson questioned the tape quality,  
484 and sound reinforcement. Mr. Buck responded that if the Township wants to do this properly, they  
485 would want to have everything hooked up so that they would have good tape quality. He stated  
486 that there are four cameras for the consortium at Huron Valley that can be used by the different  
487 communities. He noted that these cameras are not any different than what Robin Allen has and  
488 uses. He stated that if they are operated properly, it should not be a problem.

489  
490 Mr. Young questioned who reviews the tape for quality. Mr. Buck responded that basically what  
491 they see is what they get. The tape would be presented as it is.

492  
493 Ms. Carcone stated that they the need to have a policy in place before they move forward with  
494 this issue. She stated that she doesn't understand why they are even talking about this issue  
495 without an ordinance in place. She stated that she has checked with other communities and  
496 found out that the other communities have ordinances in place for this.

497  
498 Mr. Quinn concurred with Ms. Carcone. He stated that the Board will have to decide what  
499 meetings will be recorded and aired. He noted that there are regular meetings, special  
500 meetings, meetings at different times and study sessions. He stated that a policy would have to  
501 be determined as to which meetings would be broadcast.

502  
503 Mr. Shigley questioned who would determine how many times a month the tape would be shown.  
504 Mr. Buck responded that the Board could request the number of times. Mr. Shigley stated that he  
505 feels that the Board should establish a table indicating how many times the tape could be shown  
506 during the month.

507  
508 Mr. Quinn stated that the Board is going to have to schedule who will be taping the meetings. He  
509 stated that the worst thing that the Board could do, as a public body, is broadcast every other  
510 meeting or every third meeting, because it becomes suspect. He noted that he has seen this is in  
511 other communities. He stated that once the Board commits, then they commit to all and then they  
512 would have to have logistics set up for this to be in place. He stated that a policy or ordinance  
513 would reflect that the meeting minutes kept and approved are the official record. The tapes  
514 would not be official minutes of the Board. He felt that there are many things that have to be  
515 considered before the Board adopts an ordinance or policy.

516  
517 Mr. Shigley stated that he has been supporting this for many years. He stated that this is his last  
518 meeting and was hoping that this could happen with his last meeting. He stated that he would  
519 like to see at least one thing that has been discussed for such a long time be brought to the  
520 Board, and was hoping that this Board would take action on this tonight.

521  
522 Mr. Young stated that they need to have a clear understanding of this. Ms. Carcone stated that  
523 it is not that simple, there are requirements that need to be met.

524  
525 Mr. Buck stated that WOCCCA has some financial problems and indicated that the Township may  
526 not be able to air any of their meetings for free. He stated that he is trying to get at least one or

527 two meetings a month aired for free, but is not sure that this will happen.

528

529 Mr. Shigley made a motion to start video taping and airing the Township meetings beginning with  
530 tonight's meeting. Mr. Adams supported the motion.

531

532 Mr. Shigley asked if there were any comments regarding the motion from the Board. Mr. Olson  
533 stated that he felt that the Township would be looking at some capital investment for this. He  
534 stated that with the cameras going back and forth, it could be burdensome. He noted that there  
535 could be some provisions in the 2005 budget for this. Ms. Johnson felt that this issue needs to be  
536 investigated further. Mr. Adams felt that they owe the airing of the meetings to the residents of  
537 the Township. He noted that they have been promising this to the residents for a long time.

538

539 Mr. Shigley asked if there were any public comments.

540

541 Darcy Hollon, 24300 Martindale Road, questioned if the Township is going to end up paying funds  
542 for this. There was brief discussion with regard to funds. Mr. Shigley stated that it is his  
543 understanding

544 that if they have volunteers, then the Township will not be paying for the taping of the meetings.  
545 Ms. Hollon expressed concern if any money would come out of the General Fund.

546

547 Ms. Carcone stated that she would like to see a newsletter go out. She noted that there are many  
548 people throughout the Township that don't have cable. She felt that a newsletter sent out with  
549 the tax bills would reach every household.

550

551 Troy Schilling, 57780 Twelve Mile Road, stated that this is nothing new and it is something that would  
552 be good for the residents. He stated that they have an idea, but there is no plan. He stated that  
553 they don't know the costs and they don't know what type of equipment is needed. He felt that  
554 this is premature to start tonight. He felt that they need to get the data and then go from there.

555

556 Harold Grove, 28735 Hovey Lane, stated that it boils down to the point that some people are willing  
557 to say certain things and be on camera and stand behind them, and others feel that they are in a  
558 fishbowl and don't want to be recorded. He stated that along with Robin Allen, he has been  
559 taping the meetings for about five years, and he is not broke with regard to expenditures. He  
560 noted that the tapes run a couple of dollars. He stated that they show these tapes to senior  
561 citizens, shut-ins and other people, upon request. He stated that there really is no great  
562 expenditure. He felt that some of the Board seems to be inclined to delay this. He felt that this is a  
563 chance to put the money where the mouth is, and it is not that much money right now. He stated  
564 that he sees no reason why they can't get some approval to continue video taping these  
565 meetings and other meetings at any time of the day or night. He felt that they owe it to the public  
566 in order to keep them aware of what is going on financially in the Township.

567

568 Ms. Carcone stated that she has no problem being on tape, not now or not ever. She felt that  
569 Mr. Grove was assuming something very wrong and would like to see the Board speak if they are  
570 worried about being on tape. Mr. Young stated that he has no problem and supports this.  
571 Mr. Bisio indicated that he does not have a problem with this. Ms. Johnson stated that she does  
572 not have a problem being on tape but felt that the money could be put to better use. Mr. Shigley  
573 felt that this is a great idea. Mr. Adams indicated that he does not have a problem with this.

574

575 Mr. Bisio felt that once this gets going that the financial meetings should definitely be taped.

576

577 Ms. Carcone stated that they have a responsibility to the residents to put rules and regulations in  
578 place before they do anything. She stated that she will not be pushed into passing this so that  
579 Mr. Shigley can be on television.

580

581 Roll Call Vote: Ayes: Shigley, Bisio, Adams  
582 Nays: Johnson, Young, Carcone  
583 Absent: Cash  
584

585 Tie Vote – motion not approved.  
586

587 Mr. Young made a motion to pursue getting the videos done as soon as possible once the rules are  
588 in place. Mr. Bisio supported the motion.  
589

590 Mr. Shigley asked if there were any comments from the Board regarding the motion. There were  
591 none. He then asked if there were any public comments. There were none.  
592

593 Voice Vote: Ayes: All  
594 Nays: None  
595 Absent: Cash  
596

597 Motion approved.  
598

599 **10. NEW BUSINESS**

600 **a. Timber Trail Condominium Approval Request – AP-04-22, west side of Martindale Road and**  
601 **north of 11 Mile Road.**  
602

603 Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated  
604 October 28, 2004 regarding this issue.  
605

606 Brian Townsley, Tower Development, highlighted the plans for the Board. He noted that the  
607 Planning Commission did not like the idea of the Bradford Pear trees, so he is going to submit four  
608 or six different types of trees to be interspersed throughout the lots. He noted that they will be  
609 incorporating the trees into the design of the homes and the landscaping. There is 1.6 acres of  
610 open space along Martindale Road.  
611

612 Mr. Shigley stated that he looked at the plans and like the idea that this development does not  
613 look like a subdivision.  
614

615 Ms. Carcone questioned what is wrong with Bradford Pear trees. Mr. Doozan responded that they  
616 are very susceptible to storm and wind damage.  
617

618 Mr. Shigley questioned the size of the lots. Mr. Townsley responded that they start at 4/10ths of an  
619 acre and go up to 7/10ths of acre.  
620

621 Mr. Bisio questioned if Mr. Townsley has submitted for the permits. Mr. Townsley responded that he  
622 will be submitting for permits. He noted that he has received approval from the Road Commission  
623 for Oakland County and MDEQ. He indicated that the approval from the Health Department is  
624 a form that needs to be completed by them. Ms. Boisvenu noted that there are a few minor  
625 issues that need to be taken care of, which she discussed with Mr. Townsley before the meeting.  
626

627 Mr. Bisio made a motion to approve AP-04-22, Timber Trail Condominium subject to the conditions  
628 cited in the McKenna Associates, Inc. letter dated October 28, 2004. Ms. Carcone supported the  
629 motion.  
630

631 Mr. Shigley asked if there were any comments regarding the motion from the Board. There were  
632 none. He then asked if there were any public comments. There were none.  
633  
634

635 Roll Call Vote: Ayes: Shigley, Bisio, Adams, Carcone, Johnson, Young  
636 Nays: None  
637 Absent: Cash

638 Motion approved.

639  
640  
641 **b. Madi Lane Private Road Approval Request AP-04-11, east side of Martindale, between Travis**  
642 **and Pontiac Trail**

643  
644 Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated  
645 October 28, 2004 regarding this issue.

646  
647 Mr. Young made a motion to approve AP-04-11, Madi Lane Private Road, subject to the  
648 conditions cited in the McKenna Associates, Inc. letter dated October 28, 2004. Mr. Bisio  
649 supported the motion.

650  
651 Mr. Shigley asked if there were any comments regarding the motion from the Board. Mr. Young  
652 questioned if there was a gas lead on this property. Gordie Pietila responded that it is on  
653 the north side. He noted that this property is just south of the Roediger Estates development.

654  
655 Mr. Shigley asked Mr. Pietila if he had any problem with the conditions. Mr. Pietila responded that  
656 he did not.

657  
658 Mr. Shigley asked if there were any public comments. There were none.

659 Roll Call Vote: Ayes: Johnson, Shigley, Bisio, Young, Carcone, Adams  
660 Nays: None  
661 Absent:

662  
663 Motion approved.

664  
665  
666 **c. Award of Contract for Demolition of Blighted Structures**

667  
668 Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated  
669 November 3, 2004 regarding this issue.

670  
671 There was discussion with regard to the difference between the three bids that were received.  
672 Mr. Olson noted that Mr. Phillips called General Industries to make sure that they could do the  
673 work for the amount that was bid. It was noted that each bidder was required to go out and  
674 look at the property before bidding.

675  
676 Mr. Adams stated that the ragged garage that is located near the garden center that the  
677 Township had torn down, was supposed to be fixed up by the owner. He noted that it still has  
678 not be fixed up and requested that the Township do something about this.

679  
680 Mr. Bisio made a motion to award the contract for demolition of two blighted structures located  
681 at 30300 South Hill Court to General Industries (T. Carter) in the amount of \$7,375.00. Mr. Adams  
682 supported the motion.

683  
684 Mr. Shigley asked if there were any comments regarding the motion from the Board. There were  
685 none. He then asked if there were any public comments. There were none.

686 Roll Call Vote: Ayes: Bisio, Shigley, Adams, Carcone, Young, Johnson  
687 Nays: None  
688

689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742

Absent: Cash

Motion approved.

**d. First Reading on Proposed Rooftop Screening Ordinance – Text Amendment to the Zoning Ordinance**

Mr. Doozan stated that this amendment basically clarifies what has been in the Board’s packets and is called for in the site plan review section of the ordinance. He stated that it makes it more specific in noting that roof top mechanical equipment should be screened. He stated that it is a fairly simple revision and it is virtually done anyway. He noted that there have been some people who have objected to doing this, therefore, it is necessary to have the ordinance language beefed up a little bit.

Mr. Shigley questioned to what extend does this go, are they trying to cover items on the roof from being seen from the ground or from the air. Mr. Doozan responded that it would be from looking from the ground. He noted that the equipment could be screened by a parapet wall or by way of normal screening.

Mr. Young made a motion to approve the first reading of the proposed amendment to the Rooftop Screening Ordinance. Ms. Carcone 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. There were none.

Roll Call Vote:           Ayes: Carcone, Young, Adams, Johnson, Bisio  
                                  Nays: Shigley  
                                  Absent: Cash

Motion approved.

**e. First Reading on Proposed Maximum Lot Coverage and Minimum Parking Setback Ordinance – Text Amendment to the Zoning Ordinance.**

It was noted that this item is the same as 9i.

**f. Pendleton Park Apartments, New Hudson Drive Road Dedication**

Mr. Olson explained that they received a letter and previous inquiries with regard to the dedication of New Hudson Drive to the Road Commission. He indicated that this is a public safety matter.

Mr. Bisio questioned if this is a private road right now. Mr. Olson responded that it is and that it is privately maintained. Mr. Bisio feels it will be a problem if the Road Commission takes over and felt that it should continue as a private concern.

Mr. Quinn noted that the planned development required that the roads be public roads in lieu of private roads. Mr. Olson stated that the reason that they have remained private is that the Road Commission has not moved forward on this.

Mr. Bisio noted that the Road Commission’s track record is not good now with regard to snow removal or maintaining of the roads.

Ms. Carcone questioned if they are still waiting for drainage approval. Mr. Olson responded that

743 they are because the road is draining into a private pond. He stated that the Road Commission  
744 wants a mechanism in place that the ponds that are maintained by privately concerns, that the  
745 Township can step in and take over and assess them so that they are properly maintained.  
746

747 Mr. Quinn stated that if the Board were to consider this, any motion made should state that this  
748 should be put into a recordable form, which he will do, but it will still follow the contents of the  
749 draft letter dated November 8, 2004.  
750

751 Mr. Young made a motion to adopt the agreement that is outlined in the draft letter dated  
752 November 8, 2004 with the understanding that the letter will be submitted in a recordable form by  
753 the Township Attorney. Ms. Carcone supported the motion.  
754

755 Roll Call Vote: Ayes: Young, Johnson, Adams, Shigley, Bisio, Carcone  
756 Nays: None  
757 Absent: Cash  
758

759 Motion approved.  
760

761 **g. Langan Properties**  
762

763 Mr. Olson explained that the various issues that involve the various Langan properties. He  
764 stated that they are looking for more progress on these issues.  
765

766 Kevin Cleary, Attorney, stated that his understanding with respect to the seven issues is that  
767 significant progress has been made on six of them. He stated that they would be happy to  
768 sit down and discuss these issues, if necessary.  
769

770 Mr. Olson stated that this has been ongoing for too long and needs to be dealt with. He noted  
771 that he is asking the Board to give him authorization to pursue this civilly, if necessary.  
772

773 Mr. Young stated that he left the meeting a month ago with the clear understanding that all  
774 the issues would be resolved. He stated that what he is hearing now is that there is some  
775 disagreement, especially with the 40 acres, which is the biggest violation. He suggested that they  
776 keep pursuing this to come up with some type of resolution to bring back to the Board. He  
777 stated that he was ready to make a motion tonight to go ahead and authorize to pursue this  
778 legally, but felt that it is premature. He stated that it sounds like progress has been made but  
779 felt that they need to continue to make progress.  
780

781 Mr. Cleary stated that with respect to the 40 acres, he felt that it would behoove them to meet  
782 again to further discuss this.  
783

784 There was no action taken by the Board at this time.  
785

786 **11. ITEMS REMOVED FROM CONSENT AGENDA FOR ACTION OR DISCUSSION NONE**  
787

788 **12. ADJOURNMENT**  
789

790 Ms. Carcone made a motion to adjourn the meeting. Mr. Young supported the motion.  
791

792 Voice Vote: Ayes: All  
793 Nays: None  
794 Absent: Cash  
795

796 Motion approved. The meeting was adjourned at 9:04 PM.

797  
798 Respectfully Submitted,  
799

800 *Deby Cothery*

801  
802 Deby Cothery  
803 Recording Secretary

Pamela Johnson  
Clerk

804  
805