

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, AUGUST 19, 2014 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra
ABSENT: Trustee Wilson
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development
Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Police Chief
David Hall, Director of Finance Gretchen Gomolka, Human Resources Director Joyce
Marx, Assistant Park Naturalist Nick Sanchez

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. PRESENTATION
5. PUBLIC REMARKS
Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, spoke in support of the Perry Road Paving, SAD No. 42. He inquired if Mr. Wessels' request for his special assessment to be adjusted had been honored as he has side yard frontage on Perry Road.

Neil Bowlby, 6020 Beechwood Drive, Haslett, addressed tax rates of general law v. charter townships, and comparative public safety services. He spoke to millage rates. He addressed the list of 50+ goals created by the Board back in January and inquired regarding its status. Mr. Bowlby offered his opinion on existing forfeiture proceedings and challenged the fairness of the policy if there is no conviction.

Matt Hagan, Okemos Road, LLC 927 E. Grand River, East Lansing, offered rationale for his rezoning request relative to Rezoning #14020. He spoke to the Future Land Use Map,

Larry Hughes, 4292 Dobie Road, Okemos, addressed his concern with Meridian police follow-up on several break-ins into his home.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT
Township Manager Walsh reported on the following:
 - Request for proposals (RFPs) sent out for a construction manager for the new central fire station, with interviews to be scheduled on August 27th and information on the new design and estimated costs back to the Board for review on September 2nd
 - 2015 draft budget to be sent to the Board by the end of August with the first budget meeting on September 9th
 - Employee picnic to be held August 28th beginning at noon, with Township offices closed for the remainder of that day
 - Goal setting scheduled in late October/November, with dates to be determined
7. BOARD COMMENTS & REPORTS

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Treasurer Brixie reported information presented at the last Land Preservation Advisory Board (LPAB) meeting indicated the condition of the Red Cedar Glen Preserve has not suffered any negative impacts with the advent of bicycle traffic on the pathway.

Trustee Styka reported scores from the state regarding Meridian Township schools, noting Meridian remains a great place to live, in part, due to its outstanding schools.

Trustee Veenstra responded to earlier public inquiry by stating the Director of Public Works and Engineering reduced the assessment for the property owner on the corner of Perry Road/Lake Drive (whose property fronts Lake Drive) by approximately half.

8. APPROVAL OF AGENDA

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

VOICE VOTE: Motion carried 6-0.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

Trustee Veenstra moved to adopt the Consent Agenda. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried 6-0.

A. Communications

Trustee Veenstra 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 Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried 6-0.

B. Minutes

Trustee Veenstra moved to approve and ratify the minutes of the August 7, 2014 Regular Meeting as submitted. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried 6-0.

C. Bills

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

Common Cash	\$ 251,111.00
Public Works	\$ 341,263.80
Total Checks	\$ 592,374.80
Credit Card Transactions	\$ 10,090.16
Total Purchases	<u>\$ 602,464.96</u>

ACH Payments \$ 381,197.29

Seconded by Trustee Styka.

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ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer
Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

(Bill list in Official Minute Book)

- D. Perry Road Paving, Special Assessment District No. 42 – **Resolution #3**
Trustee Veenstra moved to approve Perry Road Public Road Improvements Special Assessment District #42, Resolution #3; approve the improvements to grade, gravel and pave Perry Road; defray the cost of the shoulders from the Pathway Millage Fund, defray \$2,500 of the road cost from the Lake Lansing Watershed Advisory Committee contribution, and defray the remaining cost by special assessment; approve the total estimated cost of \$37,000 and approve the special assessment district. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer
Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

- E. Requests to Purchase MERS Generic Credited Service
Trustee Veenstra moved to approve the requests from Fire Captain Montgomery Nye and Fire lieutenant William Richardson to purchase additional credited service as provided by the Municipal Employees Retirement System Plan document. Montgomery Nye is requesting to purchase one year and four months' worth of service; William Richardson is requesting to purchase one year worth of service. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer
Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

10. QUESTIONS FOR THE ATTORNEY (See Agenda Item #13A)

11. HEARINGS (None)

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed support for sewer service being provided by Bath Township to 1954 E. M-78 in Meridian Township. He voiced support for Rezoning #14060, suggesting the applicant's verbal commitment for a connector pathway from the subject property up to the east-west pathway be included in the resolution language. Mr. Provencher was also supportive of the applicant's request to rezone 3698 Okemos Road from RR (rural residential) to PO (Professional and Office).

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in support of Action Items #12A, #12B, and #12C. He voiced support for the applicant's request to rezone 3698 Okemos Road from RR to PO.

Matt Hagan, Okemos Road LLC, 927 E. Grand River Avenue, East Lansing, noted the owners of parcels surrounding 3698 Okemos Road provided letters which indicate a preference for a PO zoning designation at that location (Rezoning #14020).

Supervisor LeGoff closed Public Remarks.

A. 2014 Deer Management Program

Trustee Veenstra moved [and read into the record] NOW, THEREFORE, BE IT

RESOLVED by the Township Board of the Charter Township of Meridian that a Township-managed deer harvest will occur on the following twenty properties in 2014: Meridian Riverfront Park; Red Cedar Natural Area (park); Central Park; Ted Black Woods (park); Towner Road Park; Northwest Land Preserve; Northridge Land Preserve; Forest Grove Land Preserve; Meridian Central Wetland Land Preserve; Hubbel Land Preserve; Central Meridian Uplands Land Preserve; Tihart/Cornell Wetland Land Preserve; Davis/Foster Land Preserve; Southwest Meridian Uplands Land Preserve; Sower Woods Land Preserve; Red Cedar River East Land Preserve; Red Cedar Glen Land Preserve; Meridian Transfer Station Property On Lake Drive; Meridian Property On The Southeast Corner Of Okemos Road and Central Park Drive (future fire station); and Lake Lansing North Park (Ingham County park).

Seconded by Treasurer Brixie.

Board discussion:

- Regular archery season runs through October 1, 2014 to November 14, 2014 and then recommences December 1, 2014 through January 1, 2015
- Number of actual deer-car collisions is much higher than the number of collisions reported
- Board member belief the Township's goal should be slightly less than double the harvest of last year
- Need for involvement by more hunters
- Need for more of the large property owners (5+ acres) in Meridian Township to participate in the program by allowing hunters on their land
- Enforcement and compliance issues reported last year
- Reliance on the network of the hunters for compliance
- Significant need for the program
- Additional hunting after the close of the season commenced in 2012
- Caution in moving deer out of their natural habitat and into the paths of automobiles
- Deer problem continues in spite of Township efforts
- Promotional campaign to provide information on time frame of deer-car collisions, where they are occurring and what time of day they occur
- Reminder not to swerve in an attempt to avoid a deer-car collision
- Reminder to citizens not to feed the deer

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

- B. Sewer Service Provided by Bath Township to 1954 E. M-78 (Saginaw Street/BL-69)
Directory Severy outlined the proposed authorization for sewer service to be provided by Bath Township to 1954 E. M-78 as outlined in staff memorandum dated August 14, 2014.

Trustee Veenstra moved to approve the resolution for provision of sanitary sewer service by Bath Charter Township to Parcel No. 33-02-02-03-101-001 in the Charter Township of Meridian. Seconded by Trustee Scales.

Board discussion:

- Cost prohibitive for Meridian Township to provide sewer service to this parcel
- Resolution is a good example of intergovernmental cooperation

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

- C. Rezoning #14060 (Boomer Group, LLC), Request to Rezone Approximately 3.55 Acres on the NE Corner of Jolly Oak Road and Water Lily Way from PO (Professional and Office) to C-2 (Commercial) – **Final Adoption**

Trustee Scales moved [and read into the record] **NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS Ordinance No. 2014-03, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #14060” from PO (Professional and Office) to C-2 (Commercial) conditioned on limiting development on the site to an all-suites hotel with no more than 135 rooms, subject to the standards applying to hotels in the C-2 district and all requirements of Chapter 86 of the Code of Ordinances for special use permit, site plan review, or variance, if any; commencement of construction within three years from the effective date of the rezoning; and, reversion to PO (Professional and Office) zoning if construction of a hotel has not commenced.**

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 finally adopted at least once prior to the next regular meeting of the Township Board.

Seconded by Treasurer Brixie.

Trustee Veenstra moved the following amendment:

- Amend the sixth WHEREAS clause by deleting “and fewer” and inserting “trips and the hotel generates about half as many”

Seconded by the maker of the main motion.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra
NAYS: Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
Motion failed 3-3.

ROLL CALL VOTE ON THE MAIN MOTION: YEAS: Trustees Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

- D. Rezoning #14020 (Okemos Road, LLC/Hagan), Request to Rezone 3698 Okemos Road from RR (Rural Residential) to RD (Multi-Family, 8 Dwelling Units Per Acre) – **Introduction**

Treasurer Brixie 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 Zoning District Map of Meridian Township Pursuant to Rezoning Petition #14020” RR (Rural Residential) to RD (Multiple Family - 8 units per acre).**

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 Styka.

Board discussion:

- Letters in support and opposition have been received on the applicant’s original rezoning request to Professional and Office (PO)

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- Letters of support for rezoning to PO came from neighbors adjacent to (both north and east) the subject property
- Concern with creep which can degrade other uses within the community
- Conditions surrounding the property have changed since it was zoned RR many years ago
- RD zoning category is consistent with the Future Land Use Map's multiple-family designation
- Existence of vacant PO property nearby
- PO zoning along Okemos Road considered more marketable than other PO in the Township
- Preference to provide an affirmative vote for the applicant's request for PO
- Concern a rezoning to RD will result in the property remaining vacant
- The Planning Commission has recommended PO zoning on two (2) separate occasions
- Letter from a commercial real estate broker stating the subject parcel should be rezoned PO
- Concern that the Future Land Use Map (FLUM) is not always accurate and needs updating
- Board member belief there is a fear from Briarwood residents over a loss of quality of life with a PO zoning designation
- Importance of the weight assigned to adjacent property owners
- RD designation (5-8 dwelling units/acre) will have more of a detrimental impact on traffic, noise and quality of life than PO
- Rezoning request has changed to a Board initiated action for 5-8 dwelling units per acre rather than denying the applicant his original request for PO zoning

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Supervisor LeGoff, Treasurer Brixie
NAYS: Trustee Veenstra, Clerk Dreyfus
Motion carried 4-2.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, expressed disappointment a proposed dog ordinance is being considered by the Township when there are more important items which need to be addressed. He offered data on the miniscule number of dog issues reported since 2012.

Supervisor LeGoff closed Public Remarks.

A. Dog Ordinance

Manager Walsh noted he requested staff look at this issue based upon citizen inquiries and maulings reported throughout the state.

Director Kieselbach summarized the proposed dog ordinance as outlined in staff memorandum dated August 14, 2014.

Board discussion:

- Shortcomings in the Township ordinance pertaining to dogs have previously been discussed at the Board level
- Lack of rules relative to dog attacks is a weakness in our ordinance
- Not supportive of language which bans specific breeds of dogs

Timing with state legislation introduced on this issue: (Questions for the Attorney (See Agenda Item #10))

Q. Should we wait and give the Legislature until the end of the year to move on this before we do anything or would what we are proposing be something that would conflict with proposed legislation? Would our proposed ordinance be something that would be unnecessary if state legislation was enacted? I'd like to hear your opinion on that.

A. If we were to go forward, we would definitely want to make sure we were using language that is consistent with the proposed language. The problem is that it is just so new; just introduced last week. I'm guessing it won't be enacted in the form it's been introduced. There is lots of language in there and they go so far as to try to regulate potentially dangerous dogs; that's where the movement is going. The way the state statute is written right now, it really deals with a dangerous dog, which is a dog that's already acted in a negative manner towards a human or only another dog. So this is taking it much further; I would guess there's going to be some discussion about that and it won't be enacted in that form. I would probably wait to see where it is going before I would enact our own ordinance. Then we would use similar language to enact our ordinance.

Continued discussion:

- Circumstances change and not taking action before a mishap occurs does not necessarily make sense in this instance as situations have occurred elsewhere
- Being proactive is not a "bad" thing
- Proposed state legislation does not address the daily management of dogs within the community
- Preference to work on the ordinance language prior to enactment of a state law
- Preference to use the language enacted in Bloomfield Township as a model from which to work
- Bloomfield Township does not have a dog park in its community and Meridian Township is working towards creating one
- Bloomfield Township's invisible fence section may be too restrictive as some yards in Meridian Township are not large enough
- Concern a Board list of 40 plus issues have not yet been addressed but this topic is before the Board
- Key question is the need for a Township ordinance when there is state law to regulate dangerous animals
- Animal Control is a function of Ingham County and passage of this local ordinance would require staff to enforce it
- State law is changing with the introduction of new bills in the State House of Representatives
- Preference to wait until there is a newly adopted state law on this topic
- No need for a local ordinance to address every problem which surfaces

The consensus of the Board was to wait until the State of Michigan considers House Bills 5720 and 5721.

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Phil Stevens, 4371 Van Atta Road, spoke on behalf of the deer in Meridian Township. He believed there has been and always will be deer in Meridian Township. Mr. Stevens believed increased development has eliminated plants for deer to eat and caused deer to travel in an effort to seek out food. He believed hunting deer is not the answer.

Neil Bowlby, 6020 Beechwood Drive, Haslett, questioned whether a local dog ordinance would have an effect on inconsiderate pet owners. He displayed the list of Board goals, highlighting several on which the Board has made progress. Mr. Bowlby questioned why the Master Plan update and the urban services management area (USMA) have not been completed. He displayed a graph on sewer cleaning, stating the Township has fallen behind this month.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Veenstra suggested the owner of the all-suites hotel approved in Rezoning #14060 (Boomer Group LLC) extend the pathway from the north end of Water Lily Way approximately one-third mile to connect with the nearby existing east-west pathway. He stated it would be a good amenity as it would provide extended stay customers with use of 1-½ miles of pathway.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 7:40 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary