

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
September 2, 2008**

Approved as corrected October 6, 2008.

DATE: September 2, 2008
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Young called the meeting to order at 7:02 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
Chriss Roberts, Trustee

Also Present: Matthew Quinn, Township Attorney
Chris Doozan, Township Planner
Leslie Zawada, Township Engineer
Al Hogan, Building Official
Ron McClain, Fire Chief

Guests: 41

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Regular Meeting Minutes of August 6, 2008
- Approval of Disbursements
- Revenue Expense Report through July
- Cash Balance Report through July
- Building Department Report for July, 2008
- Fire Department Report for July, 2008
- Zoning Report for July, 2008
- Engineer Status Report for July, 2008
- Authority to allow the Supervisor and Clerk to sign the consent portion of the Amendment to Security Agreement and Guaranty between National City Bank and Park Place Environmental
- Acceptance of Grant of Permanent Water and Emergency Sire Pole Easement from 58 Liability Company for Parcel #21-27-100-027 (Fire Hall No. 2)
- Acceptance of Purchase Agreement fro Real Property and Gary Piekarski for property located at 57110 Cash Street, Parcel #21-04-476-029
- Acceptance of Bill of Sale for Water Line from Lyon Copperwood, LLC
- Acceptance of Purchase Agreement for Real Property at 57080 Cash Street from from Kenneth P. Anderson, Parcel #21-04-476-030
- Acceptance of Grant of Permanent Water Main Easement from Lyon Copperwood, LLC

**for parcels #21-25-200-013 & #21-25-200-014
- Approval of Purchase Agreement for Real Property fro Edward K. & Sandra Schlacht,
29720 Milford Road, Parcel #21-03-351-018**

Ms. Carcone moved to approve the Consent Agenda as submitted. Ms. Johnson seconded the motion.

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

Motion approved.

5. ANNOUNCEMENTS AND COMMUNICATIONS NONE

6. CALL TO THE PUBLIC

Jim Chuck, 25365 Stanley Lane, thanked the Board for having the lots mowed in Carriage Club. He also discussed a road issue.

Pam Haggerty, Operation Injured Soldier, updated the Board on the success of the recent event held in the Township park. They raised over \$10,000. She noted that the event will take place on July 18th next year.

Maureen Quinn, Elk Run, discussed a private road issue. She questioned the status of this.

7. APPROVAL OF AGENDA

The following changes were requested:

- Item 8a, Policies on Industrial Facilities Exemption Certificates moved to the end of New Business as Item 10h.
- Item 10g, Downtown Development Authority Appointments – Supervisor Young, this issue was removed from the agenda.

Ms. Carcone moved to approve the agenda as amended. Mr. Hicks seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

8. UNFINISHED BUSINESS

Public Hearing – Application for Industrial Facilities Tax Exemption Certificate from Testek, Inc.

- a. (moved to end of New Business)**
- b. Letter Agreement between Testek, Inc. and the Charter Township of Lyon**
- c. Resolution Approving Industrial Facilities Exemption Certificate**

Mr. Quinn stated that briefly gave some background information regarding this issue.

Harish Patel, representing Testek, gave a brief presentation of his company that they are proposing to bring to the Township.

Mr. Young opened up a public hearing for this issue at 7:23 pm. There were no comments. He then closed the public hearing at 7:24 pm.

Mr. Cash moved by resolution approving industrial facilities exemption certificates for Testek for a ten year period and also incorporating the letter of agreement. Ms. Carcone seconded the motion.

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

Motion approved.

9. UNFINISHED BUSINESS

a. Request for Liquor License Transfer from Applebee's of Michigan, Inc. to Applebee's Restaurants Mid-Atlantic, LLC.

Mr. Quinn stated this matter was before the Board before was tabled. He went on to explain the reason this was tabled.

Ms. Zawada summarized the details of a meeting she attended this afternoon with Al Hogan, Township Building Official, Anthony from Highland Treatment and Applebee's representatives.

Scott Edwards, Attorney for Applebee's, indicated that the issue will be fixed.

Mr. Cash moved to remove this issue from the table. Mr. Roberts seconded the motion.

Voice Vote: Ayes: Carcone, Cash, Hemker, Hicks, Roberts, Young
 Nays: Johnson

Motion approved.

Mr. Cash moved to approve the liquor license transfer from Applebee's of Michigan, Inc. to Applebee's Restaurants Mid-Atlantic, LLC. Ms. Carcone seconded the motion.

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

Motion approved.

b. Request for Street Light at Grand River and Haas Road – Petition received from Haas Lake Park Owner & Campers

Ms. Johnson indicated that she has received several petition pages of signatures requesting this streetlight.

Tom Smith, resident of Florida and Haas Lake Park, stated that he has submitted signatures from 554 people, which included 23 permanent residents along Haas Road. He discussed the difficulty of seeing Haas Road during the nighttime hours. They are requesting that a streetlight be installed at the corner of Haas Road and Grand River Avenue.

General Board discussion determined that the consensus is that a streetlight at this corner would be a good thing.

Mr. Cash moved to approve a streetlight at the intersection of Haas Road and Grand River Avenue and to ask the DDA if they would fund this, but ultimately it would come out of the Township's General Fund. Ms. Carcone seconded the motion.

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

Motion approved.

c. Subcommittee Report on Library Remodel Request for Funding

Holly Teasdale summarized the discussion of the August 20th sub-committee meeting. She thanked the Board members for being extremely supportive of the project.

There was no formal action taken on this issue.

d. Revisions to the Town Center Overlay District, Article 41.00 of the Lyon Township Zoning Ordinance – Second Reading and Proposed Adoption.

Mr. Doozan reviewed the revisions made that were requested at the last meeting.

Mr. Cash moved to approve the revisions to the Town Center Overlay District, second reading. Mr. Hicks seconded the motion.

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

Motion approved.

e. Proposed Zoning Ordinance Amendment Concerning Site Plan Size – Second Reading and Proposed Adoption

Mr. Doozan briefly reviewed this issue. He noted that this is the second reading.

Mr. Hicks moved to adopt the change in site plan size, second reading. Mr. Roberts seconded the motion.

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

Motion approved.

f. Ordinance for Reimbursement for Sewer Construction (Bob Saks Pay Back)

Ms. Zawada recommended that this issue be tabled until the next Board meeting.

Mr. Roberts moved to table the ordinance for reimbursement for sewer construction (Bob Saks pay back) until the next regular meeting. Ms. Carcone seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

10. NEW BUSINESS

a. Request for Special Land Use for an Outdoor Patio, 56870 Grand River, New Hudson Inn Applicant

Mr. Doozan reviewed the information provided in the McKenna Associates, Inc. letter dated August 26, 2008 regarding this issue.

Chris Stone and Nick Maodus discussed their plans for the outdoor patio at the New Hudson Inn.

Mr. Hicks moved to adopt the special land use for construction of an outdoor patio on the east side of the New Hudson Inn based on the provisions in the McKenna Associates, Inc. letter dated August 26, 2008. Ms. Johnson seconded the motion.

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

Motion approved.

b. Request to Vacate Easement on Autumn Ridge Drive, Jeff Hoorn

Mr. Doozan reviewed the information provided in the McKenna Associates, Inc. letter dated August 22, 2008 regarding this issue.

Ms. Carcone moved to vacate the easement on Autumn Ridge Drive as designated in the McKenna Associates, Inc. letter dated August 22, 2008. Mr. Cash seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

c. Request to rezone a portion of Parcel 21-25-100-015 from R-1.0, Residential Agricultural District, to O-1, Office District, located on the south side of Ten Mile, west of Johns Road, Applicant WIN3, LLC.

Mr. Doozan stated that this is the second reading of this issue. He briefly summarized what is planned.

Mr. Cash moved to approve the rezone request for parcel 21-25-100-015 from R-1.0, Residential Agricultural District to O-1, Office District, second reading. Mr. Hicks seconded the motion.

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

Motion approved.

d. Hold Harmless Agreement with the City of South Lyon regarding the Southwest Sewer

Mr. Quinn explained what this Hold Harmless Agreement is for. He noted that the last paragraph will be deleted. and that this agreement will be modified before it is signed by Lannie and Pam.

Mr. Hicks moved adopt the Indemnification Agreement with the City of South Lyon for the sanitary sewer system with the understanding that the last paragraph will be removed before signing. Ms. Carcone seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

e. Township Website Proposal – Trustee Hicks

Mr. Hicks explained that there has been discussion with regard to our current website. He noted that they are not happy with it. He reviewed information that he provided the Board regarding this issue.

He noted that he invited Shane Merem to the office on Friday to meet with himself, Rose Case, Katherine Nelson and Chriss Roberts.

f. Discussion of RRRASOC – Trustee Hicks

Mr. Hicks reviewed information that he provided the Board with regard to this issue. The Board requested that Mr. Hicks research this issue and bring something back so that they could possibly include this in the budget.

g. Downtown Development Authority Appointments – Supervisor Young

This issue was removed from the agenda.

h. Policy on Industrial Facilities Exemption Certificate

Mr. Quinn explained the two policies within an Industrial Facilities Exemption Certificate. After Board discussion, it was determined that this issue would be sent back to the subcommittee for refinement and bring it back to the Board at the next meeting.

- 11. **ITEMS REMOVED FROM CONSENT AGENDA FOR ACTION OR DISCUSSION** **NONE**
- 12. **EXECUTIVE SESSION REGARDING PENDING LITIGATION & PROPERTY ACQUISITION** **NONE**
- 13. **ADJOURNMENT**

Ms. Carcone moved to adjourn the meeting. Mr. Cash seconded the motion. The meeting was adjourned at 9:00 PM.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk