

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR TOWN HALL MEETING -**APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, AUGUST 4, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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.

Leonard Provenchur, 5824 Buena Parkway, Haslett, expressed concern with inadequate mowing of the Interurban Pathway. He spoke to Township action against an individual citizen and reminded the Board they serve the citizens of Meridian Township.

Dave Card, 6045 E. Lake Drive, Haslett, also spoke to the overgrown condition of the Interurban Pathway. He addressed the issue that the pathways on the Pedestrian/Bicycle Pathway Master Plan need to be at least seven (7) feet in width.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Treasurer Brixie reported her attendance at the preview to the grand opening of Wild Wing Café and welcomed the business to Meridian Township.

Trustee Ochberg spoke to the requested sign variance by Wild Wing Café and also welcomed the business to Meridian Township.

Trustee Dreyfus met with the chairs of both the Meridian Area Business Association (MABA) and the Economic Development Corporation (EDC), where an in-depth overview of the three (3) roundtable discussions took place.

Trustee Veenstra attended the Tri-County Regional Planning Commission Transportation Review Committee where a 100 page transportation work program was approved. He addressed the alleged misleading language sent in a letter to 300 residents which cited only a portion of the Township's current vegetation ordinance.

6. APPROVAL OF AGENDA — OR CHANGES

Treasurer Brixie moved to approve the agenda as submitted. Seconded by Clerk Helmbrecht.

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

NAYS: None

Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Treasurer Brixie moved to adopt the Consent Agenda amended as follows:

- **Move Agenda Item #7D to Agenda Item #10E**

Seconded by Clerk Helmbrecht.

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1) Board Determination (BD)

BD10A-1 Andrew and Sarah Findley, 3985 Windy Heights, Okemos; RE: Appreciation for construction of the Hulett Road pathway

BD10D-1 Brigitt Bouchá, Medical Massage Therapist, 2456 N. Cedar Street, Holt; RE: Massage therapy ordinance for Meridian Township

BD10D-2 Diane Brown, CMT, 709 Hamilton Avenue, Lansing; RE: Practice of massage therapy in Meridian Township

(2). Board Information (BI)

BI-1 Oregon Senators Jeff Merkley and Ron Wyden, United States Senate, Washington, DC; RE: Copy of letter to the Federal Communication Commission regarding petitions for declaratory ruling regarding PEG channels, MB Docket No. 09-13, CSR-8126 (ACM *et al.*) and CRS-8127

(3). Staff Communication/Referral (SC)

SC-1 Deborah Guthrie, Cable Coordinator; RE: Article from the July, 2009 edition of *Multichannel Video Compliance Guide* entitled "DTV Transition – FCC East DTV Transition Rules"

SC-2 Deborah Guthrie, Cable Coordinator; RE: Article from the July, 2009 edition of *Multichannel Video Compliance Guide* entitled "State Legislation Affecting Local Franchising"

(4) On File in the Clerk's Office (OF)

Material received at the July 21, 2009 Board Meeting

OF-1 Dan and Donna Blakey, 5571 Okemos Road, East Lansing; RE: Opposition to the addition of the west side of Okemos Road from the existing interurban pathway to Raby Road on the Pedestrian/Bicycle Pathway Master Plan

OF-2 Vance Kincaid, 4530 Nakoma Drive, Okemos; RE: Copy of an Ordinance Violation Notice he received from the Building Department along with the Prohibited Vegetation Ordinance language

OF-3 Vance Kincaid, 4530 Nakoma Drive, Okemos; RE: Copy of Township Attorney's bill

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 Clerk Helmbrecht.

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

NAYS: None

Motion carried unanimously.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the July 21, 2009 Regular Meeting as submitted. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

C. Bills

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

Common Cash	\$ 278,785.56
Public Works	\$ 88,038.19
Flex Spending	
- Check #1006 (Meritain)	510.00
Total Checks	\$ 367,333.75
Credit Card Transactions	\$ 7,763.87
Total Purchases	<u>\$ 375,097.62</u>
ACH Payments	<u>\$ 517,943.94</u>

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

[Bill list in Official Minute Book]

E. Assessing Stipulations

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Gregory R. Basore, Trust 1 on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
2007	0339021	1067 Woodwind, Haslett, MI 48840
2008		
2009		
<u>Assessment</u>	2007	AV/TV \$182,400/167,892
	2008	183,700/171,753
	2009	172,400/172,400
<u>Proposed Assessment</u>	2007	AV/TV \$160,000/160,000
	2008	\$160,000/160,000
	2009	\$155,000/155,000

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Gregory R. Basore, Trust 1 on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2007 2008 2009	0339020	3902 Turnberry, Okemos, MI 48864
<u>Assessment</u>	2007	AV/TV \$533,800/533,800
	2008	\$607,400/607,400
	2009	\$575,500/574,500
<u>Proposed Assessment</u>	2007	AV/TV \$450,000/450,000
	2008	\$523,900/523,900
	2009	\$496,100/496,100

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

F. Appointment to the Cable Communications Commission
Treasurer Brixie moved the Township Board accept the resignation of Jerry Chaffin, effective April 15, 2009, and approve the appointment of Donna L. Ullrich to the Cable Communications Commission to complete the remainder of Mr. Chaffin's term ending December 31, 2011. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

- 8. QUESTIONS FOR THE ATTORNEY (None)
- 9. HEARINGS (None)
- 10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.
 Leonard Provenchur, 5824 Buena Parkway, spoke to the established standard of seven (7) feet in width for the Pedestrian/Bicycle Pathway Master Plan. He spoke to the pathway as a property enhancement.

Supervisor McGillicuddy closed public comment.

A. Hulett Road Pathway Modification
Trustee Ochberg moved that the Pedestrian Bicycle Pathway Master Plan be modified to indicate a five-foot wide pavement on the east side of Hulett Road connecting the Okemos Preserve and Sanctuary subdivisions. Seconded by Trustee Dreyfus.

Board members discussed the following:

- Precedent for five (5) feet established in the Cedar Bend Heights neighborhood along Hamilton Road
- Modification of the Hulett Road pathway by a reduction to five (5) feet in width does not present an undue hardship to either the users of the pathway or the Township
- Question of need to have pathways on both sides of Hulett Road
- Need to follow the process currently in place for a consistent sidewalk

- Concern that a single individual can come in and circumvent the process
- Hamilton Road had many old trees which would have been affected if the pathway was constructed at the seven (7) foot width
- Pedestrian/Bicycle Pathway Millage language as passed contained wording for pathway to be seven (7) feet in width
- Another portion on Hulett Road will have to be five (5) feet in width due to the small right-of-way on the Netzloff property
- Issue with the Netzloff property is that the land contains many large trees in the road right-of-way
- 1,000 residential units within the “square” bounded by Jolly, Okemos, Bennett and Hulett Roads which contains an estimated population of 2,000 residents, of which 368 are school aged children who can walk or bike to any of the three nearby schools
- Recently planted trees in front of one individual’s property
- Considerable wetlands to the north of the Baird property
- Consideration of the pathway width should include speed on the road
- Concern that concrete is the only material used for pathway construction
- Concern with electric fence on one individual’s property
- Safety and aesthetic issue with creation of a funnel effect

Trustee Veenstra offered the following amendment:

- **Delete the language “connecting the Okemos Preserve and Sanctuary subdivisions” and insert “in front of the Baird property.”**

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustee Veenstra, Clerk Helmbrecht, Treasurer Brixie
NAYS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy
Amendment failed 3-4.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy
NAYS: Trustee Veenstra, Clerk Helmbrecht, Treasurer Brixie
Main motion carried 4-3.

B. Essential Wetland Determination (Capstone)

Trustee Ochberg 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 Wetlands A, B, and C located north of Hannah Boulevard and east of Hagadorn Road in the vicinity of Township Wetland #20-6, as essential to the preservation of the natural resources of the Charter Township of Meridian. Seconded by Treasurer Brixie.

Board members discussed the following:

- More than one criteria has been met to determine this wetland as essential
- Area close to the Red Cedar River
- A wetland determination as essential requires mitigation

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

C. Open Burning Ordinance Amendment to Allow Prescribed Burns, Final Adoption

Trustee Veenstra moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby ADOPTS Ordinance No. 2009-06 entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 26, Article III, Section 26-54(a) by adding Section 26-54(a)(4).”

Seconded by Treasurer Brixie.

Board members discussed the following:

- Ecologically desirable to burn plant material to foster growth of prairie grass and wildflowers

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

NAYS: None

Motion carried unanimously.

- D. Zoning Amendment #09030 (Township Board), request to amend Section 86-432 of the Code of Ordinances to allow massage therapy and physical therapy as permitted uses in the PO (Professional and Office) zoning districts, **Introduction**

Trustee Dreyfus moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 4, by amending Section 86-432(b) and Section 86-432(b)(1).” Seconded by Treasurer Brixie.

Board members discussed the following:

- Input from the massage therapy constituency
- Planning Commission added the language “or providing secondary services not specifically listed as permitted” based on a 2008 Zoning Board of Appeals (ZBA) interpretation
- Possible review of the ZBA interpretation
- Difficulty in writing language which allows secondary services
- Leave language as is and revisit secondary services at a later date

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

NAYS: None

Motion carried unanimously.

- E. **DDA Grant Application to the National Endowment of the Arts (NEA)**

Treasurer Brixie moved approval for authorization of the DDA Executive Director to submit a grant application to the National Endowment for the Arts’ Visual Arts Grant Program to secure funding of \$5,000 with matching funds of \$5,000 for outdoor sculptures in downtown Okemos from the Meridian Township Downtown Development Authority. Seconded by Clerk Helmbrecht.

Board members discussed the following:

- Criteria for artist eligibility to enter
- Artwork selection comes through the Midwest Sculpture Institute
- Application is solely for a grant
- DDA works through the Midwest Sculpture Institute
- If grant is awarded, procedure to award purchase of the sculptures should be changed
- Many artists who live in the Township do not belong to the Midwest Sculpture Institute (MSI)
- Possible request for entries from Meridian Township artists

Trustee Veenstra offered the following amendment:

- **Insert “, for a total of \$10,000,” after “funds of \$5,000”**

Seconded by Trustee Dreyfus.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht

NAYS: Treasurer Brixie

Amendment carried 6-1.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Main motion carried unanimously.

11. TOWNSHIP HALL MEETING

- A. Linking with our Community – An Open Dialogue
Daria Schlega, 2446 Burcham Drive, East Lansing, expressed concern with Township police community relations relative to ticketing residents for minor traffic violations.

Marsha Madle, Chair, Economic Development Corporation, 1373 Sebewaing Road, Okemos, noted the EDC held three (3) roundtable discussion groups with representatives of the Township Board and the business community on how best to open the lines of communication in an effort to build a strong relationship between businesses, the Township Board and staff. She reported the EDC, MABA, the Okemos DDA and the Township have produced a full page ad in the 2010 Greater Lansing Visitors Guide, which will showcase Meridian Township. The Greater Lansing Convention and Visitors' Bureau will distribute 140,000 guides to 14 Michigan welcome centers, the airport, hotels, motels, colleges and universities, etc.

Leonard Provenchur, 5824 Buena Parkway, Haslett, stated he expected the Township's law enforcement to serve its citizens.

- B. Presentation of National Citizen Survey Results by Township Manager, Gerald J. Richards
Manager Richards offered background information and summarized the results of the third Meridian Township survey.

Board members and staff discussed the following:

- Suggestion for a comparative bar chart on the Township's web site
- Report, in its entirety, already posted on the Township's website
- Possibility of the Township Manager taking survey results to various service clubs, etc.
- How best to involve residents in the Township
- Consideration of a Citizen Involvement Award Program
- Response on the availability of a diverse set of income levels for housing
- Township currently experiencing a buyer's market for housing
- Impact the economy has had on Township residents and their opinions
- Economic prosperity as the Board's number one goal
- Growing an entrepreneurial community articles in the July, 2009 issue of the *Michigan Township News*
- Improve communication with Township residents through more frequent publications of the *Meridian Monitor*
- Best way to utilize information from the survey
- Disappointment regarding results relative to civic engagement
- Concern with the small number of citizens who attended the Town Hall Meeting
- Increase announcements on HOM-TV and other media to heighten public awareness of the Town Hall Meeting
- Possibility of each Board member having their own half-hour show on HOM-TV
- Dramatic drop in the number of residents who felt roads were in good repair
- Science behind the soundness of the national survey results

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Leonard Provenchur, 5824 Buena Parkway, Haslett, expressed disappointment with the small public turnout for tonight's meeting. He wondered if a survey every three (3) years was sufficient.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra inquired if the Township is spending tax dollars to prosecute a woman for drunk driving who was asleep behind the wheel in a bar parking lot.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:50 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary