

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
January 5, 2009

Approved: February 2, 2009 as revised

The meeting was called to order by Supervisor Young at 7:00 p.m.

Roll Call: Patricia Carcone, Treasurer
Michele Cash, Clerk
John Dolan, Trustee
Steven Fletcher, Trustee
Brent Hemker, Trustee
John Hicks, Trustee
Lannie Young, Supervisor

Guests: 10

Also Present: Chris Doozan, McKenna Associates
Leslie Zawada, ~~McKenna Associates~~, *Giffels-Webster*
Matthew Quinn, Township Attorney

APPROVAL OF CONSENT AGENDA

Approval of Regular Meeting Minutes of December 1, 2008
Approval of Special Meeting Minutes December 11, 2008
Approval of Disbursements
Revenue Expense Report through November 2008
Cash Balance Report through November 2008
Building Department Report for November 2008
Fire Department Reports for November 2008
Zoning Report for October & November 2008
Engineer Status Report for November 2008

Mr. Fletcher noted that he was not in attendance at the Special Meeting so he requested that those minutes be handled separately.

Motion by Carcone, second by Fletcher

To approve the Consent Agenda excluding the Special Meeting Minutes of December 11, 2008.

Roll Call Vote: Ayes: Fletcher, Hemker, Carcone, Dolan, Hicks, Cash,
Young Nays: None

MOTION APPROVED

Motion by Carcone, second by Hicks
To approve the December 11, 2008 Special Meeting Minutes as written.

Roll Call Vote: Ayes: Young, Hicks, Dolan, Cash, Carcone,
Hemker

Nays: None
Abstain: Fletcher

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS

Ms. Carcone explained that there was a death in the family of an employee in the Building Department and that there was a collection going on and a card if anyone would like to express their condolences.

Mr. Quinn reported the Township was successful in Circuit Court regarding the Coyote Golf Course issue.

CALL TO THE PUBLIC

Maureen Quinn, 57246 Elk Run - She expressed her concerns about the speeders coming through her subdivision. Since it gets dark earlier it has gotten worse. She would like it to be closed off until the developers come back to finish the project.

Dawn Kaplan, 26744 Elk Run – She asked what they would need from the representative at Ivanhoe. Supervisor Young explained that they would need his approval to shut the road with a time limit. Ms. Kaplan also asked for more of a police presence in the subdivision for safety reasons.

APPROVAL OF AGENDA

Mr. Hicks asked for the addition of item 9f to discuss the South Lyon Business Expo. Mr. Quinn requested the addition to discuss the property acquisitions in executive session. Supervisor Young requested the addition of discussing increased police coverage and to discuss a special board workshop to establish goals for the next 4 years.

Motion by Hicks, second by Fletcher
To approve the agenda as revised.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

8. UNFINISHED BUSINESS

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

Ms. Zawada explained that they are requesting to table this agenda item because they are still

waiting for information.

**Motion by Hicks, second by Hemker
To table Bob Saks Pay Back until the next regular meeting.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

B. DDA Appointments

Supervisor Young explained that there was one open slot for the DDA and to that term would run until 11/30/2011.

**Motion by Young, second by Hicks
To appoint John Bell for the DDA appointment with the term expiring on 11/30/2011.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

C. Report from Subcommittee regarding AP 08-19, VS-17, LLC, Rezoning request of 17.98 acres from I-2, Industrial District with Town Center Overlay District, to I-2, Industrial District without Town center Overlay District.

Supervisor Young requested tabling this issue.

**Motion by Dolan, second by Carcone
To table until the next regular Board meeting.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

D. Subcommittee on Sign Ordinance

Mr. Hicks explained that they had one meeting and they had nothing to report at this time.

**Motion by Hicks, second by Carcone
To table the Subcommittee on Sign Ordinance until the March 2009 meeting.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

NEW BUSINESS

A. Noise Standards

Mr. Doozan referred to the McKenna Associates memo dated November 24, 2008. There was brief discussion regarding the possibility of buffering the treatment plant.

Motion by Carcone, second by Hicks

To adopt the amended language for the Noise Standards as a first reading.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

B. Amendment to the Assault and Battery Ordinance – First Reading

Mr. Quinn explained that this was a domestic violence ordinance and would allow the Sheriff to continue to write tickets under the local ordinance and then any fines would come back to the Township at a higher percentage.

Motion by Hicks, second by Carcone

To adopt the first reading of the Article III Offenses against the person to include the crime of Domestic Violence under Assault and Battery by Amendments to Section 26-74 Assault and Battery.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

C. Amendment to the District Compliance Agreement (DCA)

Ms. Zawada explained that they were working with MDEQ to postpone the construction of the waste water treatment plant. This was a revised agreement and all of the dates were bumped back one year.

Mr. Hemker asked if housing has not advanced at all would the MDEQ be flexible. Ms. Zawada thought they seemed reasonable and confirmed that they would work the Township.

Motion by Hemker, second by Dolan

To adopt the amended District Compliance Agreement.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

D. Resolution Adopting an Amended Utility Fee Schedule

Ms. Zawada explained the rate study was performed by Utility Financial Solutions and reported that the water rates would be increased by 10% for 5 years and that the sewer rates would be increased by 15% for this year. They do expect the cost of the water treatment plant to be more than at the time when the study was done. It was their recommendation that the Township follow Mr. Beauchamp's recommendation from Utility Financial Solutions.

There was discussion regarding the higher rates and what the comparison in surrounding areas. Ms. Zawada explained that Lyon Townships system was young and had significant expansions that still needed to be completed. Mr. Dolan expressed concerns regarding the businesses and the water tap fees that they pay.

Dawn Kaplan – She asked if the rate increase would affect homeowners as well as the business owners. Supervisor Young explained that it would.

Motion by Carcone, second by Hicks

To adopt the Resolution of the Township Board adopting an Amended Utility Fee Schedule submitted January 5, 2009 at the Township Board Meeting.

Roll Call Vote: Ayes: Carcone, Cash, Dolan, Hicks, Young, Fletcher, Hemker

Nays: None

MOTION APPROVED

E. Resolution Establishing Redevelopment Project Area

Mr. Quinn explained that this resolution was also being recommended by the Downtown Development Authority and the new law in the State of Michigan allows within a redevelopment project area the opportunity to obtain additional liquor licenses' based upon the capital improvements made in that area.

Motion by Hemker, second by Fletcher

To adopt Resolution establishing the redevelopment project area.

Roll Call Vote: Ayes: Dolan, Cash, Carcone, Hemker, Young, Hicks, Fletcher

Nays: None

MOTION APPROVED

F. Discussion on the South Lyon Taste and Business Expo

Mr. Hicks explained that the Township participated last year in the expo and they received quite a bit of business at their booth. He was requesting a double wide booth which would cost \$180.00 plus a \$10.00 electrical fee. The Expo would be held on March 15 for four hours. The Board agreed it offered good exposure to the Township and they were able to answer many

questions from residents.

Motion by Dolan, second by Hicks

To approve the expenditure of \$180.00 for the booth and \$10.00 for the electrical fee.

Roll Call Vote:
Young

Ayes: Cash, Hemker, Dolan, Fletcher, Carcone, Hicks,

Nays: None

MOTION APPROVED

G. Law Enforcement Agreement

Supervisor Young explained that they signed a tentative agreement and sent it to the County for the change in rates for 2009. Since then, he has met with officers and they have made some suggestions to spend the same amount of money but obtain more coverage.

After discussion, the Board decided to discuss the matter further at the workshop meeting in order to obtain the actual figures before making a decision.

Regarding the fund balance there was discussion regarding having a Deputy on site at the Township Hall Monday through Friday at a cost of about \$94,000.00 or having the possibility of an additional officer on the road. The consensus was if there were funds available they would rather have the additional officer on the road versus on site at the Township Hall.

H. Special Workshop Meeting

The Board agreed to hold a Special Workshop Meeting on Thursday, January 15, 2009 at 4:00 p.m. to establish goals for the next four years.

ADJOURNMENT INTO EXECUTIVE SESSION

Motion by Carcone, second by Hemker

To adjourn the meeting into Executive Session

Voice Vote:

Ayes: Unanimous

Nays: None

MOTION APPROVED

The Regular Meeting of the Board of Trustees was adjourned into Executive Session at 8:12 p.m.

Respectfully Submitted,

Kellie Angelosanto

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Michele Cash

Recording Secretary

Clerk