

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, JULY 20, 2004, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode
ABSENT: Trustee Such
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, Acting Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Personnel Director/Assistant Manager Paul Brake, Director of Finance Diana Hasse, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:01 P.M.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Kasthuri Sitaraman, 2386 N. Wild Blossom Court, East Lansing, spoke in opposition to SUP #04051 (Meridian Township).

Annette Barton, 2380 N. Wild Blossom Court, East Lansing, spoke in opposition to SUP #04051 (Meridian Township).

Keith Schroeder, 3587 Autumnwood Lane, Okemos, spoke in support of streetlights for the Ember Oaks Subdivision.

Will Tyler White, 4695 Okemos Road, Okemos, reminded citizens of the second Design Meridian meeting to be held July 29, 2004 in the Town Hall Room at 6:00 P.M. Additional information can be found at the website: www.meridiantownshipdc.com.

Brett Dreyfus, 6386 Towar Avenue, East Lansing, introduced himself as a Democratic candidate for Township Treasurer.

John Anderson, 215 W. Newman, Okemos, addressed the lawsuit surrounding the cell tower and in opposition to the Board vote on Rezoning #04020 (Okemos Public Schools).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Proper Board Procedure: (Questions for the attorney (See Agenda Item #8))

Q. It has been stated that we have not been following proper procedure. Are you aware of any situation where we on this Board have not followed proper procedure?

A. No, not while we have been representing the Board and while this Board has been in office. Would you like me to address the specific issues discussed tonight?

Treasurer Hunting responded to the attorney that her answer was sufficient.

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- Q. Another issue that was brought up is ordinance violations. Are you aware of any ordinance violations that have taken place by this Board since you have been representing this Board?
- A. No.

Treasurer Hunting stated people continue to either intentionally misrepresent or negligently do not check the facts before they speak on the issue of lawsuits. The clear facts are that this Board has not lost a single lawsuit since it has been sitting here. That is contrary to what you have heard from a couple of speakers tonight and also contrary to what you may have received as an anonymous letter(s) in the mail. It seems to keep gathering strength based on the fact that people believe the lies they are being told. We have won a handful of cases where we have defended the rights of the citizens. We have defended against one of our opponents who is even criticizing us for unnecessarily high legal costs. He is one of the people who sued this Board; twice. The judge dismissed both of his cases; he lost both of them.

- Q. Are you aware of any cases where we have lost in a final sense through the legal system since we have sat here?
- A. No, there have been no monetary final awards or judgments against the Township since this Board has been in office.

Treasurer Hunting stated he hesitated to attach an intentional lie or intentional misrepresentation explanation for whatever purpose. Obviously, in this case, it would be for political purpose. He said this type of thing really needs to stop, as it is what gives politicians a bad name. It does all of us a disservice and Treasurer Hunting is disappointed in his opponent and his comments this evening.

Treasurer Hunting said with respect to legal fees, the facts are that this Board has spent the same amount as the previous Board did in legal fees. This Board has also spent the same amount as two Boards ago. From a budgetary standpoint, legal fees have been flat for the last three (3) Boards. Those are the facts. If you wish to believe something other than the facts, that is your option. The same amount of money has been spent, adjusted for inflation, as the prior two (2) Boards. As a matter of fact, money received in fees and fines have offset our legal fees and actually take our legal fees below some of the previous Boards when you offset our new procedure of collecting fees and fines from ordinance violators and others who are not following Township rules and regulations. It is amazing to me that, unfortunately, people put so much stock in information that they really have not checked on or haven't checked the source.

In response to an earlier comment, Supervisor McGillicuddy stated a hearing is needed on Ember Oaks subdivision in order to set an assessment district for streetlights. Whenever money is involved, there must be a hearing.

Trustee Brixie offered a comment on earlier statements made by stating that one of the jobs the Planning Commission is charged with is to evaluate zoning requests and to make recommendations to the Board. The Board members are charged with the authority to make zoning decisions.

Clerk Helmbrecht announced all absentee voter ballots have been mailed to citizens who have filled out an application. Saturday, July 31st is the last day for individuals to obtain an absentee ballot. The Clerk's office will be open that day from 8:00 a.m. until 2:00 p.m. Citizens can come into the Clerk's office to obtain a ballot and vote absentee at the Municipal Building until 4:00 P.M. Monday, August 2nd.

- A. Introduction of New Police Officers: Nicholas Olivo and Christopher Lofton
Acting Chief David Hall introduced Nicholas Olivo and Christopher Lofton for presentation to the Board as new police officers.
- B. HOM-TV National Awards
TV Coordinator Lynn Meikle announced that HOM-TV has won four (4) National Awards this year:
- 1) The national first place Beacon Foundation award for "Best Meeting Coverage"
 - 2) The national first place Beacon Foundation award for "Best Specialty Video; Community Connection: Clothing Drive for the Ukraine"

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- 3) The national first place Alliance for Community Media award for “Overall Excellence in Government Access”
- 4) The national first place Alliance for Community Media award in the Cultural & International category for “Community Connection: Clothing Drive for the Ukraine”

C. Presentation of Audit by Mary Schaffer, Plante & Moran

Mary Schafer and Pam McIntosh, Plante & Moran, 1111 Michigan Avenue, East Lansing, gave a graphic audit presentation highlighting the Township’s financial status for 2003 year-end. The Comprehensive 2003 Annual Report indicates the Township received a Certificate of Excellence in Financial Reporting. There were no deficiencies within the auditor’s testing of the Township’s internal controls.

GASB 34, the new reporting model, shows net assets, asset depreciation and debt within the balance sheet; however, all governmental entities continue to operate on a fund level.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Woiwode moved to approve the agenda as submitted. Seconded by Trustee Brixie.

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

Trustee 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 Treasurer Hunting.

(1). Board Information (BI)

- BI-1 Michele Glinn, 1913 Atherton Way, Okemos; RE: Opposition to the closing of Okemos and Haslett libraries
- BI-2 Sue Stabler, 1192 Buckingham Road, Haslett; RE: Opposition to a central library facility
- BI-3 Lynne S. Page, President, Briarwood Home Owners Association, PO Box 210, Okemos; RE: Opposition to Special Use Permit #04061 (Hodney)
- BI-4 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Copy of a letter to the Planning Commission regarding Commission Review #04013, Public Improvement Program (PIP)
- BI-5 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Copy of a letter to the Planning Commission regarding Special Use Permit #04061 (Hodney)
- BI-6 John Thomas Anderson, 215 Newman Road, Okemos; RE: Notice of Intent to File a Referendum Petition concerning Rezoning #04020 (Okemos Public Schools)
- BI-7 Barbara Schmidt, 3980 E. Sunwind Drive, Okemos; RE: Notice of Intent to File a Referendum Petition concerning Rezoning #04020 (Okemos Public Schools)
- BI-8 Mark A. Bush, 3912 Hazy Lane, Okemos; RE:
 - Notice of Intent to File a Referendum Petition concerning Rezoning #04020 (Okemos Public Schools)

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- Withdrawal of Notice of Intent to File a Referendum Petition concerning Rezoning #04020 (Okemos Public Schools)
- BI-9 The Michigan Townships Association, 512 Westshire Drive, Lansing; RE: July, 2004 Issue of *Capitol Currents*

(2). Staff Communication/Referral (SC)

SC-1 Michigan Townships Association Legislative Fax July 2, 2004 Edition

SC-2 Michigan Townships Association Legislative Fax July 9, 2004 Edition

(3). On File in the Clerk's Office (OF)

Materials received at the July 6, 2004 Board Meeting:

E-mail from Robert H. Peterson, Director of Engineering, Ingham County Road Commission;

RE: Dobie Road and Hatch Road Walkthrough

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

NAYS: None

Motion carried 6-0.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the July 6, 2004 Regular Meeting as submitted. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

C. Bills

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

Common Cash	\$ 155,851.59
Public Works	\$ 163,263.86
Total Checks	\$ 319,115.45
Credit Card Transactions	\$ 9,378.09
Total Purchases	<u>\$ 328,493.54</u>
ACH Payments	<u>\$ 248,339.12</u>

Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

[Bill list in Official Minute Book]

D. Fire Department Promotions

Trustee Brixie moved to ratify the promotion of Jeff Stillman to Battalion Chief, Tom Carrow to Captain and Montgomery Nye to the rank of Lieutenant. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

E. (Re)Appointments:

- Appointment of Bruce N. Nygren to the Community Resources Commission
Trustee Brixie moved that Bruce B. Nygren be appointed to fill the vacant position on the Community Resources Commission for a term to expire December 31, 2005. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

- Reappointment of Patrick Cannon to the CATA Board
Trustee Brixie moved that Patrick D. Cannon be reappointed to the CATA Board for a full term to expire September 30, 2007. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

- Reappointment of Steven Culling, Don Kaufman and Thomas Page to the Lake Lansing Advisory Committee
Trustee Brixie moved [and read into the record] THEREFORE, BE IT RESOLVED THAT, the following persons are approved as members of the Lake Lansing Advisory Committee until April 30, 2006:

Tier One

Thomas Page	6178 Columbia	(Reappointment)
Dr. Don Kaufman	6310 E. Lake Drive	(Reappointment)

Tier two

Steven Culling	6193 Columbia	(Reappointment)
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Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

F. Police Equipment Grant

- Trustee Brixie moved to approve Township application and acceptance of the Byrne Grant for equipment and technology and to authorize the Township Manager and staff to process required paperwork and forms. Seconded by Treasurer Hunting.**

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

NAYS: None

Motion carried 6-0.

G. Ember Oaks Subdivision Streetlighting District, Set Public Hearing Date (Aug. 17, 2004)

- Trustee Brixie moved to approve Ember Oaks Subdivision Streetlighting District – Revised Resolution #1 tentatively declaring its intention to install and maintain twenty (20) streetlights and defray the cost by special assessment against the benefiting parcels and setting a public hearing for August 17, 2004. Seconded by Treasurer Hunting.**

Public Hearing Requirement for Streetlighting Special Assessment Districts: (Questions for the attorney (See Agenda Item #8))

Q. Mr. Schroeder was in earlier wondering about the public hearing that we are setting. I just want to make sure that is a requirement for our procedures and that we would not be able to move forward without setting a public hearing?

A. A public hearing is required by law.

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

NAYS: None

Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 5, #7, #10A, #11A)

9. HEARINGS

A. Appeal of Special Use Permit #04051 (Meridian Township), request to work in the floodplain to construct a pathway between Burcham Drive and Okemos Road along the Consumer's Energy right-of-way

Supervisor McGillicuddy opened the public hearing at 7:00 P.M.

Director Kieselbach introduced the appeal as outlined in staff memorandum dated July 15, 2004.

Trustee Woiwode asked whether the fill would or would not raise the pathway above the floodplain.

Director Kieselbach stated the idea was to fill in low areas or gaps to create a level surface for the pathway. The pathway will be flooded during the rainy season. The drainage drains to the east, into a branch of the Eberly Drain.

Trustee Stier asked for confirmation that the issue before the Board is only regarding the work in the floodplain.

Director Kieselbach stated that was correct.

APPELLANT

Daria N. Schlega, 2446 Burcham Drive, East Lansing, and property owner in the Dream Lakes Condominium, offered the following reasons for her appeal as follows:

- Concern that any leveling and filling will cause flooding in her basement
- Current bicycle path between Abbott and Park Lake could be extended on from Park Lake to Okemos Road instead
- Concern with obtaining easements from three (3) pieces of private property
- Concern that pathway does not connect to anywhere
- Ill conceived plan
- Essentially the same proposal was denied in 1998

PLANNING COMMISSION REPRESENTATIVE

Thomas Deits, 4045 Van Atta Road, Okemos, Planning Commission representative, offered the following as reasons for Planning Commission approval:

- Sole issue before the Planning Commission was the cut in the floodplain and compensating cuts elsewhere to change the level of the pathway
- Environmental Commission and Township engineers statement that the permitting process for the compensating cuts was in compliance with rules and regulations
- Planning Commission condition to change the compensating cut ratio from 1:1 to 1:1.5 in response to residents concerns for potential flooding and to be consistent in its request from private developers and the Township

PUBLIC COMMENT

Soon Pak, 2378 N. Wild Blossom Court Lansing, offered the following comments:

- The plan is flawed
- There would be safety concerns once opened to the general public
- Questioned who would be responsible for maintenance costs for rubbish and foliage trimming
- There would be a loss of privacy for nearby residents

Dr. Edward DeBartolo, 2374 N. Wild Blossom Court, East Lansing, offered the following comments:

- This plan is an encroachment on safety of residents
- This plan encroaches on privacy of residents
- The value of Dream Lake Condominiums will decrease
- If pathway is constructed, his family will relocate
- Leveling will cause water damage in basements

[Clerk Helmbrecht left the room at 7:50 P.M.]

Tim Potter, 4632 Van Atta Road, Okemos, offered the following comments:

- He is a bicyclist who lives within the Township
- Pathway is the first segment of an interurban pathway connecting the downtown River Trail in Lansing to Lake Lansing
- Pathway to be blocked from vehicular through traffic
- Pathway for naturalists to enjoy

Margaret Morath, 2379 N. Wild Blossom Court, East Lansing, offered the following comments:

- Vegetation buffer inadequate to maintain privacy
- Rear entrance would increase possibility of crime

Michael Unsworth, 5948 Village Drive, Haslett, offered the following comments:

- Path connects Burcham Road bike lanes with path along Okemos Road
- Safety concerns expressed earlier by residents already exist
- Pathway would actually create better security for the area

Terri Wright, 2374 Burcham Drive, East Lansing, offered the following comments:

- Purchased home because of the privacy feature in the rear
- Potential for flooding may increase insurance rates

John Veenstra, 320 Piper Road, Haslett, offered the following comments:

- Enjoyment of bicyclists who travel Piper Road
- Urged denial of the appeal
- Supports creation of the interurban pathway as part of a trail network
- Ease of construction by filling in low spots in existing light rail roadbed for the pathway
- Fill will not cause new flooding problems in the area
- Separated from motorized traffic for safety of children on bikes
- Part of the Master Pathway Plan for many years

Annette Barton, 2380 N. Wild Blossom, East Lansing, offered the following comments:

- Concerned with privacy
- Concerned with flooding
- Use of outdated data by the Planning Department

Tsun P. Wang, 2380 N. Wild Blossom Court, East Lansing, offered the following comment

- Concerned with security, especially at night

Keith Oberg, 1585 Hillside Drive, Okemos, offered the following comments

- Pathway as a benefit to residents
- Concerns over crime are unfounded

Aren Hellum, 5702 Honeycreek Circle, Haslett, offered the following comments:

- Cyclists would benefit from the pathway
- Lucinda Means, 637 Cornell, East Lansing, offered the following comment:
- Non motorized pathways are not a draw to crime

Chief Engineer Younes Ishraidi, added that the area under discussion is next to the water treatment plant, the most monitored area in Meridian Township and East Lansing. The Township just completed a security and response plan specific for the water facility.

APPELLANT'S REBUTTAL

Daria N. Schlega, 2446 Burcham Drive, East Lansing offered comments in rebuttal:

- Criminals seek secluded areas for opportunity to commit crime
- Historical corridor established in 1920 has not been used for 80 years
- Possible increase in taxes to provide maintenance for the pathway

Supervisor McGillicuddy closed the public hearing at 8:07 P.M.

[Supervisor McGillicuddy recessed the meeting at 8:10 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:26 P.M.]

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Gloria Anderson, 4565 Manitou Drive, Okemos, spoke in opposition to Special Use Permit #04041 (Stockwell) and asked for a definition of "affordable housing."

Eleanor Luecke, President, LINC, PO Box 40, Okemos, requested the Board table the Appeal of Special Use Permit #04041 (Stockwell).

Tad Krear, Land Design Studio, 7 N. Saginaw, Suite 220, Pontiac, and representative of the developer, spoke in support of Special Use Permit #04041 (Stockwell) and availed himself for Board questions.

Supervisor McGillicuddy closed public comment.

A. Appeal of Special Use Permit #04041 (Stockwell)

Treasurer Hunting moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies the appeal and affirms the Planning Commission's approval of Special Use Permit #04041 to construct a multiple family project with the following conditions:

1. Approval is granted in accordance with the site plan prepared by KEBS, Inc., dated March 16, 2004, indicating four buildings with a total of 26 dwelling units and accompanying materials provided by the applicant, subject to revisions as required.
2. The site plan shall either be revised to show two additional parking spaces north of Building D or a variance for the required number of parking spaces shall be applied for and granted from the Zoning Board of Appeals.
3. Prior to any construction or grading on the site, the applicant shall install silt fencing at the upland edge of the water features setback. The silt fencing shall be removed after construction once the area is stabilized and vegetation has been established.
4. Significant trees identified on the site by the Township shall be protected during construction using the standards outlined in Section 22-179 of the Code of Ordinances.
5. Lighting shall be arranged such that no illumination shall adversely affect the welfare of an adjacent property or traffic on the adjacent streets. All outdoor lighting on the site shall be in compliance with Section 38-371 of the Code of Ordinances.

6. A seven foot wide concrete pathway shall be constructed along the east side of Okemos Road. The location and design of the pathway shall be subject to the approval of the Director of Public Works and Engineering.
7. Final utility plans for the site are subject to approval of the Director of Public Works and Engineering and shall be in accordance with the Township Engineering Design and Construction Standards.
8. The applicant shall obtain all necessary permits, licenses, and approvals from the Ingham County Drain Commissioner's office, Ingham County Road Commission, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.
9. Street trees shall be required along Okemos Road and Central Park Drive and shall be depicted on the landscape plan submitted for Site Plan Review. Species and location of the trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Commission.
10. Any wellhead(s) located on the site shall be properly closed and abandoned per the requirements of the Ingham County Health Department and the Township, prior to the issuance of any permit for construction activity, including grading permits.
11. If necessary, prior to any grading and/or building permits being issued, the applicant shall provide a copy of a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) from FEMA addressing the differences between the plans and the Flood Insurance Rate Map.

Seconded by Trustee Woiwode.

Board members discussed the following:

- Development would not significantly affect drainage issues to the north and west
- Consistency with Planning Commission approval
- Township environmental consultant finding that this project would have no negative impact to the wetland
- Rezoning of this property is not the issue before the Board
- Berm, fence and lighting issues by appellants will be addressed during the Site Plan Review process
- Sewage problems will be addressed regardless of decision on SUP #04041
- Concerns by appellants will be discussed at the Site Plan Review
- Notification to adjacent property owners as a procedure during Site Plan Review

Required Number of Votes: (Questions for the attorney (See Agenda Item #8))

Q. For an appeal, do we need a simple majority or a majority of the Board?

A. I believe it would be the same requirement for any other vote. So you have enough here tonight to go forward with that. The appeal is no different. I can look at the ordinance section, but it shouldn't be any different on the vote than any other vote. It should be the same vote that you always have. I will look at that just to be sure. It is a majority.

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

NAYS: None

Motion carried 5-0.

- Stockwell request to develop 26-unit townhouse project located on the northeast corner of Okemos Road and Central Park Drive exceeding 25,000 square feet

Trustee Stier moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN

hereby approves Special Use Permit #04041 to construct a group of buildings over 25,000 square feet in size on a lot. Seconded by Treasurer Hunting.

Board members discussed the following:

- Project only 711 feet over what is allowed without a special use permit
- Willingness of developer to work with the residents and the Board

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

NAYS: None

Motion carried 5-0.

B. Zoning Amendment #04050 (Township Board), Access Management

Trustee Woiwode 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, amending Division 4 by adding Section 86-441, and amending Section 86-2, Section 86-402(5), Section 86-469, Section 86-655(e)(5), Section 86-756(11), and Section 86-757.”

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Trustee Stier.

Board members discussed the following:

- Need for access ordinance along the state trunk line
- Development and redevelopment of access points along this corridor to ensure a safer community
- Access Management guidelines under which the Board has been operating has already eliminated several driveways along Grand River.

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

NAYS: None

Motion carried 5-0.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Appeal of Special Use Permit #04051 (Meridian Township), request to work in the floodplain to construct a pathway between Burcham Drive and Okemos Road along the Consumer’s Energy right-of-way

Clarification regarding the sole issue before the Board on this appeal: (Questions for the attorney (See Agenda Item #8))

Q. Could you clarify for the public and for the people who were at the public hearing, even though we have already heard it tonight, what the issue is and is not relating to testimony that we heard tonight from the public?

A. The issue before the Board tonight deals simply with the appeal and whether there should be fill placed in the floodplain in construction of this pathway; not whether the pathway itself should go in but whether the fill should be allowed to be put in this floodplain area. That’s the issue that was decided under the SUP by the Planning Commission. That’s the issue that was appealed and that’s the only issue before the Board.

Board members and staff discussed the following:

- Fill and compensating cut will not cause flooding on adjacent properties
- Existing building was approximately eight (8) feet above the center of the pathway
- Current storm drainage flow will remain to the east
- Backyard setback from another property in a PUD is waived as a standard requirement and set during the process
- Past police research on bicycle pathways indicate there are no safety issues
- Regular police patrol of the water treatment plant
- Bicycle and rollerblade activity are safe activities
- After pathway installation, police can make contact with residents for feedback
- After pathway installation, police can conduct more frequent patrol
- No testimony presented in direct opposition to work in the floodplain only
- Planning staff can address screening during Site Plan Review

It was the consensus of the Board to direct staff to prepare appropriate motions for denial of the appeal for the August 17th Board meeting.

B. Master Plan, Implementation Chapter

Director Kieselbach summarized the Draft Implementation Chapter as outlined in staff memorandum dated July 14, 2004.

Board members discussed the following:

- Page 1 – possible inclusion of regional cooperation as a stated goal
- Page 1, line 16 – restate Goal #7 to make it clearer
- Page 1, line 40 – concern with the word “ample”
- Page 2, line 36 – add “greenspace plan” at the end of the line
- Page 3, line 18 – no information on how to prioritize smart growth projects
- Page 4, line 5 – ICRC the decision maker of road networks for neighborhood scaled streets
- Need for inclusion of implementation of specific strategies for business
- Page 7, line 20 - Need to include more specific language on regionalism with a proactive agenda
- Page 7, line 35 – access management ordinance as one step in formalizing relations with MDOT
- Master Plan as a long-range document
- Staff will incorporate Board comments and send to the Planning Commission
- Belief that Meridian Township exceeds the national standard for park land in our sized community

12. POSSIBLE CLOSED SESSION

Trustee Brixie moved that the Township Board go into closed session to consult with the Township’s legal counsel regarding pending litigation. Seconded by Trustee Woiwode.

Treasurer Hunting offered the following friendly amendment:

- **Add after litigation, “and for the purpose of considering material exempt from discussion by state or federal statute as authorized by MCL 15.268(h).”**

Amendment accepted by the maker.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Treasurer Hunting
NAYS: None
Motion carried 5-0.

Supervisor McGillicuddy recessed the meeting at 9:48 P.M.

The Board adjourned to the Upstairs Conference Room for a closed session.

Treasurer Hunting moved to return to open session. Seconded by Trustee Stier.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Treasurer Hunting
NAYS: None
Motion carried 5-0.

Treasurer Hunting moved to go forward as discussed in closed session. Seconded by Trustee Stier.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Treasurer Hunting
NAYS: None
Motion carried 5-0.

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

John Anderson, 215 W. Newman, Okemos, read an article in the Lansing State Journal relative to a lawsuit regarding the cell tower and spoke concerning Rezoning #04020 (Okemos Public Schools) .

Gloria Anderson, 4565 Manitou Drive, Okemos, expressed appreciation to the Board for its work to clean up procedures and processes. She also suggested a general survey published in the Towne Courier that could go to all residents.

Eleanor Luecke, President, LINC, PO Box 40, Okemos, spoke regarding Board approval of Special Use Permit #04041 (Stockwell).

John Veenstra, 320 Piper, Haslett, spoke to the unfounded fear expressed by the Dream Lake Condominium owners and expressed his appreciation for Board approval on SUP #04041 (Stockwell). Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:25 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary