

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
August 6, 2014

Approved: **September 2, 2014**

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

Roll Call: Steven Adams
Patricia Carcone
Michele Cash
John Dolan
John Hicks
Sean O'Neil
Lannie Young

Guests: 7

Also Present: Matthew Quinn, Township Attorney
Chris Doozan, McKenna Associates
Leslie Zawada, Civil Engineering Solutions, Inc.
Christina Archer, DDA

APPROVAL OF CONSENT AGENDA

Approval of Regular Meeting Minutes of July 7, 2014
Approval of Special Meeting Minutes of July 22, 2014
Approval of Disbursements
Building Department Report for June 2014
Engineering Report for July 2014
Fire Department Reports for June 2014
Zoning Reports for July 2014
Acceptance of Bills of Sale for Water Line and Sanitary Sewer Line from Elkow Family LLC for the Heights at Elkow Farms

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

**Roll Call Vote: Ayes: Hicks, Cash, Dolan, Adams, Carcone, Young, O'Neil
Nays: None**

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS - Clerk Cash explained that as

predicted there was low voter turnout. All precinct workers did a great job. The Millages for Police and Fire passed and Mr. O'Neil won the Republican Trustee nomination to move on to the November General Election. Trustee Hicks announced that on this day in 1945 the first atomic bomb was dropped on Hiroshima.

CALL TO THE PUBLIC – None

REPORTS

DDA – Ms. Archer reported that she attended the International Conference on Shopping Centers in July and received a lot of information on what has been trending and the hottest 100 retailers in Michigan. She was contacted by Oakland County regarding a manufacturing company that is looking to locate a facility in Lyon Township. She will be giving a presentation for One Stop Ready highlighting all of the positives for our Township.

Fire Chief – Chief Van Sparrentak thanked the community for their support of the millage. The Board will receive a master plan of their strategy for the next 10 years for the Fire Department.

Sherriff – Sargent Venus also thanked the community for the success of the police millage.

Planning Commission – Trustee O'Neil reported that there was a workshop meeting for the Planning Commission where they discussed policies, procedures and responsibilities which was a good review for everyone. Also, 4 public hearings were held at the regular meeting.

ZBA – No meeting.

Park Advisory Board – Trustee Hicks reported that they recommended approval of the park rules signs in the amount of \$828.00 installed by Donner Signs. On August 13, some of the Park Advisory Board members will attend the Non-motorized Transportation Trails meeting in Madison Heights.

Supervisor Young reported that SEMCOG has been out completing an analysis on the Ten Mile Corridor and they are going to provide a written analysis when it's complete. He explained that a traffic signal light will be installed at Griswold and Ten Mile Road, hopefully this year. He explained that they will be looking at possible signalization east of Milford Road on Ten Mile if all of the warrants are met.

APPROVAL OF AGENDA

Supervisor Young added item L. Resolution to authorize the Supervisor to sign a contract with the Road Commission of Oakland County for the RCOC to work within the Township rights-of-ways and temporary easements. Also item M was added regarding invocations at Township meetings.

**Motion by O'Neil, second by Carcone
To approve the agenda as revised.**

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

MOTION APPROVED

UNFINISHED BUISNESS

**A. Second Reading Amendment to the Begging and Soliciting Alms Ordinance
06-14**

Mr. Quinn explained that this is a correction to the existing ordinance to remove Sub-section B which shouldn't have been there to begin with and it is ready for adoption.

**Motion by Cash, second by Hicks
To approve Ordinance #06-14 known as 2014 Amendment to the Begging
and Soliciting Alms Ordinance.**

**Roll Call Vote: Ayes: Adams, Cash, Young, Hicks, Dolan, O'Neil, Carcone
Nays: None**

MOTION APPROVED

NEW BUSINESS

1. Asbury Hill Estates Planned Development – Final PD Review, AP-11-12

Mr. Doozan reviewed the McKenna Associates memo dated June 26, 2014. It was recommended that the Township Board grant final approval of Asbury Hill Planned Development AP-11-12 subject to:

- a. Satisfactorily resolving the issues set forth in this McKenna Associates letter dated Jun 26, 2014 and submitting revised plans.
- b. Approval by the Township Engineer.
- c. Approval by the Township Attorney.

Trustee Adams questioned the side yard setbacks. Mr. Doozan confirmed that the setbacks are 5' with a minimum of 15' between buildings.

**Motion by O'Neil, second by Dolan
To move Asbury Hill Estates Planned Development; AP-11-12 to second
reading subject to items in the McKenna Associates letter dated June 26,
2014. Also, a section shall be added to include that any easements or right
of ways required for Grand River will be dedicated by the developer.**

Supervisor Young explained that in the future he would like to make sure that a car can be in the driveway without encroaching on the sidewalk.

Trustee O'Neil commented that Mr. Healy should be contacted so he is informed of the motion and to also ask him to mow the area.

Trustee Dolan commented that he recalled that the #1 lot that is close to Grand River was going to be removed. Mr. Doozan stated that he will investigate that issue. The Board was concerned with some lots that should have been removed and the fact that the developer was not in attendance to answer questions.

**Motion by O'Neil, second by Carcone
To table his previous motion until the September 2, 2014 Board meeting.**

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

MOTION APPROVED

2. Orchards of Lyon II – Site Condo Review AP-14-23

Representing Orchards of Lyon II – John Ackerman, Atwell

Mr. Doozan reviewed the McKenna Associates memo dated July 29, 2014. He explained that the Planning Commission unanimously approved a motion to recommend approval of this proposal to the Township Board. McKenna Associates also supports that recommendation subject to review and approval by the Township Engineer and Township Attorney.

**Motion by O'Neil, second by Hicks
To approve AP-14-23 Orchards of Lyon II subject to the approval of the Township Engineer and Township Attorney.**

Trustee Adams questioned why the lot sizes are so small. Mr. Ackerman replied that they are consistent nothing has been changed.

**Roll Call Vote: Ayes: O'Neil, Hicks, Dolan, Young, Carcone, Cash
Nays: Adams**

MOTION APPROVED

C. Grand River Medical Associates –Special Land Use

Mr. Doozan reviewed the McKenna Associates memo dated July 29, 2014. He explained that based on findings in the McKenna memo, the Planning Commission voted to recommend approval of the proposed special land use to the Township Board, involving medical office use in a Research Office District (AP-14-24).

**Motion by Hicks, second by Cash
To approve the Special Land Use for the Grand River Medical Associates.**

**Roll Call Vote: Ayes: Hicks, Young, O’Neil, Carcone, Cash, Dolan, Adams
Nays: None**

MOTION APPROVED

D. Brewpubs and Microbreweries – Text Amendment; AP-14-28

Mr. Doozan reviewed the McKenna Associates memo dated July 30, 2014. He explained that the Planning Commission unanimously recommended approval of the proposed amendments subject to the clarification of “food service” and deleting a sentence dealing with sales to licensed retailers by microbreweries. Mr. Quinn suggested that the section regarding outdoor eating should be referenced in both Brewpubs and Microbreweries.

**Motion by O’Neil, second by Dolan
To move the Text Amendment for Brewpubs and Microbreweries, AP-14-28
To a second reading subject to an amendment that would include the
outdoor seating area.**

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

MOTION APPROVED

**E. Quadrants Industrial Research Center Units 13-17 Condominium Review;
AP-13-35**

Mr. Doozan reviewed the July 29, 2014 McKenna Associates memo. He explained that in accordance with the Planning Commission’s action on July 28, 2014, he recommended that the Township Board approve the Twelfth Amendment to the Master Deed and Eighth Amendment to the Condominium Subdivision Plan of the Quadrants Industrial/Research Center Condominium , subject to the following conditions:

1. Review and approval by the Township Engineer and Township Attorney.
2. Correction of the acreage in Item 2 of the Master Deed.

**Motion by O’Neil, second by Cash
To approve 13-17 subject to review and approval by the Township Engineer
and Township Attorney as well as correction of the acreage in Item 2 of the
Master Deed.**

**Roll Call Vote: Ayes: Young, Carcone, Dolan, Adams, Cash, O'Neil, Hicks
Nays: None**

MOTION APPROVED

F. Spring Meadows, Phase I – Condominium Review; AP-14-31

Mr. Doozan reviewed the July 30, 2014 McKenna Associates memo. He explained that consistent with the Planning Commission's action, it is recommended that the Township Board approve the condominium Master Deed, Bylaws, and Condominium Subdivision Plan for Spring Meadows subject to approval of the Township Attorney and Township Engineer.

**Motion by O'Neil, second by Hicks
To approve AP-14-31, Spring Meadows subject to the review and approval
of the Township Attorney and Township Engineer.**

Mr. Quinn questioned if the easement to the detention pond has been signed. Ms. Zawada stated she thought it was but she would investigate it.

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

MOTION APPROVED

G. Construction Contract Award Recommendation for 8 Mile Water Main

Mr. Crandall explained that 4 bids were received and the low bid was submitted by Verdeterre Contracting of Belleville, MI at \$1,561,468.70. Therefore, on the basis of experience, qualifications, the review of references and their submittal of the lowest bid it is recommended that the Eight Mile Road Water Main Extension construction contract be awarded to Verdeterre Contracting in the amount of \$1,561,468.7.

Mr. Crandall explained that they are also requesting approval to complete the remaining construction engineering that was included in the original proposal made to the Board at the July 2013 Board Meeting.

Mr. Crandall explained that there are no overrun guarantees.

**Motion by Carcone, second by Hicks
To approve the Eight Mile Road Water Main Extension Contract award
recommendation to Verdeterre Contracting in the amount of \$1,561,468.70.**

**Roll Call Vote: Ayes: Carcone, Adams, Hicks, Cash, Dolan, Young, O'Neil
Nays: None**

MOTION APPROVED

Motion by Carcone, second by Hicks

To approve the remaining construction engineering for the Eight Mile Road Water Main Extension to Giffels Webster in the amount of \$149,904.00.

**Roll Call Vote: Ayes: O'Neil, Carcone, Dolan, Young, Adams, Hicks, Cash
Nays: None**

MOTION APPROVED

H. Select Architect for Building Department Expansion

Supervisor Young explained the need to rearrange the building area of the Township Hall with the possibility that the Building Department may need to be expanded. Supervisor Young reviewed the 4 architects that submitted quotes. He would like the lowest bidder to come back and offer their ideas in order to get a plan on paper to see what is needed. Various scenarios were briefly discussed.

Motion by Carcone, second by Cash

To authorize the Supervisor to enter into an agreement with Jeffrey Scott Architects for \$600.00 for the preliminary design and space planning.

**Roll Call Vote: Ayes: Adams, Dolan, Young, Carcone, O'Neil, Cash, Hicks
Nays: None**

MOTION APPROVED

I. 2014 Sewer System Lateral Benefit Charge Ordinance No. 07-14

Mr. Quinn asked that this item be tabled so it can be paired with the water system lateral benefit charge ordinance so those can go through together.

Motion by Carcone, second by Hicks

To table the 2014 Sewer System Lateral Benefit Charge Ordinance 07-14 to the next regular meeting.

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

MOTION APPROVED

J. Amendment to the Massage Permit Ordinance No. 08-14

Mr. Quinn explained that since this amendment was adopted in 1986 the State law has been changed. It is therefore necessary that the ordinance be amended to reflect the fact that a Township license is not a requirement for a massage therapist but they do need to possess the required State license.

Motion by Carcone, second by Cash

To move the first reading of the Amendment to the Massage Permit Ordinance No. 08-14 to second reading as submitted.

**Roll Call Vote: Ayes: Young, Carcone, O'Neil, Cash, Adams, Dolan, Hicks
Nays: None**

MOTION APPROVED

K. Capital Improvement Plan Discussion

Trustee O'Neil explained that this should be discussed and he hoped that they could request quotes from their consultants on establishing a Capital Improvement Plan, especially since the police and fire millage was approved. He felt this will be a good fiscal move for the Township. It becomes a good budgeting tool and transparency for the public and perspective businesses. The Board agreed and will begin the process of establishing a Capital Improvement Plan.

L. Resolution to authorize the Supervisor to sign a contract with the Road Commission of Oakland County for the RCOC to work within the Township Rights of Ways and temporary easements.

Mr. Quinn explained the Resolution.

Motion by Cash, second by Hicks

To approve the resolution and authorize the Supervisor to sign a contract with the Road Commission of Oakland County for the RCOC to work within the Township Rights of Ways and temporary easements.

**Roll Call Vote: Ayes: Hicks, Carcone, Cash, Dolan, Adams, O'Neil, Young
Nays: None**

MOTION APPROVED

M. Invocation at Meeting

Supervisor Young explained that he would like to see different clergy members of the surrounding community open the meeting and solicit help that they would make the best

decisions for our citizens and he felt this may also invite some of the residents that normally don't attend the meetings.

Trustee Adams felt that it should be left as it is, the meetings have been done like this for years and years and he felt it should be left as it is.

Treasurer Carcone and Trustee Hicks had no issues with it. Trustee Dolan stated he had no issues with it but was concerned with possibly offending someone in the audience that was not religious. Trustee O'Neil stated he rarely sees it done but it's not something he was against but he was also concerned with offending someone. In the end, the Board decided to not offer an invocation at the meetings.

Shirley Baker – She would like to see a line item for the Park in the budget and mentioned that the dog cemetery needed some sort of parking.

ADJOURNMENT

**Motion by Carcone, second by Cash
To adjourn the meeting at 8:50 p.m.**

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

MOTION APPROVED

The Board of Trustees meeting was adjourned at 8:50 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash

Michele Cash
Clerk