

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
February 4, 2013

Approved: March 4, 2013

The meeting was called to order by Supervisor Young at 7:05 p.m.

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

Guests: 14

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

APPROVAL OF THE CONSENT AGENDA

Approval of the Special Meeting Minutes of December 19, 2012
Approval of the Regular Meeting Minutes of January 7, 2013
Approval of Disbursements
Building Department Report for December 2012
Fire Department Reports for December 2012
Zoning Reports for January 2013
Engineering Reports for January 2013

**Motion by Cash second by Carcone
To approve the consent agenda as presented.**

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

MOTION APPROVED

ANNOUNCEMENTS & COMMUNICATIONS

Treasurer Carcone announced that the Assessor informed her that Lyon Township is leading the County in an increase in taxable value although industrial/commercial declined.

Troy Powe reviewed the success of the Winterfest by the numbers.

Jane Purslow - She commented on a service dog that will be buried at the dog cemetery.

CALL TO THE PUBLIC - None

REPORTS

DDA – Ms. Aniol reported that the DDA has decided to hold off for now regarding the Township flag contest until all of the Boards reach a consensus. The DDA will help organize the Safety Town program. The repairs to the roundabout are almost complete. The DDA will be meeting regarding the future vision for the former Putter’s property. She also explained that the Board would be receiving the Economic Development Preparedness Index survey.

Fire – Chief McClain provided an Incident Type Report for 2012. He reported on unexpected bills for a blown head gasket on one of the trucks, and a leak in the ceiling caused by a frozen sprinkler pipe. He is very happy with the new nighttime shift coverage at Fire Station 2. The big red truck is for sale for \$45,000. He gave a brief update regarding the Holloway property. He reported that 5 employees are now licensed by the State of Michigan and 1 is waiting to be tested.

Sheriff – Sheriff Venus gave a certificate of appreciation to the Township employees and to Chief McClain and his employees for their participation in Shop with a Hero. 39 families were able to participate. Troy Powe thanked Sheriff Venus for his participation in Winterfest.

Planning Commission – Trustee Dolan explained that most everything on the agenda was tabled until the meeting on February 11.

ZBA – Trustee Hicks explained that there was one item on the agenda at it was tabled.

Park & Advisory Board - Trustee Fletcher explained that his items would be discussed further in the agenda.

APPROVAL OF AGENDA

The following items were added under New Business:

- I. Appointment to the Community Center Committee
- J. Park Advisory Meeting Dates
- K. Consideration of Competitive Grant with the City of Wixom

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

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

UNFINISHED BUSINESS

A. Revised Sign Article 16.00 of the Zoning Ordinance – Nonresidential Uses in Residential Districts

Mr. Sloan reviewed the McKenna Associates memo dated January 22, 2013, which included regulations that would permit signage for nonresidential uses in residential districts. After brief discussion the Board felt that this should be brought back for review to the Planning Commission.

MOTION APPROVED

NEW BUSINESS

A. Griswold Paving Project Cost Participation Agreement

Supervisor Young reviewed the upcoming allocation of the remaining 2012 and upcoming 2013 Tri-Party Funds that will be used toward the road paving project. He explained that there are some tight timelines that must be met in order to secure this funding.

Motion by Hicks, second by Adams

To authorize the Township to enter into the Cost Participation Agreement between the Oakland County Road Commissioners and the Charter Township of Lyon.

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

MOTION APPROVED

B. Griswold Engineering Cost Estimate /Engineering Fee

Ms. Jeffries reviewed the Giffels/Webster Project Cost Estimate dated January 25, 2013. She explained that due to the tight timeline certain areas of the project needed to begin in order to meet the timeline. She suggested the following items to begin with the preliminary Geotechnical survey work, engineering/design, permitting, and topographic survey

There was discussion regarding the estimated cost of the project, the Township's responsibility regarding the CSX Railroad and the strong economic reasons to get this done in 2014.

Motion by Fletcher, second by Dolan

To approve Giffels/Webster to proceed with the Geotechnical, topographical survey, permitting and engineering/design as outlined in the Giffels/Webster memo dated 1/25/13 not to exceed \$138,210.00.

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

MOTION APPROVED

C. Proposed Joint Funding Agreement w/South Lyon Junior League for Ball Fields

Trustee Fletcher explained that the Parks and Recreation Advisory Board is working with the South Lyon Junior League to rehabilitate the baseball fields at the park.

Sean O'Neil explained that they are seeking approval for a matching fund agreement between Lyon Township and the South Lyon Junior League. This project has a proposed cost of \$15,000.00, which would equally be split between the Township and South Lyon Junior League. Mr. O'Neil reviewed the scope of work to be done and the cost.

Trustee Fletcher also explained that it is a possibility to enter into a long-term agreement with the junior league to maintain the areas around the fields as well. Trustee Fletcher also explained that this proposal received unanimous support from the Park Advisory Board.

Mr. Quinn had no problems with the contract.

Trustee Fletcher confirmed that this price included the replacement of grass. Mr. Dunigan explained that the junior league is not averse to contributing more at their own expense in the event sod is better than seed that it will be at done at their own cost.

Trustee Fletcher nominated Mr. Dean Whitcomb to approve that the work is completed.

Motion by Fletcher, second by Carcone

To approve the Matching Fund Agreement as outlined not to exceed \$7500.00.

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

MOTION APPROVED

D. Street Lighting Reimbursement Agreement between Lyon Township and TNG

Supervisor Young explained that The Nails Group has requested a streetlight on Grand River and WK Smith Drive.

Mr. Quinn reviewed the Master Agreement and explained this is at no cost to the Township.

**Motion by Cash, second by Hicks
To enter into the Street Lighting Reimbursement Agreement with TNG and Lyon Township.**

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

MOTION APPROVED

E. Kirkway Phase IIB Storm Volume Variance Request

Ms. Zawada reviewed the CES memo dated 1/28/13. She recommended that the Board approve the variance request and allow Pinnacle Homes to construct a pond with a 10-year volume requirement with a required discharge rate of 0.10 cfs.

**Motion by Carcone, second by Hicks
To approve the variance request and allow Pinnacle Homes to construct a pond with a 10-year volume requirement with a required discharge rate of 0.10 cfs as compared to the requirement of a 100 year volume requirement.**

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

MOTION APPROVED

F. Kirkway Estates Phase IIB Capital Charge Installment

Ms. Zawada reviewed the CES memo dated 1/22/13. She explained that the installment agreement is for 17 lots.

**Motion by Carcone, second by Dolan
To approve the Installment Purchase Agreement for the purchase of sewer system capacity in the Charter Township of Lyon to Pinnacle Kirkway LLC for the purchase of 17 REU's with a 5% administrative fee for a total of \$202,290.05.**

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

MOTION APPROVED

G. Resolutions to Establish Officer Salaries for the Year 2013

**Motion by Cash, second by Carcone
To establish the Trustees salary at \$4,207.50 per year.**

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

MOTION APPROVED

**Motion by Carcone, second by Hicks
To establish the Clerk's salary at \$60,311.00 per year.**

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

MOTION APPROVED

**Motion by Carcone, second by Cash
To establish the Supervisor's salary at \$60,311.00 per year.**

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

MOTION APPROVED

**Motion by Cash, second by Dolan
To establish the Treasurer's salary at \$60,311.00 per year.**

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

MOTION APPROVED

H. Twin Pines II Condominium Approval

**Motion by Fletcher, second by Dolan
To table until the applicant comes forward with information.**

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

MOTION APPROVED

I. Appointment to Community Center Committee

Trustee Fletcher explained that they have received a commitment of \$30,000 per participating community. He explained that the committee would be made up of 3 people from each township (Green Oak, Lyon and South Lyon) 1 elected official and 2 residents. He nominated residents Jenny Urtell and Nancy Kessler. Supervisor Young nominated Steven Fletcher to be the elected official on the committee.

**Motion by Young, second by Carcone
To nominate Jenny Urtell and Nancy Kessler as the residents for the
Community Center Committee and Steven Fletcher as the elected official
for Lyon Township.**

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

MOTION APPROVED

**Motion by Fletcher, second by Hicks
To approve the \$10,000 invoice to South Lyon Recreation Authority for the
purposes of the Lyon Township's contribution to the community center
committee with \$5,000.00 being payable immediately and the other
\$5,000.00 upon request.**

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

MOTION APPROVED

J. Parks Advisory Board Alternate Meeting Dates

The Parks Advisory Board has decided to change the date and time of their monthly meetings. The new date and time will be the 4th Monday of the month at 7:00 p.m.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

K. Wixom Intergovernmental Agreement

Ms. Aniol explained that the grant would allow the Township to be able to conduct a feasibility study with the City of Wixom to postpone an expansion of the wastewater treatment plant and see if there is a way to use Wixom's water treatment plant for some of the Township's wastewater. The grant is in the amount of \$51,500.

Motion by Carcone, second by Hicks
To adopt the revised Intergovernmental Agreement with Wixom dated 2/4/13.

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

MOTION APPROVED

ADJOURNMENT

Motion by Cash, second by Carcone
To adjourn the Regular Meeting of the Board of Trustees at 9:01 p.m.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

The Board of Trustees meeting was adjourned at 9:01 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash

Michele Cash
Lyon Township Clerk