

**CHARTER TOWNSHIP OF LYON  
BOARD OF TRUSTEES  
SPECIAL MEETING MINUTES  
TUESDAY, FEBRUARY 28, 2006**

Approved as submitted April 3, 2006.

DATE: February 28, 2006  
TIME: 7:00 P.M.  
PLACE: 58000 Grand River

**1. Call to Order:** Supervisor Young called the meeting to order at 7:00 P.M.

**2. Pledge of Allegiance**

**3. Roll Call:** Present: Lannie Young, Supervisor  
Pamela Johnson, Clerk  
Patricia Carcone, Treasurer  
Dan Cash, Trustee  
Troy Schilling, Trustee

Absent: John Hicks, Trustee  
Brent Hemker, Trustee

Also Present: Matthew Quinn, Township Attorney  
Chris Olson, Township Superintendent  
Alexis Marcarello, Township Planner  
Leslie Zawada, Township Engineer

Guests: 8

**4. CALL TO THE PUBLIC**

Mr. Jeff Butzin, representing General Motors, announced his presence at the meeting.

**5. APPROVAL OF AGENDA**

Treasurer Carcone moved to approve the agenda as submitted. Clerk Johnson seconded the motion.

Voice Vote: Ayes: All  
Nays: None  
Absent: Hicks, Hemker

Motion approved.

**6. EXECUTIVE SESSION REGARDING PROPOSED FINAL CONSENT JUDGMENT FOR  
BEHRENWALD/BOB SAKS DEALERSHIP COURT CASE**

Treasurer Carcone moved to close the special meeting of the Board of Trustees on Tuesday, February 28<sup>th</sup>, 2006 to go into executive session regarding a proposed final consent judgment for Behrenwald/Bob Saks dealership court case. Trustee Schilling seconded the motion.

Voice Vote: Ayes: All

Nays: None  
Absent: Hicks, Hemker

Motion approved.

The special meeting was reconvened at 8:24 P.M.

Attorney Quinn explained that the Board needed to approve the concept and list the things they were approving in concept subject to a final judgment being presented to the Board.

Attorney Paul Burns requested an authorization by the Board for the Supervisor and the Clerk to execute this judgment after Township Attorney approval so they wouldn't have to come back to the Board.

Treasurer Carcone stated she would prefer to see the final draft. Trustee Schilling, Clerk Johnson agreed.

Mr. Butzin was consulted regarding what action he would like to see tonight. He responded that this has been a long, drawn out and he would like to get this moving sooner.

Trustee Schilling said that the Board meets again within a week, he felt the board could make the motion and they could compile the final terms and have them put together for Board review and it would be a formality final approval. The terms need to be put in black and white, so that it is in final form.

Supervisor Young suggested a resolution agreeing in concept of the judgment but leave it subject to final approval once the details are listed. He said that the Board wants to see the final form and reminded the applicants that the Board has been conducive to previous special meetings which were cancelled by the applicants. Treasurer Carcone reminded them of two special meetings that were cancelled. Trustee Schilling said the next meeting is Monday, March 6<sup>th</sup>. Clerk Johnson informed the applicants that board packets were going out Thursday for the meeting.

Attorney Quinn stated the draft of February 22<sup>nd</sup> by Attorney Burns is the basis of the consent judgment with minor language changes which he will work out with Mr. Burns.

Mr. Quinn said the Board has agreed on how to handle the hydrogeo, the language in the judgment is satisfactory as far as how the materials defect would be handled and the tree replacement amounts are at \$25,000 (to be placed into the Tree Replacement Fund) at the time building permit application for the first building. He continued stating, then \$10,000 per year beginning in year 5 through year 10, being \$50,000, then \$25,000, to be paid at \$5,000 per year for years 11 through year 15. Payments are to be made on an annual basis.

Mr. Quinn said that with the list from Planner Chris Doozan, the uses allowed on site are 28 items, deleting 3 areas of essential services, mini warehouses, and open air displays, with no reference to automobile dealerships, excluding sales of nursery plant materials, lawn furniture, playground equipment, swimming pools, garden supplies and similar open air displays. This will be retyped and be an exhibit and only those on the exhibit will be allowed on the so-called Saks property. The Behrenwald property is B-3 and therefore all the allowed uses are permitted there. There will be a statement that the site plan, as submitted is the approved site plan, and that if the plan is in conflict with ordinances, the site plan as submitted, governs, with the exception that there will be no variances for any signs and that in fact all signage will comply with the Township zoning ordinances.



