

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, DECEMBER 11, 2018 **6:00 pm.**

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

ABSENT:

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

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 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. MEDC/Patronicity Community Places Grant Program – Marketplace on the Green

Director Maisner presented on the Farmer’s Market relocation plan and fundraising efforts.

B. 2019 Township Goals – Action Plan Presentation

Manager Walsh covered the 2018 Review and presented the 2019 Action Plan.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:20 pm

James Phillipich, 5823 Wood Valley Dr., Haslett; spoke on Agenda Item 12A (Medical Marihuana Zoning Ordinance)

Joan Wierzba, 1268 Harbor Cut, Okemos; spoke on concerns with Agenda Item 12A.

Gerald Griffin, 9212 Coriander Way, Brighton; spoke on Agenda Item 12A, suggested increased locations for provisioning centers along Grand River Ave.

A. Communications

Treasurer Deschaine 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 Jackson.

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

NAYS:
Motion carried 6-0

B. Minutes – December 4, 2018 Regular Meeting

Will be approved at the January 8, 2019 meeting.

C. Bills

Treasurer Deschaine moved to approve that the Township Board approve the Manager’s Bills as follows, seconded by Trustee Jackson:

Common Cash		\$	74,571.01
Public Works		\$	269,358.67
Trust & Agency		\$	264,652.79
	Total Checks	\$	608,582.47
Credit Card Transactions		\$	3,983.06
Nov 29 th to Dec 6 th			
	Total Purchases	\$	<u>612,565.53</u>
ACH Payments		\$	<u>413,671.14</u>

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

NAYS:
Motion carried 6-0

~~D. Non-Union Wage Schedule~~ MOVED TO ACTION ITEM 12I

E. Ratification of New Police Officer

Treasurer Deschaine moved to ratify the appointment of Kyle Cornell to the position of Police Officer contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Jackson.

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

NAYS:
Motion carried 6-0

10. QUESTIONS FOR THE ATTORNEY – NONE11. HEARINGS

A. Copper Creek Planned Unit Development

Director Kieselbach presented on the proposed development and use of Planned Unit Development.

David Straub and Robert Schroder, Mayberry Homes, presented on the proposed development.

Supervisor Styka called the Public Hearing to order at 6:58 pm.

Joyce Breedlove, 5597 Creekwood Ln., Haslett; concerned with negative impact of development on current surrounding neighborhoods and resulting additional traffic. Opinion that low accident numbers are due to carefulness of community and new development may incur more accidents.

Chris Coady, 5639 Creekwood Ln., Haslett; stated Creekwood Lane is a Township asset and proposed connection to new development would negatively impact family experiences in the neighborhood.

Joshua Morey, 5609 Creekwood Ln., Haslett; noted neighborhood concerns with connection, not with development as a whole, stated that the developer neglected to meet with residents. Fire code requires two access points to development, not specifically to Creekwood Lane. Believes the Township should facilitate a meeting between residents and developer.

Brian Dyke, 486 Haslett Rd., Haslett; showed concern with possible increased traffic and complications with thru traffic on Creekwood Lane. Suggested a traffic light at main drive to proposed development. Opposed to a large development filling the open space near his house.

Sheila Saliganan, 5648 Creekwood Ln., Haslett; noted that the small, dead-end cul-de-sac was a draw to the community. Concerned about the possibilities of future increased developments, traffic congestion, and impact on wetlands.

Kristen Hood, 5636 Creekwood Ln., Haslett; expressed desire to preserve the trees that are a part of the buffer between subdivisions. Showed concern with the impact of the connection on the tree-line and the quietness of the community. The connection could become the main point of entrance due to traffic flow from the West.

Emily Stivers, 1010 Cliffdale Dr., Haslett; stated that accidents and difficulties of turning on the road should be taken into serious account. New traffic may increase road danger. Neighborhood “formed” because stub road was not developed – using it as a connection would disrupt community.

John Hamilton, 5630 Creekwood Ln., Haslett; opposed to the use of Creekwood Lane as a connection road. Copper Creek has possibility to grow to 400 homes which would negatively impact the Creekwood Lane community. Supports a pedestrian/emergency vehicle connection.

Denise Kane, 5600 Creekwood Ln., Haslett; not opposed to the development, opposed to the Creekwood Lane connection. Believes that traffic proximity and increase will change safety and character of the community.

Mike Casby, 5624 Creekwood Ln., Haslett; opposed to the use of the connection for thru-traffic, emergency traffic is appropriate. Not opposed to the development, asked for a meeting between developers and residents. Belief that Road Commission report shows violation of sight-line.

Helen Stonehouse, 5645 Creekwood Ln., Haslett; thinks it is a mistake to use Creekwood as access road to Copper Creek.

Amy Arnold-Garcia, 5603 Creekwood Ln., Haslett; long-standing safety and security of the neighborhood would be disrupted by the connection. Both access points should be along Haslett Rd.

Laura Bruder, 5400 Zimmer Rd., Haslett; traffic increase has been proven with evidence at other developments, roads should be widened to accommodate increase.

Supervisor Styka closed the Public Hearing at 7:36

B. Sierra Ridge #2 & #3 Streetlighting SAD #426

Assistant Township Manager Perry presented on the Streetlighting SAD at Sierra Ridge, clarified that the Developer had already paid for street lighting in 2014, the only special assessments will be for energy cost.

Supervisor Styka called the Public Hearing to order at 7:37 pm

Supervisor Styka closed the Public Hearing at 7:37 pm

12. ACTION ITEMS

A. Medical Marihuana Zoning Ordinance

Clerk Dreyfus moved to initiate a zoning amendment to establish the Commercial Medical Marihuana Facilities Overlay District and refer the zoning amendment to the Planning Commission for a public hearing and recommendation. Seconded by Trustee Opsommer.

Board discussion: Multiple sources of information, 2008 Meridian election shows support for Medical Marijuana (65% of Township residents voted yes), mechanisms to opt-in, limited citizen concerns, odor emerging as key concern, current nuisance ordinances regarding negative odors, licensing process, zoning overlays, number of provisioning centers proposed compared with state formula for community alcohol licenses, buffers between facilities and residences, local economic possibilities, application processing, income from applications and State income, graduated fine system, importance of safety, relation to recreational marihuana, zoning expansion, growth facility locations, 2018 Proposal 1 language, ordinance details/language.

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

NAYS:

Motion carried 6-0

B. Senior Housing Zoning Amendment

Treasurer Deschaine moved to initiate a zoning amendment to establish a new land use category to be known as a Continuing Care Retirement Community and refer the zoning amendment to the Planning Commission for a public hearing and recommendation. The Planning Commission shall consider allowing a Continuing Care Retirement Community as a nonresidential use in a residential zoning district by special use permit and to determine the appropriate definitions and standards as may be needed to ensure proper development. Seconded by Trustee Opsommer.

Board discussion: Importance of defining use, other similar facilities, consumer demand for facilities, likeness to Burcham Hills.

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

NAYS:

Motion carried 6-0

C. Property and Liability Insurance Contract

Trustee Jackson moved to direct the Township Manager to sign the contract with David Chapman Agency, Agent for Michigan Township Participating Plan (PAR Plan) for the period of January 1, 2019 - December 31, 2019 with a two (2) year extension. Seconded by Trustee Opsommer.

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

NAYS:

Motion carried 6-0

D. 4th Quarter Budget Amendments

Trustee Jackson moved to approve the End-of-Year 2018 Budget Amendments with an increase in budgeted fund balance for the General Fund in the amount of \$115,000 which projects a use of fund balance of \$1,196,412. Based on audited 2017 results, the projected fund balance at December 31, 2018 will be \$5,660,821. Seconded by Clerk Dreyfus.

Board discussion: Minimum fund balance, reasoning behind minimum fund balance, fund expenditures.

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

NAYS:

Motion carried 6-0

E. Board and Commission Appointments

Board Discussion: New system for reviewing applications, appreciation for applicants.

Trustee Opsommer moved to reappoint Martha Bashore, Bertrice Ellis, Xavier Durand-Hollis, Deborah Federeau, Charles Hagan, and Sonya Pentecost to the Board of Review for a 2-year term ending 12/31/2020. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint John Matuszak and Joyce VanCoevering to the Brownfield Redevelopment Authority for a 3-year term ending 12/31/2021. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Peter Potterpin, David Dremoe, and Charles Wallin to the Building Board of Appeals for a 3-year term ending 12/31/2021. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Kevin Thatcher to the Communications Commission for a 1-year term ending 12/31/2019. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Carolyn Ahlbrand, Donna Kregelka, Aaron Richmond, and Georgia Styka to the Community Resource Commission for a 2-year term ending 12/31/2020. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Barry Goetz and Kellie Johnson to the Corridor Improvement Authority for a 4-year term ending 2/1/2023. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Kirk Lampham and Susan Masten to the Environmental Commission for a 3-year term ending 12/31/2021. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint Shawn Dunham and Brenda Chapman to the Economic Development Corporation for a 6-year term ending 12/31/2024. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to reappoint James Doyle to the Local Officials Commission for a 5-year term ending 12/31/2023. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

Trustee Opsommer moved to approve the reappointments made by Supervisor Styka of David Premoe and Gerald Richards to the Planning Commission for a 3-year term ending 12/31/2020. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

F. Investigative Services Agreement

Trustee Opsommer moved to approve the Investigative Services Contract with Kenneth Ouellette Investigations L.L.C. and Brianne Randall-Gay in the amount of \$3,000 with a not-to-exceed \$4,500. Seconded by Trustee Jackson.

Board discussion: Brianne Randall-Gay requested external investigation, Township did not conduct external investigation, importance of review, importance of closure, external investigation and previous consulting contract with Brianne does not preclude her from filing lawsuit against Township.

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

NAYS:

Motion carried 6-0

G. ~~Annual Performance Review Township Manager -~~

MOVED TO THE REGULAR MEETING OF JANUARY 8, 2019

H. Township Manager Contract Extension

Trustee Jackson moved to approve extending the Township Manager’s Contract as presented on Tuesday (December 10, 2018) evening. Seconded by Treasurer Deschaine.

Board discussion: pros and cons regarding salary increase to \$130,000/yr, contract length increase to 3 years, permission for Township Manager to conduct four (4) Manager searches (as a consultant) outside of Township work, retirement pension pay increase to 15%, \$800/month automobile expense payment, 12 month severance package, pay/benefits discrepancies between Township Manager and other township staff, positive Manager evaluations, comparison to other communities, questions about comparisons including benefits and expenses, rewarding efforts and abilities of manager, history of pay for position, salary range listed for Manager position was \$105,000 -- \$120,000/year, increase in vacation days, severance package not given if gross misconduct by Manager.

Trustee Opsommer Called the Question.

VOICE VOTE ON QUESTION BEING CALLED: Motion passed 5-1 (Clerk Dreyfus)

ROLL CALL VOTE ON MOTION: YEAS: Treasurer Deschaine, Supervisor Styka, Trustees Opsommer, Sundland, Jackson

NAYS: Clerk Dreyfus

Motion carried 5-1

I. Non-union Wage Schedule

Treasurer Deschaine moved to approve the 2019 Non-Union Wage Schedule with a 2% wage adjustment, as presented. Seconded by Trustee Jackson.

Board discussion: Incentive for prospective employees to see wages, concern about including Township Manager for first time ever on Non-Union Wage Schedule, Manager should not have step increases because he has employment contract, can negatively affect Township Board ability to set new salary ranges for future Township Managers candidates.

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

NAYS: Clerk Dreyfus

Motion carried 5-1

13. BOARD DISCUSSION ITEMS

A. Copper Creek Planned Unit Development

Board discussion: Calculations of open space, future development, ratios of open space, mediation possibilities, past zoning, development without PUD, standards of PUD, requirements of connection, necessity of access points, fire code limitations, Construction Board of Appeals process, emergency/pedestrian pathway, community connection point, access is not limited to Creekwood, appeal of distance between access point, future phase connections, reconfiguration of connections, desire for meeting between the parties.

Board consensus to establish a mediation meeting between the residents and developer and take this up for discussion at a future meeting.

Supervisor Styka moved for a recess at 9:50 pm.

Supervisor Styka returned the meeting from recess at 10:03 pm.

Treasurer Deschaine moved to continue business after 10:00 pm. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

B. Medical Marihuana Non Zoning Ordinance

Director Kieselbach presented a current copy of the non-zoning ordinance for Medical Marihuana and discussed aspects that still need to be decided.

Board discussion: Location and concentration of facilities, limiting total to six, designation of favorable locations, use of bonus applications, lottery systems, licensing structure, lottery structure, LARA prequalification, requirements to get into lottery, permit revocation process, time limit to receive LARA prequalification, permit forfeiture, final qualification from LARA.

Board consensus to place this item on for discussion at a future meeting.

C. Sierra Ridge #2 & #3 Streetlighting SAD #426 – Resolution #3

Assistant Township Manager Perry outlined the Sierra Ridge Streetlighting Special Assessment District resolution.

Board consensus to place this item on the Consent Agenda at the next meeting.

D. 2019 Goals – Action Plan

Township Manager Walsh discussed changes that were implemented to the 2019 Goals – Action Plan as per the conversation at the December 10, 2018 Special Meeting.

Board consensus to place this item on for action at a future meeting.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 10:25 pm.

Jerry Griffin, 9212 Coriander Way, Brighton; spoke on Agenda Item 13B (Medical Marihuana Non-Zoning Ordinance)

Shaun O’Brien, 16948 Pine Hallow Dr., East Lansing; spoke on Agenda Item 13B.

Supervisor Styka Closed Public Remarks at 10:31 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Trustee Opsommer reported:

- Clarified consensus on Agenda Item 13B.

Clerk Dreyfus reported:

- Noted that “Calling the Question” as a parliamentary procedure should be used appropriately and correctly, not as a strategy to shut down discussion and prevent divergent viewpoints from being presented to the Board and community.
- Requested fellow Board members be aware of inappropriate and disrespectful non-verbal communication that they may express to other Board members.

Treasurer Deschaine reported:

- Noted that Question was Called due to same arguments being made at previous meeting.

Clerk Dreyfus responded to Treasurer Deschaine:

- The 12-10-18 Special Meeting of the Board involving Township Manager employment contract changes was not televised, no citizens showed up at the meeting.
- Viewpoints and concerns about the Manager's new contract are new to everyone watching or attending tonight's Board meeting, no repetition to the community as the public needs to know Township Manager contract terms and how their tax dollars are being spent.

16. ADJOURNMENT

Trustee Opsommer moved to adjourn. Seconded by Trustee Deschaine.

VOICE VOTE: Motion carried 6-0

Supervisor Styka adjourned the meeting at 10:35 pm.

17. POSTSCRIPT – KATHY ANN SUNDLAND

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK