

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD WORK SESSION MINUTES - **APPROVED** -
5151 Mash Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, APRIL 3, 2001, 5:30 P.M. - 7:00 P.M.

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode
ABSENT: None
STAFF: Personnel Director/ Assistant Manager Paul Brake, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, EMS/Fire Chief Fred Cowper. Computer Specialist Stephen Gebes, Attorney William Fahey, Attorney Mike Woodworth

1. CALL WORK SESSION TO ORDER

Supervisor McGillicuddy called the Work Session to order at 5:35 p.m.

2. QUESTIONS FOR THE ATTORNEY

Supervisor McGillicuddy stated she asked the Attorneys to arrive at 6 p.m. for the closed session.

3. COMMITTEE OF THE WHOLE

A. Smart Places Software Demonstration - Mike Thomas

Supervisor McGillicuddy stated since Mr. Thomas wasn't present, the Board could discuss future agenda items.

- Discussion regarding the Board of Review article in the newspaper. The Supervisor and Township Manager were asked to review this matter and report back to the Board at the next meeting.

Mike Thomas, Professor, Michigan State University, presented the Smart Places Software program and how it would work with the Township's current Arc View.

- Build information base about the Township
- A GIS (Geographic Information System)
- Revise and update Township Comprehensive Plan
- Address transportation and other growth issues
- Support land preservation programs
- Manage growth for long term sustainability

B. Closed Session

Trustee Brixie moved to go into closed session to discuss a written legal opinion from the Township Attorney. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

The Board went into closed session at 6:46 p.m.

The Board reconvened at 8:04 p.m.

4. ADJOURNMENT

Trustee Such moved to adjourn the work session. Seconded by Trustee Brixie.

Voice vote: Motion carried unanimously.

CHARTER TOWNSHIP OF MERIDIAN, WORK SESSION, APRIL 3, 2001 - APPROVED

Supervisor McGillicuddy adjourned the Work Session at 8:04 p.m.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARK M. G. HELMBRECHT
TOWNSHIP CLERK

Teresa A. Brazee, Deputy Clerk

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING MINUTES - **APPROVED** -
5151 Mash Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, APRIL 3, 2001, **8:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode
ABSENT: None
STAFF: Personnel Director/ Assistant Manager Paul Brake, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, EMS/Fire Chief Fred Cowper. Computer Specialist Stephen Gebes, Attorney William Fahey, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 8:06 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Charles Willems, 1387 Hickory Island, Haslett, spoke regarding his property which now has a house number of 1381 Hickory Island.

Jean Nichols, 6232 Brookline Ct., East Lansing, spoke regarding Irvin Kebler as a Planning Commissioner.

Irvin Kebler, Chief Operations Officer, Eyde Company, spoke in support of SUP #99151's one-year extension.

5. REPORTS/BOARD COMMENT

Board Members discussed the request from Mr. Philip Dwyer to close Short Street off at Hamilton Road. Supervisor McGillicuddy stated they could bring this topic up at the joint meeting with the Ingham County Road Commission.

Trustee Woiwode stated the Briarwood/Van Atta Task Force would be meeting in the future and would let the Board know the date.

Trustee Brixie stated the Van Atta Task Force would be meeting in the future and would let the Board know the date.

Trustee Brixie stated there was a problem with the replay of the last Planning Commission meeting. She stated this was an issue and staff has been working on it.

Trustee Such asked questions about the letter received from a homeowner regarding water damage to their house.

Supervisor McGillicuddy stated the Township prevailed in today's court proceedings regarding Action Items 9A & 9B.

6. APPROVAL OF AGENDA

Clerk Helmbrecht moved to approve the agenda. Seconded by Trustee Such.

Clerk Helmbrecht read a list of communications received since noon Friday:

- Jean Valley, 5777 Beuna Parkway, Haslett; opposing Wal-Mart.
 - Margaret W. Plagge, 2248 Kent Street, Okemos, opposing Wal-Mart
- [See April 17, 2001 Communications for above documents]

Clerk Helmbrecht asked to add 7J to the agenda to change the time of the April 17 meeting from 6:00 p.m. to 5:30 p.m.

Treasurer Hunting asked to remove Lansing Chamber of Commerce bill from the bill list.

Voice Vote.

Amended motion carried unanimously.

7. CONSENT AGENDA

Trustee Such moved to adopt the Consent Agenda as amended. Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

Therefore, the above actions were taken with the votes as follows:

A. Communications

(1) Appreciation & Commendation (AC)

AC-1 Nelson Edmondson, 4092 Wharf Drive, Okemos; RE: Thanking paramedics Lt. Bob McAlvey and Brian Pennel for their services transporting him to the hospital

(2) Board Deliberation (BD)

BD-1 Thomas Linsmeir & Frances Malloy, 4317 Tacoma Blvd, Okemos; RE: Claim for property damage

(3) Board Information (BI)

BI-1 Margo & Guenter Stork, 2702 Cahill Drive, East Lansing; RE: Sidewalk Assessment District No. 1, Resolution No. 4 Dated March 8, 2001

BI-2 Philip Dwyer, 2327 Hamilton Road, Okemos; RE: Reclosing traffic at the section of Hamilton Road between Short Street, west to the intersection of Hamilton Road and Grand River

BI-3 David Woltz, Member of the Board of Review; RE: March 24, 2001 Lansing State Journal Article

BI-4 Eleanor Luecke, President, LINC; RE: Zoning Amendment #01040, New C-3 Zoning District

BI-5 Mark Holoweiko, President, Stony Point Communication, Inc. to John Rawcliffce, General Manager, AT&T Broadband; RE: Problems with AT&T Broadband's TCI.MET service

BI-6 Robert J. Phipps, Partner, Central park Black, 1331 E. Grand River Avenue, East Lansing; RE: Rezoning #01040, 505-5100 Marsh Road

BI-7 Frank Webster; RE: Selection of a Law Firm

BI-8 Ladona & Leonard Zack, 5412 Blue Haven Drive, East Lansing; RE: Sidewalk repair

BI-9 Michigan Townships Association; RE: Weekly fax ending 3-16-01

BI-10 Christina Riddle; 2049 Hamilton Road, Okemos; RE: Roads

BI-11 Lansing School District's launching of the Political Study Project to begin at Vivian Riddle and Wexford Community Schools

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, APRIL 3, 2001 - APPROVED

- BI-12 Bill & Mary Opland, 315 Haslett Road, Haslett; RE: Support of Wal-Mart
- BI-13 Kay Dunn, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing
- BI-14 Michigan Townships Association; RE: Weekly fax ending March 23, 2001
- BI-15 Eleanor Luecke, President; LINC; RE: 2001 Road Construction Projects Hearing
- BI-16 Jean G. Nicholas, 6232 Brookline Ct., East Lansing; RE: Planning Commissioner Mr. Kebler's service on the Planning Commission
- BI-17 Harris Nature Center Press Releases
 - (a) Earth Day Celebration
 - (b) Earth Day Wildflower Walk
 - (c) Learn About Growing Native Plants and Perennials
 - (d) Breakfast with the Birds
- BI-18 Lucy Ramsey, 1800 Towner Road; RE: Support of Wal-Mart
- BI-19 Larry Sawdy; RE: Various Board polices

- (4) Freedom of Information (FOI) [On file in Clerk's Office]
 - FOI-09 Robert Snell, Lansing State Journal; RE: Board of Review minutes and communications for current year.
 - FOI-10 Jared A. Roberts, Loomis, Ewert, Parsley, Davis & Gotting; RE: Copies of Township Comprehensive Development Plan map, zoning map and preliminary plat map for Central Park Estates.
 - FOI-11 Mark K. Clouse, Eyde Company; RE: Request for a copy of the audiotape and videotape of Planning Commission's meeting of March 26, 2001.

- (5) On File in Clerk's Office (OF)
 - OF-1 Okemos Board of Education March 19, 2001 Meeting Agenda and Packet
 - OF-2 Ingham County Board of Commissioners March 27, 2001 Agenda and Packet

Trustee Such 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 Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

C. Bills

Trustee Such moved that the Township Board approve the Manager's Bills as follows:

General Fund/Special Revenue	\$252,920.43
Public Works	\$ 25,669.48
<u>Total Checks</u>	<u>\$278,589.91</u>
<u>Credit Card Transactions</u>	<u>\$ 18,399.65</u>
Total Purchases	<u>\$296,989.56</u>

Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAY: None
Motion carried unanimously.

[Bill list for 04/03/01 in Official Minute Book]

D. First Quarter Budget Amendments

Trustee Such moved that the 2001 Amended Budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated April 3, 2001 be approved. Seconded by Trustee Woiwode.

Roll Call Vote: YEAS: Trustees Brixie, Stier, Such Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAY: None
Motion carried unanimously.

E. Road Closure Application, Nokomis Learning Center Drum Run

Trustee Such moved that the Township Manager's Office be authorized to request the Ingham County Road Commission to temporarily close Central Park Dr. and Marsh Rd. on April 29, 2001, from 8:30 am until 10:30 a.m. for the Nokomis Learning Center's Annual 5K Drum Run/Walk. Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

F. Investment Policy - No motion made.

G. Contract Award for Reconstruction of Mt. Hope Road Pedestrian/Bicycle Pathway

Trustee Such moved to authorize the Township Supervisor and Clerk to sign a contract, in a form approved by the Township Attorney, with BBR Progressive Concrete, Inc., of Grand Ledge, MI for the award of the 2001 Pathway Contract #2 (Mt. Hope @ Fairlane), in the amount of \$24,587.00, to be paid from the pathway millage. Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

H. Essential Wetland Determination

Trustee Such moved to approve the essential wetland determination for two (2) wetlands (Wetlands 23-16 and 23-17), identifying them as essential to the preservation of the natural resources of the Township. Approval is based upon the findings and recommendation of the Township's Wetland Consultant, and in accordance with the requirements of the Charter Township of Meridian Wetland Protection Ordinance (Chapter 105). Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

I. Donation of Used TV Equipment

Trustee Such moved that the Township Board authorize the Township Manager to declare those items enumerated on the March 29, 2001 memorandum as surplus under State law and donate the used TV equipment to Okemos High School and Haslett High School. Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None

Motion carried unanimously.

8. HEARINGS (None)

9. ACTION ITEMS

Supervisor McGillicuddy opened public comments.

Chris Bzdok, 420 E Front St., Traverse City, MI, spoke in opposition to the time extensions of SUP #99151 (Eyde) and SUP #99091 (Wal-Mart).

Don Story, 4526 Marlborough Rd., Okemos, MI, read the following: "In the end, our society will be defined not only by what we create but what we refuse to destroy."

Supervisor McGillicuddy closed public comment.

- A. SUP #99151 (Eyde), request for a one-year time extension of the special use permit for work in the floodplain/groundwater recharge area for the Times Square Drive development located east of Marsh Road and north of Central park Drive, Okemos

Trustee Woiwode moved to refer the appeal of the time extension of Special Use Permit #99151 (Eyde) to the Planning Commission for its response to the following question:

Did condition number 4 of November 9, 1999 Special Use Permit approval letter require the applicant to obtain a final, non-modifiable and/or irrevocable permit from the Michigan Department of Environmental Quality (MDEQ) before commencing construction?

The Planning Commission shall respond to the question and report to the Township Board prior to the Board's meeting on May 15, 2001. The Supervisor may be contacted for clarification of any part of the above motion.

Seconded by Trustee Brixie.

- Board members discussed the Planning Commission's time frame for the request.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting

NAYS: Trustee Such

Motion carried 6-1.

- B. SUP #99091 (Wal-Mart), request for a one-year time extension of the special use permit for the proposed 141,000 square foot retail building on the east side of Times Square Drive, Okemos

Trustee Woiwode moved to grant the appeal and deny any "extension" of Special Use Permit #99091 and all prior resolutions in whole or part inconsistent with the resolution are hereby rescinded. Seconded by Trustee Stier.

Board Members discussed the following:

- Township ordinances do not allow for SUP extensions.
- If Wal-Mart had begun construction at the end of the first year, the ordinance would have allowed them to continue for the three-year period.
- Wal-Mart has a right to develop their land under the guidelines of the ordinances.
- The SUP that was granted no longer exists.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy
Treasurer Hunting

NAYS: Clerk Helmbrecht, Trustee Such
Motion carried 5-2.

[Official Resolution in the Minutes Book]

- C. Delay Effective Date of Zoning Districts C1, C2 and C3 (ZA #98150- Planning Commission)
Mark Kieselbach, Director of Community Planning & Development, explained the zoning amendment.

Board Members discussed the following:

- The first proposed amendment would be that in the C-2 and C-3 districts buildings greater than 25,000 square feet would require a special use permit.
- The seconded proposed amendment would be in all zoning districts the Township Board would have the final decision for a building that needs a special use permit because of its size.
- Drive-thru windows should require a special use permit because it is a health, welfare and safety concern of the community.
- Would like to add drive thru windows to this resolution.
- Director Kieselbach stated if that was done, it would prolong the effective date of the amended resolution.

Trustee Brixie moved to introduce for publication and subsequent adoption the resolution to amend the effective date of Ordinance No. 2000-17 from April 30, 2001 to July 2, 2001. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

[Official Resolution in the Minutes Book]

Trustee Brixie moved to initiate an amendment to require a special use permit for all drive thru windows in the C-1, C-2, and C-3 zoning districts and the Planning Commission to review and make a recommendation on the proposed amendment. Seconded by Treasurer Hunting.

Voice vote. Motion carried unanimously.

- D. 2000 Sidewalk Repairs, Resolution #5
Younes Ishraidi, Chief Engineer, gave a breakdown of the assessment.

Trustee Woiwode moved to approve Resolution #5 -2000 ORDER TO MAINTAIN SIDEWALK REPAIR PUBLIC IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT NO. 2. Seconded by Trustee Such.

- Treasurer Hunting stated he was not comfortable charging the homeowners an administrative fee. This project should not be a revenue activity.
- Trustee Such shared the same concerns.
- Trustee Brixie stated the homeowners were aware of the fee. She also stated that in the future the Board would be discussing the Township's current administrative fee practices.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, APRIL 3, 2001 - APPROVED

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht
NAYS: Treasurer Hunting
Motion carried 6-1.

[Official Resolution in the Minutes Book]

10. DISCUSSION ITEMS

**Public Comments

There were no public comments.

A. Agreement between the Department of Resource Development, Partnership for Land and Water Systems, MSU and Meridian Township

Board Members discussed the following issues:

- Does the Township have the support staff for a system like this. Is the planning staff in support of this type of software?
- Township staff is in support of the new software and would work with Arc View that they are currently using.
- Does the Township have the staff currently to do the data input with the help of interns.
- It will be a priority in the future to have the staff, training and money to keep this system up and running.
- Are there any other systems to look at before the bid process.

B. Planned Unit Development #01-98014 (Giguere), Sapphire Lakes modification to building area
Mr. Kieselbach presented the new plans for the development.

C. Planned Unit Development #01-98024 (Giguere), Northport Condominiums modification to building area

Mr. Kieselbach presented the new plans for the development.

11. PUBLIC COMMENT

Supervisor McGillicuddy opened public comment.

Harold Schmidt, 4086 Dobie Road, Okemos, spoke regarding Irvin Kebler on the Planning Commission and the Wal-Mart project.

Supervisor McGillicuddy closed public comment.

12. FINAL BOARD MEMBER COMMENT (None)

13. ADJOURNMENT

Trustee Brixie moved to adjourn the meeting. Seconded by Trustee Such.

Voice vote. Motion carried unanimously.

Supervisor McGillicuddy adjourned the meeting at 9:40 p.m.

SUSAN MCGILLICUDDY
SUPERVISOR

MARY M.G. HELMBRECHT
TOWNSHIP CLERK

Teresa Brazee, Deputy Clerk