

Charter Township of Lyon  
Board of Trustees  
Regular Meeting Minutes  
October 3, 2011

Approved: November 7, 2011

The meeting was called to order by Mr. Young at 7:00 p.m.

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

Absent: Brent Hemker, Trustee  
Patricia Carcone, Treasurer

Guests: 16

Also Present: Sarah Traxler, McKenna Associates  
Matthew Quinn, Township Attorney  
Leslie Zawada, Civil Engineering Solutions, Inc.  
Jason Mayer, Giffels-Webster Engineers  
Michelle Aniol, DDA Administrator/Economic Development  
Coordinator

Supervisor Young excused the absences of Treasurer Carcone and Trustee Hemker.

**APPROVAL OF THE CONSENT AGENDA**

Approval of Regular Meeting Minutes of September 6, 2011  
Approval of Disbursements  
Building Department Report for August 2011  
Fire Department Reports for August 2011  
Zoning Reports for August 2011  
Engineer Status Report as of September 2011

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

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

**MOTION APPROVED**

**ANNOUNCEMENTS & COMMUNICATIONS**

Mary Pat Freund from the Lyon Township Library Board gave a brief presentation on the services that the library offers the community such as genealogy research,

computer classes, and one on one tutoring to name a few.

Rob DeWyre gave an overview of the Wellhead Protection area and announced that the grant application for 2012 was approved. He explained the activities that will be done with the grant money.

**CALL TO THE PUBLIC** - None

**Reports**

**DDA** – Ms. Aniol reported that the Annual Oakland County Heritage Conference was well attended. The focus was to examine the factors that may have led to the abandonment; demise and re-purposing of these partially finished subdivisions. Lyon Township was promoted in the Jump Starting Stalled Development session, which explained the creative means by which the Township has dealt with stalled developments.

Ms. Aniol continued that the DDA kicked off its “Welcome to Lyon” initiative in September and it has been well received by businesses.

The DDA voted to assist with the funding of the Parks and Recreation Plan updated, provided the Planning Commission and Township Board approve a written scope of work from McKenna Associates.

Also, the DDA has received its first applications to the sign grant program.

Ms. Aniol also explained the updates to the Township’s website and that Mr. Bell is in charge of the historic photograph lending program. There will also be a Form Based Code Workshop hosted by the DDA for the Planning Commission and Township Board.

Ms. Aniol showed the layout of Lyon Township for the Prosper magazine and the scope of the magazine.

**Fire** – Chief McClain reported the ambulance agreement is being handled later in the agenda. He reported that the Fire Department Open House/Pancake Breakfast is going to be held on October 16, 2011 from 8:00 a.m. – 12:00 p.m. Chief McClain hosted a Meet the Chief night and had 8 people attend. He received 6 applications and explained that he would like to hire 3 people for a total of 29.

**Sheriff** – None

**Planning Commission** – None

**ZBA** – Mr. Hicks reported that the ZBA request was tabled.

**APPROVAL OF AGENDA**

**Motion by Hicks, second by Dolan  
To approve the agenda as presented**

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

**MOTION APPROVED**

**UNFINISHED BUSINESS**

**A.     AP-11-16 Amendment to the Saddle Creek PD to Allow Farming – Final Plan Review**

Ms. Traxler explained that there were no changes.

**Motion by Hicks, second by Fletcher**  
**To adopt AP-11-16 the Final Plan Review for the Amendment to the Saddle Creek PD to allow farming.**

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

**MOTION APPROVED**

**B.     AP-11-09 Amendment to the Pinehurst PD to Allow Farming – Final Plan Review**

Ms. Traxler explained that there were no changes.

**Motion by Hicks, second by Fletcher**  
**To adopt AP-11-09 the Final Plan Review for the Amendment to the Pinehurst PD to allow farming.**

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

**MOTION APPROVED**

**C.     AP-11-13 Second Reading Off-Premise Advertising Signs**

Ms. Traxler explained that as directed by the Board, item 3 has been revised to allow off-premise signs to have a zero setback from an interstate right-of-way line.

**Motion by Hicks, second by Cash**  
**To approve ordinance to amend the Charter Township of Lyon Zoning Ordinance Article 16.00 Signs, Section 16.05 General Provisions, subsection D. Off-Premise Advertising Signs.**

Trustee Fletcher expressed his objection to change zoning for municipal zoned

property.

**Vote Vote:           Ayes:           4**  
**Nays:           Fletcher**

**MOTION APPROVED**

**D.     AP-11-17 Second Reading Township Park Rezoning**

**Motion by Hicks, second by Cash**  
**To adopt proposed rezoning 2<sup>nd</sup> reading AP-11-17 for the Township Park**  
**Rezoning.**

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

**MOTION APPROVED**

**E.     Proposed Master Plan – Consider Authorizing Distribution**

Ms. Traxler explained the distribution process for the Master Plan.

**Motion by Cash, second by Hicks**  
**To authorize the distribution of the Master Plan.**

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

**MOTION APPROVED**

**F.     Consolidate Municipal Ambulance Service**

Chief McClain explained that he received two proposals, HVA and Community Ambulance. He recommended entering into a contract with HVA and he explained the new additions to the contract.

Mr. Quinn explained that he has no problem with the contract and it is in its appropriate form to be considered by the Board.

Clerk Cash thanked everyone for their due diligence with this process.

**Motion by Cash, second by Fletcher**  
**To adopt the Consolidated Municipal Ambulance Service Agreement**  
**between Lyon Township and Huron Valley Ambulance, Inc.**

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

Supervisor Young commented that Treasurer Carcone was very much in support of this as well.

## **MOTION APPROVED**

### **NEW BUSINESS**

#### **A. Way Finding Signage Plan**

Ms. Aniol explained that the DDA had final detailed designs developed and prepared based on a prototype developed by the Design Committee. The project consisted of two-phases', with Phase 1 including Final Design Development and Pre-Production and Phase 2 including Sign Fabrication and Installation.

Mr. John Argenta explained the 3 basic signs that will be incorporated into the plan, Welcome Signs, On Site Directional Signs and Way finding Signs. He explained that the majority of the signs will be in the Oakland County right-of-way and some will be located on the Township's property.

Ms. Aniol explained that the Township is setting new ground all the way around with Oakland County.

Trustee Fletcher expressed his objection that the Township would be allowing things that are not allowed for businesses and that the Township would be violating their own ordinance to do this. Supervisor Young stated that they are not talking about the same thing; these signs are not promoting or advertising a business. Trustee Fletcher suggested looking at the Sign Ordinance and amending it.

Mr. Argenta explained that these signs are in the right-of-way of Oakland County and meet the specifications for height.

Mr. Argenta reviewed the directional signs for the Township Hall. He estimated that the total cost for the project would be in the neighborhood of \$70,000-75,000, which is a preliminary estimate.

#### **Motion by Hicks, second by Fletcher**

**To approve the Way Finding Sign Plan as presented including the locations and design of the signs.**

Ms. Shirley Baker questioned if any of the signs will have New Hudson on them. Supervisor Young stated that they have plans to bring forth New Hudson in the downtown circulation area.

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

## **MOTION APPROVED**

Supervisor Young stated that he would talk with some people to obtain volunteers to work on the Sign Ordinance. Trustee Fletcher and Dolan agreed to volunteer.

## **B. Design for a New Township Flag**

Ms. Aniol explained that the DDA unveiled the proposed design for a new Township flag, one that incorporates the Design Guidelines adopted by both the Township and the DDA. Ms. Aniol shared a rendering of the proposed flag. After discussion, some of the Board members felt that the proposed flag was boring and it did not reflect Lyon Township. Ms. Aniol explained that she would take it back to the DDA if this were not the image that the Township wanted to promote.

Mr. Quinn asked if the DDA had considered that there are two Lyon Township's in the State and suggested putting Oakland County, MI on the bottom of the flag because if the flag will to be taken to a State convention then it would need to be distinguished.

### **Motion by Fletcher, second by Cash**

**To table the design for a new Township Flag until the next meeting and send it back to the design committee in order to receive additional samples to look at.**

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

## **MOTION APPROVED**

## **C. Mill River Consent Judgment – Proposed 4<sup>th</sup> Amendment**

Ms. Traxler reviewed the McKenna Associates memo date 9/9/11 with the following recommendation that based on the findings they recommend that the Township Board approve the 4<sup>th</sup> Amendment to Consent Judgment for Mill River and authorize the Township Supervisor and Township Clerk to sign the Consent Judgment on behalf of the Township.

Supervisor Young gave a brief history of the project.

Mark Roebuck, Project Manager for Lombardo Homes gave a brief overview of the project. Ms. Zawada explained that additional sewer leads would be needed and it is viable. Mr. Roebuck stated that they would do what was needed to accomplish the additional sewer leads.

Mr. Quinn questioned what the transition is between the multi family and the single family residential. Mr. Roebuck explained that there is a gap between with a main road and tennis courts/basketball courts and there will be landscaping.

Trustee Dolan commented that he liked that the density is lower and glad to see that they were going through with it.

Ms. Traxler commented that a landscape plan should be required in order to view the

transition areas.

**Motion by Dolan, second by Hicks**

To approve the 4<sup>th</sup> Amendment to the Consent Judgment regarding Mill River and allow Supervisor and Clerk to execute the 4<sup>th</sup> Amendment and after recording have the applicant provide the elevations and the landscaping plan showing the transition areas to the Board prior to construction.

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

**MOTION APPROVED**

**D.      Resolution Establishing Tentative Special Assessment Roll for General Purposes**

Mr. Quinn explained the list of the annual delinquencies.

**Motion by Cash, second by Hicks**

To adopt the Resolution Establishing Tentative Special Assessment Roll for General Purposes and schedule a public hearing for 11/7/11.

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

**MOTION APPROVED**

**E.      Policy to Withdraw REU Units from Delinquent Special Assessment District Parcels**

Mr. Quinn reviewed the formulas for the policy to withdraw REU units from delinquent SAD parcels.

**Motion by Hicks, second by Cash**

To approve the policy to withdraw the residential equivalency units from delinquent special assessment district parcels per the formula.

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

**MOTION APPROVED**

**F.      Proposal to Prepare Regulations Concerning Alternative Energy Facilities**

Ms. Traxler explained that the Board had asked for a cost estimate to prepare regulations dealing with solar and wind energy facilities. The estimate totaled \$2,157.00 for engineering, planning and attorney services.

Trustee Dolan expressed his concerns that there are not any regulations for this type of item and he is concerned with the setbacks and ground stability since there are no regulations to make sure these items are safe.

**Motion by Dolan, second by Fletcher**

**To prepare the regulations concerning alternative energy facilities in an amount not to exceed \$2200.00**

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

**MOTION APPROVED**

**G.      Proposal to Update Utility Rate Study**

Supervisor Young gave a brief overview of the previous utility rate study that was done.

Trustee Fletcher expressed his displeasure that the proposal is for \$6500 but that does not include a presentation to the Board. Clerk Cash explained that Treasurer Carcone had asked him to tell the Board that she also felt that the Board presentation should have been included.

Trustee Hicks stated that he was concerned with doing another study when the recommendations from the last study were not followed.

**Motion by Fletcher, second by Dolan**

**To approve UFS to perform a utility rate study in an amount not to exceed \$7100.00 this would include a Board presentation.**

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

**MOTION APPROVED**

**H.      Consider adding “Wade Shows” to Annual Lyon Twp. Kite Festival**

Mr. Bell explained that he is considering an opportunity that would expand the Kite Festival. He introduced Ms. Joanna Hardesty, representing Wade Shows, Inc.

Ms. Hardesty shared her background and experience in planning, organizing and hosting fundraisers that are similar to the Lyon Township Kite Festival. She presented a short power point presentation on highlighting the Hamburg Family Fun Fest. Ms. Hardesty reviewed the two options available to Lyon Township. She explained that Kite Festival has about 3,000 visitors in 5 hours and offering this kind of show could bring in about 5,000-7,000 people per day over 4-5 days. She explained that 300 x 400 feet of area would be needed and the Township would be responsible for providing security and potable water. The hours of operation would be from 5:00 p.m. – 11:00 p.m. or midnight weekdays and on the weekend they would suggest opening at Noon or 2:00

p.m. and that could be negotiated. Ms. Hardesty explained that the festival would be held on May 31- June 3.

Parking issues were briefly discussed as to how much to charge for parking and how to get visitors from one point to the next.

Supervisor Young expressed his concern with integrating this type of festival into the Kite Festival. He felt the integrity of the Kite Festival would be lost and questioned how the local business and Kiwanis would be integrated since those organizations have supported the Kite Festival in the past. Ms. Hardesty explained that they would integrate the Kiwanis Club and the non-profit organizations; they want to keep the local businesses involved. Trustee Hicks stated that he also didn't like the idea of changing the feel of the Kite Festival.

Trustee Fletcher and Dolan felt that this type of festival would be good for the community.

**Motion by Fletcher, second by Dolan**

**To move forward with Option 1 understanding that the contractual and logistical details need to be worked out and recommend to the DDA to handle the financial aspects, organizational properties and all logistical details.**

**Roll Call Vote:      Ayes:            4  
                             Nays:            Hicks**

**MOTION APPROVED**

**I.      ITC Vegetation Sponsorship**

Supervisor Young reviewed the memo dated 9/22/11 from ITC. He explained that ITC is presenting the Township with \$5,000.00 to be used for plantings in common spaces, neighborhood parks, stump grinding and/or compatible species plantings in residential areas. Supervisor Young suggested some areas that could use some plantings. He asked the Board think about where they would like to use the money for plantings.

**Motion by Hicks, second by Cash**

**To table until the November meeting for discussion.**

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

**MOTION APPROVED**

**J.      Budget Discussion**

Supervisor Young reviewed the memo from Treasurer Carcone dated 9/28/11. He explained the distribution of the invoice for Oakland County, which included the County Bill Back and Tax Tribunal.

Supervisor Young explained that a special meeting of the Board would be held on October 19, 2011 at 4:00 p.m.

**K. Consider Purchase of Billboard Licenses**

Supervisor Young explained that the Department of Transportation should not issue any permits for new signs after January 1, 2007. Permits issued by the department before January 1, 2007 remain in force and valid. In order to continue the billboard initiative it is imperative that the sign permits are secured from a party willing to sell permits that were in effect prior to 2007.

Supervisor Young explained that contact was made with Hargett Advertising who has two qualifying permits and are willing to sell those to the Township. The cost of the 2 sided is \$20,000. The permits do have an asset value because the State of Michigan is not issuing any more.

Clerk Cash questioned where the money would come from to purchase the permits? Supervisor Young stated that he didn't know yet, but that it would work through the process. Trustee Fletcher stated he would want to see it come from the General Fund so that they can capture the funds.

**Motion by Dolan, second by Hicks**

**To approve the purchase of 2-sided sign permits in an amount not to exceed \$20,000.**

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

**MOTION APPROVED**

**L. Consider Part Time Administration Assistant for Chief McClain**

Chief McClain explained that the clerical/paperwork has increased. He is spending a lot of time on it and would like to hire a part time clerical person, no more than 24 hours per week. This would allow him to be able to seek more grant opportunities, training and special projects.

Supervisor Young explained the need for a part time accounting person for the Clerk's office as well. Trustee Fletcher questioned if it was a process issue rather than the need to have another person. Supervisor Young explained that the work requires a tremendous amount of imputation.

**Motion by Fletcher, second by Cash**

**To table until the November meeting.**

<b>Voice Vote:</b>	<b>Ayes:</b>	<b>Unanimous</b>
--------------------	--------------	------------------

Nays: None

**MOTION APPROVED**

**M. Amendment to SOGs to Create New Job Description**

**Motion by Fletcher, second by Cash  
To table until the November meeting.**

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

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Fletcher, second by Cash  
To adjourn the Regular Meeting of the Board of Trustees at 10:42 p.m.**

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

**MOTION APPROVED**

The Board of Trustees meeting was adjourned at 10:42 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Michele Cash

Kellie Angelosanto  
Recording Secretary

Michele Cash  
Lyon Township Clerk