

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, FEBRUARY 3, 2015 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra,
Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development
Mark Kieselbach, Fire Chief Fred Cowper, Chief Engineer Younes Ishraidi

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor LeGoff led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. SPECIAL PRESENTATION

A. Fire Chief Fred Cowper – Appreciation to CEO/Executive Director Sandy Draggoo from CATA and Pastor Rick Stacy from Meridian Christian Church

Fire Chief Cowper expressed appreciation to CATA CEO/Executive Director Sandy Draggoo for providing a bus for firefighters to warm themselves when they fought several structure fires during recent cold weather. He presented an award to Ms. Draggoo for CATA's service to Meridian's firefighters.

Fire Chief Cowper presented an award to Pastor Rick Stacy who, as the Fire Department's Chaplain, attended the eight (8) fire structure fires within the last five (5) weeks and some police calls to help manage the fire scenes and counsel affected individuals.

5. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, addressed the Parks and Recreation Program Guide relative to a lack of information concerning the sparse number of Senior Programs. He suggested a shuttle service be provided from the Senior Center to the Farmers' Market year round.

Neil Bowlby, 6020 Beechwood Drive, Haslett, offered statistics on the production of solar power through a solar array.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh offered the following:

- Removal of Agenda Item #13C: Wayne Beyea, MSU School of Planning, Design & Construction-Sustainability Assessment
- Pedestrian Pathway Bridge on Okemos Road is moving along
- Improvements (chairs, carpet, information technology) to the Town Hall Room will commence this week
- Four finalists for the Assistant Township Manager/Director of Public Works & Engineering position will be interviewed by a panel of Michigan Managers tomorrow & final interviews for the top candidates will be conducted February 9th

- Meeting with DTN Management regarding Carriage Hills Shopping Center property this week

7. BOARD COMMENTS & REPORTS

Treasurer Brixie reminded taxpayers that winter tax payments are due by February 17, 2015 by 5:00 P.M.

Trustee Wilson commented on a previous Board discussion about including nondiscrimination language relative to lesbian, gay, bisexual and transgender (LGBT) verbiage in Meridian Township shared services contracts. She noted the Fire Services Agreement passed at the last meeting may be one of those contracts and inquired about other contracts and agreements to see if they meet the intent of the ordinance. She discussed the importance of energy conservation and discussed turning off lights in Township rooms as one way of reducing energy consumption.

Trustee Scales offered one possible solution to energy conservation by having motion detector switches installed in Township buildings. He reported his attendance at the January 21st Ingham County Road Department (ICRD) meeting where the rotating schedule for clearing subdivisions in Meridian Township was discussed. Trustee Scales expressed appreciation to the ICRD and Meridian Township staffs for their efficient handling of the recent snow emergency. He reported there was also discussion at that meeting on non-motorized pathway ideas, where he learned Congestion Mitigation Air Quality (CMAQ) Improvement funds are available with two (2) criteria: (1) The pathway idea should be on the Township's Master Plan and (2) The pathway idea should be on Tri-County's Regional Master Plan.

Trustee Scales noted Tim Morgan is the new County Parks Director and he is planning to update the county parks non-motorized paths in an effort to sync them to various township Pathway Master Plans, with possible assistance from CMAQ and Transportation Alienation Program (TAP) Funds. He addressed the \$1.2 billion road funding process which will be placed on the May 5th ballot, stating the numbers "do not add up" and the money will not be allocated to the roads until fiscal year 2018. Trustee Scales indicated the money collected for fiscal year 2016 will be used to pay off debts. He added the bill also contains a requirement that over \$1 million of contracted work will require warranties. Trustee Scales suggested that, if the Board desires, the Director of the ICRD can make a presentation on the proposed road funding. He indicated the state is preserving what should be rebuilt. Trustee Scales noted if the Township pays 51% or more on a project, we have the choice to compel the ICRD to contract out the services.

Trustee Styka mentioned several family winter sports activities will take place during the month of February. He indicated the Meridian Senior Center is an important focus of providing service to seniors, although not part of the Township's government structure. Trustee Styka reported the Cable Communications Commission has been discussing and struggling with the Comcast Transfer of Control and Board action is needed by the February 27th deadline. He stated Niche has recognized that Okemos is the second best school district in the state, while Bridge Magazine has recently awarded Okemos for its 12th place ranking statewide.

Clerk Dreyfus responded to earlier public comment by sharing that seniors can utilize Redi-Ride to obtain transportation to and from the Farmers' Market. He noted the use of motion detection light switches can be added to Township facilities as new construction is underway; i.e., new central fire station. Clerk Dreyfus reported his attendance at a workshop on Freedom of Information Act (FOIA) changes, adding that although the changes will be extensive, Meridian is ahead of the curve and are in compliance with most of those changes. He stated it will be necessary for Meridian Township to formalize its FOIA procedures and summaries. Clerk Dreyfus noted his attendance at a presentation hosted by the Bureau of Elections, where it announced it is in the process of updating and revising the Qualified Voter File (QVF). He reported new voting equipment has been recommended by the state and offered comments on the May 5th ballot proposal.

Supervisor LeGoff announced five (5) board members attended the Michigan Townships Association (MTA) Conference held last week in Grand Rapids.

Trustee Veenstra stated the most equitable way to pay for roads is through a tax on fuel and putting an end to the lesser tax on diesel fuel. He agreed that all non-discrimination criteria should be included in Township contracts and agreements. Trustee Veenstra suggested the Township’s energy conservation measure should include parking lot lights. He offered his opinion on the letter from Richard Harrington in the Board packet relative to forfeiture proceedings.

Trustee Scales noted the letter from the Meridian Township Prosecutor, Cullen Harkness, shows a flow of the process, adding that new information which comes into play during the course of the process changes the direction of that process.

8. APPROVAL OF AGENDA

Trustee Styka moved to approve the agenda as amended. Seconded by Milton Scales.

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

A. Communications

(1) Board Information (BI)

BI-1 Anna Strong, Senior Civil Engineering Student at Michigan State University; RE: Haslett Village Square Senior Redevelopment Project

BI-2 Judy Kindel, 2915 Margate Lane, East Lansing; RWE: Support for Meridian Township preparing to become a solar ready community

BI-3 Comcast Business, 600 Galleria Parkway, Atlanta GA; RE: Monthly price increase effective March 1, 2015 for Business Class Internet Starter services

BI-4 Richard Harrington, 820 Piper Road, Haslett; RE: Meridian Township’s application of the Forfeiture Act

(2) Regional Linkage (RL)

RL-1 Nathan Triplett, Mayor, City of East Lansing, 410 Abbot Road, East Lansing; RE: Invitation for Meridian Township to become a member of the Greater Lansing Taxi Authority (GLTA)

(3) Staff Communications (SC)

SC-1 Director Kieselbach; RE: ITC Holdings Tree Grant Award to Meridian Township

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 Scales.

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the January 20, 2015 Regular Meeting. Seconded by Trustee Scales.

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

C. Bills

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

Common Cash	\$264,619.69
Public Works	\$ 96,724.07
Total Checks	\$361,343.76
Credit Card Transactions	\$ 12,303.06
Total Purchases	<u>\$373,646.82</u>
ACH Payments	<u>\$ 423,370.22</u>

Seconded by Trustee Scales.

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

(Bill list in Official Minute Book)

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS

A. 2014 Order to Maintain Sidewalks, Special Assessment District No. 15

Supervisor LeGoff opened the public hearing at 6:45 P.M.

Chief Engineer Ishraidi summarized the 2014 Order to Maintain Sidewalks for Special Assessment District No. 15.

Marvin Matson, 3665 Autumnwood Lane, Okemos, believed the sidewalk repair for the Hiawatha Lakes Association’s common area contiguous to his parcel should be shared between the association and himself.

Mr. Ishraidi indicated there are situations where the property line “straddles” two lots and staff will look into the aforementioned assessment.

Supervisor LeGoff closed the public hearing at 6:50 P.M.

B. Appeal of Special Use Permit #14111 – 2049 Grand River (Former Northwest Tire Site)

Supervisor LeGoff opened the public hearing at 6:50 P.M.

Director Kieselbach summarized the appeal of the denial of SUP #14111 as outlined in staff memorandum dated January 29, 2015.

Matthew Hagerty, Myers & Myers PLLC, 915 W. Michigan Avenue, Howell, attorney for the applicant, stated his client made adjustments on the site plan for this redevelopment project to preserve the mature trees on the property as expressed during Planning Commission deliberation. He offered rationale as counter arguments to the five (5) criteria used by the Planning Commission to deny the special use permit request.

James North, President, Jimmy John’s Enterprises, LLC, 2212 Fox Drive, Champaign, IL offered background information on the four (4) existing stores in the Lansing/East Lansing area. He spoke to use of a drive-through window as Jimmy John’s new business model. Mr. North indicated this fifth store allows the applicant to increase the number of trainees and the resulting business those trainees would bring to the area through their extended stay. He believed this new store would allow for a younger employee base from the high schools and college. Mr. North noted several fast food restaurants in the immediate area along Grand River Avenue have drive-through windows.

Leslie Kuhn, 6162 Oakpark Trail, Haslett, voiced objection to the proposed plan as it would destroy the last few heritage trees along Grand River Avenue. She spoke to the additional traffic and the turbulence it would add to an already congested area.

John Scott-Craig, Chair of the Planning Commission, 5244 Wardcliff Drive, East Lansing, spoke to the outline prepared by Vice-Chair Jackson summarizing the issues considered when the Planning Commission discussed and ultimately denied the special use permit (SUP) request.

Supervisor LeGoff closed the public hearing at 7:21 P.M.

12. ACTION ITEMS

Supervisor LeGoff opened and closed Public Remarks.

A. Appointments to the Board of Review

Clerk Dreyfus moved that Bertice Ellis and Sonya Pentecost be appointed to the Board of Review as regular members and that Martha Bashore be appointed to the Board of Review as an alternate member, all with terms ending December 31, 2016. Seconded by Treasurer Brixie.

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

B. Metro Fire Investigation Team Agreement

Treasurer Brixie moved to approve the Metro Fire Investigation Team Agreement with the Township’s 1/6th annual share coming from the General Fund and authorize the Township Manager to sign the agreement. Seconded by Trustee Scales.

Board and staff discussion:

- Board concern with language in the agreement presented last year
- Other members of the Metro team were unwilling to change verbiage last year
- Delhi and Delta Townships do not have their own police department and must store their findings from a fire investigation into Lansing’s locker
- Lansing has a procedure for placing evidence into its locker
- Lansing has the ability to store explosives in its locker
- Township has used the fire investigation team extensively over the last several weeks to address multiple structure fires

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None

Motion carried unanimously.

- C. Resolution Commemorating Black History Month
Trustee Scales moved [and read into record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, that Meridian Township commemorates Black History Month to pay tribute to the generations of African Americans who struggled with adversity and to celebrate the accomplishments, contributions, and history of African Americans. Seconded by Trustee Styka.

ROLL CALLVOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Matthew Hagerty, Myers & Myers PLLC, 915 W. Michigan Avenue, Howell, spoke to the variances necessitated by responding to the concerns expressed by the Planning staff and Planning Commission.

John Gardner, Senior Manager of External Affairs, Comcast, 1401 E. Miller Road, Lansing, addressed upcoming changes in cable services as a result of the Comcast/Time Warner merger.

Supervisor LeGoff closed Public Remarks.

- A. 2014 Order to Maintain Sidewalks, Special Assessment District No. 15
 Chief Engineer Ishraidi highlighted the process which will be used to address concern expressed earlier by a member of the public.

Board and staff discussion:

- Staff person will revisit the site in question to ascertain the exact property line and apprise the homeowner of our findings
- Process used by the Township to verify repairs performed by the homeowner
- Board member inquiry if the two assessments over \$700 are due to large lot frontage
- Rationale for why some lots have larger repair costs than others

The consensus of the Board was to place this item on for action at its February 17, 2015 Board meeting.

- B. Appeal of Special Use Permit #14111 – 2049 Grand River (Former Northwest Tire Site)

Board and staff discussion:

- Site is part of the area to be serviced by the proposed bus rapid transit system (BRT) with a eastern terminal either in front of Meijers or Meridian Mall
- BRT and Grand River Corridor studies were reviewed during staff review of this proposal
- Grand River Corridor Overlay was taken into account when considering this property
- Consideration of a second access to close curb cuts on this section of Grand River Avenue
- Second ingress/egress on the back of the property in the event traffic is congested on Grand River Avenue
- Second business is making the building too large
- Without the request for the drive-through window, neither the Board or the Planning Commission would have had the project come before them
- Pervious material used in designated impervious surfaces would reduce the pervious/impervious ratio

- Side setbacks are not as critical as this area is all commercial
- Possibility of a right-turn only lane out of the property onto Grand River Avenue
- Possibility of reducing the number of parking spaces since the project contains a drive-through window
- Township ordinances make Meridian a green community
- Master Plan was created to maintain the rural character of the community
- Proposal is not consistent with Township ordinances due to the large number of variances needed from the Zoning Board of Appeals (ZBA)
- Proposed project does not fit on the parcel
- Charettes produced a majority of participants wanting a canopy tree lined street on Grand River
- Drive-through window will service bicyclists

The consensus of the Board was to place this item on for action at its February 17, 2015 Board meeting.

[Trustee Wilson left the room at 8:22 P.M.]

C. Transfer of Comcast Control

Director Guthrie summarized the transfer of Comcast Control as outlined in staff memorandum dated January 28, 2015.

Joseph VanEaton, Best, Best & Krieger, 2000 Pennsylvania NW, Suite 5300, Washington, DC, legal counsel for Meridian Township, explained the proposed transfer and outlined options available for action by the Township.

Board and staff discussion:

- Acceptance of terms of the existing franchise
- Transfer will not drive up rates

[Trustee Wilson reentered the room at 8:25 P.M.]

Continued Board and staff discussion:

- Cable Communications Commission made a recommendation today to approve the transfer with conditions related to the transfer only
- Franchise renewal process is a separate issue
- Board member belief it is prudent to follow the advice of our attorney
- Negotiation strategy should not be aired on television
- Outcome is to receive reliable service at reasonable rates

The consensus of the Board was to place this item on for action at its February 17, 2015 Board meeting.

D. Sale of Former Central Fire Station/MARC Property

Township Manager Walsh summarized the process for selling the former Central Fire Station/MARC Property as outlined in staff memorandum dated January 27, 2015.

Board and staff discussion:

- Level of involvement by the Township in a project on the site
- Board can decide beforehand what type of projects it would allow on the parcel
- Board member preference not to proscribe the types of allowed development
- Board member preference not to partner in the development of the property
- Township ordinances, rules and regulations prevent “people” from being creative in their development projects
- Township ordinances need to be looked at and revised, if necessary
- Preference to set the height of the building as a condition of sale since there are nearby residential properties

It was the consensus of the Board to direct the Township Manager to move forward with the process.

- E. Greater Lansing Taxi Authority (GLTA) – City of East Lansing
Township Manager Walsh summarized the issue of Meridian Township joining the cities of Lansing and East Lansing in membership to the Greater Lansing Taxi Authority (GLTA) as outlined in staff memorandum dated January 27, 2015.

Board and staff discussion:

- No state regulations for taxis/taxi drivers
- Regulations contained in the proposal need explanation
- Appendices were not included in the Board packet
- Preference to have Mayor Triplett address the Board as to why Meridian Township should be involved in the authority

It was the consensus of the Board to invite the Mayor of East Lansing, or his representative, to attend a future Board meeting to discuss this issue.

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Michael Ashton, Comcast attorney, 124 W. Allegan Street, Lansing, addressed state law (PA 480 of 2006) regarding Comcast's transfer of control.

Leslie Brogan, 2162 Kent Street, Okemos, Comcast Senior Director of Government Affairs, spoke to the effects of PA 480 of 2006. She spoke to her perception that Meridian Township is imposing conditions and obligations on Comcast not attributed to its competition. Ms. Brogan noted Comcast voluntarily carries no fee PEG channels while providing courtesy services to Meridian's schools, libraries and Police and Fire Departments.

Brian Seipel, 4144 Spinnaker Lane, Okemos, member of the Cable Communications Commission, spoke to the need to keep the issues of transfer and renewal separate.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Wilson requested a consensus from the Board on boilerplate nondiscrimination language written into contracts and agreements and a possible energy conservation policy for Township buildings and properties.

Treasurer Brixie voiced her preference for the Township Manager to make a recommendation to the Board of the nondiscrimination verbiage. She also expressed support for additional motion detectors to be installed inside the Municipal Building. Treasurer Brixie pointed to the new art work in the Township Hall and lobby, expressing appreciation to Trustee Wilson for showcasing the talent in Meridian's high schools.

Clerk Dreyfus congratulated Meridian Township for receiving an award at the January 22nd Sustainability Symposium for producing a video and its sustainability activities within the region.

16. POSSIBLE CLOSED SESSION (None)

17. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:25 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary