

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
June 5, 2006**

Approved as submitted July 5, 2006.

DATE: June 5, 2006
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Young called the meeting to order at 7:03 PM.

2. **Pledge of Allegiance**

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

Also Present: Matthew Quinn, Township Attorney
Chris Olson, Township Superintendent
Chris Doozan, Township Planner
Leslie Zawada, Township Engineer
Al Hogan, Township Building Official
Les Cash, Fire Chief

Guests: 28

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Regular Meeting Minutes of May 1, 2006
- Approval of Special Meeting Minutes of May 12, 2006
- Approval of Special Meeting Minutes of May 18, 2006
- Approval of Disbursements
- Revenue/Expense Report through April 2006/Cash Balance Report through May, 2006
- Acceptance of Sanitary Sewer Easement from Crystal Creek Land, LLC for the Glens at Crystal Creek
- Acceptance of Sanitary Sewer Easement from Crystal Creek Land, LLC for the Villas at Crystal Creek
- Acceptance of Water Main Easement from Crystal Creek Land, LLC for the Villas at Crystal Creek
- Building Department Report for April 2006
- Zoning Report for April 2006
- Sheriff Department Report for April 2006
- Fire Department Report for April 2006
- Engineer Status Report for April 2006
- Earth Tech Operating Report for April 2006

Mr. Young asked if there were any changes to the Consent Agenda. Ms. Johnson indicated that The Zoning Report listed is actually for May and not for April. Mr. Young asked if there were any other changes. There were none.

Mr. Hemker moved to approve the consent agenda with the change noted. Mr. Schilling supported the motion.

Roll Call Vote: Ayes: Carcone, Hicks, Hemker, Young, Schilling, Johnson, Cash
 Nays: None

Motion approved.

5. ANNOUNCEMENTS AND COMMUNICATIONS

Ms. Zawada stated that Mill River Investors has submitted a request for additional compensation on the Spaulding Road sanitary sewer project for an approximate amount of \$180,000. She stated that they are currently evaluating the request and hopes to have a recommendation to the Board at the July meeting.

Jeff Potter, Oakland County Commissioner, briefly discussed a new County prescription drug program for the residents of Oakland County. He announced his candidacy for District 8 County Commissioner again and briefly discussed his goals.

6. CALL TO THE PUBLIC

Shirley Baker, Stancrest, requested that the newspaper remind the residents of the Hornbrook development that fireworks are not allowed in the Township.

Chief Cash stated that the postponement of the Fire Rescue Truck is not on the agenda. He stated that he is assuming that the Board has no agenda for this item at all. Mr. Young responded that he planned on asking the Board to add this issue to the agenda.

7. APPROVAL OF AGENDA

The following items were moved under Unfinished Business:

- (f) Wireless Oakland Agreement – moved to beginning of Unfinished Business
- (b) Building Department – Purchase of a Second vehicle and (c) Building Department Request for Full Time Building Inspector – changed order

The following item was removed from Unfinished Business:

- (e) Spaulding Road Sanitary Sewer Extension - Engineers

The following item was added to the agenda under Unfinished Business:

- Fire Rescue Truck Purchase

The following items were moved under New Business:

- (a) Resolution Establishing Fire Department Emergency Services Cost Recovery Fees and (b) Miles Christi Religious House and Family Center – changed order

The following item was added to the agenda under New Business:

- (h) Building Department – Copier Purchase

Mr. Hicks moved to approve the agenda as modified. Ms. Carcone supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

8. UNFINISHED BUSINESS

a. Wireless Oakland Agreement

Phil Bertolini, Deputy County Executive/CIO, gave an update of where they are on the scheduling and what the project entails. Tammy Shepherd was also available to answer questions regarding this issue.

Mr. Schilling motioned to approve the Wireless Oakland Agreement between Oakland County and Lyon Township. Mr. Hicks supported the motion.

Roll Call Vote: Ayes: Cash, Carcone, Young, Hicks, Schilling, Hemker, Johnson
 Nays: None

Motion approved.

b. Second Reading of Proposed Adoption of Lot Design Ordinance

Mr. Quinn explained that this ordinance is here for a second reading and approval tonight. He stated that it is in the same form as the Board has reviewed and approved at the first reading.

Mr. Hicks moved by resolution to approve the second reading of the Lot Design Standards prohibiting the boundaries of any lot to include all or any portion of a regulated wetland. Mr. Schilling supported the motion.

Mr. Young asked if there were any comments regarding the motion. There were none.

Roll Call Vote: Ayes: Hicks, Hemker, Johnson, Schilling, Cash, Young
 Nays: Carcone

Motion approved.

c. Building Department – Request for Full Time Building Inspector

Mr. Hogan explained that they would like to hire a full time building inspector as indicated in a letter he wrote to the Board dated May 23, 2006. He recommended that they hire Dave Herriman for this position.

Ms. Carcone made a motion to hire Dave Herriman for a salary of \$46,000 for the year 2006. Mr. Cash supported the motion.

Mr. Young asked if there were any comments regarding the motion. Mr. Schilling questioned Mr. Herriman's experience. Mr. Hogan responded that Mr. Herriman has ten years experience and is currently the part time Building Official for Salem Township.

Mr. Young explained some research that he did and indicated that by hiring Mr. Herriman as a full time building inspector, it will actually be saving the Township money.

Ms. Carcone stated that this hire should follow the Township's Personnel Policy as it relates to the benefits, i.e., vacation days, etc.

Mr. Hemker questioned if Mr. Herriman has experience reviewing plans. Mr. Hogan responded that Mr. Herriman also does plan review at Salem Township. He stated that Mr. Herriman does have continuing education, is licensed as a Building Inspector and Plan Reviewer. He noted that the continuing education classes must be taken per State regulations.

Mr. Schilling questioned if Mr. Herriman will be helping with the commercial reviews or will they continue to be farmed out. Mr. Hogan responded that they will continue to contract the commercial reviews out. He indicated that Mr. Herriman will be helping with any plan reviews for residential, decks or other areas, as needed.

Roll Call Vote: Ayes: Schilling, Carcone, Cash, Johnson, Young, Hicks, Hemker
 Nays: None

Motion approved.

There was brief discussion with regard to a starting date for Mr. Herriman. It was determined that he would begin with the June 30th payroll.

Ms. Johnson moved to approve the start date for Dave Herriman would be June 15th through June 30th payroll. Mr. Schilling supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

d. Building Department – Purchase of a second vehicle

Mr. Hogan reviewed the comments indicated in his memo to the Board dated May 23, 2006 regarding this issue.

Mr. Hicks moved to approve the purchase of the Chevrolet Colorado from Liberty Chevrolet not to exceed \$20,000. Ms. Carcone supported the motion.

Mr. Young asked if there were any comments. Mr. Hicks stated that he knows that the price of this vehicle is a little higher, but felt that they should support the local businesses.

Mr. Schilling stated that the Building Inspector just approved for hire has a 90-day probationary period. He suggested that they postpone the purchase of this vehicle until the 90-day probationary period is up. Ms. Johnson concurred. She stated that she would like to see what their budget looks like for the last quarter. She felt that this is premature and stated that they still have the option of paying mileage.

Ms. Carcone stated that she does not have a problem with this. She stated that whether Mr. Herriman stays or not, they are still going to need a Building Inspector.

Mr. Young stated that he has looked at the mileage figures for the past two years. He explained some calculations that he did and felt that they would be saving money by purchasing a vehicle.

Roll Call Vote: Ayes: Cash, Carcone, Hicks, Young
 Nays: Hemker, Schilling, Johnson

Motion approved.

e. Resolution Authorizing Petition to be filed with Oakland County Drain Commissioner for a Chapter 20 Drain at the 6 Points Intersection

Mr. Quinn explained that this is a continuation in the process, which began some time ago. He stated that the Board created this special assessment district, filed a notice of intent to file this petition and are now at the point that the resolution authorizing petition is ready for the Board's consideration. Upon its adoption, the Supervisor and the Clerk would actually file the petition and sent to the Oakland County Drain Commissioner to complete the process of creating this drain.

Mr. Cash moved to approve the resolution authorizing petition to be filed with Oakland County Drain Commissioner for a Chapter 20 drain at the 6 points intersection. Mr. Hemker supported the motion.

Mr. Young asked if there were any questions or comments. There were none.

Roll Call Vote: Ayes: Schilling, Johnson, Hemker, Cash, Carcone, Hicks, Young
 Nays: None

Motion approved.

f. Fire Rescue Truck Purchase

Mr. Olson explained that at the prior Board meeting this issue was presented with one bid, which was received for approximately \$180,000. He stated that what they didn't have at that point in time, was a funding source for this vehicle, which has not been established.

Mr. Hemker made a motion to not purchase the Fire Department rescue truck at this time due to the fact there is no funding source and the bid cannot be held open any longer. Ms. Johnson supported the motion.

Mr. Young asked if there were any comments or questions. There were none.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

9. NEW BUSINESS

a. Miles Christi Religious House and Family Center, AP 06-12b, Special Land Use

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated May 10, 2006 regarding this issue.

Mr. Hicks made a motion to approve the special land use for Miles Christi Religious House and Family Center subject to site plan approval. Mr. Schilling supported the motion.

Mr. Young asked if there were any comments or questions. Mr. Cash questioned if they would be connecting to the Township utilities. Mr. Doozan responded that they would.

Mr. Young asked if there were any public comments regarding this special land use.

Shirley Baker, Stancrest, questioned if there will be functions that can accommodate up to 40 people and if so, how often will this happen. Mr. Doozan responded that he believes this to be true. Mr. Young stated that they would allow the applicant time for a brief presentation, which

may answer some questions.

Father Patrick Wainright gave a presentation of the proposed project.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

b. Resolution Establishing Fire Department Emergency Services Cost Recovery Fees

Mr. Quinn explained that the Fire Chief has asked the Board give consideration to updating the costs for services. He stated that the Clerk, Fire Chief and him worked on putting this resolution together. This relates to the ordinance set forth in Chapter 20, Section 20.64, which states that the emergency service fees must be adopted by resolution of the Township. He stated that this is the current fee structure and that the Fire Department is requesting the Board's consideration of this.

Ms. Carcone moved by resolution establishing Fire Department emergency services cost recovery fees. Mr. Hicks supported the motion.

Mr. Young asked if there were any questions or comments. Mr. Hemker questioned if this is just an update to the existing fees. Mr. Quinn responded that this is correct.

Roll Call Vote: Ayes: Young, Johnson, Hemker, Carcone, Cash, Schilling, Hicks
 Nays: None

Motion approved.

c. Approval of Fire Department Dispatch Service Contract

Mr. Schilling made a motion to approve the Fire Department dispatch service contract. Mr. Hemker supported the motion.

Mr. Young asked if there were any comments. Mr. Olson noted that this is the same contract that they have had for the past couple years.

Roll Call Vote: Ayes: Hicks, Hemker, Cash, Young, Schilling, Johnson, Carcone
 Nays: None

Motion approved.

d. Resolution Setting Hearing Date on Second Amended Project Description, An Increased Cost Estimate on the Amended Special Assessment Roll for Southwest Sanitary Sewer Special Assessment District

Mr. Quinn stated that the Engineers have finalized this project description and the bids have been received back. He stated that they have adjusted this project to keep it within budget. He stated the amended roll will be what the public will hear at the meeting of Wednesday, July 5, 2006. He stated that although it will be an amended roll, it will be finalized at the hearing on July 5th and then this project will be complete and ready for construction.

Mr. Hemker moved by resolution setting hearing date on second amended project description, an increased cost estimate on the amended special assessment roll for Southwest Sanitary Sewer special assessment district. Ms. Johnson supported the motion.

Mr. Young asked if there were any comments or questions. There were none.

Roll Call Vote: Ayes: Cash, Schilling, Hemker, Hicks, Carcone, Young, Johnson
 Nays: None

Motion approved.

e. Parking Lot and Driveway Repairs

Mr. Olson reviewed the cost estimates and the scope of work for parking lot and driveway repairs needed at the Township Hall, Township Library/Community Center and the Township Park, as indicated in a memo from him to the Board dated May 26, 2006.

Mr. Olson stated that he is asking the Board for approval for the following:

1. To crack seal and seal coat the Township Hall driveway and parking lot for an expense of \$3,432.00.
2. To repair the Library/Community Center parking lot and driveway at an expense of \$2,880.00
3. To do the driveways in the Lyon Township Park at an expense of \$10,860.

Mr. Young questioned if the funding for the Township Park repairs would come out of the Park Fund. Mr. Olson responded that it would.

There was discussion regarding the Library/Community Center parking lot. Mr. Cash stated that he would rather fix the problem rather than just putting a band-aid on it. Mr. Olson indicated that Leslie Zawada, Giffels-Webster put together three cost estimates for fixing the parking lot. Ms. Zawada explained the three different options/cost estimates that they came up which range in price between \$21,000 and \$38,000.

Ms. Carcone made a motion to award the crack sealing and seal coating work at the Township Hall to Moll's Asphalt Seal Coating at the expense of \$3,432.00. Mr. Schilling supported the motion.

Mr. Young asked if there were any questions or comments. Mr. Cash questioned why the Township maintenance man couldn't do this work. Mr. Olson responded that the type of crack sealing that they are talking about is a rubberized seal used with special equipment that the Township does not have or the ability to rent. He stated that the seal coating could possibly be done by the maintenance man. He noted that the motion would have to be amended.

Roll Call Vote: Ayes: Schilling, Carcone, Johnson, Young, Hicks
 Nays: Hemker, Cash

Motion approved.

Mr. Schilling made a motion to award the asphalt repair work at the Library/Community Center to Right-Way Asphalt Specialists, Inc. for the expense of \$2,880.00. Ms. Carcone supported the motion.

Mr. Young asked if there were any comments or questions. Ms. Carcone noted that the parking lot at the Library is terrible. Ms. Johnson requested that the work be done before the August primary.

John Bell, Library Board, discussed the timing of this work. He noted that they would like to get a sign installed at the Library and would prefer not to tear up a freshly repaired parking lot. He briefly discussed the proposed location of the sign.

Roll Call Vote: Ayes: Johnson, Hemker, Hicks, Schilling, Carcone, Young
 Nays: Cash

Motion approved.

Ms. Carcone made a motion to award the asphalt repair work on the driveways in the Township Park at an expense of not to exceed \$11,000.00. Mr. Schilling supported the motion.

Mr. Young asked if there were any questions or comments. Mr. Hemker questioned if this money will be out of the Park Fund. Mr. Olson responded that it will.

Mr. Hicks stated that the paperwork does not address the lower parking lot. Mr. Olson responded that this is correct. He stated that this area would have to be pulled out and re-built because the bottom fell out of it. This is something that they are not able to do at this point.

Roll Call Vote: Ayes: Young, Carcone, Hemker, Cash, Johnson, Schilling, Hicks
 Nays: None

Motion approved.

f. Award of Contract for Automatic Door Openers for Township Hall (CDBG Funding Project)

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letters dated May 25, 2006 and June 2, 2006 regarding this issue.

Mr. Schilling motioned to postpone this issue until the July, 2006 Board meeting so that they may get bids for a sliding door. Mr. Hemker supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

g. Treasurer Carcone – Determination of Bike Trail Extension

Ms. Carcone stated that Rod Cook, Manager for the City of South Lyon, had approached her to see if the Township would be interested in extending the trail/bike path system as a joint venture along Eight Mile Road from Pontiac Trail to Volunteer Park.

There was brief discussion amongst the Board. There was a consensus of the Board that they are interested in doing this, contingent on cost.

h. Building Department – Copier Purchase

Mr. Young stated that there is a list of quotes in front of each Board member for the purchase of a copier for the Building Department. He stated that it was brought to his attention last week that the copier in the Building Department was on the fritz. He stated that the Building Department does currently have a loaner/demo copier, which they are very happy with, and would like to purchase.

Mr. Hogan briefly discussed the quotes they have received. He stated the copier that they have on demo right now is the one that they are proposing for purchase. He briefly discussed the features of the copier. Mr. Olson briefly discussed the service proposal for the copier.

Mr. Hemker made a motion to authorize the Building Department to purchase the Canon IR3570

Motion approved
Meeting adjourned at 9:25 p.m.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk