

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
July 5, 2011

Approved: August 1, 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: 6

Also Present: Chris Doozan, McKenna Associates
Matthew Quinn, Township Attorney
Leslie Zawada, Civil Engineering Solutions, Inc.
Michelle Aniol, DDA Administrator/Economic Development Coordinator

APPROVAL OF THE CONSENT AGENDA

Approval of the Regular Meeting Minutes of June 6, 2011

Approval of Disbursements

Building Department Report for May 2011

Fire Department Reports for May 2011

Zoning Reports for May 2011

Engineer Status Report as of May 2011

Tri-annual Sheriff's Report

Trustee Dolan asked that the Zoning Report be removed for discussion.

Motion by Carcone, second by Hemker

To approve the Consent Agenda with the Zoning Report removed and added as an agenda item.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Quinn updated the Board regarding the Milford Road East Development appeal. Supervisor Young explained that the Township will get about \$24,000 for Community Block Grant funds which is less than last year. McKenna Associates has agreed to whatever administrative requirements exist and will not exceed 20% of the total, which is a really nice gesture from McKenna Associates.

Treasurer Carcone announced that a past Treasurer for Lyon Township, Evelyn Herald had passed away recently.

CALL TO THE PUBLIC - None

REPORTS

Sheriff Report - Sheriff Venus gave an update regarding a fellow officer Rick Cigile, who was injured while on vacation and explained the fundraiser that is being held to raise funds for his medical needs.

DDA – Ms. Aniol gave a brief update regarding the up and coming Farmers Market. She explained that the DDA has received proposals in response to the request for proposals for Wayfinding Signs. The contract was awarded to CDPA in an amount not to exceed \$6,800. The DDA also received 7 proposals in response to its RFP for Urban Design Services for a future park. The contract was awarded to Giffels Webster Engineers, who offered to do the work pro bono. Ms. Aniol also explained that the DDA reviewed and approved a landscape design concept for the southwest roundabout at Pontiac Trail and New Hudson Drive. The DDA also approved the repair estimate submitted by Sinacori Landscaping. Ms. Aniol commented on the new Township website, which launched on June 20, 2011 and that the DDA is requesting feedback from all members of the community on the website.

Trustee Dolan expressed concern over the workmanship of the wall repairs on the northeast roundabout. Ms. Aniol and Supervisor Young stated they were aware of the situation and that it was being addressed with the contractor.

Planning Commission – Trustee Dolan explained the new landscaping plan that was approved for the Blue Cross/Blue Shield facility. There was concern expressed by some Board members over this new idea.

ZBA – Trustee Hicks reported that no ZBA meeting was held last month.

APPROVAL OF AGENDA

Supervisor Young added the following 4 items to the agenda:

- F. Discussion regarding park art
- G. Resolution for Community Development Block Funds
- H. Pumpkin fest Parade Resolution
- 11. Closed session regarding land acquisitions.

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

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

MOTION APPROVED

UNFINISHED BUISNESS

A. TriStar Committee Update

Mr. Quinn explained that the committee met and the discussion was about where the Township is today and how much the Township is entitled to with the existing cell tower. It was determined that the correct payments are being received. Mr. Quinn stated that all avenues are being investigated and he will be meeting with American Tower in July.

NEW BUSINESS

A. AP-11-11, Kroger Special Land Use

Mr. Doozan reviewed the McKenna Associates memo dated June 23, 2011 and explained that based on the Planning Commission's recommendation on June 13, 2011; it is recommended that the Township Board approve the proposal for permanent outside display for Kroger (AP-11-11).

Trustee Fletcher expressed his concern that this issue has been ignored and he questioned how much this process has cost Kroger and how can the Township make this process more business friendly. Supervisor Young explained that there was a safety factor and the Zoning Officer identified it. Trustee Dolan shared the same concern and he felt that when Mr. Spencer was hired it was to go after complaints not after businesses. He expressed his concern that this is the worst time in history to be going after the business owner. Trustee Dolan expressed his concerns with Mr. Spencer being the face of the Township.

Supervisor Young explained that he has not heard any complaints and it is hard to know how far to go with some of the issues because there are gray areas but all of the issues have been legitimate zoning violations. Supervisor Young explained that as a Board they need to decide how far enforcement should go.

**Motion by Fletcher, second by Carcone
To approve the outside sales Special Land Use for Kroger AP-11-11.**

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

MOTION APPROVED

B. AP-11-12, Asbury Hill Condominium PD

Mr. Doozan reviewed the McKenna Associates memo dated June 23, 2011. He explained that there are three steps involved in planned development review, and each step calls for involvement by the Planning Commission and Township Board. The first step is conceptual review. No formal action shall be taken on a plan submitted for conceptual review. This step is intended to give the applicant an indication of the issues and concerns that must be resolved prior to preliminary plan review.

The following six issues were identified relative to the Asbury Hill Condominium:

1. Compatibility with the Master Plan.
2. Preservation of Natural Features
3. Unified Control
4. Yard Setback and Spacing between Buildings
5. Open Space Requirements
6. Information Requirements

Mr. Storey, SES Engineering Group, explained that they are amenable to removing the suggested home for open space for the project. He is working on a revised plan but he does not know what the percentage of open space would be but the requirement would be met.

Mr. Dolan questioned the bike path. Mr. Storey explained that plans would need to be submitted and it may not be a possibility but it would be attempted. He explained that he is proposing connecting to the trail way that connects to the Township Park and Kensington instead of a sidewalk that goes nowhere. Treasurer Carcone explained that money could be put into an account in lieu of installing the sidewalk and then those funds could be used elsewhere in the Township where there is a need. Mr. Storey thought that would make sense. Supervisor Young asked that Mr. Storey talk to the County about signalization in that area as well.

Ms. Zawada questioned the road. Mr. Storey explained that the final lift does need to go on and they would patch any areas that are bad and will replace sections where it's needed.

Trustee Hemker expressed his concern that this plan shows the loss of diversity in the Township and that there is no reason that there can't be 30' between homes. Supervisor Young explained that the property is in delinquency. Trustee Fletcher stated that they don't have

diversity when a project goes belly up but that some of the lots in the plan are not viable and he questioned if there was a way to spread it out and get the setbacks more in line with the requirements.

Mr. Storey stated that they are basically hamstrung because the utilities are in and the depths of the streets are set. Trustee Fletcher stated that if there were more distance between the homes it would feel much better.

Trustee Fletcher stated that he would like to see the owners at the next presentation in order to find out how they can get closer to the requirements.

Mr. Doozan recommended leaving the portion that is designated for open space in the middle and let the people have it for their lots, he felt it ended up not being usable space and not maintained. Mr. Storey stated that it was more sellable without the open space because they are finding that people don't want to back up to it. Mr. Storey agreed with that.

Supervisor Young explained that the Board would like to see the owners when they come back before the Board as well as a layout with fewer homes.

C. Township Hall Sidewalk Repair

Supervisor Young reviewed the memo dated June 24, 2011 concerning the companies that bid for the repair of the sidewalk adjacent to the handicap parking areas in front of the Township Hall.

Trustee Fletcher stated that he would not be in favor of any motion that included ACS Services due to the way the Fire Accessory Building was handled. Trustee Dolan agreed and he suggested that a local company be used.

Motion by Cash, second by Dolan

To award the Township Hall Sidewalk Repair to Eric Stack in an amount not to exceed \$1,650.00.

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

MOTION APPROVED

D. New Fire Truck Bid Recommendation

Supervisor Young reviewed the spreadsheet that was provided by Chief McClain listing the options available for the fire trucks. Chief McClain is investigating the Spencer unit with the booster reel. The grant is for \$285,000. Treasurer Carcone explained that there would be a shortfall of about \$72,000.00 and she recommended using a loan that can be obtained at a reasonable rate. She will bring back definite figures at the next meeting.

E. Farm Animal Discussion

Mr. Quinn explained that the Planning Commission has had discussions regarding chickens in subdivisions and that there were a number of communities looking into this. There was discussion as to allowing chicken with a minimum. The conclusion of the Board was to not spend any money at this time pursuing this issue.

F. Discussion on Public Art in the Park

Mr. John Bell gave a short slide show presentation that showcased Fuerst Park in Novi. He provided examples of art in the park and the draw that the art could potentially bring to Lyon Township. Mr. Suave has offered to put a piece of art at no cost to the Township in the park. Mr. Bell explained that Mr. Suave would develop a 10-year plan and put structures along the bike path, up to 20 abstracts are planned.

Trustee Fletcher asked how this would be maintained and thought this could be a catalyst to get funding for the park. He felt there is a need for private/public partnerships.

The consensus of the Board was to move forward.

G. Resolution Community Development Block Grant Funds

Clerk Cash explained that this is a housekeeping item.

Motion by Hicks, second by Cash

To approve Resolution approving the Community Development Block Grant Program Oakland County, MI Urban County Qualification 2012-2014.

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

MOTION APPROVED

H. Pumpkin Festival Parade

Supervisor Young explained that the parade would begin at Lyon Trail Blvd. and end at Bartlett Elementary School. Pontiac Trail will be closed from 9 Mile to Lyon Trail Blvd for the duration of the parade. Signed permission from the Homeowners Association has been received.

Phil Weipert explained that the parade is approximately 1/3 mile longer and will run about 20 minutes more. He also explained that the stacking area will be outlined with chalk/numbered and should only be used for about an hour. The County still has to approve the paperwork as well.

Motion by Cash, second by Carcone
To approve the resolution requesting the closure of Pontiac Trail for the 2011
Pumpkin Festival Parade as presented on the form provided.

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

MOTION APPROVED

I. Zoning Report/Consent Agenda

Mr. Dolan stated he was ok with the report.

Motion by Cash, second by Carcone
To approve the Zoning Report as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

ADJOURNMENT

Motion by Carcone, second by Cash
To adjourn the regular meeting at 9:28 p.m. and move into closed session.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

The Regular meeting of the Township Board was adjourned at 9:28 p.m. due to no further business.

Board moved into Closed Session at 9:35 p.m. and adjourned at 9:47 p.m.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash
Clerk