

Charter Township of Lyon  
Board of Trustees  
Regular Meeting Minutes  
August 5, 2013

Approved: September 3, 2013

The meeting was called to order by Supervisor Young at 7:00 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: 26

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

**APPROVAL OF THE CONSENT AGENDA**

Approval of Regular Meeting Minutes of July 1, 2013  
Approval of Special Meeting Minutes of July 22, 2013  
Approval of Special Meeting Minutes of July 26, 2013  
Approval of Disbursements  
Building Department Report for June 2013  
Fire Department Reports for June 2013  
Zoning Reports for July 2013  
Engineering Reports for August 2013  
Acceptance of Deed for the War Dog Memorial Parcel #21-21-20-007 from S.E.  
Michigan Land Holding LLC as a Gift  
Mowing As Needed Services Brien's Agreement 2013  
South Lyon Area Youth Assistance Letter

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

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

**MOTION APPROVED**

## **ANNOUNCEMENTS & COMMUNICATIONS**

**John Bell** – He gave a brief account of the success of Lyon Township's 1<sup>st</sup> carnival in many years. He explained that all of the money goes to the Park and Recreation Fund. He felt that another carnival will be held next year but it will be bigger and better.

**Mike Kramer** – He gave an update regarding the proposed Community Recreation Center. He explained that Neuman Smith was approved to do the conceptual design for the center. He explained that they hoped to have a location narrowed down in the next month or two. Treasurer Carcone commented that two people in Neuman Smith live in the community and will be personally interested in the project.

## **CALL TO THE PUBLIC**

**Carmen Jaroslowski** - She voiced her concern regarding a condo that was not approved was built and abandoned. In 2009/2010 after Elkow homes purchased the property the home was torn down. She asked that the basement be removed or fill in due to safety concerns. She provided pictures of the site to the Board. Supervisor Young explained that they would investigate this and get back to her.

## **REPORTS**

**DDA** – Ms. Aniol explained that there are a few business appreciations that are coming up and she would like some of the Board members to attend. The Township has been selected to host an MDOT Walking Audit in the DDA area on 9/10/13. The Connect Michigan Broadband is holding a conference on 10/24/13 at MSU. She also reported that Oakland County Prosper Magazine has partnered with Hour media and it sounds like it will be a cutting edge marketing piece. She also reported that the One Stop Ready workshops would be held on 9/25/13 and 10/23/13.

**Fire** – Chief McClain reported on a recent structure fire. He is continuing to tie up loose ends and he appreciated the continued support he has received during this transition.

**Sheriff** – None

**Planning Commission** – Trustee Dolan reported that a special meeting was held on 7/24/13 to review the Form Based Code and there was discussion regarding the Enclaves of Lyon.

**ZBA** – Mr. Mike Barber explained that a variance was granted for a pole barn and Cambrian of Lyon was postponed.

**Park & Advisory Board** - Trustee Fletcher reported that the Board is receiving field requests to use the park and they are continuing the work on the Park Master Plan.

## **APPROVAL OF AGENDA**

The following was removed from the agenda:

13. Closed Session

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

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

## **MOTION APPROVED**

## **PUBLIC HEARING – 2013 CDBG FUND ALLOWANCE**

Mr. Doozan explained that these federal funds are allocated to the Township every year. There have been more requests for minor home repair and South Lyon Youth Assistance has been unable to spend their allocation so he suggested transferring money from the South Lyon Youth Assistance to Minor Home Repair in the amount of \$3,000.00

Supervisor Young opened the public hearing at 7:29 p.m. and closed it due to no comments.

## **UNFINISHED BUSINESS**

A. Second Reading of Proposed Zoning Regulations to Permit Solar Energy Facilities

**Motion by Carcone, second by Cash  
To table the Second Reading of Proposed Zoning Regulations to Permit Solar Energy Facilities until the next Board meeting to allow more time to review.**

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

## **MOTION APPROVED**

## **NEW BUSINESS**

### **A. Resolution Reprogramming Community Development Block Grant Funds for PY 2011 and 2012 Funds**

**Motion by Cash, second by Hicks**

**To approve the Resolution to Reprogram Program Year PY 2011 and PY 2012 Community Development Block Grant Allocation per the McKenna Associates memo dated June 24, 2013.**

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

## **MOTION APPROVED**

### **B. Fire Department – Fire Chief Selection**

Supervisor Young explained that 23 applications were received for the position, which was narrowed down to 8 applicants and then narrowed down to 3. A special meeting was held by the Board of Trustees to interview those 3 applicants.

**Motion by Carcone, second by Hicks**

**To authorize the Supervisor on behalf of the Lyon Township Board of Trustees to offer employment to Ken Van Sparrentak as the Lyon Township Fire Chief for an annual salary of \$75,000 subject to satisfying background check and a psychological evaluation, it is also understood that the offered position is an At Will position and subject to all conditions in the Lyon Township Personnel Policy and Procedures Manual.**

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

## **MOTION APPROVED**

### **C. Fire Department – Vehicle Purchase Authorization Request**

Chief McClain reviewed the vehicle costs to secure a 2013 Expedition with running boards. He explained that \$35,000 has been allocated in the budget for the purchase. This vehicle will serve as the Chief's vehicle and command vehicle.

**Motion by Carcone, second by Adams**

**To approve \$31,000 for the purchase of the 2013 Expedition this will**

**include running boards.**

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

**MOTION APPROVED**

**D. Best Storage Variance Request – Engineering Design Standards**

Representing Best Storage – Steven Krause, owner

Ms. Zawada explained that Best Storage came in for a site plan review and the applicant would like to finish the last building. At that time it was noted that two of the items do not conform to the Engineering Design Standards including rate of discharge and the freeboard. She supports the variance to allow the applicant to build the site out as originally approved. She explained that she is not aware of any down stream flooding issues.

Mr. Quinn asked if the two existing detention basins are operating, as they should today. Ms. Zawada stated as far as she is aware, yes. Mr. Quinn asked if those detention basins should be certified every few years to make sure those are operating, as they should. Ms. Zawada stated that she could always have someone review to ensure that the basins are in general conformance with the approved plan.

**Motion by Cash, second by Dolan**

**To approve the variance to the Engineering Standards as represented in the CES memo dated August 1, 2013.**

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

**MOTION APPROVED**

**E. Enclaves of Lyon Planned Development, AP-13-02 – Final Review**

Mr. Doozan reviewed the McKenna Associates memo dated 7/31/13 with the recommendation for approval. Ms. Zawada explained that the engineering plans have not been completed yet and that could affect the PD plan if the utility locations change.

**Motion by Fletcher, second by Dolan**

**To approve Enclaves of Lyon Planned Development, AP-13-02 including the planned revision dated 6/24/13 and the Planned Development Agreement dated 7/26/13 and associated documents and studies subject to any conditions in the forthcoming review letter of CES.**

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

**MOTION APPROVED**

**F. Enclaves of Lyon Approval of Master Deed and Bylaws, AP-13-24**

Mr. Doozan confirmed that the Master Deed and Bylaws and Condominium Documents are in compliance and applicable Township Ordinances.

Ms. Zawada referred to the CES memo dated August 1, 2013 and recommended conditional approval including the CES memo

**Motion by Fletcher, second b y Adams**  
**To approve the Enclaves of Lyon Condominium Documents subject to the August 1, 2013 CES memo.**

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

**MOTION APPROVED**

**G. Lateral Benefit Charge Waiver for Meadows Property**

Supervisor Young explained that a developer is interested in purchasing the Meadows property for the development of approximately 34 residential lots that would be suitable in the downtown area. A concern was expressed regarding the cost of the lateral benefit charges for both sewer and water, on a per lot basis, would price the lots out of the reasonable development cost area. He explained how the sewer and water lines on the New Hudson Drive Ring Road were paid by the DDA. There was discussion about not considering this on a property-by-property basis but waive that entire DDA area.

**Motion by Fletcher, second by Hicks**  
**To grant the waiver of the lateral benefit charge on the Meadows property of \$4500 for sewer and \$4500 for water contingent upon the DDA taking up the Boards recommendation to establish a district to waive it throughout that area.**

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

**MOTION APPROVED**

**H. Lyon WWTP 1 SBR Expansion to 1.25 MGD Proposal for Engineering Services**

Mr. Crandall reviewed the costs for the proposed expansion. He explained that he also met with MDEQ about the plans and they are in support of the expansion. He also felt that the Township should apply for the SAW Grant to help cover some of the costs if it was awarded to the Township. There were concerns voiced about the amount of money that this expansion will cost. Trustee Fletcher stated that he wants a decision from the MDEQ before moving forward.

**Motion by Fletcher, second by Dolan**

**To table the Lyon WWTP Expansion until the September meeting.**

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

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Carcone, second by Fletcher**

**To adjourn the Regular Meeting of the Board of Trustees at 8:41 p.m.**

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

**MOTION APPROVED**

The Board of Trustees meeting was adjourned at 8:41 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary

*Michele Cash*

Michele Cash  
Lyon Township Clerk