

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
October 6, 2008**

Approved as submitted November 5, 2008.

DATE: October 6, 2008
TIME: 7:00 PM
PLACE: 58000 Grand River

1. **Call to Order:** Supervisor Young called the meeting to order at 7:00 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
Loren Crandell, Township Engineer
Al Hogan, Building Official
Ron McClain, Fire Chief

Guests: 53

4. **APPROVAL OF THE CONSENT AGENDA**

- Approval of Regular Meeting Minutes of September 2, 2008
- Approval of Disbursements
- Revenue Expense Report through August
- Cash Balance Report through August
- Building Department Report for August, 2008
- Fire Department Report for August, 2008
- Zoning Report for August, 2008
- Engineer Status Report for August, 2008
- Sheriff Report May – August, 2008
- Acceptance of Bill of Sale for Sanitary Sewer from Lyon Copperwood, LLC
- Acceptance of Bill of Sale - Sanitary Sewer from David V. Johnson regarding Copperwood Development
- Acceptance of Grant of Permanent Sanitary Sewer Easement from Lyon Copperwood, LLC
- Acceptance of Purchase Agreement for Real Property at 57110 Cash Street from Gregory Piekarski, Parcel #21-04-476-029
- Acceptance of Purchase Agreement for Real Property at 29700 Milford Road from Angela Rackov, Parcel #21-03-351-020

Ms. Johnson noted that there are two minor corrections that need to be made to the minutes.

Ms. Carcone moved to approve the Consent Agenda as amended per the Clerk. Ms. Johnson seconded the motion.

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

Motion approved.

5. ANNOUNCEMENTS AND COMMUNICATIONS

John Bell briefly discussed some of the programs that the Library is sponsoring.

6. CALL TO THE PUBLIC

Hugh Crawford, candidate for State Representative, introduced himself to the Board.

Maureen Quinn, 57246 Elk Run, discussed a private road issue.

Jeff Potter, County Commissioner, briefly updated the Board on happenings at the County level.

7. APPROVAL OF AGENDA

The following issue was added to the agenda:

- Item 10q, Resolution Establishing Tentative Special Assessment Roll for General Purposes
- Item 12, Executive Session – add discussion of pending litigation

Ms. Carcone moved to approve the agenda with additions. Mr. Hicks seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

8. Presentation from AFLAC Representative, Diane Dippoliti – Request for Pretax Deduction of Premium Payments

Diane Dippoliti gave a brief presentation and requested Board approval to come in and discuss the AFLAC program with the employees of the Township Hall and Fire Stations.

Ms. Johnson moved to approve the AFLAC pre-tax deductions setting up a 125 agreement and offer to all employees as a voluntary program with payroll deduction. Ms. Carcone seconded the motion.

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

Motion approved.

9. UNFINISHED BUSINESS

a. Ordinance for Reimbursement for Sewer Construction (Bob Saks Payback)

Mr. Hicks moved to table the Ordinance for Reimbursement for Sewer Construction until the next

regular meeting. Ms. Carcone seconded the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved.

b. Downtown Development Authority Appointments – Supervisor Young

Mr. Young moved to appoint Tamara Ward to the Downtown Development Authority for a term beginning December 1, 2008 and ending November 30, 2011. Mr. Hicks seconded the motion.

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

Motion approved.

10. NEW BUSINESS

a. AP-08-16, Hutsfield Pond, Preliminary PD Review, Hutto Family, LLC, Applicant

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

Jon Hutto, 21580 Griswold, gave a presentation of his proposed project, Hutsfield Pond.

After the presentation the Board members commented on the project. It was noted that an e-mail was received from Jane Watters indicating her opposition to the project.

The following residents commented on the project:

- | | | | |
|----------------|---------------------|------------------|-----------------|
| - John Judnick | 59225 Woodfarm | - John Moreno | 59655 Woodfarm |
| - Jane Watters | 21005 Griswold Road | - Rebecca Wilder | 59324 Woodfarm |
| - Dave Mojka | 21045 Griswold Road | - Robert Camion | 21075 Parkwoods |

Mr. Roberts moved to approve AP-08-16, the preliminary plan approval for Hutsfield Pond Planned Development subject to:

- McKenna Associates, Inc. and Giffels-Webster Engineers letters submitted with the Board’s packets
- acknowledging the recognizable benefits as outlined in McKenna Associates letter
- approving the number of units which are 442, with the breakdown for four different types of units
- approving the lot size for the single family lots of 50’ x 110’ with a minimum area of 5500 square feet
- approving the building separations on the single family, a total of 15’ which would be a combination of 5’ and 10’ for the combined total of 15’
- approving a rear yard setback of 35’ on the duplexes
- approving a 20’ side yard separations on the 10 unit buildings
- approving the modifications to the separation of 50’ for rear of building 1 and the side of building 3 to only 40’, the side of building 4 from building 5 should only be 33’
- approve the setbacks for the congregate center are 40’ instead of 75’ and 20’ versus 40’
- approving the building height for the multiple family and the congregate to 35’
- approving the tree replacement as set forth in the applicant’s submission under

item 10, which is a total of 2064 trees, with the breakdown as included therein
-approving no parking along Eight Mile Road for the congregate center
Mr. Hicks seconded the motion.

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

Motion approved.

b. AP-08-20.b, Cambrian of Lyon, Special Land Use Request for Senior Housing, Canzano Contracting Company, Nick Mancinelli, Applicant

Mr. Doozan reviewed the information provided in the McKenna Associates, Inc. letter dated September 23, 2008 regarding this issue.

Mr. Hicks moved to approve AP08-20.b, Cambrian of Lyon Special Land Use Request. Mr. Roberts seconded the motion.

Mr. Young asked if there were any comments. Mr. Hemker briefly discussed the setback from Ten Mile Road.

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

Motion approved.

c. AP-08-18, Oakland SW Partners, LLC, Rezoning Request of 10.6 Acres from R-0.3, Single Family Residential, to I-1 Industrial District

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 9, 2008 regarding this issue.

Karen Safron, Attorney with Carson, Fischer, 4111 Andover Road, briefly reviewed Mr. Wyett's proposal for this parcel of land.

Ms. Carcone moved to deny the rezoning request of 10.6 acres from R-0.3, Single Family Residential District to I-1, Industrial District for AP-08-18, Oakland SW Partners, LLC for the reasons set forth in the McKenna Associates, Inc. letter dated September 9, 2008 and based upon the criteria used by the Planning Commission. Mr. Hicks seconded the motion.

There were comments from the Board members. Questions were asked, which Todd Wyett, 25900 W. Eleven Mile Road, Southfield, MI answered.

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

Motion approved.

d. AP-08-19, VS-17, LLC, Rezoning Request of 17.98 Acres (Parcel 21-03-352-006) from I-2, Industrial District with Town Center Overlay District, to I-2 Industrial District without Town Center Overlay District

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 23, 2008 regarding this issue.

Karen Safron, Attorney with Carson, Fisher, 4111 Andover Road, reviewed the proposal and briefly explained why they are requesting the rezoning.

Board discussion determined that a sub-committee of Lannie Young, Pat Carcone, Jay Howie and Todd Wyett would be formed to further discuss this and bring their findings back to the Board at the next meeting.

Ms. Carcone moved to set up a sub-committee comprised of herself, Supervisor Young, DDA Chair, Jay Howie and Todd Wyett. Mr. Roberts seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

e. Re-purchase of Sewer REU's Request – Q Industrial

Todd Wyett explained the proposal of the Township possibly re-purchasing some of the sewer REU's that were purchased by Q Industrial several years ago.

Mr. Young stated that in looking at the numbers, he felt that this request was premature. Mr. Wyett offered to get with Leslie Zawada and Loren Crandell and go over the numbers. The Board felt that this would be a good idea and requested a letter from the Engineers.

Ms. Carcone moved to table the repurchase of sewer REU's from Q Industrial until the next regular meeting. Mr. Roberts seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

f. Blue Cross Blue Shield Tower Warranty Inspection - Engineers

Included in the Board's packet was a letter from Giffels-Webster Engineer dated August 29, 2008 regarding this issue.

Mr. Hicks moved to proceed with the Blue Cross Blue Shield Tower warranty inspection engineering. Mr. Roberts seconded the motion.

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

Motion approved.

g. Resolution Designating Local Radio System Administrator (Revision of Resolution 2005-09 adopted October 4, 2005)

Mr. Quinn explained that this resolution is just adding the current Fire Chief, Ron McClain, as Administrator and Donald Collick as the alternate.

Mr. Cash moved to adopt the Resolution Designating Local Radio System Administrator. Ms. Carcone seconded the motion.

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

Motion approved.

h. Board Discussion on 1st Draft of 2009 Budget

Mr. Young requested that the Board members look over the draft copy he has provide and e-mail comments to him. He suggested that they establish a workshop date to discuss this. No formal action taken on this issue.

i. Proposed Amendments to 2008 Budget

Mr. Young indicated that there are a couple items that he needs to clarify and will bring this issue back to the Board.

j. Township Website Proposal – Trustee Hicks

Mr. Hicks explained the proposal to switch our current website to one that is easier to manage. He is requesting that the Board grant approval to use a company called Websiteforge, who was recommended.

Mr. Hicks moved to hire Websiteforge using their Package 3 to design the initial ten pages of the website using the information from our existing site for an amount not to exceed \$1,400.00. Mr. Roberts seconded the motion.

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

Motion approved.

k. Discussion of RRRASOC Scope of Services – Trustee Hicks

Mr. Hicks summarized discussions he had with RRRASOC regarding their scope of services and the membership fees for these services.

After brief discussion by the Board, it was determined that the consensus of the Board was not to pursue this issue.

l. Day after Christmas – Treasurer Carcone

Ms. Carcone stated that she was checking dates of when the Township is open and when it is closed for the holiday so that this can be noted on the winter tax bills. She stated that Christmas Eve and Christmas Day fall on a Wednesday and Thursday this year. She requested that the Board consider closing the office on Friday, December 26th. Mr. Young asked the Board to consider closing the office on Friday, January 2nd also.

There was no one opposed to this. It was noted that this would be part of the budget presentation.

m. Red Flag Policy – Treasurer Carcone

Ms. Carcone stated that at the conference she went to last week she took a class on the Red Flag Policy. She explained how this policy deals with identity theft.

Ms. Carcone moved for the Charter Township of Lyon, held on the 6th day of October, 2008 that

they approve the Identity Theft Prevention Program. Mr. Roberts seconded the motion.

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

Motion approved.

n. Tribute to Dallas Fletcher – Trustee Cash

Mr. Cash stated that he has talked to some of Dallas Fletcher’s family members. He noted that Mr. Fletcher’s family members were wondering if the Township was going to do anything to honor his service to the Township.

There was discussion of possibly getting a recognition board and displaying it in the front entrance to the Township hall. It was determined that this idea would be researched.

There was no formal action taken on this issue.

o. Clerk Request for Deputy Salary from October 1st

Mr. Young stated that based on an annualized salary of \$33,554, it would be \$16.13 per hour.

Ms. Johnson stated that Cathy Sims is still going to come in to help when she can, so there will be two salaries that will need to be paid. She noted that Cathy will probably be paid out of the election fund. She noted that Michelle will be the constant from here on in and Cathy would be the hourly employee.

Mr. Young suggested that they pay Cathy an hourly rate of \$16.13 and pay Michelle \$645.20 per week.

Ms. Johnson moved to have Dan Cash to abstain from voting on Michelle Cash’s salary. Mr. Roberts seconded the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved.

Ms. Johnson moved to pay Cathy Sims and hourly rate of \$16.13 per hour for hours already worked and future hours that she will work. Mr. Hicks seconded the motion.

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

Motion approved.

Ms. Johnson moved to pay Michelle Cash the same rate of pay that Cathy Sims was making as salary. Mr. Hicks seconded the motion.

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

Motion approved.

