

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
March 6, 2017

Approved: **APRIL 3, 2017**

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

Roll Call: Lise Blades
Patricia Carcone
Michele Cash
John Dolan
Kristofer Enlow
John Hicks
Sean O'Neil

Guests: 19

Also Present: Tina Archer, DDA
Chris Doozan, McKenna Associates
Jennifer Elowsky, Township Attorney
Leslie Zawada, Civil Engineering Solutions, Inc.

APPROVAL OF CONSENT AGENDA

Approval of Regular Meeting Minutes of February 6, 2017
Approval of Disbursements
Building Department Report for January 2017
Fire Report January 2017
Zoning Report February 2017
Acceptance of Grant of Permanent Water Main Easement from Healy Homes for Parcel #21-35-400-009
Acceptance of Grant of Permanent Water Main Easement from Lyon Sand & Gravel Co for Parcel #21-13-100-010
Highland Treatment Inc. 2017 Sewer Rate Increase

Trustee Enlow made two typographical corrections to the minutes.

**Motion by Cash, second by Hicks
To approve the consent agenda as submitted with two corrections to the minutes by Kris Enlow.**

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

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATIONS

Trustee Hicks reported on this day in 1836 the siege of the Alamo ended. Mexican army of 3,000 men defeated 189 Texas volunteers. In 1899 Aspirin was patented at Bayer.

Trustee Blades announced that the District Band Festival was recently held and the South Lyon High School bands did really well. She commented it is nice to see so many township students represented.

Clerk Cash announced there will be an election held on May 2, 2017 for the Library Millage. Absentee ballot applications will be sent out in the middle of March. Machines will be tested soon and she encouraged anyone who needs an absentee ballot to call the office for an application.

Supervisor Dolan announced the 10 Mile and Napier road project has changed. Originally it was supposed to start mid-May, now it has changed to sometime in July. They will concentrate on the round-about first and the paving of Napier has been moved to 2018.

CALL TO THE PUBLIC - None

REPORTS

DDA – Ms. Archer brought the Board up to date regarding current events in the Township. She let the Board know that they are working on Regional detention and public parking in the Downtown. Uniform Feather Flags were approved to announce new business coming and grand openings. The DDA had a ribbon cutting event at Draught Horse Brewery. She is working with her counterpart in the City of South Lyon and the Chamber to create a job fair with the help of MI Works. She reported that Kellogg Distribution Center in New Hudson will be closing their snack division and moving to their Chicago facility.

Fire Chief – Fire Chief Van Sparrentak reported that there have been 233 calls so far for the year. The department covered all of Milford's calls from 6:00 a.m. – 10:00 p.m. for the funeral of Ron Savage. He is very proud of the camaraderie. There was also a mutual aid at Abbey Park due to a furnace issue. On May 13th they will have an Open House for Fire Prevention.

Sheriff – He reported that he met with South Lyon Schools and the police officer position will start April 1. The investigation is still going on regarding the fatal accident on 10 Mile Road. There were 2 more overdoses last week.

Planning Commission – Treasurer Carcone gave an update regarding the Planning Commission meetings.

ZBA – None

Park Advisory Board – None

APPROVAL OF AGENDA

Supervisor Dolan explained he would like to move the Update on Town Hall Video Streaming Bid Documents above Great Lakes Water Authority Presentation. The Meadows of Lyon Planned Development will be removed at the request of the applicant.

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

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

MOTION APPROVED

UNFINISHED BUSINESS

A. Update on Town Hall Video Streaming Bid Documents

Ken Milburn from Merge Live provided a power point presentation which explained how they could provide a service to the Township to stream all meetings online. They will bring in the equipment, do a two camera shoot and the cost is the internet connection and their service.

Trustee O'Neil stated he has seen this in action and it works really well for his employer.

There was brief discussion regarding how the videos are streamed on the internet and the companies that would provide that service such as You Tube or Granicus.

Supervisor Dolan explained going this route would allow them to take their time to look at what the Township Hall needs in the future. This would provide the service to the residents now inexpensively.

Supervisor Dolan confirmed the charge is meeting to meeting, and no contract is necessary. He also confirmed Merge Live can do all of the township meetings. The cost per meeting is \$200.00.

Robin Allen – He suggested when they send out a survey to the residents that are on the water system to ask them how they feel about bringing water in, they could ask if they are in favor of having the meetings taped and televised.

B. Great Lakes Water Authority Presentation to Township Board

**Representing GLWA: Sue McCormick
 Bob Daddow, Chairman of the Board Oakland County
 Suzanne Coffey, Chief Planning Officer**

Tim Kuhns, Engineering support
Jody Cauldwell, Asset Management
John Wheatley, Public Finance
Madison Zeems, Customer Outreach

Ms. McCormick gave a power point presentation from GLWA. She explained GLWA is the regional water authority and serves nearly 40% of the State's population.

The water service area is 1709 square miles, 127 suburban communities, 402 estimated miles of transmission main outside of Detroit and 5 water treatment plants.

Ms. McCormick briefly reviewed the Draft Proposal; phase 1 is the initial extension. Phase 2 is completing the loop to provide redundancy. She reviewed the Proposed Advancement Fee and the next steps are to continue communication with Lyon Township, and generate a memorandum of understanding.

Ms. McCormick explained only the water customers contribute to the water and the sewer customers to the sewer. She explained the exact route will be done as they get into the design phase but the Wixom area is where it will take off from. Lake Huron water is used for this district. If there was an interruption, it may be from a different facility but it would be from Lake Huron. Lyon Township would be the end of the line for a time.

Trustee Hicks stated he is not impacted by the decision since he is on a private well. There is little doubt people would prefer GLWA water, but they don't realize it will be a significant increase in cost for them. That will be the big issue when they do plan on communicating with the users.

Supervisor Dolan asked if they flush the piping system. Ms. McCormick stated generally no, as a matter of general course it's not necessary. They monitor the age, and monitor the parameters which would tell them if there was a need to move more water through the system. They would monitor that on an on-going basis. Supervisor Dolan questioned if there was a contaminate that got in, how would they flush this line since it's the end of the line and he questioned the age of the pipe. Sue Coffey stated they would get back to him about the age of the pipe. They do have communities that have a back-up well system this is not unique to Lyon Township. Supervisor Dolan questioned the looping, Ms. McCormick explained that is one thing that impacts their costs every year. The investment would be common to all investment and spread across all customer communities.

Treasurer Carcone asked what costs would be incurred besides the water. Ms. McCormick explained it's this up front payment and the model contract takes your requirements and translates it. It is entirely based on what you want to contract for and it is reviewed yearly. Treasurer Carcone also commented she is concerned regarding the age of the pipes since the Township's is new.

Trustee Blades questioned if there is cap on the rate increase. Ms. McCormick

explained the utility would restrict its first decade to 4% of revenue increase. Right now it's a 0% increase. If a significant customer were to leave the system it would result in a revenue shortfall and could result in a charge adjustment. They are planning for Genesee to be exiting the system and for Flint to be on the system. There is no cap on an increase. Trustee Blades asked if there is any chance GLWA would require existing private wells to tie in to the system. Ms. McCormick stated no.

Trustee O'Neil stated he shared many of the questions. He is familiar with this water and is fond of the water. He is concerned what the actual costs will be.

Trustee Enlow stated the first concern is the lack of redundancy and need for a 2nd connection. The 2nd connection is estimated to occur within 15-20 years and he is hoping there can be more of a solid timeframe with a stronger commitment from GLWA because it will help us know how long we will need to keep our well system for redundancy. Ms. McCormick stated she understood the concern but is not prepared to answer that this evening.

Trustee O'Neil asked who their newest users are. Mr. Coons answered that Walled Lake came on the system in 1998 which would correlate to the age of pipe.

Trustee Enlow asked since we would be a water only customer and discharging through our own waste water treatment plant and he wondered if there are concerns. Ms. McCormick stated that they are still in the watershed so she felt it was ok.

Trustee Enlow commented that it was his understanding that part of the rate is calculated based on the distance from the water treatment facilities and he wondered which facility will be used. Ms. McCormick explained the major components that drive cost the most are maximum day and peak hour and are the items that cost the most. Distance and elevation are the other components. Average calculation to each of the 5 water plants is done and that becomes the allocation factor. Trustee Enlow stated the system has more capacity than what is being used, are there any future plans to close plants. Ms. McCormick explained yes. The plan as it stands now is to take the northeast facility out of production and right size the other facilities so 4 plants would remain in function.

The Board thanked GLWA for coming and for the wonderful presentation.

C. District Firefighter Proposal

Chief Van Sparrentak referenced his memo dated January 13, 2017. He explained Lyon Township should pursue district firefighters with the goal of taking well-trained firefighters and EMTs and make them part of the Lyon Township Fire Department. These firefighters may already be established elsewhere.

District firefighters will:

- Bring years of experience that result in improved fire ground tactics and better

patient care.

- They will serve as mentors for our younger firefighters.
- They will fill vacant shifts that often leave us short staffed and with reduced community protection.

This proposal better protects the community and its firefighters without negatively impacting the budget. There was discussion regarding how many shifts are available per month and how those shifts are divided up.

Supervisor Dolan felt this is safer for the community. Trustee O'Neil agreed. Chief Van Sparrentak stated they don't want to reduce the number they have, they want to maintain the number from Lyon Township, but when they can't cover shifts then they want them to be covered. It would be a common sense rule regarding geography in where they obtain the firefighters.

There was discussion regarding the hours and how the shifts are picked. Chief Van Sparrentak explained nothing is set in stone and he is considering removing the "all call" percentage. He offered to reevaluate this program in the future to make sure it is successful.

Treasurer Carcone questioned if the Chief had considered paying premium dollars for those weekend shifts and doing something different with the amount of hours in a shift. Chief Van Sparrentak stated they have looked at a stipend for a weekend shift and he would continue talking about it. They are going to still try to recruit and retain people from Lyon Township and they have talked about how they can get into the high schools or setting up an explorer program.

Chief Van Sparrentak explained the intent is not to have any of the district firefighters from out of town attend the all calls. He will advertise for these positions in the Daily Dispatch.

Motion by O'Neil, second by Cash

To approve the district firefighter proposal as presented and evaluate the success of the program in the fall with the addition of six district firefighters.

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

MOTION APPROVED

NEW BUSINESS

A. Country Storage, Expansion of RV Storage Area; AP-16-09b

Mr. Doozan reviewed the McKenna Associates memo dated February 20, 2017. He explained from a land use point of view, the subject site is a difficult one. It is sandwiched between a mobile home park and a railroad, and is zoned MHP, Mobile Home Park, so there are a limited range of uses that would be appropriate for this location. The applicant proposes a relatively low impact use that essentially involves expansion of existing RV storage.

On April 25, 2016, the Planning Commission recommended approval of special land use application for Country Storage, subject to site plan approval. It has taken several months for the applicant to achieve site plan approval, principally because of storm water management concerns. With these concerns now addressed, it is appropriate for the special land use to be acted upon the Township Board. Please note that the proposed storm water management solution requires approval by the Michigan Department of Environmental Quality and the Oakland County Water Resources Commissioner.

Ms. Zawada explained due to the site constraints it would have been impossible for the applicant to meet the standards without tearing out some existing pavement so the applicant included some low impact design techniques. The Planning Commission is allowed to grant minor variances to the Engineering Standards and it was done so they have no further issues at this time.

**Motion by O'Neil, second by Hicks
To approve AP-16-09b subject to consultant review comments and
Planning Commission conditions.**

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

MOTION APPROVED

B. PA 198 Industrial Facilities Tax Exemption Application – Light Source

Ms. Archer referenced her memo dated March 3, 2017 requesting the approval of the Industrial Facilities Tax Exemption Application for Light Source. Due to the growth and its projected expansion needs, Light Sources, Inc. desires to relocate their facility from Milford Township to Lyon Township. The plan is to invest an estimated \$1,925,000.00 in total project with \$305,000.00 in real estate cost and \$1,625,000 in real property. They also plan to spend an additional \$30,000 in new machinery, equipment, furniture and fixtures. They plan to construct a facility that is approximately 23,000 SQFT on a 3.09 acre parcel.

The company would relocate a total of 19 full time employees with median income of \$72,280 as well as 6 part time employees with a median income of \$28,600. With a larger facility in Lyon Township, they anticipate to create a total of 12 new positions over the next three years.

A review was conducted by the DDA Economic Restructuring Committee and a scorecard was completed with the recommendation for a term of 2-4 years.

Trustee O'Neil commented that 3 years seems fair to him.

Motion by O'Neil, second by Blades

To approve Resolution 2017-07 subject to a 3 year period of time per all the requirements of the resolution.

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

MOTION APPROVED

C. Radio Purchase Request for Rescue 2

Chief Van Sparrentak explained the new rescue should be completed by the end of March and installation of the radios and other equipment will be installed by Cynergy once it arrives. He provided the quote for the radios that need to be ordered ahead of time and will minimize the out of service time during installation.

The purchase of the radios will come from budget line item 977.001 in the amount of \$15,152.16.

Motion by Carcone, second by Blades

To approve the radio purchase for Rescue 2 in the amount of \$15,152.16

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

MOTION APPROVED

D. Discussion and Possible Action on Water System Due to volume of Irrigation

Ms. Zawada referenced the CES memo dated March 1, 2017. She explained over the past several months there have been significant peak demands on the water system during the summer months due to the amount of irrigating.

She explained they would expect to see an average of 280 gallons/day for water consumption per person. She provided a spreadsheet where they will see the usage in the summer months is staggering, it is 7 times the winter demand. It is critical for the summer demands to be reduced. Water system improvements are needed to be designed based on peak flows and if they continue it will cause the infrastructure needs to be larger and will be more expensive to construct.

Her recommendation is to consider including water use restriction in the Utility Ordinance and possibly increase your volume charge or add a third tier rate to address the irrigation.

After discussion, the Board felt adding a 3rd tier in the billing cycle is a good idea to try and get a handle on the water consumption. Ms. Zawada suggested contacting the HOA's and the businesses that use a lot of water and make it a requirement not to irrigate during peak times. Ms. Zawada would also like to send out a survey to the residents. Ms. Zawada will work on this further with Supervisor Dolan, Treasurer Carcone and Clerk Cash and bring information back to the April meeting.

E. Capital Improvement Plan Discussion

Mr. Doozan referenced the McKenna Associates memo dated February 2, 2017 and explained that the first draft of the Capital Improvements Plan for Lyon Township was provided to the Board. They have identified 66 capital projects in the following categories: Buildings and Equipment, Downtown Development Authority, Fire Department, Parks and Recreation, Roads and Intersections, and Water System. Projects for a seventh category, Sanitary Sewers and Wastewater Treatment, are currently being identified by Leslie Zawada and likely will be available in March. Also, she is working on cost estimates for a few of the Parks and Recreation projects.

At this point, he suggested that the Board decide how it wishes to review the information. A subcommittee might be the most feasible method of review. Keep in mind that under state law the Capital Improvement Plan is officially the responsibility of the Planning Commission, so a Planning Commissioner should be included in the sub-committee.

Trustee O'Neil suggested adding budget fund balances.

Trustee Enlow and Trustee O'Neil volunteered to be on the sub-committee to discuss the finer details and Treasurer Carcone will take the request to the Planning Commission to add a member to the sub-committee.

Supervisor Dolan reported that he met with the Road Commission regarding some of the gravel road improvements that they would like to do. 12 Mile Road is in poor condition. They wanted to start with 12 Mile and Martindale to Milford and 12 Mile, Milford to Lakeview, Travis Road to Martindale to Milford, Spaulding Road to 11 Mile and 12 Mile. These are high on their list and they wanted to start as soon as possible.

They are going to bring this back with the updated costs. These 4 projects are \$160,000. The Board was interested in moving forward with the gravel road improvements.

Motion by O'Neil, second by Carcone

To approve an expenditure for the gravel road improvements with a cost not to exceed \$175,000 with Oakland County Road Commission for 12 Mile

to Martindale to Milford, 12 Mile Road East of Milford to Lakeview, Travis Road, Martindale to Milford and Spaulding Road, 11 Mile to 12 Mile Road.

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

MOTION APPROVED

F. Michigan Natural Resources Trust Fund Grant application

Mr. Doozan reviewed the McKenna Associates memo dated February 21, 2017. He explained the application for the grant to provide funding for the new park at the corner of Eleven Mile and Milford Roads is due by April 1st 2017.

According to the engineer's estimate, the full development of the park will cost approximately \$2,230,000. He proposed developing the park in four phases to spread the cost out over a number of years. However, the bulk of the cost will be borne in Phase 1 because of the cost of land balancing and earthwork and to cross the Novi-Lyon Drain, which runs along Eleven Mile Road.

The resolution calls for funding \$600,000 by seeking a \$300,000 grant and providing a \$300,000 local match. \$300,000 is the maximum grant amount for development projects under the MNRTF program. If approved, the grant funds would not be available until mid-2018, which is when the local match would be needed.

In summary, he recommends that the Board approve the attached resolution, which will allow them to submit the application on behalf of the Township.

Mr. Doozan explained parks are really needed and it's crucial for the Township to have.

**Motion by Blades, second by Carcone
To approve the Michigan Natural Resources Trust Fund Grant Application
and Mr. Doozan will modify the scope of the application.**

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

MOTION APPROVED

G. Discussion of Insurance Stipend for Healthcare

Supervisor Dolan referred to his memo dated February 28, 2017. He explained he would like the Board to consider implementing opt out of the Township health care for those employees who currently do not take the insurance. This would also give those that have avenues to take their spouses insurance to opt out. He realized there are many that don't have that option but if they do, he felt that they should have the option

to offer \$3,000.00 annually.

Treasurer Carcone stated she would like to have a sub-committee to look further into the details of how this is done. Trustee Blades also would like to get feedback from a sub-committee.

The Board was in support of looking into this policy further. Treasurer Carcone, Clerk Cash and Supervisor Dolan will investigate it further.

ADJOURNMENT

**Motion by Blades, second by Cash
To adjourn the meeting at 10:47 p.m.**

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

MOTION APPROVED

The Board of Trustees open meeting was adjourned at 10:47 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary

Michele Cash

Michele Cash
Lyon Township Clerk