

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, January 23, 2018, **6:00 P.M.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

ABSENT: None

STAFF: Township Manager Frank Walsh, Director of Public Works and Engineering Derek Perry, Director of Community Planning & Development Mark Kieselbach, Principal Planner Peter Menser, Economic Development Director Chris Buck, Police Chief David Hall, Interim Fire Chief Lori Schafer

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:03 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PRESENTATION

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened Public Remarks.

Lucy Millet, 2418 Indian Hills Dr., Okemos; Four Corners Group of Okemos, interested in the revitalization of the Four Corners / Downtown area of Okemos.

Leonard Provencher, 5824 Beuna Pkwy, Haslett; Addressed the right of the people to assemble, mentioned past incidents where residents were not treated respectfully (4th amendment rights) and removed from their home in their night clothes. States if there is ever a minority shooting in Meridian Township, the people have the right to assemble and a right to protest and hope that this ordinance is not interpreted to deny them that right.

Brent Forsberg, 4725 Mohican, Okemos; Invited the Board to view Elevation housing development, likes Master Plan and PICA districts process continuing. Tours of Downtown districts north of Detroit, look at the scale of 2-6 story buildings, invited the Board to join the tour.

Supervisor Styka closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Attended the Ribbon cutting for the Holiday Inn Express. Attended mediation with Summer Park Realty regarding the Walnut Hills development, meeting again February 21, 2018. Working on Redi-Ride Agreement with CATA. Annual report out in the next 3 to 4 weeks.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Trustee Opsommer reported:

- CATA Board of Directors met January 17; discussed paratransit services, new subcontractor, previous sub-contractor shortcomings, goal of increasing service. Staff did an RFP and had three bid responses, picked the middle, driver retention better with this firm.
- Two new or expanded fixed route service proposals – one in Meridian on Hannah Blvd., and a Downtown loop that would travel up to Old town and then south into REO town
- Shuttle system to and from Capital Region International Airport

Clerk Dreyfus reported:

- Attended Economic Summit sponsored by Board of Realtors; LEAP President reported labor availability concerns, mall/key retail corridors are struggling, condos are not a viable development option, student housing might be a bubble
- Janet Lily from MSU spoke about housing for students in the area; 4,472 MSU students live in Meridian Township, students comprise over 11% of the Township population
- Clerk’s Association meeting, Director of Bureau of Elections spoke on large 2018 ballot because of term limits, state proposals, closed party election consequences, issues with training and election workers
- New QVF to track voters and maintain voter records, will require new training
- Straight party voting issues, prohibitions on photos, concerns with ADA voting equipment (Voter Assistance Terminals)
- Election security; no hacking incidents and new protocols for security purposes
- Trustee Opsommer asked about closed party legislation discussed at Capitol
- Clerk Dreyfus stated that it is a concern in regards to election management and may be just at the private discussion stage in the legislature

Trustee Deschaine reported:

- Transportation Commission I-69BL Improvement Projects discussed will most likely happen in 2019
- Making recommendation regarding the area served by Redi-Ride service to expand to the PA 425 areas (Costco and College Fields)
- Parks volunteer recognition night Tuesday, January 30
- Treasurer asked questions regarding pedestrian issues with the I-69BL Improvement Project, resolution to take into consideration accommodations for pedestrians and cyclists

Treasurer Brixie reported:

- January 24, 2018, Tri-County Regional Planning Commission meeting will elect new leadership

8. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda with Item 13A removed. Seconded by Trustee Opsommer

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

9. CONSENT AGENDA (SALMON)

Supervisor Styka reviewed the consent agenda.

Treasurer Brixie moved to adopt the Consent Agenda with amendments. Seconded by Trustee Deschaine.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

A. Communications

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 Deschaine.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the January 9, 2018, Regular Meeting as amended. Seconded by Clerk Dreyfus.

- Amend Page 8, Item B
- Delete "Proposal raises density to 25 units per acre"
- Change to: PROPOSAL UNCAPS DENSITY
- Add: CONSIDER REMOVING HEIGHT LIMIT ALSO
- Add: CONSIDER MAKING RENEWABLE ENERGY ON PROJECTS MANDATORY

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

Trustee Opsommer moved to change the consensus on Item 13. A. Board Discussion from the January 9, 2018, minutes. Seconded by Treasurer Brixie.

CONSENSUS OF THE BOARD TO PLACE THIS ITEM ON THE AGENDA FOR ACTION AT THE NEXT BOARD MEETING.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

C. Bills

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

Common Cash	\$ 534,429.04
Public Works	\$ 447,818.20
Trust & Agency	\$ 62.69
Total Checks	\$ 982,309.93
Credit Card Transactions (Jan. 4 to Jan. 17, 2018)	\$ 8,867.07
Total Purchases	<u>\$ 991,117.40</u>
ACH Payments	<u>\$ 591,224.24</u>

Seconded by Trustee Deschaine.

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS (None)

12. ACTION ITEMS

A. Tentative Preliminary Plat #17012 Silverstone Estates (Mayberry Homes)

Trustee Opsommer moved to approve the resolution for Tentative Preliminary Plat #17012 (Mayberry Homes), Silverstone Estates, a single family subdivision consisting of 25 lots located east of Powell Road and north of Grand River Avenue. Seconded by Trustee Sundland

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

B. Final Plat #06012 Whitehills Lakes South No. 2.

Trustee Deschaine moved to approve the resolution for Final Plat #06012 Whitehills Lakes South No. 2, a single family subdivision of 21 lots located east of Park Lake Road and north of Lake Lansing Road. Supported by Trustee Jackson.

Staff and Board Discussion:

- Improvements in this project have not yet been completed but the developer submitted a performance guarantee to ensure that the improvements will be made and to cover the costs of the remaining improvements
- Director Kieselbach stated that the applicant can put up a bond so that the public improvements are made
- Board member stated some residents questioned the removal of trees near the highway and wanted clarification why there would be no buffer of trees
- Director Kieselbach responded the grade to make the lots more buildable may be the issue

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

C. Outdoor Assembly Ordinance

Treasurer Brixie moved to approve the resolution for the introduction of the amendment to Chapter 38, Article V, Outdoor Assembly of the Code of Ordinances. Seconded by Trustee Jackson.

Treasurer Brixie moved to approve the resolution for the introduction of the amendment to Chapter 38, Article V, Outdoor Assembly of the Code of Ordinances, with an amendment of the number of persons attending an event from 250 to 200 persons. Seconded by Trustee Opsommer.

Staff and Board Discussion:

- Event types/sizes, lot sizes, narrow streets, parking, event planning and notification
- No issues with large scale parties in the past
- Board makes decision on number of persons allowed, other communities vary greatly
- Concept of concurrent people at event vs. people attending over time
- Context and purpose of the ordinance, large late night gatherings (rave) vs graduation, wedding, and informal gatherings, most events will not trigger police
- Registration fees, insurance considerations, and cost, exceptions to the ordinance

Motion with Amendment:

VOICE VOTE: YEAS: Treasurer Brixie, Trustees Deschaine, Opsommer

NAYS: Supervisor Styka, Clerk Dreyfus, Trustees Jackson, Sundland

Motion failed 4-3

Motion on the Original Resolution:

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

D. Master Plan Implementation Strategy-PICA's
Economic Development Director Buck introduced proposal to remove the density cap in select areas of the Okemos and Haslett PICA's in an effort to spur development.

Trustee Jackson moved to initiate a zoning amendment addressing the MUPUD density proposal and forward to the planning commission for a public hearing and recommendation. Seconded by Trustee Sundland.

Staff and Board Discussion:

- Green building standards: Energy Star or LEED Silver Standard as possibility for developers, defining building standards in ordinance
- Concern over displacing the Haslett Child Development Center or encouraging developers to buy out or develop community assets
- Developers come with projects specifically for defined areas, supported because they don't butt-up to residential components, community concept of a village, dwelling unit not defined leads to greater density than density cap shows
- Market economics, interest rates, housing & retail demand, Douglas J and Horrocks projects fell through for various reasons and density was not one of them
- Existing MUPUD ordinance, with 18 dwelling units per acre, can accomplish economic redevelopment without a need for uncapped density, residential and rentals are more valuable to developers so retail and commercial become deprioritized, uncapped density is not going to be the magic fix to revitalize downtown, belief that increasing density does not lead to condos or single family homes, creating density through removal of height limits
- Board member belief vast majority of PICA input comes from Board and Commission members, or stakeholders connected with the Township, not ordinary citizens
- Citizen comments focus on concerns about the Four Corners – less traffic, parking issues, desire for development that addresses various needs of families and kids, concern that developer-led visions don't have input from the community
- Need to make something happen, belief that current targeted areas are harmful to the community, property values affected
- Create overlay districts that fit into these two areas, developments the community can be proud of, older/highly educated renters, hands-free living, better housing options, in-between housing that people will stay in, attractive density, DDA and EDC support
- Downtown Okemos Rd is in terrible condition, vacant buildings, difficulty to develop, accustomed to green space development, urban core development, East Lansing developing entire block, parking, inspiring developers to acquire all parcels on a block, renewable energy resources, effect of green building / LEED requirements on costs and development options, solar panels feasibility, State of Michigan 15% renewable energy standard, Township values maintained through LEED designations and encouraging green building Energy Star rating sends a strong signal of what the Township highly values
- Board member belief regarding Township "barriers" that discourages redeveloping challenging areas, redevelopment, and revitalization of challenging areas has been part of the Townships goals and efforts since the 90's, retail and commercial should not be an afterthought in an MUPUD
- 3 story height requirement (max 45 ft.), commercial allows additional height if increased setback, height is a necessity, avoid "big city" pitfalls, follow setback rules, protect privacy zones, use height adjustments to protect greenspace and valuable land, build pocket parks
- Height does not mean floors, could be high ceilings, architectural design on the top of the buildings

Trustee Opsommer moved to amend the draft MUPUD Ordinance Amendment under (e) 1: Architectural design and placement of buildings on the parcels will be consistent with the vision of the master plan and are to include sustainability and environmental considerations, and must produce at least 15% of its annual energy usage from **RENEWABLE** energy resource. Achieving Energy Star or LEED silver standards or better is highly valued. **Supported by Treasurer Brixie.**

Treasurer Brixie moved to amend the draft MUPUD Ordinance Amendment under section e to “For Mixed-Use PUDs within the boundaries of the Major Mixed-Use Redevelopment Overlay District, the Township Board may in its discretion approve a higher density per acre of residential dwelling units, and may remove the height requirement based upon the degree to which the proposed Mixed-Use PUD complies with the following performance criteria:” Seconded by Trustee Deschaine.

Renewable Energy Amendment:

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

Height Limitation Amendment:

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

Motion on original Draft MUPUD Ordinance Amendment:

ROLL CALL VOTE: YEAS: Supervisor Styka, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: Clerk Dreyfus

Motion carried 6-1.

E. Police Department Ordinance Amendments and Additions-Introduction

Chief Hall introduced the Police Department Ordinance Amendments and Additions. Chief stated that two Ordinances would be amended and four would be added with no additional attorney’s fees.

Treasurer Brixie moved to approve the resolution for the introduction of the amendments to Chapter 50 of the Code of Ordinances to amend minor in possession and resisting and obstructing, and add malicious destruction of property, larceny, embezzlement and assault, and battery.

Staff and Board Discussion:

- Meridian Township is coming into compliance with changes in State of Michigan laws
- Allows the Township to share in the monetary penalties that occur
- Citations can be written under Meridian Townships Ordinance which gives Meridian Township some of the revenue

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

B. Commercial Planned Unit Development (C-PUD) Concept Plan: 2080 Grand River Ave, Okemos (former Mongolian BBQ)

Director Kieselbach Kebs, Inc. has submitted a concept plan for the redevelopment of a property at 2080 Grand River Avenue. The 1.16 acre parcel is located in the C-2 (Commercial) zoning district and is currently occupied by a one-story, 4,929 square foot Mongolian BBQ restaurant. The applicant is proposing to demolish the existing building and construct a new 4,534 square foot restaurant with a drive-through window. Floodplain and wetland on the northern portion of this property will need to be delineated.

Board Discussion:

- Ordinance compliance discussed, parking requirements, shared parking, cross parking
- Property is designated as Mixed Use Core on the 2017 Future Land Use Map
- Challenging floods in this area, occurred after development and changes in imperviousness, give up parking for greenspace, connectivity needed between retail stores, easements
- Left hand turns onto Grand River Ave challenging, value in heading east to get away from the left turn movement at the corner of Okemos Rd. and Grand River Ave, traffic study states 30ft drive needed with designated right and left out and one in, traffic study suggested a right turn lane for people heading west, but does not state that a second connection is needed, avoiding hazards of pulling in and out onto Grand River during peak hours
- Pedestrian connectivity, outdoor seating, building materials, south facing building extends seasonality, greenspace buffer around surrounding properties, other Panera building designs
- Concerns about high imperviousness on site, pervious pavement in the back of the lot at the boundary of the wetland, recognizing pervious concrete as reduction in imperviousness

Consensus of the Board is to place this item on the agenda for future discussion.

C. Mixed Use Planned Unit Development (MUPUD) concept plan - Newton Estates

The 23.97 acre subject property is located at the southeast corner of Newton Road and Saginaw Highway and consists of two parcels. The west parcel is 17.97 acres and the east parcel is six acres. In 2006 the property was rezoned to C-2 (Commercial) with a condition offered by the applicant to develop the property as a Mixed Use Planned Unit Development (MUPUD). The condition also placed limitations on the types and sizes of uses including the residential density. The applicant identified three areas of development as Area A, Area B, and Area C. Overall, the entire property is limited to no more than 10 dwelling units per acre. The exhibits approved as part of Rezoning #06050 detail the uses allowed for each of the three areas of the property.

Chuck Holman; DTN Management spoke about the proposed development.

Jeff Kyes Kebs, Inc., 2116 Haslett Rd. Haslett; provided additional information regarding the DTN proposal for the MUPUD.

Todd Callaway with Peabody Group; described the buildings and design.

Raji Uppal 6133 Cottage Dr., Haslett; Vice President of DTN Management Company spoke.

Board Discussion:

- Two separate parcels, single family rental units discussed, one commercial building
- Imperviousness, parking, sprawl concerns, connectivity, pathway on all street frontages, drainage issues near this property, development is 4 ft. lower than the wetland
- Pathway connectivity important, job uncertainty leads to rentals, home rentals fill void
- 2006 original rezoning of property from RR (Rural Residential) to C-2, MUPUD offered as conditional rezoning by applicant, type of uses, density, sizes, other conditions, C-2 rationale was future development of the Saginaw M-78 corridor
- DTN proposal is almost entirely residential, northern area should be more commercial if it is an MUPUD, retail and commercial space is not in the project, more commercial needed along the M-78 corridor
- Parking issues, pathway standards (Saginaw highway should have 10ft. pathways)
- Diverse housing stock, location benefits to outside residents, importance of connectivity to the pathway system and the park system, connectivity for pedestrians/bicyclists
- Can amend the MUPUD and conditions placed on it in 2006 by going through rezoning process again, can get more commercial in the MUPUD by rezoning and getting Mixed Use reapproved
- Connectivity discussed with MDOT
- Proposal appears to “segregate” development, segregating an MUPUD is counterintuitive

Consensus of the Board is to place this item on the agenda for future discussion.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka opened Public Remarks.

Leonard Provencher, 5824 Beuna Pkwy, Haslett; Newton Road connectivity and berm, brought up the issue at Tri-County Bicycle Association and at the Governor’s Council for Bikes and Pedestrian Safety. Thanked Treasurer Brixie for bringing issue up and MDOT Non-Motorized Master Plan for this area. Thanked Clerk Dreyfus for input on the Outdoor Assembly Ordinance and for questions and insights into the Master Plan and PICA implementation strategies.

Supervisor Styka closed Public Remarks.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

16. CLOSED SESSION - REVIEW WRITTEN LEGAL OPINIONS OF TOWNSHIP ATTORNEY

Trustee Deschaine moved to go into Closed Session to review a written legal opinion of the Township Attorney. Seconded by Trustee Opsommer.

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

The Board moved into closed session at 9:32 P.M.

Trustee Deschaine moved to return to Open Session. Seconded by Trustee Jackson.

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

The Board returned to Open Session at 10:36 P.M.

17. ADJOURNMENT

Treasurer Brixie moved to adjourn. Seconded by Trustee Sundland.

Supervisor Styka adjourned the meeting at 10:37 P.M.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

NAYS: None

Motion carried unanimously.

RONALD J. STYKA

TOWNSHIP SUPERVISOR

BRETT DREYFUS

TOWNSHIP CLERK

Maggie Rodgers-Sanders, Secretary