

Charter Township of Lyon  
Board of Trustees  
Regular Meeting Minutes  
December 2, 2013

Approved: **January 7, 2013**

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

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

Absent: Michele Cash, Clerk

Guests: 18

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

Supervisor Young excused Clerk Cash's absence due to bereavement.

**APPROVAL OF CONSENT AGENDA**

Approval of Regular Meeting Minutes of November 4, 2013  
Approval of Special Meeting Minutes of November 19, 2013  
Approval of Disbursements  
Building Department Report for October 2013  
Fire Department Reports for October 2013  
Zoning Reports for November 2013  
Acceptance of Agreement for the transfer of Private Water Main to the Charter  
Township of Lyon by Ashley Lyon LLC  
Acceptance of Bill of Sale for Water Line from Ashley Lyon LLC  
Acceptance of Grant of Permanent Water Main Easement from Ashley Lyon LLC for  
Parcel No. 21-03-426-006  
Acceptance of Grant of Sidewalk Easement from the Helen Reisman Revocable Trust  
for Parcel No. 21-03-327-023  
Township Meeting and Holiday Schedule for 2014

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

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

**MOTION APPROVED**

## **ANNOUNCEMENTS AND COMMUNICATIONS**

Fire Chief Van Sparrentak announced that Les Cash passed away on November 29, 2013. Mr. Cash served the Township for 39 years, with 30 of those years as Fire Chief, he will be sorely missed.

Fire Chief Van Sparrentak also presented a plaque to Richard Fairfield for his act of valor on 11/16/13 when Mr. Fairfield discovered a fire and performed a rescue.

## **CALL TO THE PUBLIC**

**Shirley Baker** – She questioned who to contact regarding railroad crossing repairs.

**Don Perfetto, 24861 Douglas Dr.** – He questioned if a privacy fence can be utilized for his property to block Pinehurst since a resident was granted that use on Martindale. He expressed his concern for the smaller lots that are being allowed in the Township and the traffic on Ten Mile Road, especially at his child's bus stop. He questioned if an approach will be paved to Douglas drive when Elkow Farms goes in. He felt the speed limit should be 35 mph. He expressed his concern regarding dust control/blowing trash from Pinehurst and fire protection since there is no full time help.

## **REPORTS**

**DDA** - Ms. Aniol reported that the DDA awarded the snow and ice removal contract to Brian Services. She explained that there is a vacancy on the DDA and they will be working on that to find the best candidate. She reported that there was a minor accident on the NE roundabout. There are new owners and a new name for the retail space at Milford Road and the Ring Road, it is now called Lyon Oaks Plaza. A Welcome to Lyon was held for Sports Clips and a Grand Reopening for Boomers Pizza.

**Fire Chief** – None

**Sheriff** – None

**Planning Commission** – Mr. Doozan explained that the items that were covered are on this agenda. Lyon Meadows was also reviewed at the Planning Commission meeting.

**ZBA** – None

**Park Advisory Board** – None

## **APPROVAL OF AGENDA**

The following item were added to the agenda:

- n. Consent Judgment for Oakmonte

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

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

**MOTION APPROVED**

**PUBLIC HEARINGS**

**A. Public Hearing PY 2014 Community Development Block Grant (CDBG)**

Mr. Doozan reviewed the McKenna Associates memo dated 11/22/13 and recommended that the Township Board adopt the resolution as proposed.

Supervisor Young opened the Public Hearing at 7:19 p.m. and Supervisor Young closed the Public Hearing at 7:20 p.m. due to no public comment.

**B. Public Hearing for 2014 Budget**

Supervisor Young opened the Public Hearing at 7:21 p.m. and closed it at 7:22 p.m. due to no public comment.

**UNFINISHED BUSINESS**

**A. Second Reading to Amend the Code of Ordinances Chapter 26 Offenses**

Mr. Quinn explained that it is ready for adoption.

**Motion by Hicks, second by Dolan  
To adopt as Second Reading the ordinance to amend the Charter Township  
of Lyon Code of Ordinances Chapter 26 Offenses.**

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

**MOTION APPROVED**

**NEW BUSINESS**

**A. Acceptance PY 2014 Community Development Block Grant (CDBG)  
Application by Resolution**

**Motion by Carcone, second by Hicks**

To approve the Program year 2014 Community Development Block Grant (CDBG) Application in the approximate amount of \$26,234.00 as follows and authorizes Supervisor Young to sign the Application and submit the documents to Oakland County as presented in the McKenna Associates memo dated 11/22/13.

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

**MOTION APPROVED**

**B.      Commercial Uses in Industrial Districts; AP-13-32**

Mr. Doozan reviewed the McKenna Associates memo dated 11/20/13. He explained that the revisions will accommodate large scale recreation facilities provided by the private sector subject to special land use approval in the I-1 and I-2 zones. There was brief discussion regarding the percentage of space that should be allowed.

**Motion by Adams, second by Dolan**

To approve the first reading for Commercial Uses in Industrial Districts, AP-13-32 with the amount of square footage presented in the McKenna Associates memo dated 11/20/13.

Voice Vote:          Ayes: Unanimous  
                             Nays: None

**MOTION APPROVED**

**C.      Recreation Facilities in Industrial Districts; AP-13-33**

Mr. Doozan reviewed the McKenna Associates memo dated 11/20/13.

**Motion by Adams, second by Hicks**

To approve the first reading for Recreation Facilities in Industrial Districts, AP-13-33 based on the McKenna Associates memo dated 11/20/13.

Voice Vote:          Ayes: Unanimous  
                             Nays: None

**MOTION APPROVED**

**D.      First Reading of Zoning Regulations for New Hudson**

Mr. Doozan reviewed the McKenna Associates memo dated 11/20/13 and gave a brief power point presentation regarding the new Zoning Regulations.

There was brief discussion regarding the measuring point from the porch. Supervisor Young stated that he liked the idea of moving the garage back so it is not the focal point. There was discussion regarding the difference between a brew pub and a

Microbrewery. The Board felt that drive thru restaurants and drive in restaurants should be allowed along the ring road in the edge district with a special land use. Mr. Doozan will investigate adding drive thru and drive in restaurants to that area.

**Motion by Carcone, second by Hicks  
To approve the first reading of the Zoning Regulations for New Hudson  
including the McKenna Associates memo dated 11/20/13.**

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

**MOTION APPROVED**

**E.     Reconsideration of Zoning Board of Appeals Appointment**

**Motion by Young, second by Carcone  
To reconsider Deborah Sellis' appointment to the Zoning Board of  
Appeals.**

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

**MOTION APPROVED**

**F.     Appointments to the Planning Commission**

Supervisor Young thanked Ms. Blades for her service.

**Motion by Young, second by Hicks  
To nominate Jim Chuck to the Planning Commission for a 3 year term  
ending in 2016**

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

**MOTION APPROVED**

Ms. Blades stated that she is disappointed that she was not reappointed but thanked the Board for the experience and stated that she found it to be quite valuable.

**Motion by Young, second by Carcone**

**To appoint Deborah Sellis to the Planning Commission to fill Sean O'Neil's unexpired term.**

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

**MOTION APPROVED**

**G.     Appointment to the Township Board**

**Motion by Hicks, second by Carcone**

**To appoint Sean O'Neil to the Township Board to fill Steven Fletcher's vacancy.**

Mr. Adams felt that the person who was elected by the citizens should be the person to fill the vacancy; he did not feel appointing someone was the way to go.

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

**MOTION APPROVED**

**H.     Appointment to the Zoning Board of Appeals**

**Motion by Young, second by Carcone**

**To appoint Kurt Radke to the Zoning Board of Appeals to fill Deborah Sellis' appointment through 11/30/2016.**

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

**MOTION APPROVED**

**I.     Appointment to the Downtown Development Authority**

**Motion by Young, second by Hicks**

**To nominate Vince DeAngelis to the DDA for reappointment with the term ending 11/30/2016.**

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

**MOTION APPROVED**

**J. Appointment of Representative to Community Center Committee**

**Motion by Hicks, second by Dolan  
To appoint Patricia Carcone as representative to the Community Center  
Committee.**

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

**MOTION APPROVED**

**K. First Reading of Amended Utility Ordinance to include the Industrial Pre-Treatment Program (IPP)**

Ms. Zawada offered a brief explanation regarding the Industrial Pre-Treatment Program. There were no questions from the Board members.

**Motion by Dolan, second by Hicks  
To approve the First Reading of the Amended Utility Ordinance to include  
the Industrial Pre-Treatment Program (IPP)**

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

**MOTION APPROVED**

**L. 2013 Budget Amendments**

Supervisor Young reviewed the General Fund 2013 proposed budget amendments. There were no concerns from the Board members.

**Motion by Carcone, second by Hicks  
To approve the General Fund 2013 Budget Amendments as presented by  
Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young reviewed the Building Fund 2013 proposed budget amendments. There were no concerns from the Board members.

**Motion by Carcone, second by Hicks  
To approve the Building Fund 2013 Budget Amendments as presented by  
Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young reviewed the DDA 2013 proposed budget amendments. There were no concerns from the Board members.

**Motion by Carcone, second by Hicks  
To approve the DDA 2013 Budget Amendments as presented by  
Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

**M. Consider Adoption of 2014 Budget**

Supervisor Young reviewed the General Fund for 2014. There were no concerns from the Board.

**Motion by Carcone, second by Dolan  
To approve the 2014 General Fund Budget as presented by Supervisor  
Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young reviewed the DDA Fund Budget for 2014. There were no concerns from the Board.

**Motion by Carcone, second by Dolan**

**To approve the 2014 DDA Fund Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young reviewed the Building Fund Budget. The Board increased the Assistant Coordinator's salary from \$27,300 to \$30,000 and removed the \$3,000 amount in the contingency line item. \$5000 dollars was added to the line item for insurance for the Township vehicles.

**Motion by Carcone, second by Dolan**

**To approve the 2014 Building Fund Budget as presented with the changes to the Assistant Coordinator salary, removal of \$3,000 from the contingency line item and adding \$5000 for vehicle insurance as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young explained that there were no changes to the Police Budget. There were no concerns from the Board.

**Motion by Carcone, second by Dolan**

**To approve the 2014 Police Fund Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young explained that there were no changes to the Library Budget. There were no concerns from the Board.

**Motion by Carcone, second by Dolan**

**To approve the 2014 Library Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young explained that there were no changes to the Park Fund Budget. There were no concerns from the Board.

**Motion by Carcone, second by Dolan  
To approve the 2014 Park Fund Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young explained that there were no changes to the Sewer Fund Budget. There were no concerns from the Board.

**Motion by Carcone, second by Dolan  
To approve the 2014 Sewer Fund Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

Supervisor Young explained that there were no changes to the Water Fund Budget. There were no concerns from the Board.

**Motion by Carcone, second by Dolan  
To approve the 2014 Water Fund Budget as presented by Supervisor Young dated 12/2/13.**

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

**MOTION APPROVED**

**Motion by Carcone, second by Dolan  
To approve the Seglund, Gabe, Quinn, Gatti and Pawlak letter of 10/24/13  
for the increase as proposed.**

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

**MOTION APPROVED**

**Motion by Carcone, second by Dolan  
To approve the increase as presented in the McKenna Associates letter  
dated 11/5/2013.**

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

**MOTION APPROVED**

**N. Proposal to Amend the Mill River Consent Judgment**

Mr. Doozan reviewed the McKenna Associates memo dated 11/26/13 and recommended that the Township Board approve the amendments to the Consent Judgment for Mill River specified in this letter, subject to preparation of the necessary document's by the Township Attorney, and authorize the Township Supervisor to execute the documents on behalf of the Township

**Motion by Carcone, second by Hicks  
To authorize Attorney Matt Quinn to draft the amendment to the Consent  
Judgment and authorize the Supervisor to sign the Consent Judgment.**

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

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Carcone, second by Dolan  
To adjourn the meeting at 9:18 p.m.**

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

**MOTION APPROVED**

The Board of Trustees meeting was adjourned at 9:18 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary

*Michele Cash*

Michele Cash  
Township Clerk