

Charter Township of Lyon
Board of Trustees
Regular Meeting Minutes
November 5, 2012

Approved: December 3, 2012

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

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

Guests: 14

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

APPROVAL OF THE CONSENT AGENDA

Approval of Regular Meeting Minutes of October 1, 2012
Approval of the Special Meeting Minutes of October 17, 2012
Approval of Disbursements
Building Department Report for September 2012
Fire Department Reports for September 2012
Zoning Reports for October 2012
Engineering Reports for October 2012
Oakland County Sheriff's Tri-annual Report

Trustee Hicks requested that the minutes be removed since they were late coming into the packets and he didn't have a chance to review them.

Motion by Carcone second by Hicks

To approve the consent agenda with the removal of the October 1 and October 17 meeting minutes and to move those minutes for approval to the December meeting.

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

MOTION APPROVED

ANNOUNCEMENTS & COMMUNICATIONS

Clerk Cash reminded residents to vote on Election Day and that the polls will be open from 7:00 a.m. to 8:00 p.m.

Supervisor Young announced that after 16 years of service, Brent Hemker is stepping down. Mr. Hemker gave a short synopsis of his time at the Township. Everyone congratulated and thanked Mr. Hemker for his years of service.

CALL TO THE PUBLIC

Chriss Roberts, 56645 McKenzie Lane - Mr. Roberts commented on the proposed project at 10 Mile and Milford Road on the northeast corner. He explained that the plan that has been submitted by Mr. Wyett is dated June 18, 2012. He explained that he didn't know how a plan could be dated well before the meeting where Mr. Wyett told the Board that there was no plan.

REPORTS

DDA – Ms. Aniol reported on the expansion of Grand River as it applies to the Industrial District, property that the DDA purchased in the New Hudson area, the 3 Minutes in Lyon Film Festival and the Business Breakfast that will be held on 11/16/12.

Fire – Chief McClain reported that there has been an increase in serious traffic accidents lately but fires were down. He has received notification that an outdoor warning siren will be placed at Grand River and South Hill area.

Sheriff – None

Planning Commission – None

ZBA – None

Park & Advisory Board - Trustee Fletcher reported that they are looking for an additional member.

APPROVAL OF AGENDA

Supervisor Young added Item L under New Business an amendment to consider Liquid Bio Solid Hauling and item e.1 – Richard Tool and Die.

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

| | | |
|--------------------|--------------|------------------|
| Voice Vote: | Ayes: | Unanimous |
| | Nays: | None |

MOTION APPROVED

PUBLIC HEARING on Special Assessment Roll for General Purposes Nos. 12-120, 12-130, and 12-140

Supervisor Young opened the public hearing at 7:18 p.m. and closed it due to no one wishing to comment.

PUBLIC HEARING for the Program year 2013 Community Development Block Grant Funds

Mr. Doozan explained the distribution of the \$24,585.00 as follows:

Public Services (Haven) \$2,500
Senior Center \$16,300.00
Youth Assistance \$2,500
Minor Home Repair \$3285.00

Supervisor Young opened the public hearing at 7:22 p.m.

Elizabeth Maher – Thanked the Board for their continued support and briefly explained that Haven helps women who have issues with domestic violence and sexual assault.

Supervisor Young closed the public hearing at 7:25 p.m. due to no further comments.

UNFINISHED BUSINESS

A. Utility Rate Study

Supervisor Young explained that this is a request for a 3% rate increase as recommended by Mark Beauchamp due to the increasing sewer costs. Ms. Zawada explained it would equal \$3.37 per quarter or a total of \$115.78 per REU should the Board approve the rate increase. The increase was recommended for 2013-2016 and reviewed annually as part of the budget process.

There was brief discussion as to how the Township compares with other surrounding areas and how the increase may discourage new businesses. It was also noted that there has not been an increase for the last 3 years.

Motion by Carcone, second by Cash

To approve to raise the sewer usage rates by 3% for 2013 to \$115.78 per REU per quarter.

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

MOTION APPROVED

B. Second Reading Wellhead Protection Overlay District Map Approval

Mr. Quinn stated that the ordinance has already been adopted and this will amend the Zoning Map to include that within the Zoning Regulations.

Motion by Carcone, second by Hicks

To approve the Second Reading of the Wellhead Protection Overlay District Map amendment 154-12.

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

MOTION APPROVED

C. Second Reading Zoning Ordinance Amendments Regarding Farming and Agricultural Tourism (AP-12-24)

Mr. Doozan explained that all revisions have been incorporated and it is ready for consideration.

Motion by Hicks, second by Carcone

To adopt the Second Reading of the Zoning Ordinance Amendments regarding Farming and Agricultural Tourism AP-12-24.

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

MOTION APPROVED

NEW BUSINESS

A. Special Assessment Resolution Confirming the General Purpose Roll

Mr. Quinn explained the resolution and stated it was ready for adoption.

Motion by Carcone, second by Cash

To approve the Special Assessment Resolution Confirming the General Purpose Roll 12-120, 12-130 and 12-140 as prepared by the Township Attorney.

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

MOTION APPROVED

B. Resolution approving the Program Year 2013 Community Development Block Grant

Motion by Hicks, second by Carcone

To approve by Resolution the Program Year 2013 Community Development Block Grant in the amounts stated in the McKenna Associates memo dated 10/26/12.

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

MOTION APPROVED

C. General RV Center, Special Land Use Review, AP-12-29b

**Representing General RV: Steve Pyrkosz, Schonscheck, Inc.
Rob Baidas, General RV
Chris Davis, General RV
Craig Zokas, Schonscheck, Inc.**

Mr. Doozan reviewed the McKenna Associates memo dated 10/21/12.

Mr. Pyrkosz gave a brief history of the proposed project along with a short power point presentation. Mr. Pyrkosz stated that General RV is willing to work and resolve all issues with the Township.

Supervisor Young explained the history regarding this parcel and the Special Land Use. There was discussion regarding the special land use, concerns regarding the view from I-96, landscaping, traffic and adjacent uses.

Mr. Quinn confirmed that the applicant agreed to 1 vehicle per pad along the expressway (6). One vehicle per pad on Grand River (2) and the sewage dump is not open to public but only to maintenance vehicles.

John Savoy, 1 Galleria Office Center, Southfield – He expressed his concerns regarding General RV. He felt it was a completely incompatible use. He felt this type of use belongs in commercial zoning. He has worked in the community for 25 years and has brought many businesses to the area. He is not in favor of this proposed project. McKenna Associates memo states it clearly that this is an incompatible use. He also felt that the Township has done a great job with the long-term plan for the growth of the Township. He felt it would be very difficult developing around this use. He felt that this site would be very marketable to another user. He asked that the Board reconsider approval of this project.

Rob Baidas – He stated that he had spoken to Keith Jones at Henrob and asked if there were any major issues. Mr. Jones answered to keep him abreast of what’s going on. Mr. Baidas stated that nothing negative was said.

Andy Klein, 1270 Rickett Road – He stated he had no idea that Mr. Fletcher’s question was in the context of concerns with General RV; he had answered the question in the context of having no concerns with site development of this property it had nothing to do with General RV. If the question had been, do they have a problem with General RV, and then the answer would have been yes. Mr. Fletcher disagreed; he stated that he asked the question if there were concerns with any of the uses that would be allowed under the Special Land Use. Mr. Klein continued that the use had to be compatible and McKenna Associates memo was very clear that it is an incompatible use. This is a completely commercial use and it is incompatible.

Vince DeAngelis – He stated that he is representing the Walbridge property. He questioned why the Township even bothers with the vision plan. This corridor was envisioned to be an industrial corridor and if this was approved then he could put a dealership on his property. He understood why Henrob was disappointed. He explained he is in the middle of getting his property marketed and this project will detract from his property.

Joe Keely, Henrob Corporation – He stated that he certainly appreciates what the Township has done with Henrob. He explained that Henrob decided to come to Lyon Township due to the industrial nature. He stated that choices would have been different if they had known the scope of this proposed project with General RV. He asked that the Board consider the vision and make a longer-term decision.

**Motion by Fletcher, second by Dolan
To approve AP-12-29b General RV Center Special Land Use Review for
South Lyon Two, LLC.**

There was brief discussion regarding Cummings being a commercial use.

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

MOTION APPROVED

D. Resolution Accepting the Competitive Grant Assistance Program Award

Ms. Aniol explained that this grant will allow the study of wastewater treatments in the amount of \$51,500, no match is required.

**Motion by Carcone, second by Dolan
To approve the Resolution accepting the Competitive Grant Assistance
Program award.**

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

MOTION APPROVED

E. Resolution Approving Application of Henrob Corporation for Industrial Facilities Tax Exemption Certificate

Ms. Aniol read the additional language that will be added to the amended Resolution for Industrial Facilities Tax Exemption Certificates that verifies the IFEC would not exceed 5% of the amount equal to the sum of the SEV of the Township, plus the SEV of personal and real property exempted, which is required by the State Treasury.

**Motion by Cash, second by Carcone
To approve the amended Industrial Facilities Exemption Resolution 2012-14 for the Henrob Corporation.**

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

MOTION APPROVED

E1. Resolution Approving Application of Richard Tool and Die for Industrial Facilities Tax Exemption Certificate

**Motion by Cash, second by Carcone
To approve the amended Industrial Facilities Exemption Resolution 2012-12 for Richard Tool and Die**

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

MOTION APPROVED

F. Consideration of R.R.R.A.S.O.C. Agreement

Mr. Mike Csapo, General Manager of R.R.R.A.S.O.C. gave a brief account of the Agreement and what it provides for the residents. He explained that 132 residents participated last year.

There was discussion regarding the cost vs. the amount of residents that use the service. Some Board members felt that it was too much money when there are other places that accept these types of materials.

Motion by Hicks, second by Cash
To accept the Agreement for 2013 with R.R.R.A.S.O.C. with a not to exceed the budgeted amount of \$8000.00

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

MOTION FAILED

G. Consider Attorney Rate Increase

Mr. Quinn reviewed the memo dated October 2, 2012 requesting an increase.

Motion by Carcone, second by Hicks
To increase the contract for legal services for Gabe, Quinn and Seymour to \$130/hr. increase for General legal matters for 2013.

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

MOTION APPROVED

H. Approval of Appointment to Park Advisory Board

Trustee Fletcher explained that Ms. Blades has had to step down from the Park Advisory Board and Carl Towne has offered to replace her.

Motion by Fletcher, second by Cash
To approve Carl Towne as Park Advisory Board PC Liaison through 12/31/12.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

I. Planning Commission, DDA, ZBA and Board of Review Appointments

Supervisor Young reviewed the appointments with the Board members.

Motion by Young, second by Carcone
To nominate Ed Campbell for the Planning Commission through 11/30/15.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

**Motion by Young, second by Carcone
To nominate Sean O'Neil for the Planning Commission through 11/30/15.**

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

MOTION APPROVED

**Motion by Young, second by Carcone
To nominate Kris Enlow for the Planning Commission through 11/30/15.**

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

MOTION APPROVED

**Motion by Young, second by Hicks
To appoint Tony Raney to the ZBA through 11/30/2015**

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

MOTION APPROVED

**Motion by Young, second by Cash
To appoint Carl Towne to the ZBA as the Planning Commission Liaison
through 11/30/2016.**

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

MOTION APPROVED

**Motion by Young, second by Hicks
To appoint Brian Wallace to the DDA through 11/30/2016.**

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

MOTION APPROVED

J. Consider Budget Amendments for 2012/Set Public Hearing

Supervisor Young reviewed the budget amendments for the Police Department, the DDA and the Building Department. It was suggested that a Committee be formed to discuss a millage for the Police Department after the first of the year. A Public Hearing was set for December.

Motion by Carcone, second by Fletcher

To tentatively set a budget workshop meeting for Tuesday, November 13 at 8:30 a.m.

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

MOTION APPROVED

K. Consideration of 2013 Board of Trustees Meeting and Holiday Dates

Treasurer Carcone requested that the Township employees have July 5, 2013 off since the 4th of July falls on a Thursday. The Board agreed.

Motion by Carcone, second by Cash

To adopt the meeting dates and holiday schedule with the addition of July 5, 2013.

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

MOTION APPROVED

L. Agreement for Bio-Hauling

Supervisor Young explained that Synagro would like to extend the existing contract with an increase to .0407 cents a gallon.

Motion by Carcone, second by Dolan

To accept the agreement for transportation and land application of liquid Biosolids from Wastewater Treatment Plant in Lyon Township, MI with Synagro in the dollar amount stated in the form provided.

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

MOTION APPROVED

ADJOURNMENT

**Motion by Carcone, second by Fletcher
To adjourn the Regular Meeting of the Board of Trustees at 9:58 p.m. and
move into Executive Session regarding pending litigation.**

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

MOTION APPROVED

Respectfully Submitted,

Kellie Angelosanto

Michele Cash

Kellie Angelosanto
Recording Secretary

Michele Cash
Township Clerk