

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, SEPTEMBER 4, 2018 **6:00 pm.**

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

ABSENT: Trustee Sundland

STAFF: Township Manager Frank Walsh, Director of Public Works Derek Perry, Township Attorney William Fahey, Police Chief Ken Plaga, Information Technology Director Stephen Gebes, Principal Planner Peter Menser, Community Planning Director Mark Kieselbach, HOM-TV Executive Producer Brandie Yates, Human Resources Director Joyce Marx, Fire Chief Mike Hamel, Economic Development Director Chris Buck, Finance Director Miriam Mattison,

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:01 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. HOM-TV Program Sponsorship

Brandi Yates, HOM-TV Executive Producer, provided details on the HOM-TV sponsorship program and its goals in seeking additional revenue. Sept 20th, 5 -7 pm, Open House at HOM-TV Studio.

B. 2019 Recommended Budget

Township Manager Frank Walsh presented the 2019 Recommended Budget.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:28 pm.

Neil Bowlby, 6020 Beechwood, Haslett; supported 2019 Recommended Budget (Item 11A). Also in support of Walnut Hills Consent Judgment (Item 11B); Supports Medical Marijuana (Item 13A), stated that as a Prime Community, Township Board needs to consider the needs of all citizens when

deliberating and keep an open mind, some citizens need access to marijuana as a medicine (Item 13A).

Bryan Madle, 1434 Smithfield Ave, East Lansing; supported Medical Marihuana Ordinance (Item 13A); Stated that the Board should not worry about caps on number of facilities – zoning and regulation process will reduce applicants, and Township should allow provisioning centers in retail zoning, not just industrial, because retail provides a safe location for access to medicine.

Cathleen Heath, 2607 Robins Way, Okemos; opposed Rezoning #18080 (Item 13C), worried of the impact on the surrounding community. Stated that if development is to take place, it should be within current zoning and restricted to seven homes. Presented 69 signatures in opposition.

Thomas Wolff, 2595 Robins Way, Okemos; opposed 13C. Concerned with the smaller sizes of homes and higher density that would be permitted, and its inconsistency with surrounding developments.

Jim Giguere, 6253 Bennet Court, East Lansing; supported Item 13C. Stated that current proposal would allow for a development that would limit impact on the surrounding properties and meet concerns of neighbors.

Travis Wilson, 2180 Cider Mill Drive, East Lansing; supported Item 13A. Opinion that his current work as a hospice nurse illustrated positive impact of medical marijuana, previous job as paramedic resulted in treating many alcohol and drug overdoses – but none for marijuana, asked Board to set-aside stigmas and keep an open mind to provide access to medicine for those who may need it.

Alina Gorelik, 2577 Robins Way, Okemos; opposed to 13C. Seconded concern with density inconsistencies.

Brent Felton, 2470 Robin’s Way; opposed to 13C. Stated that it would make more sense to make zoning density consistent.

Supervisor Styka closed public remarks at 6:48 pm.

- 6. TOWNSHIP MANAGER REPORT
- 7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Supervisor moved to remove Item 7 from the Agenda. Supported by Treasurer Brixie.

- 8. APPROVAL OF AGENDA

Trustee Jackson moved to approve the Agenda with amendments. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0

- 9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Clerk Dreyfus moved to adopt the Consent Agenda. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

A. Communications

Clerk Dreyfus 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 Opsommer.

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

NAYS:
Motion carried 6-0

B. Minutes – August 21, 2018 Regular Meeting

Clerk Dreyfus moved to approve and ratify the minutes of the Regular Meeting of August 21st, 2018 as submitted. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

C. Bills

Clerk Dreyfus moved to approve that the Township Board approve the Manager’s Bills as follows, seconded by Trustee Opsommer:

Common Cash		\$	372,444.64
Public Works		\$	129,477.59
Trust & Agency		\$	5,731,445.54
	Total Checks	\$	6,233,367.77
Credit Card Transactions		\$	8,324.55
Aug. 16 th to Aug. 29 th			
	Total Purchases	\$	<u>6,241,692.32</u>
ACH Payments		\$	<u>550,204.14</u>

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

NAYS:
Motion carried 6-0

9. QUESTIONS FOR THE ATTORNEY - NONE

10. HEARINGS

A. 2019 Recommended Budget

Public hearing called to order at 6:50 pm

Neil Bowlby, 6020 Beechwood, Haslett; commented on the use of “outside services” and the definition of “policy governance,” thinks it needs to be removed. Concerned with general fund numbers and opinion that the numbers don’t account for proper percentages or inflation.

Public hearing closed at 6:54 pm

Manager Walsh responded to citizen concerns: current general fund percentage is a healthy number and the funds spent that have lowered the balance have been necessary expenditures.

Board member response that initial Board expectation about Fund Balance was based on operating expenditures, not total expenditures.

B. Summer Park Realty (Walnut Hills) Consent Judgment

Public hearing called to order at 6:56 pm

Director Kieselbach presented details of the Consent Judgment; timeline of the initial proposal for rezoning, subsequent denial, and current court-ordered mediation. Discussed Concept Plan (with two variations based on DEQ approval or denial of wetland issue), zoning and attached conditions, including and proposed demolitions of current structures. Density is consistent with the 2005 Master Plan and the current Master Plan (2017). Planned Unit Developments (PUD) requirement that 50% of land (excluding wetlands) remain open space; current plan provides 54%.

Scott Brinkmeyer, Mika Meyers PLC, Consent Judgment Mediator; presented on his role during the mediation; covering his background and the reason for his appointment. Stressed the importance of parties voluntarily coming in to discuss the judgement, dragging the process out can exhaust both parties’ resources. Stated that this process is the chance to sit down and design the results. Noted that the consent judgment was found with integrity and due consideration from all parties.

Alan Greene, Dykema Law Firm, Representative for Summer Park Realty. Presented the developer’s perspective of the consent judgement proceedings. Stated that after being denied the original rezoning, the developer crafted a plan that would take the considerations of the Township Master Plan, as well as those considerations of neighbors and surrounding properties. Noted that the proposed development provides high-end properties that are lower density than most properties in the area, lots of green space, and thoughtfulness to neighbors and their boundaries.

Township Attorney Fahey commented on the status and focus of the mediation. Stated that previous proposals lack of a specific plan that didn’t give a whole picture of the development, and over-all density and development buffers were very important in the mediation.

Neil Bowlby, 6020 Beechwood, Haslett; questioned if the recreational amenities – trails, pocket parks, benches, etc – would be open to the public. Asked if the house spacing is in accordance with fire department.

Ben Louagie, 6118 Skyline Drive, Haslett: questioned if this proposal would be transferable to another developer.

Mr. Fahey: the proposal would be a transferable right, development would be able to proceed even after changing hands. Property owner would decide if public had access to amenities.

Bill Flynn, 6086 Skyline Drive, Haslett; questioned if two driveways to the proposed development would be enough, if the property owner would be paying for traffic lights at new intersections, and if this would negatively impact surrounding schools.

Manager Walsh: Schools had been approached and they have been satisfied with the proposal.

Mr. Fahey: The County decides what traffic signals are needed and it would be included in conditions of the proposal, proposed driveways need to meet Township requirements but would ultimately be determined by the County.

Jan Jenkins, 6063 Skyline, Haslett; questioned what the value of the houses and condos would be, and showed concern with the 10 foot set-backs between the structures.

Mr. Green: Values will be determined as site-plan develops further. Stated that 10 foot set-back between buildings is the minimum, most homes will have larger distances between them.

Candy Bennet, 6305 Skyline; concerned with the home sizes, the historic nature of the property, proposed open space, and what foliage will be used.

Connie Maundu-Tajak, 6025 Dawn Avenue, Haslett: concerned with the detention pond locations, questioned the impact of these ponds on the safety of surrounding properties

Director Kieselbach: Identified existing wetland in the Dawn Avenue area and stated that proposed detention ponds still need full consideration from County Drain Commissioner.

Erin Recktenwald, 6035 Dawn Avenue, Haslett; seconded concern with proposed detention pond locations.

Ben Louagie, 6118 Skyline Drive, Haslett: questioned the process required for any changes to be made to the development after approval.

Mr. Fahey: Any changes have to be mutually agreeable and be in harmony with the spirit of the original agreement. Some specific things (number of homes) will not be allowed to be changed.

Public hearing closed at 7:51 pm

12. ACTION ITEMS

A. Update Property Maintenance Code – Final Adoption

Trustee Deschaine moved to adopt the resolution for final adoption of Ordinance No. 2018-10, an amendment to Article III of Chapter 14 of the Code of Ordinances, the Property Maintenance Code. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

B. Order to Maintain Sidewalk Resolution #3

Treasurer Brixie moved to approve the 2018 Order to Maintain Sidewalk Special Assessment District #18, Resolution #3, which approves repair and maintenance of sidewalk in portions of the following areas: Banyon Park; Briarwood #5; East Lansing Athletic Club and Health Service Pavilion; Forest Hills #6; Heritage Hills #4; Heritage Office Park; Hiawatha Lakes #5, 6, 7, & 8; Northport of Meridian Condos; Okemos Point Office Park; Old English Estates #2; Spring Lake #2, & 5; Trails at Lake Lansing #3; Whitehills Lakes #4; Wildflower Estates #2; also 5800 Benson Drive; 2859 & 2947 Eyde Parkway; 4750 Hagadorn; 2841 Hannah; 1660 Haslett; 3950 Heritage; and 3681 Okemos, which are located in Sections: 2, 3, 5, 8, 10, 15, 16, 20, 27, 33, and 34, and to defray the cost by special assessment; approves the cost estimate of \$22,640.96; determines the special assessment district; directs the making of an assessment roll; and directs notices be sent to the property owners indicating they have 20 days to replace or make safe the defective sidewalk. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

13. BOARD DISCUSSION ITEMS

A. Medical Marihuana Ordinance

Director Kieselbach reviewed the proposal; covered the current proposed zoning map and all set-back parameters. Discussed overlay districts that could be established to allow for Medical Marijuana Facilities in designated commercial, industrial, and mixed-use zones.

Board Discussion: overlay district parameters; impact and distances of setbacks on availability of locations, possibility and size of caps for various facilities, current vacancies on potential sites with appropriate zoning and setbacks, grow facility issues/overlays, locations for different types of facilities, impact of passing recreational marijuana, application system (lottery, first-come, review-basis), selection criteria causing "millionaire making," mixed-use inclusion in overlay, compromise proposal of 6 facilities of each kind (total of 30 facilities) at 6 possible overlay sites.

B. Summer Park Realty (Walnut Hills) Consent Judgement

Board Discussion: current property maintenance, vegetation buffer locations, site-plan review process, strengths of consent judgment, detention pond locations, risk of losing lawsuit to keep property zoned RR, possibility of reforestation open-space, current plan status as a concept.

Board consensus to bring the item back for action at the next regular meeting.

C. Rezoning #18080 (Giguere Homes)

Board discussion: neighborhood and developer could meet to discuss concerns, Giguere agreed if rezoning process could continue as scheduled after next Board meeting.

Trustee Jackson moved to table for further discussion. Supported by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0

D. 6365 Newton Road Concept Plan

Director Kieselbach explained the proposed concept plan as a commercial and residential mixed-use zone.

Board discussion: commercial tenant identity, buffer boundaries, impervious surface levels, development proposal language, housing type variety, property use and layout, traffic implications, scale of the site, concern that developer was not present at this Concept Plan meeting, explanation provided was developer incorrectly scheduled meeting.

Board consensus to put the item back on the agenda for further discussion.

E. 2019 Recommended Budget

Director Mattison explained the current status of the 2019 Recommended Budget.

Board discussion: departmental operational costs, budget cuts and increases, departmental staffing costs, Meridian Redevelopment Fund budget allocation concerns, budget surplus impacts, priority expenditures, paying off pension liability in 10 years, budgeting for roads, possible new position for 2019 – Director of Community Sustainability position.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 10:24 pm.

Brian Madle, 1434 Smithfield Ave, East Lansing; supported the discussion on Medical Marijuana (Item 13A), stated that zoning choices can make businesses more or less appealing, Meridian currently promotes surrounding communities to come to Township to use business services, likewise, Board should encourage “outsiders” to use Meridian provisioning centers.

Mike Moore, 6092 East Longview Drive, East Lansing; supported Item 11B, stated the site-review process needs to provide for emergency vehicle access to streets in the development; concerned with the proposed sewer system plan.

Supervisor Styka Closed Public Remarks at 10:31 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Director Perry discussed sanitary sewer system capacity, existing lift stations, Residential Equivalent Units (REU) to create baseline and impact on system, taxes do not pay for utilities, enterprise funds via utility service charges pay for water and sewer. Discussion on road funding for private vs. public roads, County vs Township responsibilities, emergency vehicle ingress and egress.

Treasurer Brixie reported:

- Summer Property Taxes due Sept. 14th at 5:00 pm
- Criminal Sexual Assault Prevention Committee (CSAP) meeting on Sept. 21st 11 am – noon.
- CSAP Initiative Public Forum with guest panel Sept. 21st
- CSAP “Stewards of Children” training Oct. 18th & 25th 6 -8 pm in the Township Hall Room
- Tri-County Planning Commission has conducted interviews for a new director

Trustee Opsommer reported:

- CATA Redi-Ride service extensions have taken effect
- Thanked Trustee Deschaine for attending CATA Board mtg that he was unable to attend
- Meridian Cares offering discounted fare bus passes
- Downtown Development Association (DDA) subcommittee report will be given at Sept. 11 Township Board special meeting

Clerk Dreyfus reported:

- Video produced on high-speed tabulator problems and sent to Board and County Clerk
- Election Source recommended Meridian Township upgrade to larger tabulator for November 2018 General Election
- Met with Meridian Senior Center Executive Director for election inspector recruitment
- Attended Capital Area Municipal Clerk’s meeting – discussed “Emily FOIA” issues

Trustee Deschaine reported:

- Economic Development Corporation (EDC) meeting Sept. 6th at 7 am in Township Hall Room
- Towner Road Park ribbon cutting Sept. 8th at 12 pm

Supervisor Styka reported:

- Study session on Sept. 11 at 6 pm in Township Hall Room regarding Downtown Okemos proposed development, tax increment financing in that area
- Attended Corridor Improvement Authority meeting
- Attended Capital Area Council of Governments meeting

16. ADJOURNMENT

Trustee Deschaine moved to adjourn. Seconded by Treasurer Brixie

VOICE VOTE: Motion carried 6-0.

Supervisor Styka adjourned the meeting at 10:45 pm

17. POSTSCRIPT - NONE

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK