

Charter Township of Lyon  
Board of Trustees  
Regular Meeting Minutes  
December 6, 2010

Approved: January 4, 2011 as amended

Supervisor Young called the meeting to order at 7:00 p.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: 26

Also Present: Chris Doozan, McKenna Associates  
Matthew Quinn, Township Attorney  
Loren Crandall, Giffels/Webster  
*Michelle Aniol, DDA Administrator/Economic Development Coordinator*

**APPROVAL OF THE CONSENT AGENDA**

**Approval of the Regular Meeting Minutes of November 1, 2010**

**Approval of the Special Meeting Minutes of November 13, 2010**

**Approval of Disbursements**

**Building Department Report for October 2010**

**Fire Department Reports for October 2010**

**Zoning Reports for October 2010**

**Engineer Status Report as of October 2010**

**Approval of 2011 Meeting Schedules and Holidays**

**Acceptance of Grant of Permanent Sewer Easement for Parcel #21-32-251-060 Canzano/Lyon Trail Building Co., LLC**

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

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

**Nays:           None**  
**Absent:        Carcone**

**MOTION APPROVED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Chief McClain reminded residents to vote for their favorite Christmas Tree at Abbey Park.

**CALL TO THE PUBLIC**

**Jerry Borowski** – He commented on the Disabled American Veterans Group and a tax of .003% for veterans in Livingston County that is collected. He stated that Oakland County knows about it but they don't know how to implement it. He also commented on the cemetery and felt that a survey should be done.

**Don Collick** – He asked that the Board reconsider business registrations.

**APPROVAL OF AGENDA**

Mr. Dolan added item J to the agenda for an update on the Fire Accessory Building. Supervisor Young added item B. under Old Business regarding retainer vs. billable hours for the attorney and moved item B under New Business to the last item on the agenda to allow time for the applicant to arrive.

**Motion by Hemker, second by Dolan**  
**To approve the agenda as amended.**

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

**MOTION APPROVED**

**Public Hearing for the 2011 Budget**

Supervisor Young opened the public hearing at 7:10 p.m.

**Jerry Borowski** – He commented that the Board should consider the .003% tax. Supervisor Young asked for more details.

**Richard Fairfield** – He commented that it wasn't fair to just have the employees pay in for the benefits, but that it should be spread to everyone. He felt that the vendors should take 10% cut as well.

**Shirley Baker** – She questioned if there were any new additional fees that the citizens would be paying. Supervisor Young explained that there is a resolution to consider sewer fees.

**James Huffman** – He asked what would be saved after the township has the employees contribute to the health care. Supervisor Young explained that it is a complicated answer but that they are proposing a whole different policy and that they are trying to save in any place that can be saved in. Mr. Hoffman asked that they keep it in mind because he can't afford it, can't give it.

**Joanne Crook** – She questioned how much trouble the Township is in financially and if it is facing bankruptcy. She felt that perhaps money shouldn't have been spent on improvements. Supervisor Young explained that as they project into the future it does look dismal. Mr. Hicks explained that no one knew the bottom was going to fall out of the economy.

**Chris Roberts** – He encouraged the residents to attend the meetings and he was encouraged to see so many residents in attendance at this meeting.

**Jerry Borowski** – He commented on the DDA and asked if it was broken down in the budget .

Supervisor Young closed the public hearing at 7:30 p.m. due to no further comments.

## **UNFINISHED BUSINESS**

### **A. Utility Rate Resolution**

Supervisor Young explained that typically there is a resolution that is contractual with Lyon Waste Water. Mr. Quinn can put together the resolution for sewer rolls if it was something the Board agreed to do.

Mr. Dolan expressed that he is against any increase at all and Mr. Fletcher agreed.

Mr. Hicks explained that they have to be prepared and they should increase it incrementally. He continued that pump stations require a lot of maintenance and unexpected things happen.

Mr. Dolan stated that in 2007 when the survey was done, there was more demand for sewer and now there is not the same demand to justify the increase. Supervisor Young explained that the money will go down and that the Township has to look ahead. Mr. Fletcher stated that there is a surplus and the plants are running good with plenty buffer.

#### **Motion by Hicks, second by Young**

**To have Mr. Quinn draw up a resolution for the utility rate resolution.**

<b>Roll Call Vote:</b>	<b>Ayes:</b>	<b>Hemker, Hicks, Young</b>
	<b>Nays:</b>	<b>Dolan, Fletcher, Cash</b>
	<b>Absent:</b>	<b>Carcone</b>

**MOTION FAILED**

**B. Retainer vs. Billable Hours**

Supervisor Young reviewed the past usage history regarding the retainer. Mr. Dolan questioned if Mr. Quinn would be willing to lower the retainer fee. After discussion, Mr. Quinn agreed to lower the retainer fee to \$2,000.00 for 2011.

**Motion by Fletcher, second by Dolan**

**To reduce the retainer fee to \$2,000.00 for 2011 and look at the numbers in 2011 and see where they stand. This is to begin January 1, 2011.**

<b>Roll Call Vote:</b>	<b>Ayes:</b>	<b>Hicks, Hemker, Young, Cash, Dolan, Fletcher</b>
	<b>Nays:</b>	<b>None</b>
	<b>Absent:</b>	<b>Carcone</b>

**MOTION APPROVED**

**NEW BUSINESS**

**A. Resolution to recognize South Lyon East Band Parents' Association as a Non-Profit Organization in the community**

**Representing: John Hogan, President of the South Lyon East High School Band Boosters.**

Mr. Hogan explained that they are asking to be recognized as a nonprofit organization to raise money to support the band at South Lyon East High School. Mr. Borowski questioned who is accountable for the funds. Mr. Hogan answered that the Booster Club is in charge and they are accountable to the parents and use the money for scholarships and field trips.

**Motion by Hicks, second by Cash**

**To adopt the Resolution recognizing local governing body resolution for charitable gaming licenses.**

<b>Roll Call Vote:</b>	<b>Ayes:</b>	<b>Fletcher, Young, Hemker, Dolan, Cash, Hicks</b>
	<b>Nays:</b>	<b>None</b>
	<b>Absent:</b>	<b>Carcone</b>

**MOTION APPROVED**

**B. Community Economic Development Preparedness Index**

Ms. Aniol explained that this is a tool that will help them to analyze the strengths and weaknesses before moving forward.

**Theresa Danielson** – She questioned why the Township is concerned with the DDA when they are budgeting and cutting. Supervisor Young explained that this allows the Township to spend the dollars properly so they can generate businesses coming into the area and share the tax burden.

**C. Revisions to Article 5.00, Site Plan Review AP-10-11**

Mr. Doozan reviewed the McKenna Associates memo dated November 10, 2010. The Planning Commission held a public hearing on the proposed amendments on November 8, 2010. There was extensive discussion, primarily involving the extension of approval for a site plan. At the conclusion of the discussion, the Commission, by a 5-2 vote, recommended adoption of the proposed amendments.

**Sean O'Neil** – He explained that the only issue he had with it was a finite time limit.

**Motion by Hemker, second by Dolan**

**To approve the first reading Article 5.00, Site Plan Review AP-10-11 with rewording on item 8.**

<b>Voice Vote:</b>	<b>Ayes:</b>	<b>Unanimous</b>
	<b>Nays:</b>	<b>None</b>
	<b>Absent:</b>	<b>Carcone</b>

**MOTION APPROVED**

**D. Board of Review, Planning Commission, Zoning Board of Appeals and DDA Appointments**

Supervisor Young reviewed the terms expiring.

Mr. Fletcher expressed his concern that there was not an interview process for all open positions. Supervisor Young explained that not all of these were open positions.

**Motion by Young, second by Dolan**

**To nominate Lise Blades to the Planning Commission for term ending 11/30/2013.**

<b>Voice Vote:</b>	<b>Ayes:</b>	<b>Unanimous</b>
	<b>Nays:</b>	<b>None</b>
	<b>Absent:</b>	<b>Carcone</b>

**MOTION APPROVED**

**Motion by Young, second by Dolan**

**To nominate Mike Hawkins to the Zoning Board of Appeals for a term ending 11/30/2013.**

<b>Voice Vote:</b>	<b>Ayes:</b>	<b>Unanimous</b>
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Nays: None  
Absent: Carcone

**MOTION APPROVED**

**Motion by Young, second by Cash**

**To nominate John Hicks as the ZBA Board liaison for a term ending 11/30/2013.**

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

**MOTION APPROVED**

**Motion by Young, second by Hicks**

**To nominate Jay Howie to the DDA with a term ending 11/30/2014.**

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

**MOTION APPROVED**

**Motion by Young, second by Hicks**

**To nominate Vince Deangelis to the DDA for a term ending 11/30/2013.**

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

**MOTION APPROVED**

Supervisor Young explained that he had 4 resumes that were submitted for the open position on the Board of Review and he briefly reviewed those candidates.

**Motion by Young, second by Hicks**

**To nominate Jim Chuck for a 2 year period to the Board of Review.**

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

**MOTION APPROVED**

**Motion by Young, second by Dolan**

**To nominate Jim Hamilton to a two year term to the Board of Review.**

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

**MOTION APPROVED**

**Motion by Young, second by Dolan**

**To nominate Abe Ayoub to a two year term on the Board of Review.**

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

**MOTION APPROVED**

**E. Consider Adoption of the 2011 Budget**

Supervisor Young reviewed the proposed general fund budget with the changes that were discussed during the budget workshop meeting. There was discussion regarding increasing administration fees for the DDA, eliminating the recycling program.

**F. Farmland and Open Space Preservation Program 55535 Lee Road**

Mr. Doozan reviewed the McKenna memo dated November 2, 2010. The recommendation was that the Planning Commission recommends approval of the Farmland Preservation Program application submitted by Alison L. Kapur/New Hudson Investments, LLC, for the following reasons:

- The proposal satisfies the Farmland Preservation Program criteria.
- The land use is consistent with surrounding land use.
- The land use is consistent with the master plan, which encourages measures to retain rural and open space lands.
- The land use is consistent with the R-1.0 zoning designations, which designates agriculture as a principal permitted use.

**Motion by Dolan, second by Hemker**

**To approve the Farmland and Open Space Preservation Program as presented**

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

**MOTION APPROVED**

**Return to item E. Consider Adoption of the 2011 Budget**

Supervisor Young and Mr. Hemker reviewed the Health Care Fund and addressed why there was a need for changes. Concerns were expressed from the public regarding the higher monthly payment (contribution) which would be required from employees of the Township.

Clerk Cash offered and agreed to have the Clerks Department go from a family plan to a single plan only which would create a large savings and help offset contributions for the employees.

Supervisor Young briefly reviewed the Building Department, Sewer Enterprise Fund, Police Department, the Road fund, DDA, Park Fund, Library Fund and the Water Enterprise Fund.

**Motion by Fletcher, second by Hicks**

**To approve the 2011 Budget as presented with the exception of the DDA budget contingent with the changes as discussed.**

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

**MOTION APPROVED**

**Motion by Hicks, second by Dolan**

**To adopt the 2011 budget for the DDA.**

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

**MOTION APPROVED**

**G. Fire Building Update**

Supervisor Young updated the Board regarding the Fire Building and explained that there is \$15,000 remaining to finish the building and that the Fire Debt Fund has been spent. Mr. Fletcher expressed his great concern that none of those funds were brought before the Board for approval to be spent and that the cost far exceeded what they were told it would cost. Mr. Quinn will provide background information and Supervisor Young will provide spreadsheets accounting for all funds spent at the next meeting.

**ADJOURNMENT**

**Motion by Hicks, second by Hemker**

**To adjourn the meeting at 11:24 p.m.**

**Voice Vote:**            **Ayes:**            **5**  
                                 **Nays:**            **Fletcher**  
                                 **Absent:**        **Carcone**

**MOTION APPROVED**

Respectfully Submitted,

*Kellie Angelosanto*

*Michele Cash*

Kellie Angelosanto  
Recording Secretary

Michele Cash  
Clerk