

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
November 1, 2010

Approved: December 6, 2010 as written

Supervisor Young called the meeting to order 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: 12

Also Present: Chris Doozan, McKenna Associates
Matthew Quinn, Township Attorney
Loren Crandall, Giffels/Webster

APPROVAL OF THE CONSENT AGENDA

Approval of the Regular Meeting Minutes of October 4, 2010
Approval of the Special Meeting Minutes of October 15, 2010
Approval of Disbursements
Building Department Report for September 2010
Fire Department Reports for September 2010
Zoning Reports for September 2010
Engineer Status Report as of September 2010

Motion by Carcone, second by Cash
To approve the Consent Agenda as presented.

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

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS

Clerk Cash reminded residents that November 2 is Election Day and that the polls open at 7:00 a.m. and close at 8:00 p.m.

John Bell reviewed the new Lyon Township pamphlet that promotes the township and reflects on its history and plan for the future.

CALL TO THE PUBLIC - None

APPROVAL OF AGENDA

Mr. Quinn explained that the Executive Session can be removed from the agenda.

**Motion by Carcone, second by Hicks
To approve the agenda with the removal of the Executive Session.**

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

MOTION APPROVED

Public Hearing on Special Assessment Roll for the General Purposes Nos. 10-120 & 10-140

Mr. Quinn explained that special assessment is for the sewer roll and the other is known as the Bob Saks Roll.

Supervisor Young opened the Public Hearing at 7:05 p.m. and closed it due to no one wishing to comment.

Public Hearing for the Program Year 2011 Community Development Block Grant Funds

Mr. Doozan explained that the Block Grant Funds divided into the following categories:

- Battered/Abused Spouses \$2,500.00
- Youth Assistance \$6,200.00
- Minor Home Repair Program \$10,000.00
- Senior Services \$11,106.00

Total \$29,806.00

Supervisor Young opened the Public Hearing at 7:08 p.m. and closed it due to no one wishing to comment.

UNFINISHED BUISNESS

A. Second Reading of Minor in Possession of Alcohol Ordinance

Mr. Quinn explained that the ordinance is ready for approval.

Motion by Cash, second by Hicks

To approve an ordinance to amend the Charter Township of Lyon Code of Ordinances, Chapter 26. Offenses, Article VIII. Offenses affecting underage persons, Division 3. Alcoholic Liquor, Section 26-481. Purchase, Consumption or Possession by person less than 21 years of age to conform with State Law regarding the admission of preliminary breath test to minors.

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

MOTION APPROVED

NEW BUSINESS

A. Special Assessments Resolution

Mr. Quinn explained that this is the Special Assessments Resolution confirming the General Purpose Rolls of 10-120 and 10-130.

Motion by Hicks, second by Cash

To adopt the Special Assessment Resolution confirming General Purpose Roll nos. 10-120 and 10-130.

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

MOTION APPROVED

B. Resolution approving the program year 2011 Community Development

Motion by Carcone, second by Cash

To approve the program year 2011 Community Development Grant Block Fund as divided in the McKenna letter dated October 5, 2010.

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

MOTION APPROVED

C. Proposed Amendment to Woodwind Glen Condominium No. 2-AP-10-10

**Representing Woodwind Glen: Cliff Seiber
 Mark O'Rourke**

Mr. Doozan reviewed the McKenna Associates memo dated October 21, 2010. He explained that on October 11, 2010, the Planning Commission approved a motion to recommend Preliminary Planned Development approval to the Township Board, subject to the following conditions:

1. The comments in the McKenna letter dated September 29, 2010
2. Inclusion of a letter from the Fire Chief regarding approval of the plan
3. Placement of a "No Outlet" sign on Valley Wood Drive
4. Reduction in the front setback on lots 102, 103 and 104 from 34 ft. to 30 ft. so as to provide a greater rear setback.
5. With approval of the setbacks as shown on the plan due to the constraints of the property and
6. Connection of a pedestrian path to the elementary school on the southwest corner of the site.

Mr. Sieber explained that this was previously a 72 unit four plex and that all of the utilities and roads have been installed. Everything is in place except for the residential units. The side yard setbacks were increased from 15' to 20' and this would allow for side entry garages. The connection to the school sidewalk system will also be included. There will be a "No outlet" sign placed as well on Valley Wood Drive. There were 3 units where the front yard setback was reduced to 30' which is consistent with what was approved originally.

Supervisor Young questioned the REU's on the property. Mr. O'Rourke stated that 50% of the balance remains to be paid. Supervisor Young stated that since the density has been reduced so there will be more REU's there that have been purchased then what will be required. Mr. O'Rourke stated that they are aware of that and they understand that the SAD is in place for 72 units but they are only using 45.

Mr. Quinn stated that he was looking at the wetlands behind units 77, 76, 75, 74 and because that is a regulated wetland it should have a 25' vegetative strip in an un-manicured condition to provide a buffer. Mr. Seiber stated that they have not looked at that yet but they matched however it was approved for the previous plan. Mr. Seiber stated that they would investigate that further. Mr. O'Rourke explained that there is not a Master Deeds for this portion yet, it was set up to have an expandable Master Deed and it would be expanded into this section and the wetland preservation easements will be looked at.

There was brief discussion regarding the sidewalks.

Motion by Hicks, second by Dolan

To approve the proposed amendment to Woodwind Glen Condominiums No. 2-AP-10-10 Subject to the staff and consultant letters and the Planning Commission recommendations and the statements made to review the wetland boundary.

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

MOTION APPROVED

D. Budget Discussion

Mr. Hemker explained that the biggest issue that they are facing is the rise in health care costs. All avenues have been investigated and right now consideration is being given to cost sharing for employees that the Township covers families and spouses with no change for single coverage. It's possible that the health care increase could be as high as 14%.

After discussion it was decided that a special workshop meeting would be held in order to discuss budget issues.

Motion by Cash, second by Hicks

To schedule a workshop meeting for November 13, 2010 at 7:00 a.m.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

E. Utility Rate Consideration

Supervisor Young explained that due to the tremendous financial hit that the sewer and water enterprise fund will take next year due to property forfeitures he suggested discussing rate increases for water rates. He explained that there has not been a water rate increase since 2008 even though the Cost of Service and a Rate Study was completed and suggested that a 10% increase be done every year through 2012.

After discussion it was decided to hold off and discuss it further after the budget meeting.

Motion by Carcone, second by Fletcher

To table until after the budget meeting.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

F. Drainage Charge Consideration

Treasurer Carcone and Supervisor Young explained that in years past the maintenance charges were rolled onto the taxes of the properties with the specific drainage districts because they were the benefactors. The Township in more recent years chose to simply pay for the work without charging the properties because there was sufficient dollars to do so. Treasurer Carcone continued that most municipalities roll it onto the taxes of the properties. In light of the current and future economic projections, this is another thought that the Board should consider that could save the Township some money.

After discussion it was decided to discuss this option further at the workshop meeting.

Motion by Carcone, second by Dolan

To table the Drainage Charges Consideration until the budget meeting.

Voice Vote: Ayes: 6
Nays: Young

MOTION APPROVED

G. Consultant Retainer Discussion and Action

Supervisor Young reviewed the spreadsheets showing the history of use regarding the retainer for the Township Attorney and McKenna Associates. The spreadsheet showed that not having a retainer for the Township Attorney could end up to be quite a savings for the Township. On the other hand it was worth paying the retainer for McKenna Associates. After discussion, it was decided to discuss the issue further at the next regularly scheduled meeting.

Motion by Hemker, second by Dolan

To table the Consultant Retainer Discussion until the next regularly scheduled meeting.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

H. Property Tax Administration Fee

Treasurer Carcone explained that one option that is available to the Township is the Property Tax Administration Fee (PTAF). These funds can be used for more than just collections. The State allows up to a 1% fee to be assessed against taxes collected, but does not include special assessments. This has been available to the Township for a number of years but the Board did not see the need before. The implementation of the PTAF could generate \$276,000 of new revenue for the Township. The non reimbursed bond payments for the Aspen property and Twin Pines development (properties that were just obtained by the Township due to forfeiture) are \$218,000.

Motion by Fletcher, second by Dolan

To table the Property Tax Administration Fee until after the budget meeting.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

Jerry Borowski – He expressed his concern regarding the Cemetery on Milford Road just north of Grand River. He felt it was over grown and not kept up and he would like to see something done about it.

ADJOURNMENT

**Motion by Carcone, second by Cash
To adjourn the meeting at 8:45 p.m.**

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash
Clerk