

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, AUGUST 17, 2010 **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, Director of Engineering & Public Works Ray Severy, Assistant
Manager/ Human Resources Director Paul Brake, 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.

Kyle Haubrich, 4823 Dunckel Road, Lansing introduced himself as a candidate for the 23rd State Senate seat.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Park Trail Maintenance

LuAnn Maisner reported on maintenance efforts over the last year for the 20 miles of natural trails in Meridian Township's parks.

Supervisor McGillicuddy attended both the Lansing Economic Area Partnership (LEAP) and Meridian Area Business Association (MABA) meetings last week.

Treasurer Brixie attended the Economic Development Corporation (EDC) meeting last week where a presentation was given by Denyse Ferguson, President and Chief Executive Officer of LEAP. She suggested inviting Ms. Ferguson to come before the Board to report on LEAP's accomplishments.

Trustee Ochberg reported both her and Trustee Dreyfus' attendance at a meeting coordinated by Recycling Coordinator LeRoy Harvey where the issue of time banks and draft Township ordinances relative to clean energy sources were discussed. It was suggested that Mr. Harvey share the drafts with the members of the Green Meridian Group, most of which are professors and scientists.

Trustee Veenstra clarified misinformation contained in an article in the August 15, 2010 edition of the *Towne Courier* regarding the Headlee Override ballot question.

Township Manager Richards reported the Township's 2010 Pavement Preservation Program will commence shortly. He noted the website (www.meridian.mi.us) lists the roads scheduled for work, with an anticipated total of 4.6 miles to be resurfaced. Manager Richards also addressed the complaint reported at the last Board meeting regarding alleged mistreatment of an elderly bicyclist by Meridian Police. His investigation revealed that the bicyclist actually had contact with a railroad police officer. Manager Richards also explained standard Township police policy when interacting with residents.

Trustee Dreyfus attended the last Michigan/Grand River Avenue Transportation Forum a few weeks ago, where he brought forth the issue of progressive traffic lighting using appropriate timing signals. He indicated he will continue to pursue the issue with the four (4) involved entities. Trustee Dreyfus reported that while at yesterday's Green Meridian Group's session, information was obtained that only 52% of residents who use Granger for its waste disposal take advantage of its free recycling program.

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda as amended. Seconded by Trustee Ochberg.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follows:

A. Communications

(1). Board Information (BI)

BI-1 Merle and Gloria Potter, 4678 Van Atta Road, Okemos; RE: Dog park in Legg Park

BI-2 Michael Somers, Departmental Analyst, Office of Administrative Services, Bureau of Construction Codes, Department of Energy, Labor & Economic Growth, PO Box 30254, Lansing; RE: Effective date of August 9, 2010 for Meridian Township to become responsible for administration and enforcement of the Michigan Electrical, Mechanical and Plumbing codes

(2). 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 July 27, 2010

Material received at the August 5, 2010 Board Meeting

Memorandum from Mark Kieselbach, Director of Community Planning and Development; RE: Complete Streets

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 LeGoff.

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

NAYS: None

Motion carried unanimously.

B. Minutes

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

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

C. Bills

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

Common Cash	\$ 344,725.97
Public Works	\$ 331,421.11
Total Checks	\$ 676,147.08
Credit Card Transactions	\$ 6,894.84
Total Purchases	<u>\$ 683,041.92</u>
ACH Payments	<u>\$ 287,455.41</u>

Seconded by Trustee LeGoff.

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

[Bill list in Official Minute Book]

D. Assessing Stipulations

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with John G. Fata on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2009	0365521	3592 Otsego, Okemos, MI 48864
2010		
<u>Assessment</u>	2009	<u>AV/TV</u> \$347,600/347,600
	2010	\$303,400/303,400
<u>Proposed Assessment</u>	2009	<u>AV/TV</u> \$300,000/300,000
	2010	\$300,000/300,000

Seconded by Trustee LeGoff.

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

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with James A. Hershiser on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
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2009,2010 0364236 5885 Okemos, East Lansing, MI 48823
2009,2010 Sleepy Hollow, East Lansing, MI 48823

<u>Assessment</u>	2009	<u>AV/TV</u>	\$80,200/79,234
	2010		\$70,800/70,800
	2009		\$ 9,100/ 8,976
	2010		\$ 8,900/ 8,900

<u>Proposed Assessment</u>	2009	<u>AV/TV</u>	\$72,700/72,700
	2010		\$64,300/64,300
	2009		\$ 5,000/ 5,000
	2010		\$ 4,200/ 4,200

Seconded by Trustee LeGoff.

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

- E. Liquor License Transfer, Mayfair on the Lake
Treasurer Brixie moved to approve BCS, Inc. Application to transfer ownership and location of an escrowed 2009 Class C licensed business with new dance-entertainment permit from Ahmad El Bast whose license is being held in escrow at 3536 Meridian Crossing, Suite 260, Okemos, MI 48864 to BCS, Inc. at Lots 1 & 4, except the west 24 feet thereof, Block 2, Village of Nemoka, Haslett, MI 48840, Meridian Township, Ingham County and, further, authorizes the Township Clerk to execute the resolution for local approval of this transfer. Seconded by Trustee LeGoff.

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

- F. Budget Amendment, Cable Department
Treasurer Brixie moved approval of the replacement of 6 wireless microphones at approximately \$5,000 from the fund balance of the Cable Division. Seconded by Trustee LeGoff.

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

- G. Revised Hours of Construction Waiver for Dobie Road Bridge Construction
Treasurer Brixie moved to waive the requirements of Section 50-84(4) of the Code of Ordinances to allow construction activities from 7:00 p.m. to 7:00 a.m. from Monday, August 23, 2010 to Friday, September 3, 2010 for pouring the bridge deck on the new Dobie Road Bridge across the Red Cedar River. Seconded by Trustee LeGoff.

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

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of placing the new park millage on the November 2, 2010 ballot and in opposition to the renewal of the Land Preservation millage.

Teri Banas, Park Commission Chair, 5606 Creekwood Lane, Haslett, read from a prepared statement in support of placing a new park millage question on the November 2, 2010 ballot.

[Prepared statement in Official Minute Book].

Supervisor McGillicuddy closed public comment.

A. Resolution for New Park Millage Ballot Question

Trustee Veenstra moved to support the attached resolution for placing a new park millage question on the November 2, 2010 ballot. Seconded by Trustee LeGoff.

Board members discussed the following:

- Long standing belief by one Board member that Meridian Township needs to spend more on its parks
- Appreciation for volunteer efforts in Township parks
- Passage of the millage would allow funds for local matches to state and federal grants
- Park millage monies will not pay for a community center or a new Central Fire Station
- Suggestion that the vacant site located at the southeast corner of Okemos Road and Central Park Drive could be leased by Parks and used for a dog park
- Impact of a new millage on other ballot millages
- Concern with placing three (3) Township millages on one ballot
- Concern with the Township having too many specialized millages and not enough general fund money to run the daily services of the Township
- Better opportunity for a new park millage request when it's time for the renewal
- Pre-millage parks are funded through the general fund while acquisitions after passage of the park millage are funded with millage dollars
- Placement of this issue on the November, 2011 ballot would require the Township to pay for 100% of the election cost
- Placement of this issue on the November, 2012 ballot would not cost the Township any money
- Community pathways and parks have a major influence on residents' health through using the parks for exercise

ROLL CALL VOTE: YEAS: Trustee Veenstra

NAYS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy,
Treasurer Brixie, Clerk Helmbrecht

Motion failed 1-6.

B. Land Preservation Millage, Reduce and Renew

Trustee Dreyfus moved [and read into the record] NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby approves the following ballot language for Proposal __, Land Preservation Millage, subject to final attorney approval and instructs the Clerk to place the millage on the ballot for the General Election scheduled for Tuesday, November 2, 2010.

PROPOSED BALLOT LANGUAGE

***Proposal ____ Renew and Reduce Land Preservation Millage**

A proposal to provide funding for the purchase of land and/or interest in land for the permanent preservation and stewardship of open green spaces and natural features throughout the Township. Shall the previously approved .75 mill (75 cents per \$1,000 of taxable value) Land Preservation Millage be reduced to .375 mill (37.5 cents per \$1,000 of taxable value) and renewed for an additional 10 years, 2010-2019 inclusive, to provide funding for the purchase of land and or/conservation easements and improvements of natural habitat and management of land throughout the Township? The estimate of revenue the Township could collect if the millage is approved and levied in the 2010 calendar year is approximately \$600,000.

Shall the millage be Renewed and Reduced?

Yes _____ No _____

Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Land Preservation Program is a legacy that will last for generations
- The Township's Land Preservation Program is a model copied by other communities
- Land Preservation Advisory Board has purchased approximately ten percent (10%) of the land available at the time the program was first implemented
- Concern with asking residents for a renewal during these difficult economic times
- Importance of preserving sensitive lands in the Township
- Placing sensitive lands in public ownership assures these properties will never be developed
- Suggestion to develop a brochure on the purpose of Land Preservation properties to encourage greater public use
- Suggestion to have the Land Preservation Advisory Board and staff design and add a public pathway system to most stewardship plans

Trustee Veenstra offered the following friendly amendment:

- **Reduce .375 mill to .33 mill**

The amendment was accepted by the maker.

Continued Board discussion:

- Each acquisition contains significant uplands
- Township map shows additional opportunities to secure parcels for preservation
- Neighborhood meetings continue to be held to discuss each acquisition, how residents can help in the stewardship of the parcel and also include a walk of the property
- All land preservation parcels are accessible to the public
- Land preservation parcels help maintain the community's property values

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Veenstra, Supervisor McGillicuddy,
Treasurer Brixie, Clerk Helmbrecht
NAYS: Trustee Ochberg
Motion carried 6-1.

- C. Zoning Amendment #10050 (Planning Commission), a request to amend sections of Chapter 86 Zoning, Article VII, Signs and Advertising Structures, of the Code of Ordinances to permit signs designating parking spaces reserved for "take-out" patron parking at restaurants in commercial zoning districts, **Introduction**

Trustee Ochberg moved to send Zoning Amendment #10050 back to the Planning Commission to be rewritten to include all kinds of designated parking signage appropriate to particular uses with two (2) signs for up to 5,000 square feet of usage and two (2) more signs for each 5,000 square feet above that with the signs limited as previously written for size and height. Seconded by Trustee Veenstra.

Board members discussed the following:

- Many signs in the Township are technically outside of the current ordinance
- Concern with the Board moving forward on this issue without a positive recommendation from the Planning Commission
- Concern with overregulation of the sign size
- Preference for general language with sign size standards similar to what was proposed by one Planning Commissioner as contained in Planning Commission minutes
- Township Board has the ability to change and adopt language without referral back to the Planning Commission
- Preference for this issue not to go through the entire process again before coming back to the Board
- Suggestion for Board members to submit suggested language for staff to consolidate and bring back to the Board
- Important for more zoning categories to be included in the language
- Number of signs should be related to the size of the facility

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy
NAYS: Treasurer Brixie, Clerk Helmbrecht
Motion carried 5-2.

D. Parking Deferral Agreement, Delta Dental

Treasurer Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves the parking deferral for Delta Dental and authorizes the Township Supervisor and the Township Clerk to sign the Parking Deferral Agreement. Seconded by Trustee Ochberg.

Board members and the applicant discussed the following:

- Reduction from the original parking space requirement was achieved through a variance from the Zoning Board of Appeals
- Number of parking spaces is the amount Delta Dental wishes to have
- 822 spaces would be required under our current ordinance
- Applicant would be willing to consider deferring an additional 30-40 parking spaces
- One reason for fewer parking spaces is that square footage in the northern building is being used for a large cafeteria which services the employees

Trustee Veenstra offered the following friendly amendment:

- **Amend the first WHEREAS clause by deleting “113” and inserting “up to 155”**

The amendment was accepted by the maker.

The maker offered the following amendment:

- **Amend the first WHEREAS clause after the word “Road” by inserting “with the approval of site plan by the Director of Community Planning and Development”**

The amendment was accepted by the seconder.

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

E. CAMTV Policies and Procedures

Trustee LeGoff moved approval of the Capital Area Media Television (CAMTV) policies and procedures dated August 17, 2010. Seconded by Supervisor McGillicuddy.

Board members and staff discussed the following:

- Governmental entities such as Lansing, East Lansing and Delhi Township still need to sign agreements that they will participate in the funding of this regional media channel
- Concern these policies and procedures present “hurdles” to public access for the average citizen
- Requirements for CAMTV are the same as other Michigan public access facilities
- Lansing has had money to create this type of studio for many years, but has made no progress to date
- 5% franchise fees received since the mid-1980’s have been used for HOM-TV activities
- PEG fees are assessed to any new video service provider which enters Meridian Township and will be used solely for public access
- Grant received allowed Meridian Township to pay for the technical capabilities to broadcast CAMTV across the region
- Division of staff time between HOM-TV and CAMTV
- Election interviews by HOM-TV staff were simulcast onto CAMTV for regional viewing
- Most programs on CAMTV are supplied from other entities
- HOM-TV staff’s “mission” is to encourage submission of tapes
- Citizen rental of future Lansing facility and equipment to prepare tapes to submit to CAMTV for broadcast across the region
- Board member preference for staff to provide language to expand resident qualification to include residents living in other governmental entities
- Suggestion to defer this item to allow staff to prepare amendments discussed
- No guarantee other governmental entities will join
- Township Board option to amend the policies and procedures to include other governmental entities when that entity actually joins
- Suggestion to delete “or indirect reference” in (1) on page 7
- Proposed language is the same as has been utilized for years by approximately 80 public access facilities in the Alliance for Community Media’s central states region

Supervisor McGillicuddy called the question.

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

NAYS: Trustee Veenstra

Motion carried 6-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Zoning Amendment #10060 (Planning Commission), a request to amend section 86-591 of Chapter 86 Zoning, Article V, Supplementary Regulations, of the Code of Ordinances to limit the height of parapet walls

Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated August 12, 2010.

Board members discussed the following:

- Amendment will “clean up” the code
- Exceptions for towers, etc. on tops of buildings violates the spirit of “thoughtful” construction
- Suggestion for staff to prepare an amendment to provide limitations (e.g., view from the street) on towers placed on building tops

The consensus of the Board was to place this item on for action at its September 7, 2010 Board meeting.

B. Ordinance to Regulate Utility Structures

Director Kieselbach summarized the proposed ordinance to regulate utility structures as outlined in staff memorandum dated August 13, 2010.

Board members discussed the following:

- Proposed ordinance will address concerns of residents who are not aware utility structures will be placed on their property without their consent

The consensus of the Board was to place this item on for action at its September 7, 2010 Board meeting.

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

Director Kieselbach summarized the proposed amendments as outlined in staff memorandum dated August 12, 2010.

Board members and staff discussed the following:

- Point system for amenities need to include value in terms of both money and value to the Township/environment
- Board discretion built into the process to ascertain the unique aspects of each proposal
- Concern the point system may not capture what the Board values in a given application
- Concern with corresponding the list to the structure size
- Amenity list is suggestive and may need refinement in the future
- Preference to retain organization contained in this draft but adhere to the old definitions
- Suggestion to rework the draft to consider a wider variety of amenities
- Concern designating the number of amenities based on square footage would place a ceiling to which the developer would not have to go beyond
- Add back in existing bus stops as an amenity
- Need for developer to have a guideline of acceptable amenities from which to choose
- Include language which states the number of amenities are only a guide
- Preference that aesthetic bicycle parking lockers be listed as an amenity
- Suggestion for the overall projects to reach a specific number of points if the number of amenities based on the size of the building are removed

The consensus of the Board was to direct staff to reorganize the amenities while keeping the existing language and place this item on for continued discussion at its September 7, 2010 meeting.

D. Amendments to the Code of Ordinance, False Alarm Fees

Township Manager Richards summarized the request to amend the false alarm fee section of the Township's Code of Ordinances.

Board members discussed the following:

- Proposed amendment brings the language up-to-date on the advice of legal counsel

The consensus of the Board was to place this item on for action at its September 7, 2010 Board Meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Larry Harb, 3973 Shoals Drive, Okemos, expressed appreciation for Township efforts in the preservation of green space. He stated concern with the growing deer population and urged Township action on this issue through: 1) educating the public concerning legal issues regarding feeding deer; 2) facilitate a clearing of the right of way along Cornell Road for better driver visibility; and 3) allow deer hunting on Township Park and Land Preservation properties.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra noted, in response to the previous speaker, that mowing of roadsides would be a function of the Ingham County Road Commission.

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