

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
May 2, 2011

Approved: as written June 6, 2011

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

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

Guests: 15

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

APPROVAL OF THE CONSENT AGENDA

Approval of the Special Meeting Minutes of March 30, 2010

Approval of the Regular Meeting Minutes of April 4, 2011

Approval of Disbursements

Building Department Report for March 2011

Fire Department Reports for March 2011

Zoning Reports for March 2011

Engineer Status Report as of March 2011

Bill of Sale – Sanitary Sewer

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

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

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS -None

CALL TO THE PUBLIC

Debra Sellis, 26263 Daria Circle West – She spoke on behalf of her neighbors. She came before the Board last summer and mentioned the traffic problem on their private road. She explained that there have been many incidents of speeding cars and the signs that say “private road, no access” have not done anything to discourage the traffic cutting through. She explained that there are serious safety issues since there are 27 kids that live on that stretch and most times the cars are driving in excess of 50 mph. They are hoping to find a way to block the opening off. It is a private road and the homeowners pay for the upkeep of the road.

Supervisor Young explained that Mr. Quinn would look into the process on how to restrict it since it is a Planned Development. He also explained that the homeowners could authorize the police to write tickets

Sharon Chalifour, 57620 Pontiac Trail – She explained that she is experiencing another flooding problem due to the storm drains. Supervisor Young explained that there is still a punch list that has to be done and all of her concerns are noted. He explained that the mailbox would be moved as well. Ms. Chalifour explained that she has lived here for 38 years and when the apartments went in she was flooded and now that the roundabout has gone in she is flooded again.

REPORTS

DDA – Mr. Howie reported that he attended a Small Town Rural Development Conference in April and obtained a wealth of information. He recommended building an economic development team. Trustee Dolan questioned if a Farmers Market was in the works and offered his help with that.

Fire – Chief McClain reported that that there were 94 runs in March, which was average. On May 19, 2011 there will be a meeting in Lansing to determine the outcome of transferring medical authority. The ambulance agreement is still undecided at this time as is the 911 issue. Both contracts expire July 1, 2011. He also reported that the water tower was painted. He explained that there is one legal action happening regarding a business owner that made a modification to their building and sprinkler system and by passed the Building/Inspection Department. A citation was issued and he expects to be in attendance at the court hearing.

Planning Commission – Trustee Dolan reported that the Planning Commission has been having discussions regarding allowing chickens in subdivisions. He also reported that an inquiry for a new campground has come before the Planning Commission as well.

ZBA – Trustee Hicks reported that a variance was granted for a fuel station at Kroger and the campground was tabled due to more information needed.

Sheriff – Sgt. Venus reported that it had been a busy weekend and he updated the Board

regarding the recent drowning accident.

APPROVAL OF AGENDA

Trustee Hicks added item F. for SEMCOG Delegate.

**Motion by Hicks, second by Carcone
To approve the agenda as amended.**

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

MOTION APPROVED

UNFINISHED BUISNESS

A. AP-10-13, Twin Pines II, PD

Mr. Doozan explained that all of the items have been taken care of. Mr. Quinn stated the PD agreement was ready for approval.

**Motion by Dolan, second by Hicks
To approve the Planned Development Agreement for Twin Pines AP-10-13.**

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

MOTION APPROVED

**Motion by Dolan, second by Hicks
To approve the amendment to the Zoning Ordinance Zoning Map Amendment 145-11**

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

MOTION APPROVED

B. Recommendation and Possible Action regarding Engineering Services

Trustee Fletcher explained that the Engineering Committee met on a number of occasions. The Committee narrowed the firms down to 6 firms. The selection of the firms was based on pricing, experience and Lyon Township compatibility criteria. The recommendation to the Board is to have two firms, one smaller and one larger firm. The day-to-day work would be delineated to firm Civil Engineering Solutions Inc. and the larger design and infrastructure work would be to Giffels/Webster Engineers. Utilizing two engineering firms is a new process for the Township therefore the Committee recommends having it evaluated from the date

initiated to determine efficiency and effectiveness.

Motion by Fletcher, second by Dolan

To adopt the sub committee's recommendation to award the two pieces of the engineering to Civil Engineering Solutions and Giffels/Webster Engineers per the recommendation of the 6-month evaluation time frame and that would be dependent upon the DDA taking actions as well since they are customers of the services that have been laid out.

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

MOTION APPROVED

NEW BUSINESS

A. Emergency Services Dispatching Contract Recommendation

Mr. Mel Maier, Chief of Communications from the Oakland County Sherriff Department gave a power point presentation highlighting the benefits of using Oakland County as the Emergency Services Dispatch operation.

Trustee Dolan questioned if there would be any additional equipment that would be required. Mr. Maier stated no.

Treasurer Carcone explained that she would prefer a one lump sum payment of \$23,212.10.

Motion by Carcone, second by Dolan

To adopt Resolution authorizing the Clerk and Supervisor to enter into an agreement with Oakland County for dispatching services subject to final approval by the Township Attorney.

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

MOTION APPROVED

Motion by Carcone, second by Dolan

To adopt Resolution regarding the 911 calls originating from Lyon Township to Oakland County Sherriff's Department Dispatch Center effective date July 1, 2011.

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

MOTION APPROVED

B. Quality Ground Water Sampling & Reporting

Mr. DeWyre explained that the work order is for the completion of quarterly groundwater sampling surveys associated with the Lyon Township Wastewater Treatment Plant East Beds.

Motion by Hicks, second by Cash

To approve the work order #2 in the amount not to exceed \$14,460.00.

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

MOTION APPROVED

C. AP-08-21 Fellowship Evangelical Presbyterian Church Zoning Proposal

Mr. Doozan reviewed the McKenna Associates memo dated April 15, 2011. He explained that the Planning Commission approved a motion to recommend approval of the zoning:

1. The proposed zoning is consistent with the existing surrounding land use.
2. The proposed zoning is consistent with the surrounding zoning and is an appropriate classification for the existing church use.
3. The proposed zoning is consistent with the Master Plan and Future Land Use Map.
4. The proposed zoning is consistent with the intent and purposes of the Zoning Ordinance.
5. The proposed zoning is the appropriate zoning to allow the church to continue as is.
6. The proposed R-0.3 zoning is consistent with the trends in land development.

Motion by Hicks, second by Cash

To approve the first reading approving the rezoning of the Fellowship Evangelical Presbyterian Church to R-0.3.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

D. AP-11-05 Asbury Condominium/Planned Development

Mr. Doozan reviewed the McKenna Associates memo dated April 15, 2011 and asked that as the Board deliberated on this case to please recall the following two criteria on which to make a decision:

- (a) The proposed project has unique characteristics and benefits, and/or
- (b) the parcel in question has unique characteristics that significantly impact development, such as

unusual topography, tree stands," etc.

Trustee Hemker raised his concern that it would be setting a precedent and it goes well below the Township standards. Mr. Doozan stated that the 40-acre minimum came into play when Planned Developments were initiated. He explained that there are negatives such as the future land use map and allowing the reduction of minimum setbacks and minimum land area below what is allowed in an R-0.3 district. Mr. Quinn stated that under the ordinance they have to meet the criteria and each parcel is unique.

Trustee Dolan stated that everyone at the Planning Commission level was on board. They felt there were special characteristics since it's on a hill with apartments and a mobile home park behind it.

Motion by Carcone, second by Dolan

To approve Asbury Hill Planned Development waiver with the criteria as presented in the McKenna Associates memo dated April 15, 2011 (a) the proposed project has unique characteristics and benefits, and/or (b) the parcel in question has unique characteristics that significantly impact development, such as unusual topography, tree stands.

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

MOTION APPROVED

E. AP-11-01 Zoning Amendments Involving Automobile Service Stations

Mr. Doozan reviewed the McKenna Associates memo dated April 15, 2011. He explained that the Planning Commission unanimously approved a motion to recommend the proposed amendments to the Township Board.

There were concerns expressed about allowing gas stations all over the Township and the belief that residents do not want gas stations everywhere. Trustee Hemker suggested allowing it the New Hudson overlay district for this use but not to allow it throughout the Township.

The consensus of the Board was to limit the use and take it back for further information.

F. SEMCOG Delegate

Trustee Hicks explained that an alternate delegate was needed. He stated that Michele Aniol has agreed to be the alternate. The delegate has to be an elected official. Mr. Hicks agreed to continue on in the role of SEMCOG delegate.

Motion by Carcone, second by Hicks

To approve resolution to appoint John Hicks as the primary SEMCOG delegate and

Michele Aniol as alternate.

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

MOTION APPROVED

ADJOURNMENT

Motion by Carcone, second by Fletcher
To adjourn the meeting at 8:56 p.m.

Voice Vote: Ayes: Unanimous
 Nays: None

MOTION APPROVED

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash
Clerk