

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, DECEMBER 15, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,  
LeGoff, Ochberg, Veenstra (6:02 P.M.)  
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

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.

Shane Goodale, 1223 Tihart Road, Okemos, spoke to his application for appointment to the Planning Commission.

Carol Christenson, President, Friends of the Haslett Library, 1122 Haslett Road, Haslett read from a letter sent to the Friends of the Haslett Library regarding fundraising for the alternate location of the Haslett Library to the old Meridian High School site.

Cecilia Kramer, President, Friends of the Hope Borbas Okemos Library, 4560 Oakwood, Okemos, read from a prepared statement in support of the alternate location of the Haslett Library to the Old Meridian High School site.

[Prepared statement in Official Minute Book]

Will White, 2138 Hamilton Road, Okemos, spoke in support of complete streets language in the amendments to the mixed use planned unit development ordinance and requested as much flexibility as possible within the ordinance.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Ochberg spoke in support of moving the Haslett Library to the old Meridian High School site, while acknowledging there is still research to be done before this issue can be brought to the Board for a vote.

Supervisor McGillicuddy passed out paperwork from LIAA on the urban service boundary grant. She gave an update on the LEAP subcommittee where the function and duties of the Metro Council were discussed.

Trustee Veenstra requested an update on progress of the relocation of the Haslett Library to the old Meridian High School site.

Manager Richards responded the Township is awaiting specifications necessary to bring the building up to code (i.e., barrier free restrooms, installation of sprinklers), accompanying cost estimates and revenue sources to achieve the renovations. He added that drawings and regulation of school buildings are handled by the state, not through local municipalities.

Treasurer Brixie clarified a statement made at the last Board meeting by adding that credit card payments for taxes can be accomplished via phone. She indicated residents interested in paying their taxes by credit card can get direction to do so by calling the Treasurer's office at (517) 853-4144 or by logging onto [www.meridian.mi.us](http://www.meridian.mi.us). Treasurer Brixie reminded residents that the last day to pay taxes in 2009 is Wednesday, December 30, 2009 at 5:00 P.M.

6. APPROVAL OF AGENDA

**Trustee Brixie moved to approve the agenda amended as follows:**

- **Add Agenda Item #10D: Land Preservation Purchase of Parcels - Potter Properties (Carlton Street and Haslett Road)**
- **Add Agenda Item #10E: Release of Confidential Memorandum**
- **Move Agenda Item #10A to #11B: Appointments to Boards and Commissions**

**Seconded by Trustee Dreyfus.**

**Supervisor McGillicuddy offered the following friendly amendment:**

- **Move Agenda Item #11A to #11B**
- **Move Agenda Item #11B to #11A**

**The amendment was accepted by the maker.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Clerk Helmbrecht moved to adopt the Consent Agenda. Seconded by Trustee Ochberg.**

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 follows:

A. Communications

(1). Board Information (BI)

- BI-1 Mary A. Hill, 5935 Bayonne Avenue, Haslett; RE: Letter of support for the alternate location of the Haslett Branch library to the site of the old Meridian High School
- BI-2 Kathleen Denisi and Bernard M. Schroeter, 1805 Crest Street, Haslett; RE: Letter of support for the alternate location of the Haslett Branch library to the site of the old Meridian High School
- BI-3 Tom and Bobbi DeByne, 1918 Creek Landing, Haslett; RE: Letter of support for the alternate location of the Haslett Branch library to the site of the old Meridian High School
- BI-4 Diane Trebilcock, 2394 Burcham Road, East Lansing; RE: Letter requesting reconsideration of constructing a roundabout at the intersection of Park Lake and Burcham Road
- BI-5 Pamela Rockstad, 804 Piper Road, Haslett; RE: Letter of support for the alternate location of the Haslett Branch library to the site of the old Meridian High School

(2). Regional Linkage (RL)

- RL-1 Patrick J. Glithero, Chief, Floodplain Management and Insurance Branch, Federal Emergency Management Agency, US Department of Homeland Security, 536 South Clark St., 6th Floor, Chicago, Illinois; RE: Notice of a Public Flood Risk Information Open House on Tuesday, January 5, 2010 at the Foster Community Center, 200 North Foster, Lansing
- RL-2 Cherry Hamrick, Library Director, Delta Township District Library, 5130 Davenport Drive, Lansing; RE: Letter of support for the alternate location of the Haslett Branch library to the site of the old Meridian High School

**Clerk Helmbrecht 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 Ochberg.**

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

B. Minutes

**Clerk Helmbrecht moved to approve and ratify the minutes of the December 1, 2009 Regular Meeting as submitted/amended. Seconded by Trustee Ochberg.**

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

C. Bills

**Clerk Helmbrecht moved that the Township Board approve the Manager’s Bills as follows:**

Common Cash	\$1,092,430.59
Public Works	\$ 457,429.57
Total Checks	\$1,549,860.16
Credit Card Transactions	\$ 13,411.83
Total Purchases	<u>\$1,563,271.99</u>
 ACH Payments	 <u>\$ 400,201.93</u>

**Seconded by Trustee Ochberg.**

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]

D. 4<sup>th</sup> Quarter Budget Amendments

**Clerk Helmbrecht moved that the Township Board approve the 2009 amended budget as reflected on Page 3 of the memorandum to the Township Board from the Finance Director, dated December 11, 2009. Seconded by Trustee Ochberg.**

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

- E. Liquor License Transfer, Walnut Hills Hospitality, LLC  
**Clerk Helmbrecht moved to approve Walnut Hill Hospitality, LLC's application to transfer ownership and location (governmental unit) of a 2008 Class C liquor licensed business from Blue Coyote Brewing Company, Inc., whose license is being held in escrow at 113 Pere Marquette, Lansing, MI 48912, Ingham County, Michigan to Walnut Hills Hospitality, LLC located at 2874 Lake Lansing Road, East Lansing, Michigan 48823, Meridian Township, Ingham County; and requests new dance-entertainment permit and two additional bar permits. This transfer is conditional upon payment of \$75,021.23 unpaid 2009 Summer Taxes (plus any additional interest incurred after December 31, 2009) due on or before February 15, 2010. Further, authorize the Township Clerk to execute the resolution for local approval of this transfer. Seconded by Trustee Ochberg.**

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

- F. Hulett Road Public Road Improvements SAD #42, **Resolution #4**, Set Public Hearing Date (January 19, 2010)  
**Clerk Helmbrecht moved to approve the Hulett Road Public Road Improvements Special Assessment District #42, Resolution No. 4, which files the proposed final special assessment roll with the Township Clerk and sets the date for a public hearing on January 19, 2009. Seconded by Trustee Ochberg.**

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.

Vance Kincaid, 4530 Nakoma Drive, Okemos, expressed concern with Board action surrounding the details contained in the confidential memorandum released by the Board.

Supervisor McGillicuddy closed public comment.

- B. Salary Schedule for 2010 Non-Union Employees  
**Trustee Ochberg moved approval of the 2010 non-union wage scale as proposed by the Township Manager in a memorandum to the Board dated December 9, 2009. Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- Salary levels remain the same as last year
- Standard salary for department directors should be included in the minutes

**Trustee Veenstra moved the actual amount of department head salaries be included in an attachment that is circulated with the minutes.**

**The motion died for lack of support.**

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

C. Preliminary Plat Extension for Ember Oaks

**Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #00012, Ember Oaks, for a period of two years, from November 19, 2009 to November 19, 2011, with the following condition:**

1. All previous conditions placed on the approvals of the preliminary plat and preliminary plat extension approvals shall remain in effect.

**Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- No changes to the plat from last Board approval

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

D. Land Preservation Purchase of Parcels – Potter Properties (Carlton Street and Haslett Road)  
**Trustee Dreyfus moved [and read into the record] NOW THEREFORE BE IT RESOLVED the Township Board of the Charter Township of Meridian, Ingham County, Michigan, does hereby approve the purchase of the Potter Properties as shown on the attached map with accompanying legal descriptions.**

**BE IT FURTHER RESOLVED the Township Board forwards the request to the Planning Commission for Section 61 Review of the properties at its first possible meeting opportunity for approval as to their location, character and extent as a public ground or open space effective this date, December 15, 2009.**

**BE IT FURTHER RESOLVED that the Township Board authorizes the Township Supervisor, Township Clerk, Township Attorney and Township Manager to ratify the agreement entered into with Merle C. and Gloria J. Potter and to take all further actions deemed necessary to close such transaction for acceptance of these parcels. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Excellent opportunity to advance Board goals of open space preservation
- Series of properties adjacent to the railroad tracks which are currently zoned commercial
- Outstanding pieces for restoration which will help protect nearby Lake Lansing
- Very difficult to find a use for these parcels due to the railroad tracks on one side with homes surrounding them
- Properties do not contain wetlands
- Request for inclusion of the purchase price and taxes in the minutes
- Purchase price of \$25,000 plus \$2,507 for the 2009 winter tax bill

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

E. Removal of Confidentiality

**Treasurer Brixie moved to release the confidential memorandum received in the packet for public view. Seconded by Trustee Dreyfus.**

Board members discussed the following:

- Board request for the report
- Memorandum does not merit the mark of confidentiality

- Alleged inaccuracies within the memorandum

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

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Appointments to Boards and Commissions

Board members discussed the following:

- Most current appointees indicated a desire to serve another term
- Consideration of applications submitted earlier in the year
- Learning curve involved once appointed to a board or commission
- Request for a coordinated effort to solicit applicants earlier in the year
- Possible use of newspaper ad earlier in the year to solicit applications
- Request for Board members to receive copies of all applications prior to appointments

**Treasurer Brixie moved to table appointments to Boards and Commissions until the Board has the opportunity to review all applications received. Seconded by Trustee LeGoff.**

Continued Board discussion:

- Applications are sent to the various Boards and Commissions by the Supervisor for input prior to appointment
- Current youth member on the Environmental Commission will become of age and desires to continue service
- Request for the appointment process to again be opened up for Board member input

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

B. Mixed Use Planned Unit Development Ordinance

Director Kieselbach gave an update of staff work on the proposed ordinance as outlined in staff memorandum dated December 10, 2009.

Board members and staff discussed the following:

- Board consensus to adopt the second definition for redevelopment
- No planning agency standard for the definition of undeveloped
- Better definition of undeveloped as vacant
- Concern with limiting the time frame to classify redevelopment
- Belief there needs to be a definition of developed area
- No limit to the number of bedrooms per unit
- Lack of trust in the ability of the Board to correctly orchestrate projects
- Overprescribing leads to restriction
- Flexibility within the ordinance which gives the Board complete control
- Flexibility gives applicants the ability to look at unique situation on their land and bring the Board a workable plan
- Concern that Board does not in reality have complete control due to annexation threats
- Suggestion that complete transparency can be provided by the applicant initially providing an informal preliminary site plan to the Board including specific time tables for phased implementation
- No definition in the ordinance for farmland
- Staff definition of farmland as land that is actively being used for an agricultural purpose
- The term unit does not accurately describe the corresponding traffic
- Need to adequately address the number of car trips per day that will be generated for a project

- Necessity of the Board to look at each project on a case-by-case basis relative to the density for the subject parcel
- Board flexibility does not really exist because of the reality of doing business
- Board flexibility must be built in through narrowing the areas where the MUPUD can be utilized to those designated as special study areas on the Master Plan
- MUPUD is a new urbanism concept
- Concern with limiting the application of the MUPUD to a few select areas
- Design of the MUPUD as an overlay in office or commercial area is a sound design
- Complete streets include sidewalks
- Board consensus on the definition of complete streets as a design principle to promote a safe network of access for pedestrians, bicyclists and transit riders of all ages and abilities
- Suggestion for flexibility in urban areas and restrictions in non urban areas
- Concern with restrictions on how an entrepreneur does business
- Lines 79 and 81: Language “shall be permitted” denotes an allowed use in the PO and commercial districts dependent upon Board approval of the design
- Bars and taverns excluded as a neighborhood-oriented commercial use in an underlying PO district
- Line 100: Consensus to delete “selling principally new merchandise”
- Concern that the Board should not restrict the way entrepreneurs do business unless there is a definable threat to public health, safety and welfare
- Direction to staff to explore appropriate placement of language regarding review of a preliminary perceptual plan by the Board
- Current subdivision regulations allow applicant the opportunity to submit a non-binding preliminary concept plan in order to receive staff input/comments
- One developer submitted an overall concept plan which was approved by the Board and agreed to receive Board approval for each phase of the development
- Staff to prepare language that the conceptualized site plans will be reviewed by the Director of Community Planning and Development and shown to the Planning Commission and the Board

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Will White, 2138 Hamilton Road, Okemos, spoke in support of Board progress on the MUPUD ordinance and the need for flexibility in that ordinance.

Vance Kincaid, 4530 Nakoma Drive, Okemos, requested a copy of the released confidential memorandum. He spoke in opposition to Township control of the soil erosion permitting process and the mechanical, electrical and plumbing permitting process. Mr. Kincaid addressed the ability of the public to pay taxes with credit cards and spoke to the need for open, friendly and cooperative government in Meridian Township.

Supervisor McGillicuddy closed Public Remarks.

13. POSSIBLE CLOSED SESSION

**Trustee Ochberg moved that the Township Board go into closed session to consult with the Township Attorney regarding trial and/or settlement strategy in connection with pending litigation. Seconded by Treasurer Brixie.**

Board members and staff discussed the following:

- Subject matter is the Comcast lawsuit

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

NAYS: None

Motion carried unanimously.

Supervisor McGillicuddy recessed the meeting at 8:35 P.M.

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

**Treasurer Brixie moved to return to open session. Seconded by Trustee Dreyfus.**

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

Supervisor McGillicuddy reconvened the meeting at 9:15 P.M.

**Treasurer Brixie moved that the Township Board go forward as discussed in closed session.  
Seconded by Trustee Dreyfus.**

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

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:18 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT, CMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary