

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, November 19, 2019 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine, Trustees Jackson, Opsommer,
Sundland, Wisinski

ABSENT: None.

STAFF: Township Manager Walsh, Director of Public Works Perry, Fire Chief Hamel, Police Chief
Plaga, Community Planning Director Kieselbach, Information Technology Director Gebes,
Principal Planner Menser, Economic Development Director Buck

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:01 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. Chief of Police Hamel introduced the newest Paramedic/Firefighter at Meridian Township, Tyler
McNalley.

B. Economic Development Director Buck provided an overview of the Haslett study results.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:14 pm.

Chris Collete, 2373 Barnsbury Rd, E. Lansing; spoke in support of Trash Receptacle Ordinance (Agenda Item
12A) with suggested revisions.

Lynn Page, 3912 Raleigh Dr., Okemos; spoke in opposition to Rezoning Request #19060 (Agenda Item 13A).

Jan Casey, 2677 Laforet Cir., Okemos; spoke in opposition to Rezoning Request #19060.

David Pearson, 1142 S. Washington Ave., Lansing; spoke in support of Rezoning Request #19080 (Agenda Item 13C).

Matt Durbin, 615 Washington Dr., Pittsburgh, PA, 15228; spoke in support of Rezoning Request #19080.

Ashleigh New, 4139 Brenda, Okemos; spoke in opposition to Rezoning Request #19060.

Jim Galligan, 4367 Aztec Way, Okemos; spoke in support of Rezoning Request #19060.

Jill Stephenson-McCole, 4137 Benham Way, Okemos; spoke in opposition to Rezoning Request #19060.

Dan McCole, 4137 Benham Way, Okemos; spoke in opposition to Rezoning Request #19060.

Supervisor Styka closed public remarks at 6:36 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager spoke regarding approval of 6 medical marijuana dispensaries which will have to restart the application process if they do not meet upcoming Special Use Permit application deadlines, road bond funding, reorganization of the Communications Department beginning January 1, 2020.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Treasurer Deschaine:

- Township received road bond proceeds of approximately \$11,735,000.
- Spoke on Nov. 6 at Meridian Mall 50th Anniversary.
- Attended Nov. 6 Environmental Commission meeting, \$10,000 grant to plant 2,000 trees in 2020.
- Attended Nov. 14 Annual Meridian Township Pension Board meeting. Portfolio review, \$4.5 million invested, average 7.5% return with smoothing over past 5 years, 1 active employee in Plan and 46 retirees and 18 vested retirees (not yet claiming benefits).

Clerk Dreyfus:

- Participated in Nov. 18 national Teleconference on Election Cybersecurity and Election Interference, 3 national legislative efforts recommended, including a bill providing state funding to protect election integrity nationwide.
- Site visit to new location of New Hope Church, which will be Precinct 20 new polling location, motion to approve polling location change will be brought to board at December meeting.
- Haslett School Superintendent Stephen Cook notified Clerk's Office that three Haslett polling locations will be closed for August 4, 2020 election due to construction, state laws restrict types of facilities that can be used for polling locations (e.g. commercial sites are prohibited), looking at options and possible precinct consolidations.

Trustee Jackson:

- Attended Nov. 5 Asset Management Summit sponsored by the Michigan Infrastructure Council and Tri-County Regional Planning Commission.
- Attended Nov. 6 Meridian Mall 50th Anniversary.
- Attended Nov. 12 LEAP Board Meeting which presented its annual report.

- Attended Nov. 13 Census Bureau meeting for complete census count, all Meridian residents encouraged to participate in the 2020 census count, jobs available (2020census.gov/jobs).

Supervisor Styka:

- Encouraged residents to apply for Public Service positions available on the Boards & Commissions.
- Attended Nov. 6 Meridian Mall 50th Anniversary.
- Attended quarterly meeting with Township Manager and East Lansing Mayor and Manager.
- Spoke on No-Shave November (donate in the name of an officer), Meridian Cares fundraisers (Be a Santa to a Senior, collect coats, Toys for Tots, Emergency Needs funds, etc.).
- Christmas activities posted on Meridian website, e.g., "Christmas in the Village" on Dec. 8.

8. APPROVAL OF AGENDA

Clerk Dreyfus moved to approve the Agenda. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried: 7 - 0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Clerk Dreyfus moved to adopt the Consent Agenda as presented. Seconded by Treasurer Deschaine.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Sundland, Jackson, Opsommer, Wisinski

NAYS:

Motion carried: 7 - 0

A. Communications

Clerk Dreyfus 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 Deschaine.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Sundland, Jackson, Opsommer, Wisinski

NAYS:

Motion carried: 7 - 0

B. Minutes - November 05, 2019 Regular Meeting

Clerk Dreyfus moved to approve and ratify the minutes of the Regular Meeting of November 05, 2019 as submitted. Seconded by Treasurer Deschaine.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Sundland, Jackson, Opsommer, Wisinski

NAYS:

Motion carried: 7 - 0

C. Bills

Clerk Dreyfus moved to approve that the Township Board approve the Manager’s Bills as follows. Seconded by Treasurer Deschaine.

Common Cash	\$	396,757.36
Public Works	\$	572,672.35
Trust & Agency	\$	54,716.67
	Total Checks	\$ 1,024,146.38
Credit Card Transactions	\$	5,923.24
Oct 31st - Nov13th		
	Total Purchases	\$ <u>1,030,069.62</u>
ACH Payments	\$	<u>413,322.60</u>

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Sundland, Jackson, Opsommer, Wisinski

NAYS:

Motion carried: 7 - 0

D. Ratification of New Police Officer Appointment

Clerk Dreyfus moved to authorize the Police Department to appoint Wesley Talbot to Full-Time Police Officer contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Treasurer Deschaine.

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Treasurer Deschaine, Supervisor Styka, Trustees Jackson, Opsommer, Sundland, Wisinski

NAYS:

Motion carried: 7 - 0

E. 2020 Township Board Meeting Schedule

Clerk Dreyfus revised the 2020 Board Meeting schedule, changing the proposed December 15th meeting to December 8, 2020. Clerk Dreyfus moved to accept the Board Meeting schedule as presented. Supervisor Styka seconded via request for Roll Call vote.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Sundland, Jackson, Opsommer, Wisinski

NAYS:

Motion carried: 7-0

10. QUESTIONS FOR THE ATTORNEY - NONE

11. HEARINGS (CANARY)

12. ACTION ITEMS (PINK)

A. Trash Receptacle Ordinance - Final Adoption

Trustee Jackson moved to approve for final adoption the resolution amending Chapter 46, Section 46-2 to establish regulations for the placement and storage of trash and recycling receptacles. Seconded by Clerk Dreyfus.

Board discussion: excerpts of proposed ordinance reviewed, importance of preventing neglect/maintaining beauty of the neighborhood by not allowing trash to be left on the street, suggestion for side yard receptacle requirement to be 50% the length of the structure to improve enforcement, landscaping/ structures that obscure view of receptacles and blends with exterior of home.

Trustee Opsommer moved to amend final adoption of the resolution to have the receptacle 50% or more down the length of the structure (behind the corner of the dwelling). Seconded by Treasurer Deschaine.

Board member belief that proposed ordinance covers vast majority of situations Township Board is most concerned about, goal is ensuring trash is not left on the curb and exact measurements (50% measurement) can lead to government overregulation, belief that specificity is needed to keep receptacles away from line of sight.

VOICE VOTE: 6 - 1 (Clerk Dreyfus)

Motion carried

Trustee Opsommer moved to specify that the receptacle be stored inside a garage, storage shed or other structure if the property has one already. Seconded by Treasurer Deschaine.

Board discussion: Trustee Opsommer stated his amendment changes the proposed ordinance from optional indoor storage of trash receptacles to mandatory indoor storage of trash receptacles, Board member stated that this proposal - requiring all trash receptacles to be stored indoors - is very different than the ordinance the Board has discussed and agreed to move forward with, concerns about clear government overreach and excessive regulation by requiring homeowners to store garbage inside their homes, Board member support for ordinance with previous 50% amendment but concern about indoor storage requirement going too far, optional approach is better because some people may have insufficient space for storage,

VOICE VOTE: 2 – 5 (Clerk Dreyfus, Supervisor Styka, Trustee Jackson, Trustee Sundland, Trustee Wisinski)

Motion failed

B. Amendment to Truck Route Ordinance for Hamilton Road – Final Adoption

Trustee Opsommer moved to approve the resolution for final adoption of the amendment to Chapter 74, Article I, Section 74-3(c) (4) to designate westbound Hamilton Road from Marsh Road to Okemos Road as a truck route and classified for truck traffic. Seconded by Trustee Jackson.

Board discussion: amended ordinance solves issues with truck routes/reduces eastbound traffic on Hamilton road, addresses issues with Meijer and truck traffic in the region, Hamilton Road was included as a truck route originally and the purpose of the amendment is to limit truck routes to eastbound.

ROLL CALL VOTE: YEAS: Trustees Wisinski, Jackson, Opsommer, Sundland, Treasurer Deschaine, Clerk Dreyfus, Supervisor Styka

NAYS:

Motion carried: 7-0

C. Update to Land Division Ordinance – Final Adoption

Trustee Jackson moved to approve the resolution for final adoption of the amendment to Chapter 62, Articles IV and V, Sections 62-94 and 62-123 to be consistent with the requirements of the State Land Division Act. Supported to Treasurer Deschaine.

Board discussion: action reflects changes to Township ordinances to be consistent with state requirements: tax liabilities need to be either paid/apportioned by the assessor for land divisions to be approved.

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Sundland, Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7-0

D. Ordinance Prohibiting Dog Sales at Pet Stores - Introduction

Trustee Opsommer moved to approve for introduction the resolution amending Chapter 10, Animals to prohibit the sale of dogs at pet stores. Seconded by Clerk Dreyfus.

Board discussion: ordinance to stand with other municipalities to evoke right to local control, prevent large retailer that sells puppies from coming to Meridian Township, concern that ordinance overregulates pet stores, State Senator introduced bill to regulate shelters, pet stores are regulated but shelters – which can get

puppies from puppy mills – are currently unregulated, confusion about loose definition of shelter and ensuing problems, ordinance is unnecessary because Township has no pet stores selling puppies, ordinance goes too far and industry is already well-regulated, Board member offer to have pet store owner discuss their practices and industry issues at future board meeting, support for pet store regulation, Humane society and shelter philosophy of adoption much preferred over purchasing puppies, adoption better addresses pet overpopulation, ordinance should not be detrimental to new pet stores opening in Township, complex issue, open to hearing experiences of local pet store owners, pet owners pay fees to obtain a puppy from any source – including Humane Societies and shelters.

ROLL CALL VOTE: YEAS: Trustees Jackson, Wisinski, Opsommer, Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus

NAYS: Trustee Sundland

Motion carried: 6-1

E. Multiple Family Zoning Ordinance Amendment

Trustee Opsommer moved to initiate a zoning amendment to allow a mix of single family and multiple family dwelling units in the RD, RC, and RCC zoning districts by Special Use Permit. Seconded by Treasurer Deschaine.

Board discussion: Amendment will go to planning commission for public hearing and input, amending multiple family zoning categories by allowing for single family dwelling units.

ROLL CALL VOTE: YEAS: Trustees Sundland, Jackson, Opsommer, Wisinski, Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine

NAYS:

Motion carried: 7-0

F. TPOAM DPW Employees Tentative Agreement

Treasurer Deschaine moved to approve the 2020-2022 collective bargaining agreement as tentatively agreed to and further ratified by the TPOAM / Department of Public Works (DPW) employees. Seconded by Trustee Jackson.

Board discussion: 1st of 7 contracts, 22 employees covered, 3 year agreement, 2% increase per year for 3 years. TPOAM: Township Police Officers Association of Michigan.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Clerk Dreyfus, Supervisor Styka, Trustees Wisinski, Opsommer, Sundland, Jackson

NAYS:

Motion carried: 7-0

G. 2020 Goal Setting and 2019 Goal Review – December 12, 2019

Trustee Jackson moved to set a date of December 12, 2019 to review the 2019 goals and establish a 2020 vision. Seconded by Treasurer Deschaine.

Clerk Dreyfus moved to add a time: “Move to set a date of December 12, 2019 at 6:00 pm.” Accepted by Trustee Jackson.

Board discussion: Clerk Dreyfus questioned if this will be televised.

VOICE VOTE: Motion carried: 7-0

H. Township Manager Annual Performance Review and Contract – December 12, 2019

Trustee Opsommer moved to set a date of December 12, 2019 at 6:00pm to review the Township Manager’s annual performance and contract. Seconded by Treasurer Deschaine.

Board discussion: Evaluation is a closed session, Clerk Dreyfus clarified that goal-setting session is actually a Special Meeting with several items on the agenda, stated that since it is a Township Board meeting it should be televised.

VOICE VOTE: Motion carried: 7-0

13. BOARD DISCUSSION ITEMS (ORCHID)

A. Rezoning #19060 (Okemos Land Investment LLC)

Board discussion: conditions offered by applicant, applicant conditions with rezonings always run with the land, zoning category requirements and uses, Professional/Office (PO) zoning request separated from main Rezoning request, 75% of building permits approved before PO can be built, Township Manager question about waiver for developer on building permit requirements, staff response that requirement is in place and enforced, Planned Unit Development (PUD) ordinance use based on C1 zoning/not office zoning,

Density concerns, quality-of-life issues, needs of adjacent homeowners and needs of whole community, concerns about various density projections expressed by developer and Township administration, questions about number of homes that could be built under existing RR zoning, concerns about “density inflation” and not counting large adjacent developments (College Fields) in order to make comparisons with rezoning request more attractive, view that 89 homes can be built with existing zoning and 135+ homes built with a PUD.

Board sets legal precedents and must proceed carefully with request for PO zoning in the PUD rezoning request, view that PO request is actually “spot zoning” which is illegal, office building can be built on property as part of the PUD using additional PUD conditions and no need for separate land rezoning within the parcel. Concerns about excessive office vacancies in the Township, and ripple effect impact on revitalization of targeted areas in community.

Two main issues for neighbors: preventing road connectivity between subdivision which could allow vehicle cut through, and long-term financial/legal obligations of pathway ownership/maintenance. Board member views that many homeowners are not happy with rezoning request but accept it if two main issues addressed, history of development of neighboring property: Board member concerns about unauthorized wetlands/floodplain work creating an artificial land dam that led to long-standing water and drainage issues, versus Board member view that no unauthorized work was performed, Township staff reported negotiations with property owners and County Drain Commission at various times to deal with documented drainage problems caused by developers.

Questions about open-space requirements in PUD, 50% open-space requirement for PUD means developer is not donating land but fulfilling PUD requirement in rezoning request, questions about designated land for open-space requirement, northern property (offered as condition for rezoning) is difficult to develop and would likely be open space offered for PUD regardless of current rezoning request, belief that developer has sacrificed very little in negotiations with neighbors as getting rezoning is the biggest win for developer versus belief that developer is offering a donation of valuable land to the Township and is giving up something significant in negotiations.

Pathway questions about which sections would be taken over by the Township, Township proposal to takeover pathway ownership for easier access to 20 acres northern property that would be added to Land Preservation, governmental immunity and right-of-way concerns regarding pathway, concerns about additional Township expense of maintaining pathway which was not Township's responsibility.

High cost of preserving roads and water/sewer in reduced density developments, costs are threefold in 1 dwelling unit/acre homes in Williamston Township, need for further discussion on PO component of rezoning. Belief that land-use adjacent to elementary school is best location for building single-family homes, provides best yield for community. Township Manager view that baseline number of homes is 89 under current zoning with guaranteed road connections by Ingham County, Board member view baseline number of homes is up to 135 with PUD, clustering creates density. College Fields density at 1 unit/acre includes golf course. PO zoning request came in "late in the game" and request for more information from Township Manager on this issue. Board member stated that citizens were both happy and not happy with the proposed rezoning. Board member noted that Board members should look at 150 homes as a maximum due to on-the-ground limitations. Much time and effort put into this agreement, belief that if both sides are not happy, then settlement is likely fair, concern with PO coming into the proposal after so much time spent developing settlement, request for Township Manager to bring back more information about PO zoning and options available to the Board.

Board consensus to place this item on the agenda for discussion at the next Board meeting.

B. Rezoning #19070 (Fedewa Holdings)

Board discussion: Director Kieselbach provided an overview of the request to rezone approximately 3 acres located at 4515 Dobie Rd from RAA (Single Family – Low Density) to RC (Multiple Family, 14 dwelling units per acre). Planning Commission's recommendation on October 14, 2019 was to not approve the rezoning from RAA to RC, Faith Lutheran Church owns property to south, applicant provided a concept plan for duplex homes and townhomes and would commit to 20 units, 65 feet buffer and keeping tree line, under RAA zoning if land division along frontage, can be divided into two parcels, if something with road: 7 parcels, concern about traffic – at 20 units, increase of 172 cars at peak hours, applicant's financial scenario not part of the

decision making, belief existing RAA zoning is appropriate considering all adjacent properties, site location, and traffic concerns.

Board consensus to place this item on the agenda for action at the next Board meeting.

C. Rezoning #19080 (Minerva Realty Capital LLC)

Board discussion: Director Kieselbach provided an overview of the request to rezone approximately 5 acres located at 4606 Hagadorn Rd from RR (Rural Residential) to PO (Professional/Office), applicant will condition rezoning on approval of a Mixed Use Planned Unit Development which would allow up to 89 multi-bedroom units. Planning Commission recommended approval of the rezoning from RR to PO.

Defined as redevelopment project, Baptist Church and parsonage buildings will be removed, future land use map zoning is for Business Technology yet MUPUD will be predominantly residential apartments, applicant could apply directly for residential zoning, some office is necessary for PO as underlying zoning for Mixed Use, some commercial uses allowed, other allowed uses include church, day-care centers, non-residential uses by residential, single-family in RR, RAA, single-family category. Multiple-family directly north, question on whether single-family homes could be built similar to Briarcliff homes just south of property, frontage on Hagadorn is 232 ft, series of single-family homes with a road is possible.

Traffic report measures apartments: 102 dwelling units, apartment layouts, belief in lack of demand for single family homes off Hagadorn Rd, MUPUD will propose a range of 1,2,3,4 bedroom units, attractive to students, people who work on campus, older housing converted from other single-family uses to student housing, did not look at other development options because property owners develop Mixed Use and multifamily housing, Research Park zoning doesn't work in this area, question as to who will occupy 5,000 sq ft of PO below student apartments, developer response is medical offices or unknown retail. Student rental market discussion, concern about MUPUD resulting in more student housing, Board member concern about developer statements of non-student design vs other developer statements about 1,2,3,4 bedroom units which primarily attract students, developer response that the apartments will attract people associated with the university and likely no families, Township Board recently approved an MUPUD for a big PO in Eyde Parkway but its exclusively Professional Office and no residential.

Board consensus to place this item on the agenda for action at the next Board meeting.

D. Tree Bank Ordinance

Board discussion: Director Kieselbach provided an overview of past tree ordinances and concepts, including the Land Clearing Ordinance, mitigating and replacing trees that are removed from a site, and difficulty of past Township Board passing more comprehensive tree protection ordinances. City of Canton has Tree Banking ordinance, size of tree diameter as a parameter, organizing a "table of trees" deemed to be necessary requires most research and assigning values and replacement requirements, concern if proposed Tree Bank is similar to wetlands mitigation ordinance since replacement of wetlands is often not as beneficial as retaining existing wetland, possibility of developers cutting down trees and not replenishing them on location but planting them in one location somewhere else, cost of taking down and/or replacing trees passed down to property owners, ability for developer to build around valuable trees or move them, tree surveys currently impact development plans.

Board consensus for Township Manager to determine staffing to move proposal forward.

E. Township Board Retreat

Board discussion: Board retreat proposal by former MTA President Larry Merrill.

Board consensus to determine a date for the retreat.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 9:45 pm.

Supervisor Styka Closed Public Remarks at 9:45 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

16. ADJOURNMENT

Trustee Opsommer moved to adjourn the meeting. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried: 7-0

Supervisor Styka adjourned the meeting at 9:46 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR



BRETT DREYFUS,
TOWNSHIP CLERK

