

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, OCTOBER 19, 2010 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Treasurer Brixie, Trustees Dreyfus, LeGoff, Ochberg,  
Veenstra (6:02 P.M.)  
ABSENT: Clerk Helmbrecht  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development  
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief  
Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Manager/Human Resources Director  
Paul Brake, Director of Finance Diana Hasse, Director of Parks & Recreation LuAnn  
Maisner

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Andy Such, 1147 Woodwind Trail, Haslett, reported the Haslett Library Move, Inc. Committee, PO Box 563, Haslett, has received approximately \$85,000 in cash and firm pledges for the relocation of the Haslett branch of the Capital Area District Library.

Cheryl Sparks, 6240 Towar Avenue, East Lansing, expressed concern with the location of a medical marihuana distribution center on the corner of Towar Avenue and Lake Lansing Road, within close proximity to a church and school. She also believed there would be an increase in robberies in the area.

Nicole Clark, 3203 Birch Row, East Lansing, expressed concern with the location of a medical marihuana distribution center in the Towar neighborhood near churches and schools. She noted the building which houses the distribution center has previously been vandalized and was concerned it will happen again. Ms. Clark believed that if medical marihuana is going to be a prescribed drug, it should be distributed through pharmacies.

Richard Brown, 3340 Lake Lansing, Road, East Lansing, and co-owner of The Herbal Center, indicated this location is a non-smoking facility. He spoke to the various devices which constitute the security system for this building. Mr. Brown indicated The Herbal Center is located on land zoned commercial and marihuana will be grown on the premises. He viewed on-site cultivation as a safety measure for patients as it will ensure the product is organic and not laced with dangerous chemicals. Mr. Brown spoke in support of a public forum on this issue to address the gray area in the law.

Matthew Jones, 6312 Gossard Avenue, East Lansing, expressed concern with the location of the medical marihuana distribution center in the Towar neighborhood near schools. He stated there are a large number of small children who live in the area.

Jeff Peck, 2831 Lake Lansing Road, East Lansing, voiced his support for use of marihuana for medical reasons. He likened this issue with ordinances passed for pharmacies and liquor licenses in the Township, noting he has not heard of any objections to those facilities. Mr. Peck believed there

is a stigma attached from the 60's and 70's regarding casual use of marihuana. He believed his discussions with several dispensary owners in the regional area resulted in the conclusion The Herbal Center will be a well run business and safe for children in the area.

Lynne Page, 3912 Raleigh Drive, Okemos, requested the Board impose a moratorium on medical marihuana in order for a forum to be held to educate the public on steps neighboring communities have taken in regard to licensing and operation of these facilities.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke to the article in the latest edition of the *Meridian Monitor* titled "Meridian Goes Green with Streetlight Project". He believed the article lacked transparency as the statement that a \$50,000 grant was awarded to the Township from the state to fund the project was only a partial truth. Mr. Provencher added the article does not reflect that the township will be loaning the DDA \$140,000 to implement the project. He requested future issues of the *Meridian Monitor* be reviewed by the Board prior to publication to ensure accuracy and completeness of content.

Marsha Madle, Chair of the Economic Development Corporation (EDC), 1373 Sebewaing, Okemos, spoke to a future agenda item where the EDC will request expansion of its members from nine (9) to eleven (11). She noted the EDC is also requesting one of the two additional members be a voting young adult entrepreneur student within the age range of 18 to 25, to be appointed for a one year term. Ms. Madle believed this appointment critical to obtain input which will help meet the needs of this next generation.

Supervisor McGillicuddy closed Public Remarks.

#### 5. REPORTS/BOARD COMMENT/NEW WORRIES

- A. Denyse Ferguson, CEO/President, Lansing Economic Area Partnership (LEAP), Inc.  
Ms. Ferguson explained to Board members that LEAP is an organization of community leadership which includes private, public and non-profit sectors whose focus is on unified strategic growth priorities. She explained LEAP's mission is to position the Greater Lansing region so it can compete successfully on both a national and global scale. Ms. Ferguson noted this mission can be accomplished by building both stronger companies and stronger communities through growth and prosperity. Ms. Ferguson identified three (3) key focus areas for LEAP:
- 1) Business growth and development
    - a. small business growth
    - b. attraction
    - c. retention
    - d. Proactive search for opportunities
    - e. Bring all economic development "players" together at the state, regional and local levels to share resources
    - f. Implementation of a customer relationship management system in the very near future
    - g. Development of the region's first business acceleration program to aid in the success of start up and small businesses
    - h. Applied for and was awarded a Regional Entrepreneurship Collaborative Grant from the Department of Energy, Labor and Economic Growth
  - 2) Strategic regional collaboration
    - a. Development of the region's first Unified Strategic Plan for Growth and Prosperity: Greater Lansing Next with the assistance of a grant from the Kellogg Foundation
    - b. Management of 280 people on teams who meet monthly to report progress on seven key strategies to move forward
      1. Efforts under this plan are available at [greaterlansingnext.com](http://greaterlansingnext.com)
      2. Annual metrics and milestones to measure data and specific progress against these plans
  - 3) Place marketing
    - a. Existing perceptual barriers to overcome
    - b. Promotion of our community predominantly on a national scale

Ms. Ferguson spoke to the accomplishments of LEAP as contained on a handout distributed to Board members. She added an outline was included delineating goals set as a regional community. Ms. Ferguson noted there were 56 start-up companies assisted or currently being assisted with an impact of 524 jobs. She added 61 attraction projects resulted in an impact of 2,472 jobs with a payroll impact of \$6.2 million for a \$125.5 million capital investment target.

Trustee Veenstra inquired as to the number of individuals employed by LEAP, and the specific salary of the CEO/President.

Ms. Ferguson responded there are ten (10) employees.

Trustee Veenstra inquired as to Ms. Ferguson's salary.

Ms. Ferguson stated her annual salary is \$140,000.

Trustee Veenstra inquired as to the number of jobs LEAP "brought" to Meridian Township in 2008 through 2010, the years in which Meridian Township paid annual dues of \$35,000 to be a member of LEAP.

Ms. Ferguson responded she would look into those numbers and report back to the Board. She added she believed job growth would predominantly be in the entrepreneurial companies and companies where there was new job growth. Ms. Ferguson also stated there was not an attraction project in Meridian Township in 2008. She felt it noteworthy to point out that LEAP is an investment in the future of the region through research and development in a way different from the past.

Treasurer Brixie expressed appreciation for the significant reduction of dues offered by LEAP to its governmental members. She asked what type of organization Ms. Ferguson sees LEAP becoming in the next three years and inquired as to its plan for bringing more philanthropy into the organization.

Ms. Ferguson responded the region has "incredible" assets and some companies are doing extremely well. LEAP is focusing on smaller companies as the future of this region, ensuring they stay strong. Ms. Ferguson pointed out that, as with any new organization, it took a few years for LEAP to develop, but it is now positioned to accomplish more, specifically in the attraction area of business development. She noted LEAP's focus will continue to be on entrepreneurship and innovation through the creation of new companies, taking advantage of platform technologies out of Michigan State University.

Trustee Veenstra asked what LEAP does to help a local business grow.

Ms. Ferguson responded LEAP works with each new company on its business plan, business strategy and access to capital in the start-up phase by offering professional resource contacts such as accountants, lawyers, angel investors, etc. She labeled LEAP as the "connector."

Supervisor McGillicuddy announced the Township was one of seven (7) Michigan communities which received an award from the University of Michigan-Dearborn's Center for Innovation Research (iLabs) for the Township's efforts at fostering entrepreneurial growth and economic development. She added the Township has accomplished this through an entrepreneurship program called the Meridian Asset Resource Center (MARC).

Trustee Veenstra reported his attendance at Tri-County Regional Planning Commission's (TCRPC) Transportation Review Committee on October 13, 2010. He noted a state rail plan for passenger and freight rail service is being developed and the plan is currently open for comment. Trustee Veenstra, once again, alerted residents to a packet provided in a white notebook at each Board meeting for public perusal. He expressed concern with "misleading" content contained in the *Meridian Monitor* article titled "Meridian Goes Green with Streetlight Project."

Treasurer Brixie reported her attendance at the Tri-County Groundwater Management Board where its budget was discussed, noting a significant decrease in wellhead protection grants will require elimination of some programs. She expressed a desire for continued regional educational efforts where groundwater protection ordinances, co-mingled with municipalities' master plan revisions to ensure up-to-date information, will adequately protect drinking water.

Trustee LeGoff requested East Lansing and Meridian Township officials jointly discuss the medical marihuana issue.

Trustee Ochberg attended the Economic Development Corporation meeting last week where the issue of reconsideration of a request for an extension of special use permits was discussed. She indicated consensus was reached not to have time limits on special use permits.

Trustee Veenstra requested an explanation on Township involvement in treatment of phragmites colonies near Lake Lansing.

Trustee Dreyfus announced a second follow-up meeting of the Meridian Time Bank on Saturday, October 23, 2010 at the Meridian Activity Center beginning at 10:00 a.m.

In response to Trustee Veenstra's comment regarding Township involvement in phragmites treatment, Director Severy explained that the volunteer group and Ingham County approached the Lake Lansing Watershed Advisory Committee (LLWAC) and asked if it would participate in the treatment of phragmites as they have an impact on Lake Lansing. He indicated the decision of the committee was to participate through funding for the helicopter to spray areas of the parks which could not be treated through the hand sprayed method. Directory Severy noted funding came from assessments to the lake association. Upon request, he explained the concern surrounding the invasive nature of phragmites plants.

6. APPROVAL OF AGENDA

**Treasurer Brixie moved to approve the agenda as submitted. Seconded by Trustee Dreyfus.**

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Trustee Ochberg.**

Board members and staff discussed the following:

- Concern the water and sewer benefit charges for properties on Herron Road will be a financial hardship on residents
- Connection charges can be financed over a period of time
- Food bill of \$112 for 25 individuals who attended a recycling event where four (4) speakers addressed energy uses, reduction, etc.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follows:

A. Communications

(1). Board Deliberations (BD)

BD10D/E-1 Mark Clouse, CFO & General Counsel, Eyde Company, 4660 S. Hagadorn Road, Suite 660, East Lansing; RE: Second request for Board approval of extensions to SUP #08101 and SUP #08121 (Eyde)

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- BD10D/E/F-1 Treasurer Brixie; RE: Estimated *Real* Property Tax Revenue from SUP #08101, #08121 and 643 Grand River Avenue
- BD11B-1 Treasurer Brixie; RE: Article from the October 6<sup>th</sup> edition of the *Lansing City Pulse* entitled Prohibition and medicine...
- BD11B-2 Molly Chambers, 1199 Teakwood Circle, Haslett; RE: Appreciation for the Board's decision not to enact a medical marihuana moratorium ordinance
- BD11B-3 Clyde Keep, 2812 Trudy Lane; Lansing; RE: Appreciation for the Board's decision not to enact a moratorium on medical marihuana facilities
- BD11B-4 Jen Shelton (address unknown); RE: Appreciation for the Board's decision not to enact a moratorium on medical marihuana facilities
- BD11B-5 Dawn Sears. 6900 Kingdon Avenue, Holt; RE: Appreciation for the Board's decision not to enact a moratorium on medical marihuana facilities
- BD11B-6 Nicole Waugh, 2515 Hummingbird Drive, Holt; RE: Appreciation for the Board's decision not to enact a moratorium on medical marihuana facilities
- (2). Commission Linkage (CL)
- CL-1 Marsha Madle, Economic Development Corporation (EDC) Chair; RE: EDC roundtable discussion on the special use permit process and economic growth and development in Meridian Township
- CL-2 Marsha Madle, Economic Development Corporation Chair; RE: EDC request to enlarge its membership and recommendation for current EDC board vacancy
- (3). Staff Communications (SC)
- SC-1 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated October 4, 2010
- SC-2 E-mail from Richard Brown, Associate Planner; RE: Transmittal of resignation e-mail from Environmental Commission member Laura Donahue
- (4). On File in the Clerk's Office (OF)
- Material received at the October 5, 2010 Board Meeting  
Judith Blinn-Rudman, 2417 Sower Boulevard, Okemos; RE: Request for ordinance amendment to allow pets to run off leash in designated park areas "under the control of the owner

**Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

B. Minutes

**Treasurer Brixie moved to approve and ratify the minutes of the October 5, 2010 Regular Meeting as submitted. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

C. Bills

**Treasurer Brixie moved that the Township Board approve the Manager's Bills as follows:**

Common Cash	\$ 290,343.22
Public Works	\$ 880,397.16
Total Checks	\$1,170,740.38
Credit Card Transactions	\$ 6,231.63
Total Purchases	<u>\$1,176,972.01</u>
 ACH Payments	 <u>\$ 384,209.98</u>

**Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

[Bill list in Official Minute Book]

D. Water and Sewer Benefit Charge for Herron Road and Pioneer Trail Properties

**Treasurer Brixie moved to approve the resolutions establishing water system and sanitary system benefit charges for Herron Road and Pioneer Trail, establishing a cost of \$48 per linear foot of frontage (plus 5% annual increase) for the water main with a maximum for single family residences of \$10,000.00 (plus 5% annual increase), and establishing a cost of \$103 per linear foot of frontage (plus 5% annual increase) for the sanitary main with a maximum for single family residences of \$12,000.00 (plus 5% annual increase. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

E. Sale of Surplus Vehicles and Equipment

**Treasurer Brixie moved to approve the sale of the following surplus Township vehicles at public auction, internet auction, or by sealed bid:**

<u>Year</u>	<u>Make &amp; Model</u>	<u>VIN Number</u>
2008	Ford Crown Vic	2FAFP71V08X128931
2002	Chevrolet Tahoe	1GNEK13Z42J193605

**Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (None)
9. HEARINGS (None)
10. ACTION ITEMS/ENDS  
Supervisor McGillicuddy opened public comment.

Daria Schlega, 2446 Burcham Drive, East Lansing, expressed concern with the amount of non-essential services being paid for through various millages. She asked Board members to cut “luxuries” out of the budget. Ms. Schlega questioned whether a township of less than 40,000 residents can financially support adequate police and fire protection for additional commercial development as she believed it does not pay for itself.

Leonard Provencher, 5824 Buena Parkway, Haslett, urged the Board to receive requested information from LEAP prior to its determination on whether to continue membership in that organization.

Mark Clouse, CFO and General Counsel, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, spoke in support of the one-year extension requests for SUP #08101 and #08121.

Supervisor McGillicuddy closed public comment.

A. 2011 Budget

**Treasurer Brixie moved that the Township Board approve the 2011 recommended budget resolution as presented with the memorandum to the Township Board dated October 15, 2010. Seconded by Trustee LeGoff.**

Board members discussed the following:

- Necessary cuts to the budget
- Several items are statutorily required (e.g., holding of elections, mailing of tax bills, collection of taxes, etc.)

**Trustee Veenstra offered the following amendment:**

- **Delete the \$15,000 expenditure to LEAP, Inc. for membership dues**

**Seconded by Trustee Ochberg.**

Board members and staff discussed the following:

- Board member statement that the \$15,000 LEAP membership dues is an unnecessary expenditure
- Half-time EDC position is an existing planner who will reallocate his time to work on economic development issues, entrepreneurial grants, etc. in conjunction with the Assistant Township Manager
- Value in belonging to a regional organization like LEAP is that the Township is “at the table” with the private and other public sectors to garner information through an exchange as the region grows
- Shortsightedness in leaving this organization after investing time and money in it
- Preference for the money invested in LEAP to be spent on the 4<sup>th</sup> of July celebration where the entire community comes together
- Fiscal prudence for the entire region to have a strategic plan
- Benefit that LEAP is not involved in the “intimate” politics of the various municipalities relative to economic development
- Industry of the future fits into office zoning
- TCRPC previously hosted a “Red Team” which primarily consisted of governmental officials, utilities and a smattering of business people
- Red Team lacked the private sector which creates job
- Sense in having a public/private organization where all three (3) entities (government, utilities and private sector) come together with a coordination and understanding of what is needed
- Chamber of Commerce and TCRPC as entities which should perform the economic development role for Meridian Township
- The largest single component of TCRPC is transportation issues

ROLL CALL VOTE: YEAS: Trustees LeGoff, Ochberg, Veenstra

NAYS: Trustee Dreyfus, Supervisor McGillicuddy, Treasurer Brixie  
Motion failed 3-3.

Continued Board discussion:

- Request for LEAP to provide the Board with measurable results next year for Meridian Township's continued membership in its organization
- Acknowledgment of Chair Madle's leadership of the EDC and other members who continue to work on the same issues as LEAP

**Trustee Veenstra offered the following amendment:**

- **Delete \$165,000 for the South Okemos Road project**

**Seconded by Trustee LeGoff.**

Board members discussed the following:

- Township has higher priorities than what began as a median on South Okemos Road
- Project is a luxury the Township can no longer afford

ROLL CALL VOTE: YEAS: Trustees LeGoff, Ochberg, Veenstra  
NAYS: Trustee Dreyfus, Supervisor McGillicuddy, Treasurer Brixie  
Motion failed 3-3.

**Trustee Veenstra offered the following amendment:**

- **No funds in the budget shall be expended to pay extra compensation to the Assistant Manager for staffing the Downtown Development Authority**

**The motion died for lack of a second.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Treasurer Brixie  
NAYS: Trustees Ochberg, Veenstra  
Motion carried 4-2.

B. Haslett Library Relocation Lease Agreement

**Trustee Ochberg moved that the Township enter into a lease agreement with Haslett Public Schools for space to house the Haslett Branch of the Capital Area District Library in a form approved by the Township attorney, and the Township Manager be authorized to sign the lease agreement on behalf of the Township. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Appreciation for all parties who participated in the fundraising efforts
- Board member concern with language which states any convicted felon is precluded from being a staff member
- Board member comment the language actually states any convicted felon is precluded from being a staff member to the extent permitted by law
- Partnership between the Township, Haslett Public Schools, the public and private sectors
- Agreement reviewed by the parties' attorneys
- Boilerplate language indicating possible Township payment of real and personal property taxes imposed on the community library space
- Township does not anticipate ever paying real and personal property taxes on the building

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

C. 3<sup>rd</sup> Quarter Budget Amendments

**Treasurer Brixie moved that the Township Board approve the 2010 amended budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated October 15, 2010. Seconded by Supervisor McGillicuddy.**

Board members and staff discussed the following:

- Board member concern that the \$190,000 loan to the DDA appears as \$225, 000 for the construction project
- Budget amendment reflects previous action approved by the Board
- \$225,00 was included in the June budget amendment based on the engineer's estimate
- Actual loan document states the DDA cannot borrow more than \$190,000 from the Township
- Request for loan amount within the budget be changed from \$225,000 to \$190,000
- Staff suggestion to change the construction and improvements amount under expenditures to \$244,200

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie

NAYS: None

Motion carried 6-0.

- D. Special Use Permit (SUP) #08101 (Eyde), request for extension of SUP for Central Park Drive Mixed Use Planned Unit Development  
**Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Special Use Permit #08101, for a period of one year, from November 6, 2010 to November 6, 2011, with the following condition:**

- 1. All previous conditions placed on the special use permit approval shall remain in effect.**

**Seconded by Trustee Veenstra.**

Township Board members discussed the following:

- EDC roundtable discussion regarding handling of special use permit extensions
- Impact of the economy on the granting of special use permit extensions
- Statement made at the EDC meeting that the Township needs to employ consistency, certainty and clarity
- Previous Board discussion that new commercial space should not be granted while there is vacant space available
- Request for the Board to look at consistency amongst and between all Township permits at its policy and goals meeting in January

**Trustee Veenstra offered the following amendment:**

- **Amend the NOW THEREFORE clause after #08101 by inserting "in conjunction with MUPUD #08034, a mixed use planned unit development on 7.29 acres located east of Central Park Drive, north and south of Columbus Avenue."**

**The amendment was accepted by the maker.**

Continued Board discussion:

- Concern a drive-through window does not promote walkability
- Size of the building destroys a natural resource (trees) on the property
- Elevation changes need to be made in order to build and will drastically effect the trees
- Board member statement there are no changed circumstances based on the three (3) criteria given in the staff report
- Need for Board members to look beyond their own personal preferences

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Veenstra, Treasurer Brixie

NAYS: Trustee Ochberg, Supervisor McGillicuddy

Motion carried 4-2.

- E. Special Use Permit (SUP) #08121 (Eyde), request for extension of SUP for Marsh Road Mixed Use Planned Unit Development

**Trustee Dreyfus moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Special Use Permit #08121, for a period of one year, from November 18, 2010 to November 18, 2011, with the following condition:**

- 1. All previous conditions placed on the special use permit approval shall remain in effect.**

**Seconded by Treasurer Brixie.**

**Trustee Veenstra offered the following amendment:**

- Amend the NOW THEREFORE clause after #08121 by inserting “in conjunction with MUPUD #08044, a mixed use planned unit development located on 5.39 acres at 5155 Marsh Road.”**

**The amendment was accepted by the maker.**

Township Board members discussed the following:

- Conditional rezonings should have a time deadline
- Development of property to the north as a home for the aged as a changed circumstance
- Concern whether this is an appropriate size next to a home for the aged

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Veenstra, Supervisor McGillicuddy,  
Treasurer Brixie  
NAYS: Trustee Ochberg  
Motion carried 5-1.

- F. Water Main Extension Request, Grand River Avenue

**Treasurer Brixie moved to refer the applicant’s request to extend the existing water main, located on Grand River Avenue, which currently ends east of Wellington Drive, and additional 960 lineal feet to 743 Grand River Avenue, to the Planning Commission for a Section 61 Review as to its location, character and extent. Seconded by Trustee LeGoff.**

Township Board members, staff and the applicant discussed the following:

- Water main extension would ensure the safety of the region’s groundwater
- Owner request to extend water and expand and renovate the site would allow for additional clean-up through new construction and placement of new tanks
- Applicant would need to drill an additional well without the requested extension
- Additional wells at gas stations are a potential source of contamination and environmentally undesirable
- All Township residents and the entire Lansing region drink out of the Saginaw aquifer
- No current water suppression system for the gas station pumps as the location has been grandfathered
- New gas station could not be built today if it did not meet the fire code
- If the applicant desires to install an additional gas pump, all gas pumps would have to be suppressed or fire hydrants installed
- Asset for the fire department to have a fire hydrant in the area where there currently are none
- History of fires on Meridian Road where water had to be shuttled
- Master Plan outlines zoning in the eastern third of the Township
- High density residential development would require sewer extension
- Large amount of wetlands within the eastern third of the Township
- Previous settlement agreement provided extension of water to the subject property
- Water main extension would significantly improve fire protection for residents in the area
- Applicant can remodel the convenience store and/or the gas station without the water extension but would need to drill another well
- Additional well is needed for fire suppression
- 12” pipe has adequate pressure to service the area without “looping” the line
- Entire process for the water main extension request

- Water from the new well would only be used for fire suppression
- Fire Department concern with the quality of well water being put through the Township's fire pumps
- There is no mechanism for the Fire Department to "hook up" to wells for fire suppression
- During the Planning Commission's initial approval process, it was decided the Fire Department and the applicant's engineer would find the proper fire suppression system to ensure the safety of the pumps and pump islands
- Process of finding the proper fire suppression system combined with the risk of future water contamination by drilling a new well led to the conclusion it was safer to bring Township water to the site
- Planning Commission approval of the SUP was necessary as the Township's zoning ordinance states a gas station is only allowed in a commercial district by SUP

ROLL CALL VOTE: YEAS: Trustees LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Treasurer Brixie  
NAYS: Trustee Dreyfus  
Motion carried 5-1.

- G. Essential Wetland Determination (METC/ITC), Van Atta Road  
**Trustee Dreyfus moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Section 22-156 of the Township Code of Ordinances, hereby identifies an approximate 0.70 acre un-numbered Township Wetland located approximately 170 feet north of Township Wetland #24-27 as essential to the preservation of the natural resources of the Charter Township of Meridian. Seconded by Treasurer Brixie.**

Township Board members discussed the following:

- Appreciation that the Township has the foresight and resources to regulate wetlands which state government does not
- This wetland meets several of the Township's criteria that benefits the health, safety and welfare of residents

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Treasurer Brixie  
NAYS: None  
Motion carried 6-0.

[Supervisor McGillicuddy recessed the meeting at 8:54 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 9:06 P.M.]

#### 11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Jennifer Anderson, 6028 Porter Avenue, East Lansing, read from an e-mail she sent to the Board in support of a medical marihuana moratorium, citing the need for regulation. Ms. Anderson believed the Board vote on a medical marihuana moratorium took away the right of Township residents to provide input and have a voice in what happens in the Township. She added Michigan residents voted to legalize medical marihuana, but did not vote for dispensaries. Ms. Anderson requested the Board reconsider the moratorium as an opportunity to have meaningful discussion on the best ways to implement the law and give residents the opportunity to provide input. Leonard Provencher, 5824 Buena Parkway, Haslett, expressed appreciation for previous public comments relative to medical marihuana.

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in support of a moratorium on pharmacies, as he labeled prescription drugs the worst "scourge" of our generation. He spoke in support of restricting medical marihuana dispensaries in residential areas, while finding value in commercial and professional office districts.

Daria Schlega, 2446 Burcham Drive, East Lansing, spoke to The Herbal Center's sign size located at the corner of Towar Avenue and Lake Lansing Road. She expressed concern that the size should be more "discreet" so that people do not have the wrong impression as to the type of herbs involved.

Supervisor McGillicuddy closed public comment.

B. Michigan Medical Marihuana Act

Board members discussed the following:

- East Lansing passed an ordinance and placed a moratorium on medical marihuana
- Dispensaries currently open for business will be grandfathered in if a moratorium is put into effect
- Board discussion should focus on the zoning of medical marihuana dispensaries
- Request for Board members to discuss areas of agreement (i.e., commercial dispensary in a residential neighborhood)
- Suggestion to obtain information and/or have a conversation with East Lansing officials regarding its medical marihuana regulations
- Support for a regulation to prohibit medical marihuana consumption on premises
- Support for implementing setbacks from residential areas
- Reminder to citizens that Meridian Township did not place the current dispensary at the corner of Towar Avenue and Lake Lansing Road
- No noticing requirement exists in Township ordinances for public notification of a medical marihuana dispensary
- Major obstacle that marihuana has been viewed as illegal for the past 70 years
- New views regarding medical marihuana use in 14 states
- Gray areas and omissions currently in the law
- Limited amount of data available on the medical marihuana issue
- September, 2010 *Denver Post* article noted no correlation between crime and the 175 dispensaries in Colorado Springs
- Board should discuss inclusion of security measures
- Traffic concern if dispensaries are located in residential areas
- State regulation through the registry card and caregiver application process
- Existing Township regulations for residential businesses
- Concern with creating restrictions on a business where no problems have been identified
- Concern with legal fees if Township attorneys are involved in this issue
- Residents should not be allowed to conduct a business which places an unreasonable burden on neighbors
- Concern with a moratorium if there is no clear direction as to what will be accomplished
- Suggestion to require dispensaries to obtain a special use permit
- Support of a business license fee for dispensaries
- Existing zoning laws allow for residents to shape the way their community looks
- Support for an informational hearing on medical marihuana
- Dispensary is not legally defined at the current time

A. Mixed Use Planned Unit Development (MUPUD) Ordinance Amendments

Township Board members discussed the following:

- Performance bonds as a method to address a multi-phased approach
- Suggestion for MUPUD's to have a 24 month time limit
- Inclusion of language for a 175 foot setback from railroads for resident safety
- Board member request for a zoning map with commercial and office properties adjacent to railroads to ascertain the impact of the 175 foot setback requirement
- Setback requirements within the MUPUD would allow the Zoning Board of Appeals to have control over the projects
- Setbacks waived based on the design maintain Board control over the project
- Board member support for the EDC recommendation of a five (5) year timeline
- Board member statement the Zoning Board of Appeals has never given a variance from the 175 foot setback requirement from a railroad track is not true

- Need for Board consistency on setback requirements

**It was the consensus of the Board for staff to provide draft language for a timeline, provide a zoning map with commercial and office properties adjacent to railroads, provide Board members with a clean draft copy of the MUPUD and perform additional research on performance bonds and their legality.**

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Vance Kincaid, 4530 Nakoma Drive, Okemos, offered his concurrence that a setback requirement is needed for resident safety. He believed a number of alternatives exist (e.g., berms, ditches, reinforced retaining walls, etc.) to mitigate the catastrophe quotient for railroads. He requested the Board use proper journalistic etiquette and institute bylines in issues of the *Meridian Monitor*. He supported a “no consumption on site” prohibition for medical marihuana. Mr. Kincaid pointed to the home occupation restriction contained in the Township ordinances of 25% of the building’s square footage. He expressed concern with the following areas of the budget: LEAP dues, South Okemos Road Project, overtime for the Assistant Township Manager as staff person to the DDA, support of the Metro Squad, half time economic planner position and a .6 contracted fire administrator position.

Jennifer Anderson, 6028 Porter Avenue, East Lansing, spoke to earlier Board comment by clarifying marihuana is not equal to pharmaceuticals as it is a Schedule 1 drug. She expressed disappointment with the Board’s continued inaction on the medical marihuana issue. Ms. Anderson requested the Board schedule an informational meeting on medical marihuana.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee LeGoff noted an Election Commission meeting was held on October 5, 2010 to approve election inspectors for the November 2, 2010 General Election.

Treasurer Brixie requested the topic of a four (4) day work week be placed on a future agenda for Board discussion prior to any implementation by the Township Manager.

Trustee Veenstra inquired as to why employee benefits vary widely as contained in the salary and benefit memorandum provided by staff.

Township Manager Richards explained there are two variables which impact the dollar figure of each employee’s pension benefits: 1) specific pension program each employee is in (number of active and retired members) and 2) each individual and his/her particular circumstances with health insurance.

Trustee Veenstra noted that, of the approximately 130 employees, 36 have a total of salary plus benefits of over \$100,000 and the benefit amounts drive up Township costs.

Manager Richards clarified earlier public comment by stating the Township does not pay salaried personnel overtime wages. He also explained the number of employees being discussed by one Board member are general fund employees; there are additional employees funded through Public Works, etc.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:40 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M.G. HELMBRECHT, CMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary