

Charter Township of Lyon  
Board of Trustees  
Regular Meeting Minutes  
May 3, 2017

Approved: **JUNE 5, 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, arrived at 7:10 p.m.

Absent: Patricia Carcone

Guests: 26

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 April 3, 2017  
Approval of Disbursements  
Building Department Report for March 2017  
Fire Report March 2017  
Zoning Report April 2017  
Approval of Modification to Exhibit A of Right-Of-Way Telecommunications Permit  
Grant of Permanent Water Main Easement from 21-35400-012 for Section 36 Utilities Project  
LEO Thank you letter

Supervisor Dolan removed the Giffels bill for consideration.

**Motion by Cash, second by Hicks  
To approve the consent agenda as amended with the Giffels bill as item 11.**

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

**MOTION APPROVED**

## **ANNOUNCEMENTS AND COMMUNICATIONS**

Trustee Hicks reported the Road Commission of Oakland County will hold a public hearing on May 24 regarding the roundabout at 10 Mile and Napier at the Gateway Banquet Center on 45175 West Ten Mile. Also, the Kite Festival is fast approaching and if anyone is interested in volunteering they would be glad for the help.

### **CALL TO THE PUBLIC**

**Frank Sakorafos, 24233 Tara Dr.** - He is concerned with Dandy Acres. They have been complaining about the howling/barking dogs, the dumpsters are exposed; there is no parking lot so they park their cars anywhere. The tree brush is pushed up against his property and now they have rodent problems. The lights are left on all night long. They now call the Oakland County Sheriff Department for noise complaints. They can't use their property. The Sheriff department told them they can do anything for them. They have spoken to zoning and have done research on their own. According to Dandy Acres Facebook page they had the dog lodge grand opening in February of 2014. March of 2015 was the first time they ever applied for a kennel license at that location. In July 2015 they got issued a DBA for the dog lodge. He thought they should get an occupancy permit when a new business is opened. This problem is ongoing, they can't use their lot, and they keep getting more and more dogs. Supervisor Dolan explained there are some things they have to go through and they are working on it, he felt everything would start taking shape in the next few months.

**Phil Strong, 59705 Sunridge Dr.** - He commented that they would like to hear what they are saying and he requested the microphones be adjusted.

**Robin Allen, 28550 Tindale Trail** - He thanked Continental Aluminum for pitching in and cleaning up Milford Road for the Adopt-a-Road Program. They are trying to improve over there and have made many improvements. He is hoping to get some businesses to pitch in for the Adopt-a-Road and even the Township to assist.

### **REPORTS**

**DDA** – Ms. Archer brought the Board up to date regarding current events in the Township.

**Fire Chief** – Chief Van Sparrentak reported the Fire Prevention open house will be held a week from Saturday that is open to the public from Noon to 3:00 p.m. Last week they met with homeowners from Kirkway Estates after a residential structure fire had occurred there. They cleared up things with them regarding their operations. Supervisor Dolan thanked Chief Van Sparrentak for holding that meeting and felt that the homeowners really appreciated it.

**Sheriff** – He reported on the car/train accident on 9 Mile and Griswold.

**Planning Commission** – Mr. Doozan explained the most significant item is the Cottages at Turtle Creek.

**ZBA** – Trustee Blades gave an update regarding the last ZBA meeting.

**Park Advisory Board** – Trustee Hicks brought the Board up to date regarding the last meeting.

## **APPROVAL OF AGENDA**

Supervisor Dolan explained the Hutto item will be removed at the applicant's request. Clerk Cash noted the addition of the Giffels bill as well.

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

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

## **MOTION APPROVED**

## **UNFINISHED BUISNESS**

### **A.      Ordinance 01-17 to Amend Chapter 46-134 Utilizes Ordinance; second reading**

Ms. Zawada explained this is an amendment to prohibit irrigation during peak hours which is 5:00 a.m. – 9:00 a.m. and 5:00 p.m.-9:00 p.m. and this was discussed at the last Board meeting.

Ms. Elowsky explained they can issue a civil infraction or a 10 day notice and it will be decided by the Code Enforcer. Trustee O'Neil stated he would be against issuing tickets for this year since there will be a learning curve. He questioned if this is always necessary at all times. Ms. Zawada explained typically it's in newer subdivisions where the automatic irrigation is set up. It is unlikely that a resident changes the time, the goal is to educate the residents and notify the homeowners association that the ordinance is in effect to increase their water quality.

Trustee Blades questioned what if someone is on vacation. Ms. Elowsky explained sub section D and E are already in the Code of Ordinances for the Civil Infractions. She restated those in this ordinance to highlight them. The goal of this ordinance is not enforcement, its education. Trustee Blades asked if there is an appeal process for residents. Ms. Elowsky stated yes.

**Motion by O'Neil, second by Cash  
To adopt ordinance 01-17.**

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

## **MOTION APPROVED**

### **B.      Discussion and Possible Action on Town Hall Video Streaming**

Supervisor Dolan reviewed the quotes that were received from Innovative Environment, Miller Media Vision and Merge Live. Supervisor Dolan explained Merge Live will be a quick start up, with no contract and that would allow them to get started and decide what to do from there. Trustee Blades suggested a trial period but Trustee Hicks explained there is no contract with this company.

Trustee Enlow agreed working with Merge Live first and it would allow the Township to start upgrading the equipment system.

**Motion by O'Neil, second by Hicks  
To engage services with Merge Live at \$200.00 per meeting as outlined in the memo beginning at the June Board meeting.**

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

**MOTION APPROVED**

**NEW BUSINESS**

**A. Request to grant permit for fireworks display to Michigan Fireworks Company at Cattails Golf Course**

Supervisor Dolan confirmed this is an annual request. Clerk Cash explained if this is approved it will get sent back to the State.

**Motion by Cash, second by Hicks  
To approve the permit for fireworks display for Cattails Golf Course on June 10, 2017 with a rain date of June 17, 2017 at 9:15 p.m.**

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

**MOTION APPROVED**

**B. Request to grant permit for Fireworks display to Walnut Creek Country Club**

Clerk Cash explained this is at a private country club and is also an annual request. The proposed date July 1, 2017 with a rain date of July 2, 2017 at 10:00 p.m.

**Motion by Cash, second by Blades  
To approve the application for the Walnut Creek Country Club Fireworks**

## Display.

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

### **MOTION APPROVED**

#### **C.      The Cottages at Turtle Creek Planned Development – Preliminary Review:          AP-16-36**

Mr. Doozan reviewed the McKenna Associates memo dated April 12, 2017. The Planning Commission considered this case at its April 10, 2017, meeting. One commissioner commented that the density was still too high, based on the parallel plan, and that the proposal did not satisfy the public benefit criterion, in his opinion. The Commissioners also noted that the Township does not have to accept the optional empty nester concept. A couple of Commissioners spoke in favor the development, nothing that it was similar to and perhaps a notch above the Legacy of Lyon in terms of quality. Another Commissioner opined that the proposed \$150,000 contribution to the Township was “substantial”.

A motion was made to recommend approval of the preliminary plan for The Cottages at Turtle Creek, but this motion was not approved by a 3-2 margin. Two Commissioners were absent.

Ms. Zawada referenced the CES memo dated April 28, 2017. She noted the following concerns:

#### **Sheet 2- Site Plan**

1.      The proposed 10-foot wide asphalt path along Kent Lake Road is now proposed to end at the north property line rather than extend northerly to connect to the Huron Valley Trail at Grand River.
2.      Per the West Grand River Sanitary SAD Roll this parcel is assigned 35 REUs and the project proposes 50 units.
3.      Parcels A, B, C and D will be serviced by well and septic. The test pit report from McDowell indicates that soils are suitable for septic fields. OCHD permits will be required during detailed engineering review.
4.      A permit will be required from the DEQ for work within the existing 100 year flood plain in the area of units 33 and 34 and wetland fills near units 19, 25, and 29.

The other items will be addressed during detailed engineering review.

Ms. Elowsky explained that their issues would be addressed at a later date since they had to do with the condo documents.

Trustee O’Neil confirmed with Ms. Zawada that the wetlands are all regulated and the fill would be subject to DEQ approval.

Mr. Guidobono provided a power point presentation of the project. He proposed The Cottages at Turtle Creek is less dense than multi family or commercial. It is the least impactful way to develop this site. In addition, this site works for empty nesters. It seems to him that the empty nesters would be a reasonable approach to this site. He felt it is a great layout and plan with a circular flow. They are proposing 50 units. He explained that empty nesters like density, they like neighbors for security and lower association dues. The site is very noisy and one way to diminish the noise is to build solid structures, the more dense it is the more they are reducing the noise from I-96 which is an asset to the residents that live here.

To the south they knew going in they are dealing with an existing subdivision and the residents would be sensitive to whatever went in there. They are proposing 4 lots in a cul de sac so that it never connects out to Pontiac Trail. There are other options for this site, they could do 9 splits at this location and do 6 right away. This could also be rezoned to the same zoning as Cobblestone but they didn't ask for that. They are also willing to either create a 25' open space area there or donate it to the residents at Cobblestone.

He reviewed the entrance plan which will make a great gateway to the Township. There will be a lot of buffering and it is done in a way the Township would be proud of. He provided samples of the floor plans.

Mr. Ascher explained the Board serves a great function and they have the opportunity to set the vision for this community and to say what they think is the appropriate thing that could go here. If this is not a good proposal for this site he questioned what else could go there. He was struck by two comments from the Planning Commissioners at the last meeting. Mr. Towne had stated that he may not like all of this but it could be a lot worse and that was in reference to Rosey's Romper Room proposal. When their proposal came up Mr. Chuck looked at Mr. Towne and said they have to look at what else could go there and what could go there could be a lot worse.

Mr. Ascher continued that the property does sit adjacent to a mobile home park that has a lot of density and is adjacent to Cobblestone with a higher density. It's bordered on the west by Kent Lake Road and so the idea that as a community this will be zoned and developed as a true single family site, given the size of the property, about a 1/3 or maybe more would be backing to Kent Lake Road and it is not a practical area for families with children.

As to the south portion of the property, the entrance would come through Cobblestone. Mr. Guidobono has met with the residents 4 times. Mr. Ascher explained he is trying to be responsive to the residents. He understood they don't want an entrance that takes them to Kent Lake Road or Silver Lake Road. They think the zoning for the smaller portion could be zoned the same as Cobblestone. This southern portion could be developed for 9 sites with 6 going in immediately. Mr. Guidobono came in and looked at what they would want with the least amount of impact and proposed 4 sites. He knows the residents don't fully support the plan, but the accommodation of only putting 4 sites there is something. He asked what the Board wants for this parcel.

Mr. Ascher explained out of the 8 requirements, they meet 6. The two biggest hurdles

are density and community benefit. Community benefit, this is a high quality, empty nester housing project. Through the course of this project they have floated out numerous ideas for community benefit but those ideas didn't quite hit the mark. Now they are proposing donating \$150,000 to the Township to be used in any way they see fit. He asked for input from the Board on what they would like for the community benefit. Regarding compatibility with the Master Plan, he explained what the Master Plan allows.

Mr. Guidobono explained they are proposing a quality project and they are offering significant community benefits. It is the least dense way to develop this site. He respectfully asked for their approval.

Ms. Blades asked if they would consider putting in sewer at the 4 sites. Mr. Guidobono stated no, not at that location, for 4 sites it wouldn't make sense.

Trustee O'Neil asked what the price point is. Mr. Guidobono stated their target is in the \$450,000 range. Trustee O'Neil commented that a 3 bedroom product does not strike him as an empty nester product. Mr. Guidobono confirmed they will be deed restricting the project for age and he explained the 3 bedroom could be used as a library. Also, if a customer just wanted 1 bedroom that is also an option, they will personalize each home to suit their needs.

Trustee O'Neil commented that he appreciated the presentation but there were assumptions made and it wasn't what was before them tonight it was some "what if" scenarios. He continued that the plan says there is a total of 1/3 of an acre of wetland fill and that would be exclusive of the flood plain fill, is that accurate? Mr. Keast explained the overall wetland fill is less than 1/3 of an acre; the flood plain fill is separate. Mr. O'Neil noted that the parallel plan only works if they were to get a permit from the MDEQ to fill all the regulated wetlands, so the parallel plan is making that assumption. Mr. O'Neil stated he likes the product, he accepts the statistics that they have where a ranch home is more desirable to the silver tsunami although he didn't think that is the rule. He felt the density is high, where they are asking for a 26 home density bonus where the parallel plan has a 28 unit density bonus. He did not think the community benefit warrants that type of density bonus. The impact on the neighbors is a big concern for him. Nearly a 100% density bonus based on the parallel plan is excessive and he didn't know kind of community benefit they could offer that would allow him to support it.

Trustee O'Neil stated the traffic report indicates this would have minimal impact; however it will have an impact. The intersection is a dangerous one and it warrants a light now. He travels through the area frequently and his kids attend the school there, he has concerns with the traffic safety there now before they add additional homes. This is not consistent with the Master Plan. Trustee O'Neil is also concerned about the capacity of the sanitary sewer. Trustee O'Neil likes the product and the concept but it's too much.

Trustee Blades felt that the property is a single family location per the Master Plan. This is not consistent with the future land use map. She has significant doubt they would run sewer to those units identified in the parallel plan. The Oakland County Sanitary Code

requires they have 1 acre for septic, to say they will put in 9 units, 2 of which she is doubtful on, she can't see how they would really put in sewers for 7 units. Section 22-244 regarding roads says that roads shall be extended to the boundary line of the parcel to make provision for future road connections. There is a significant wetland to the south, and the future connection shown does not seem like it could be done. A temporary cul de sac should be provided if any lots front a stub road and on the parallel plan lots 26 and 27 would be those lots. Mr. Ascher explained and showed that it could be overcome. Mr. Doozan explained 6 lots would be feasible.

Trustee Blades has a concern regarding the setbacks, the lack of connection, the density is too high, lack of a public benefit and the amenities that were stated since it would increase the traffic since the access point was removed to the Huron Trail.

Mr. Ascher explained the trail connection is an option if the Board wanted it. The connection between the two sites, one site has 50 homes compared to the other side that has 4 units; there is not the synergy between the two with the same housing mix.

Trustee Hicks stated he has seen the developers work and its quality work. The density is high and an empty nester product would generate 25% less traffic than what single family would. They are less than 2 miles from the core downtown and they need density to support the downtown. He is very favorable to this project. He felt that \$200,000 would be better than \$150,000 contribution.

Clerk Cash questioned what the outcome was with the meetings with the Cobblestone residents. Mr. Guidobono stated from his perspective there wasn't a consensus on what the best scenario was, he was never able to extract a final position as to what the majority of the residents would like.

Trustee Enlow stated when this came before them, he did list out several options for community benefits, a boardwalk, a traffic signal at Kent Lake Road and Silver Lake Road, a traffic signal at the entrance to Kent Lake Elementary and have their driveway line up to it, or the pathway that would connect to Kensington. He is curious as to who told them the pathway to Kensington was not a community benefit. Mr. Guidobono explained at the last meeting they proposed putting in an off-site pathway from their site to connect to the pathway that connects to the parks at Grand River and Kent Lake Road, they estimated the cost to be \$100,000, when they came away from the meeting, he wasn't sure if it was the Planning Commission or the Board but they felt it was more self-serving, so they decided to let them decide how to spend the money and increased it to \$150,000.

Trustee Enlow explained he still has reservations regarding the plan since it is inconsistent with the Master Plan, the setbacks are not being met and the sewer capacity is also an issue. He echoed some of the comments by Trustee O'Neil and Trustee Blades with the wetland issues and the different scenarios. There are a few lots where the products being proposed would not fit on the building envelopes in the parallel plan, so the parallel plan becomes more deceiving. The Planning Commission



motion for approval also failed. Ultimately, the number one item for him is the density, it's too much.

Supervisor Dolan explained his biggest concern is infrastructure. They have a growth spurt that has hit this Township hard. They are proposing \$450,000 homes and as a Township they are going to pipe ground water to that home. They have an infrastructure problem, for him, until the roads are in better shape, and the sewer plants are in compliance, the density does it for him.

**Motion by O'Neil, second by Enlow**

**To deny the request AP-16-36 due to the following reasons:**

- 1. The proposal is inconsistent with the master plan**
- 2. Per the parallel plan far exceeds the density it would be entitled to by right.**
- 3. It's deficient in the way of community benefits.**
- 4. There will be a negative traffic impact on an intersection that already functions unacceptably and dangerously.**
- 5. The Planning Commission had similar findings and sent a denial recommendation to the Township Board.**
- 6. Out of concern for the impact it will have on the sewer system.**
- 7. Per item 5 in the CES letter dated April 28, 2017.**
- 8. Setback deficiencies.**

**Jim Cruise, 30000 Cobblestone Lane** – He explained the Cobblestone residents wanted two things, four homes or less at the end of Town Square to minimize the impact and stick to the Master Plan relative to density issues on the empty nester area. They conveyed that at the last meeting to Mr. Guidobono. Their concern about the density is the infrastructure.

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

**MOTION APPROVED TO DENY**

**D. Hutto Family LLC – Proposed Rezoning from I-1 to R-0.3; AP-17-03 – Item removed at Applicant's request.**

**E. Cost Approval for Engineering with Artesian of Pioneer for Water Treatment System**

Supervisor Dolan explained there was a presentation for a water system upgrade at the special meeting on April 20, 2017. He reviewed the list of items that would be completed for the cost of \$100,000. He would like to see them move this forward.

Trustee O'Neil questioned the cost of the 1 million gallon water towers; he had reservations on moving ahead with both towers at this time. He wanted to make sure they can omit one of the two water towers and perhaps add one in the next few years. Mr. Kidston stated he hoped to have to them in the next 30 days after reviewing the sites, talking to the DEQ and the School for the location of one of the water towers, he plans to bring back phase one, and the costs of phase one, and the future plans for phase 2 to 3. He would like to do more investigating but most likely he would recommend they do everything except for the second water tower which can be done in a few years.

Mr. Kidston explained he doesn't know their finances, and they don't know exactly what this will cost. There are two question marks, can they afford it, and after he has done an in depth investigation and talked to the DEQ and figure out what they will accept he may come back and say listen I can't do it for the \$16,500,000 that he said originally. They can come to him at any time and say we can't afford it and he will give them their money back for any reason. If they find out they cannot do it for \$16,500,000 and they don't like the new number or they can't reduce the number to get it to an affordable amount they will also give them the \$100,000 back.

Trustee O'Neil questioned if they could have another information meeting for the public? Mr. Kidston stated absolutely. Trustee O'Neil appreciated the contract that is no risk for the Township.

Supervisor Dolan questioned if they are looking for possibly another well. Mr. Kidston stated they already have survey's at the two water treatment sites they are just confirming those surveys are ok. He will do another water analysis as well. They will want to do at the water treatment sites.

Ms. Zawada also confirmed this would include an aquifer test at South Hill. Mr. Kidston stated they would definitely want to do that.

Mr. Kidston explained how he envisions the progress of the project. He felt they could have South Hill up and running by winter and then begin work on Woodwind.

Mr. Enlow commented on his concerns with overbuilding the system. Mr. Kidston explained water plants can run at 10% or 90% and the cost will be close to linear. Every million gallons produced will cost the same. Knowing their growth is coming they can operate the plant at a lesser rate until the future shows up and not really cost them. The only cost that stays stable is the labor cost.

**Motion by Cash, second by O'Neil**

**To approve the AOP, Artesian of Pioneer Contract dated April 26, 2017 for the contract requiring a \$100,000 down payment upon signing of the contract by the Supervisor and Clerk with the payment coming from the water fund.**

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

## **MOTION APPROVED**

### **F. Discussion regarding possible billboard on Parcel 21-12-101-018**

Ms. Zawada referenced the CES memo dated April 28, 2017. She explained over the past few years they were exploring the idea of a municipally owned billboard. They own a piece of property that is very largely wetlands. They were discussing with the neighbor Soave and there is a small piece of land that they own adjacent to I-96. They have been in discussions with them to obtain this piece. The discussion has been a potential property adjustment and an agreement that the site could be developed under the 10 year storm volume. She asked for direction from the Board if they wanted to continue with these discussions.

Trustee Hicks felt it would be a good source of revenue for the Township. Trustee Enlow explained if this was to go forward he would want to have control over what is displayed and have township events displayed. Trustee O'Neil stated he would agree, potentially it could be a great revenue source. Trustee Blades agreed she would like to have the money generated be earmarked for a certain purpose such as parks and recreation and be able to show township events.

Trustee Blades questioned what the property is zoned at now and how long has it be zoned that way? Mr. Doozan stated the property is zoned as I-1 and it has been for decades.

After discussion the Board decided that Ms. Zawada should continue negotiating for the parcel.

### **G. Fire Station 1 concrete rehab contract award**

Ms. Zawada referenced the CES memo dated May 1, 2017. She explained the bids were opened on April 28, 2017 and there were a total of eleven bids submitted. The low bid was submitted by Hartwell Cement Company in the amount of \$132,355.00. The references have been verified and no issues were found and therefore recommend that the Township award the contract for the Fire Station 1 Concrete Rehab to Hartwell Cement Company.

#### **Motion by O'Neil, second by Hicks**

**To award the contract for the rehabilitation of the concrete parking lot at Fire Station 1 in the amount of \$132,355.00 to Hartwell Cement Company. This will be paid for out of the General Fund.**

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

## **MOTION APPROVED**

**H. Cost approval for backup generator at Township Hall**

Supervisor Dolan explained how badly a backup generator is needed. After bidding the project, he had four bids come back. He briefly reviewed the bids.

**Motion by Cash, second by O'Neil**

**To purchase from CRG Electric Inc. Gen Power Kohler brand 125kw generator for the Township Hall for a cost of \$59,645.00, which includes the bollards.**

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

**MOTION APPROVED**

**I. DPW Discussion on Job Description**

Supervisor Dolan asked for the Board to look over the job description and come up with a salary. He would like to get someone with experience and knowledge so they could step right in. After discussion the Board decided to compare the salary at MTA and narrow the job description down and bring it back at the next meeting.

**J. Zoning Ordinance and Subdivisions Amendments; AP-17-05**

Mr. Doozan reviewed the McKenna Associates memo dated April 11, 2017. He provided a brief overview of the proposed amendments.

Trustee Enlow confirmed the animal enclosures only apply to single family residential and not commercial kennels.

**Motion by Blades, second by Hicks**

**To approve Zoning Ordinance and Subdivision Amendments AP-17-05 as the first reading.**

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

**MOTION APPROVED**

**K. Cost Approval for Glass installation for reception Area at Township Hall**

Supervisor Dolan explained there is a desk in the front and it is a security situation since the desk is not enclosed. He had a glass company come by and provide some options

on installing a glass enclosure.

After discussion the Board felt this is a good decision and they would like to move forward.

**Motion by Cash, second by Hicks**

**To approve Reed Glass for installing option #3 at a cost of \$2,908.00 installed.**

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

**MOTION APPROVED**

**L. Giffels Webster Invoice dated April 2017 in the amount of \$27,538.50**

Supervisor Dolan explained the reason he pulled the bill off for discussion is because he had a sewer meeting with all the people involved. He has been trying to get to the bottom of when they will take ownership of it. In the past few months there have been a few break downs. He told Giffels that he will withhold all bills for the water plant until that plant is up and running at least a month.

**Motion by O'Neill, second by Cash**

**To withhold further payments for both Giffels Webster and any sub-contractor that is responsible for completion of the waste water treatment plant expansion until they can further evaluate this at the June meeting.**

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

**MOTION APPROVED**

**RECESSED INTO CLOSED SESSION**

**Motion by O'Neil, second by Cash**

**To recess into closed session to discuss pending litigation with the Township Attorney at 10:51 p.m.**

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

**MOTION APPROVED**

**Motion by O'Neil, second by Blades  
To reconvene the regular meeting at 11:35 p.m.**

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

**MOTION APPROVED**

**Motion by O'Neil, second by Enlow  
To adjourn the regular meeting at 11:36 p.m.**

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

**MOTION APPROVED**

The Board of Trustees regular meeting was adjourned at 11:36 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary

*Michele Cash*

Michele Cash  
Lyon Township Clerk