

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
September 3, 2013

Approved: October 7, 2013

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

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

Guests: 23 +

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

APPROVAL OF CONSENT AGENDA

Approval of Regular Meeting Minutes of August 5, 2013
Approval of Special Meeting Minutes of August 14, 2013
Approval of Disbursements
Building Department Report for July 2013
Engineering Report September 2013
Fire Department Reports for July 2013
Zoning Reports for August 2013

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

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

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS

Sargent Venus presented an award to Noah Green and Mason Nelson for their honesty. The boys found \$400 in cash and turned it in to the police station. Sheriff Venus thanked the boys for their honesty.

Clerk Cash swore in the new Fire Chief, Ken Van Sparrentak and the Board welcomed him to the Township. Chief McClain thanked the Board and the Township for his years of service and welcomed the new Chief to the Township. At this time Chief McClain transferred authority to Chief Van Sparrentak.

The Board expressed their gratitude to Chief McClain for his years of dedication and service and expressed best wishes for his future endeavors.

CALL TO THE PUBLIC - None

REPORTS

DDA - Ms. Aniol reported that the walkability audit with MDOT will take place on 9/10/13 and there are only a few openings available. The One Stop Ready Academy will be holding two meetings, one on 9/25 regarding Management Structure and on 10/23 regarding Best Practices/Implementation.

Fire Chief – None

Sheriff – Sargent Venus reported that the Sheriff's Department would be teaming up with the Michigan Department of Corrections to perform parole checks beginning the end of the month.

Planning Commission – Trustee Dolan reported that there were 2 public hearings held and a public hearing for Form Based Code is on the agenda for the upcoming meeting.

ZBA – Trustee Hicks reported that there were 2 cases, one of which was tabled and the other case was granted a variance for Cambrian of Lyon.

Park Advisory Board – Trustee Fletcher reported that a bike marathon will be held at the park on 9/14 and it will be an all-day event. The Park Advisory Board has also begun looking at their budget. Trustee Hicks commented on the nice job that was done putting together the package regarding the proposed community center. Trustee Fletcher stated that they are trying to identify conceptual designs and what it might entail and looking at properties that are available.

APPROVAL OF AGENDA

The following items were added to the agenda:

Under Unfinished Business

1. Discussion regarding Smart Meter

Under New Business the following items were added:

1. History of the Township
2. Election Commission Resolution

Item b, 10 Milford 18 PD-Preliminary Plan Review, AP-13-10 was tabled at the applicant's request and the Closed Session was removed due to no business.

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

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

MOTION APPROVED

UNFINISHED BUSINESS

A. Second Reading Enclaves of Lyon Planned Development Ordinance

Mr. Quinn explained that this item is in its final form and ready for approval.

**Motion by Cash, second by Dolan
To approve the Lyon Township Amendment to the Zoning Ordinance
Zoning Map Amendment No. 156-13. This Ordinance shall be known as the
"Enclaves of Lyon Planned Development Ordinance."**

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

MOTION APPROVED

B. Discussion regarding Smart Meters

Trustee Fletcher expressed his concern regarding the installation of the DTE Smart Meters. He is concerned with the possible health effects, privacy issues (data security) and the opt out fee.

Commissioner Weipert explained that the County Commissioner is protesting the fee to opt out of the program. He also explained that some municipalities are placing a moratorium on further installations until more information is provided regarding the issues that Trustee Fletcher has listed.

Mr. Quinn explained that he has not seen or heard of any reference to this item in other municipalities and that the Public Service Commission has approved it.

Supervisor Young explained that he would ask DTE to present to the Board in order to obtain more information.

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

The Board requested more time to review the information further and visit a site.

**Motion by Carcone, second by Fletcher
To table until the October Board meeting.**

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

MOTION APPROVED

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

Mr. Crandall reviewed the Giffels Webster memo dated 8/27/13. The memo gave a brief history of the project to help the Board remember all that has been done and what remains to be done. He explained that the cost has been reduced by \$47,000 by utilizing existing topographic survey and geotechnical investigations. He stated that Giffels Webster would provide a proposal for preparing the SAW Grant and Loan application.

There were concerns expressed that some of the items that were in the first bid were not in the second bid such as the Operations/Maintenance Manual and Bonding and Legal. Mr. Crandall explained that he overlooked those items. Concerns were also raised about the timing of the project. Some Board members felt that this could wait until January of 2014.

**Motion by Carcone, second by Hicks
To approve the Giffels Webster cost estimate to design through the permitting process a 500,000-gallon per day SBR expansion for a price not to exceed \$218,000.**

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

MOTION APPROVED

NEW BUSINESS

A. History of Township

Ms. Aniol explained that Mr. John Bell has spent countless hours researching to have

the Township's official history recorded. Diane Andreassi has offered to co-author a book with Mr. Bell through Acadia Publications. Ms. Aniol reviewed the costs associated with the book. Once 50 hours of work have been done a review will be completed. The DDA has approved up to \$2500 and recommend that the Township partner with the DDA on this project.

Motion by Hicks, second by Adams

The Township Board supports the project to create a Township history with John Bell and Diane Andreassi as presented.

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

MOTION APPROVED

B. Consideration of Land Lease for Cell Tower from Verizon

Mr. Quinn reviewed the agreement between the Township and New Par (Verizon).

John Crane, 1126 N. Main, Rochester – He confirmed that the rent increases annually by 3%.

Trustee Fletcher confirmed that paragraph 5 is correct and questioned if there is any option out for the lessor, Mr. Crane stated there is not an option out.

Ms. Zawada confirmed that the Township would have the right to operate ingress/egress to access the rest of the property.

Motion by Carcone, second by Hicks

To approve the land lease agreement with Verizon subject to final approval by the Township attorney.

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

MOTION APPROVED

C. Woodwind PD Amendment AP-13-28

Mr. Quinn explained that Riverwood consists of three parcels. The Township through tax foreclosure acquired the most westerly parcel. This parcel, which will be acquired by the applicant, is currently part of the Woodwind Planned Development. The parcel must be removed from the Woodwind Planned Development before it can be incorporated into a new planned development.

Also, at the time the Woodwind Planned Development was created, a conservation easement was placed over certain open spaces within the development. With the anticipated sale and development of this subject parcel, the conservation easement must be removed.

Motion by Carcone, second by Cash

To approve the removal of the Conservation Easement from parcel 21-22-300-057, in accordance with the legal document prepared by the Township Attorney.

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

MOTION APPROVED

Motion by Carcone, second by Cash

To approve an amendment to the Woodwind Planned Development to remove the parcel described in Exhibit A from the Woodwind Planned Development (parcel no. 21-22-300-057).

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

MOTION APPROVED

D. Consider new classification for Ron McClain and pay rate during transition period

Supervisor Young explained that Ron McClain has agreed to stay on for a limited time to help Chief Van Sparrentak transition into his new position. He suggested paying Mr. McClain on a per diem basis of \$288.46 per day during this time and bestows the title "Lyon Township Fire Chief Emeritus." Trustee Fletcher suggested putting a cap on the amount of days.

Motion by Fletcher, second by Carcone

To appoint Chief \$288.48 per day not to exceed 10 days. If the Fire Chief needs more time he is to come back to the Board next month to request it.

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

MOTION APPROVED

E. Consider Deputy Fire Chief Position; Pay Rate and Selection

Supervisor Young explained that since Chief McClain announced his resignation and the subsequent review of the Lyon Township Fire Department structure, it has become apparent that the Township Board should consider hiring a Deputy Fire Chief to fill the second in command slot. To offset some of the cost for a Deputy Chief, the proposal is to displace one of the duty day persons with the Deputy Chief for 30 hours per week. Doug Berry is recommended and the hourly rate of Twenty-Five Dollars and 84 cents per hour.

Treasurer Carcone expressed her concern that the Chief and the Deputy Chief are not living in the Township or close to the Township. A possible time period to have them move to the area was discussed. Treasurer Carcone felt that a review should be done in 6 months time. Trustee Fletcher explained that they need to make sure that this positive move is not turned into a negative move in the department. We have to be careful and set a good foundation.

Motion by Adams, second by Hicks

To hire Doug Berry as Deputy Chief as outlined in the memo from Supervisor Young dated 8/26/13 with the stipulation that Mr. Berry moves to the Township within 1 year and subject to a background check and psychology evaluation.

Bob Simmons, 28402 Cottage Lane – He felt that Mr. Berry will do an excellent job but he expressed his concern that this may be taking a step backwards to take away from the duty officers. He felt that the 4 firefighters working duty day should be kept.

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

MOTION APPROVED

F. Consider Resolution Requesting the Closure of Pontiac Trail for the 2013 Pumpkin Festival Parade

Mr. Weipert explained that the route for the parade is the same as last year and the permission from Lyon Trail and Church of Christ has been granted.

Motion by Carcone, second by Dolan

To approve the closure of Pontiac Trail for the 2013 Pumpkin Festival Parade.

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

MOTION APPROVED

G. Election Commission Resolution

Clerk Cash explained that a resolution is needed because there will be a South Lyon Community Schools election in November. Mr. John Hicks and Mr. Steven Adams agreed to serve on the election commission.

**Motion by Cash, second by Carcone
To approve Resolution 2013-17 appointing the Election Commission for the
2013-2016 elections.**

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

MOTION APPROVED

ADJOURNMENT

**Motion by Carcone, second by Cash
To adjourn the meeting at 9:02 p.m.**

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

MOTION APPROVED

The Board of Trustees meeting was adjourned at 9:02 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto
Kellie Angelosanto
Recording Secretary

Michele Cash
Lyon Township Clerk