

Charter Township of Lyon  
Board of Trustees  
Special Meeting Minutes  
April 28, 2009

Approved: June 1, 2009 as written

The meeting was called to order by Supervisor Young at 8:08 a.m.

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

Absent: Patricia Carcone, Treasurer

Guests: 1

Also Present: Chris Doozan, McKenna Associates  
Matthew Quinn, Township Attorney  
Loren Crandall, Township Planner  
Al Hogan, Building Official

CALL TO THE PUBLIC - None

APPROVAL OF AGENDA

Supervisor Young explained that the first item on the agenda would be moved to the second item due to Mr. Antone being held up in traffic.

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

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

MOTION APPROVED

1. **Second reading of ordinance to amend the Downtown Development Plan and Tax Increment Financing Plan for the Charter Township of Lyon Downtown Development Area**

**Motion by Hicks, second by Cash  
To approve the second reading of the ordinance to amend the Downtown Development Plan and Tax Increment Financing Plan for the Charter Township of Lyon Downtown**

**Development Area.**

**Voice Vote:**   **Ayes:**           **Cash, Fletcher, Dolan, Hemker, Hicks, Young**  
                  **Nays:**           **None**  
                  **Absent:**           **Carcone**

**MOTION APPROVED**

**2.     Tony Antone Presentation**

Mr. Antone explained that he was present without his attorney against the advice of his attorney and boss. He stated that he loves Lyon Township and felt that he had a good relationship with the Township Officials. He strongly believed that the documents were clear and the intent was clear regarding the payback of funds that were expended 8 years ago for a portion of the ring road through to Grand River. He gave a brief early history of the project.

Mr. Antone explained that they had several meetings with the Road Commission and Joe Shigley regarding the Special Assessment District. He stated that they would not have done a county road without a pay back due to all of the extra items that are required for county roads vs. a private road. The Planned Development Agreement and the SAD were supposed to happen as one. The SAD was a heavily negotiated document and it started and stopped several times in key moments in the process. In 2002/2003 Chris Olsen, thought that the Township finally had their ducks in a row to get the road through to Grand River and they needed to come to the table and finalize things. They brought with them their book of construction which laid out the actual costs. Their costs came to a total of \$3,926,886.00. At that time they had meetings with Giffels Webster and McKenna Associates and it stopped for some reason, they were not able to get through to the finish line, he does not know why, but they were stalled. To fast forward they didn't get it going again until February/March of 2008 and all the while they were asking when are they going to get paid back. In 2008 they were ready to get it going again and there were issues with the numbers and basically it was said that the Township would pay \$3.6 – \$3.7 million which was under the 4 million. He stated that they had waited for so long and if they could get it paid by October of 2008 which was roughly the 6 month timeframe that the Township thought it could happen, then they would agree to the \$3.6-\$3.7 number and just be done with it. It came to the Township Board and the SAD was established.

Mr. Antone stated that there have been rumors about them double dipping, he flatly denied that rumor. They put the money up on the front end with the intent that it would be paid back and all of the retailers knew it going in and they signed off on it. In 2009 the SAD was rescinded. They would be forced to file for an injunction to stop the road until this issue is resolved or they will be in the same position as they are in the Bob Saks issue. Mr. Antone stated that there was a possibility that the Township residents would be paying twice for this issue if they were to win. He would like to come to the table and figure out a way to solve the problem. This would bring in a significant amount of tax revenue and resources for the Downtown Development Authority. He implored the Board to get together and try to figure this out he stated that the intent was clear and the documents were clear.

**Motion by Hicks, second by Fletcher**

**To adjourn the Special Meeting of the Board of Trustees at 8:36 a.m.**

**Voice Vote:   Ayes:           Cash, Fletcher, Dolan, Hemker, Hicks, Young**  
**Nays:           None**  
**Absent:           Carcone**

**MOTION APPROVED**

The Regular Meeting of the Board of Trustees was adjourned at 8:36 a.m.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary

Michele Cash  
Clerk