

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, DECEMBER 13, 2011 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra (6:03 P.M.)
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Director of
Finance Diana Hasse

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.

Marsha Madle, Chair, Meridian Economic Development Corporation (EDC), requested the Board reconsider Township membership in LEAP, Inc.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy announced the sudden passing last week of Tom Schneider, Bath Township Supervisor. She reported her attendance at the EDC meeting with speaker Bob Trezise, CEO of LEAP, Inc. Supervisor McGillicuddy reported the USB Committee met this morning and renamed itself the Urban and Rural Services Management Committee. She added Williamstown Township announced its intent to update its greenzone plan, a view shed along the M-43 Corridor with a 350 foot setback. She requested Board input on the best date to host the Intergovernmental Meeting.

Trustee Ochberg reported her attendance at the quarterly Green meeting last night (hosted by Recycling Coordinator LeRoy Harvey) where the "Mid-Michigan Program for Greater Sustainability" grant by the Tri-County Regional Planning Commission (TCRPC) was awarded \$3 million by the US Department of Housing and Urban Development. She indicated part of the nine (9) point plan is to develop a regional housing study which will enable all participating communities to provide housing opportunities for every level of economic viability through their respective master plans. Trustee Ochberg noted TCRPC will also be cooperating on the Michigan Avenue/Grand River Avenue Corridor planning as well as creating portals for sharing information through multi-media.

Clerk Helmbrecht announced a presidential primary election will be held on February 28, 2012. She stated some voting precincts will have three (3) ballots to choose from; Democrat, Republican, and ballot issues. She indicated absentee voter applications will be sent out the first week in January.

Trustee Veenstra reported that due to the upcoming holiday, the regular TCRPC meeting will be held tomorrow night.

6. APPROVAL OF AGENDA

Trustee Dreyfus moved to add Agenda Item #10F: Renewal of Leap, Inc. membership dues.

Treasurer Brixie moved to approve the agenda as amended. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Clerk Helmbrecht.

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) Staff Communications (SC)

SC-1 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated December 6, 2011

(2) On File in the Clerk’s Office (OF)

Handed out at the December 6, 2011 Board Meeting

Arthur Andrews, 2455 Graystone, Okemos; RE: Resignation from the Assessing Board of Review (BOR) at the conclusion of the December 13, 2011 BOR meeting

Peggy Ostrom, 3663 Van Atta Road, Okemos; RE: Concern over current Board discussions to move the Urban Service Boundary line

Received at the December 6, 2011 Board Meeting

Marsha Madle, Chair, Meridian Economic Development Corporation (EDC); RE: Update on the EDC’s 2011 goals and accomplishments

Judy A. Linn, 5435 Van Atta Road, Okemos; RE: Questions regarding the Urban Service Boundary

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 Clerk Helmbrecht.

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

NAYS: None

Motion carried unanimously.

B. Bills

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

Common Cash	\$ 536,285.43
Public Works	\$ 80,194.85
Retainage	
Check #1029 – Tomco Asphalt	\$ 652.75
Bituminous Repair Contract	
 Total Checks	 \$ 617,133.03
Credit Card Transactions	\$ 4,819.75
Total Purchases	<u>\$ 621,952.78</u>

ACH Payments

\$ 308,902.91

Seconded by Clerk Helmbrecht.

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]

- C. 2012 Order to Maintain Sidewalk, Special Assessment District #13 - **Resolutions #1 and #2** (Set Public Hearing Date for January 17, 2012)

Treasurer Brixie moved to approve 2012 Order to Maintain Sidewalk Special Assessment District #13-Resolutions #1 and #2, which tentatively approves the improvements, the cost estimates of proposed improvements, and sets the date for a public hearing on January 17, 2012. Seconded by Clerk Helmbrecht.

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

- D. Sale of Surplus Vehicle

Treasurer Brixie moved to approve the sale of the following surplus Township vehicle at public auction, internet auction, or by sealed bid:

<u>Year</u>	<u>Make & Model</u>	<u>VIN Number</u>
1995	Ford Ranger Pickup	1FTCR10X1SUC13413

Seconded by Clerk Helmbrecht.

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

- E. Referral to the Planning Commission - Section 61 Review of Utility Extension to Greenwood Subdivision

Treasurer Brixie moved to refer to the Planning Commission for a Section 61 review the construction of new sanitary sewer and new water main in Greenwood Subdivision. Seconded by Clerk Helmbrecht.

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

8. QUESTIONS FOR THE ATTORNEY

Trustee Ochberg noted the Township Board took action a few weeks ago which altered the urban service boundary map sent to it by the Planning Commission. She noted that the Board subsequently sent a request to the Planning Commission to develop criteria for amendment to the map and expressed concern the Township Board may have left itself in legal jeopardy by not having the criteria first. She requested a legal opinion from the Township attorney in this regard.

Treasurer Brixie inquired if the Board was going to receive a memorandum from the attorney soon regarding other questions posed during the same urban service boundary discussion referenced above.

9. HEARINGS

- A. 2011 Order to Maintain Sidewalk Special Assessment District #12
 Supervisor McGillicuddy opened the public hearing at 6:21P.M.

Director Severy summarized the 2011 Order to Maintain Sidewalk SAD #12 as outlined in staff memorandum dated December 9, 2011.

Supervisor McGillicuddy closed the public hearing at 6:23 P.M.

10. ACTIONS ITEMS/ENDS

Supervisor McGillicuddy opened and closed Public Remarks.

- A. Zoning Amendment #11070 (Township Board), amend Section 86-687 of the Code of Ordinances to establish regulations for murals in commercial zoning districts, **Final Adoption**
Treasurer Brixie 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. 2011-17, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article I, Section 86-2, by amending Section 86-2; and Article IV, Section 86-687, by adding Section 86-687(15).”

BE IT FURTHER RESOLVED 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 Clerk Helmbrecht.

Trustee Veenstra moved to strike the second to last whereas clause: “WHEREAS, the proposed zoning amendment is consistent with Board Policy 1.2 to enhance and sustain health and safety by establishing regulations to ensure murals do not impede safe and smooth traffic flow on township roads”

Seconded by Trustee Ochberg.

Board members discussed the following:

- Certain mural content does have the potential to cause traffic accidents

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

Trustee Veenstra moved to remove the proposed language in Sec. 86-687 (15) a.: “A mural shall be allowed on one exterior wall surface of a commercial building.”

The motion died for lack of a second.

Board members discussed the following:

- Language in the fourth whereas clause of the resolution contradicts artists’ previous comments as the proposed zoning amendment will discourage the arts community

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

- B. Preliminary Plat #00012 (Ember Oaks), request for an extension of the Preliminary Plat
 Director Kieselbach summarized the proposed extension to Preliminary Plat #00012 as outlined in staff memorandum dated December 7, 2011.

Board members, the applicant and staff discussed the following:

- Applicant in support of the redesign so that living area of the homes is 60 feet away from the pipeline
- Need for redesign of roads to deal with the manner in which the lots and streets intersect with the pipeline
- Applicant now has access to the five acre parcel in the southeast corner and has the ability to redirect the road to achieve better sight distance on Jolly Road
- Applicant intent to finish the northern portion of Phase III
- Concern with water from this subdivision running onto Land Preservation property by Sylvan Glen Drive
- Applicant is creating detention ponds on the property
- Applicant statement that there is no way to construct the development without increased runoff onto Land Preservation property
- Township regulation that the amount of runoff onto adjacent land cannot be increased through development of a property
- Drain Commissioner has records of drainage which would indicate runoff from the Ember Oaks property prior to its development
- Suggestion to invite the Drain Commissioner when this issue is discussed again, probably the second meeting in January
- Possibility of a greater setback from the pipeline

Clerk Helmbrecht moved to table the preliminary plat until the third meeting in January. Seconded by Trustee Veenstra.

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

- C. 4th Quarter Budget Amendments

Trustee Ochberg moved that the Township Board approve the 2011 Amended Budget (with fourth quarter budget amendments) and the Summary of Special Revenue Funds attached to the memorandum from the Finance Director dated December 9, 2011. Seconded by Trustee Dreyfus.

Board members discussed the following:

- 2011 membership dues to LEAP, Inc. have already been paid
- Proposed action to renew membership dues in LEAP, Inc. would actually amend the 2012 Budget
- 2012 Budget as passed by the Board contains slightly over \$18,000 more in revenue than expenditures

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

- D. 2012 Non-Union Wage Schedule

Clerk Helmbrecht moved approval of the 2012 Non-Union Wage Scale as proposed by the Township Manager in a memorandum to the Board dated December 9, 2011. Seconded by Trustee LeGoff.

Board members and staff discussed the following:

- Concern that the dollar amount of the step increases accelerates too quickly
- \$3,000-\$4,000 step increases each year is an excessive salary structure
- Some positions within bargaining units have fewer steps
- Township Manager support of the proposed salary schedule
- Two new directors received step increases in their previous positions
- Step increases should be based on the date of the newly created position, not on the date of original hire
- History of setting wages for promotions
- Previous positions held by the two individuals in question were eligible for overtime and the newly created positions are not
- Suggestion to examine if other Department Directors have been at the top of the wage scale for the last five (5) years
- Possible consideration of starting future hires at Step 1 if assessments, and corresponding revenue, continue to decline
- Suggestion to make the Step 2 date based on the date when the Board authorized the creation of these two new director positions
- Suggestion to temporarily freeze step increases for director positions
- Need to examine the assumption that there is a need for ever increasing executive pay to attract top talent
- Need for equity between non-union and union positions
- Step freeze can be “thawed” in the future
- Suggestion to obtain an attorney general’s opinion on the possibility of freezing step increases for director positions

Clerk Helmbrecht moved to table the 2012 Non-Union Wage Schedule. Seconded by Supervisor McGillicuddy.

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

- E. 2012 Board and Commission Appointments
Supervisor McGillicuddy summarized the proposed list of appointees to various Boards and Commissions as outlined in her memorandum dated December 13, 2011.

Trustee Ochberg moved that the Township Board approve the list of appointees to various Boards and Commissions as stated in a memorandum to the Board from Supervisor Susan McGillicuddy dated December 13, 2011 as amended. Seconded by Supervisor McGillicuddy.

Trustee Veenstra moved to divide the question. Seconded by Trustee Dreyfus.

Trustee Ochberg moved to appoint Barry Spengler to the Assessing Board of Review to fill a vacancy for a term ending December 31, 2012. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Donna Ullrich to the Cable Communications Commission for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Suzanne Brouse to the Community Resources Commission for a two (2) year term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Marian Frane to the Community Resources Commission for a two (2) year term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Arlene Friedland to the Community Resources Commission for a two (2) year term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Mary Nelson to the Community Resources Commission for a two (2) year term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Katherine Lincoln to the Community Resources Commission for a two (2) year term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint Patricia Hagen to the Downtown Development Authority for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint David DeLind to fill a vacancy on the Downtown Development Authority for a term ending December 31, 2013. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Demetrios "James" Spanos to the Downtown Development Authority for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Douglas Weaver to the Downtown Development Authority for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint Kerry Lewis to the Downtown Development Authority for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Marsha Madle to the Economic Development Corporation for a six (6) year term ending December 31, 2017. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint William T. White to the Economic Development Corporation for a six (6) year term ending December 31, 2017. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried 4-3. (Trustees Dreyfus, Ochberg, Treasurer Brixie)

Trustee Ochberg moved to appoint Christine Tenaglia to the Economic Development Corporation for a six (6) year term ending December 31, 2017. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint David Yuan to the Economic Development Corporation as the Young Adult member for a one (1) year term ending December 31, 2012. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint Stacy Hickox to the Election Officials Compensation Commission to fill a vacancy for a term ending December 31, 2012. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint Kathleen Donahue to the Environmental Commission for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Board members discussed the following:

- Two highly knowledgeable Land Preservation Advisory Board (LPAB) members are term limited
- Request for the LPAB to amend its rules to eliminate term limits or specify only a certain number of seats be term limited
- Request action on LPAB appointments be postponed until tomorrow night's Land Preservation meeting where this issue could be discussed
- Term limits for the LPAB are written into the membership section of Section 22-87 of the Code of Ordinances and the suggested action would require an amendment to the code
- A qualified individual has made application to the LPAB and would be an excellent addition
- Previous LPAB discussion of the membership section of the ordinance
- LPAB membership section will be discussed again at tomorrow night's LPAB meeting
- A possible LPAB decision on this issue could send an amendment to the Board for its next regular meeting
- Belief it is inappropriate to change the law to accommodate a single individual
- Board member "character reference" for the recommended individual to serve on the LPAB

Treasurer Brixie moved to table Land Preservation Advisory Board appointments. Seconded by Trustee LeGoff.

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

Trustee Ochberg moved to appoint Ken Sink to the Land Preservation Advisory Board for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried 6-1 (Treasurer Brixie).

Trustee Ochberg moved to reappoint Steven Webster to the Land Preservation Advisory Board for a four (4) year term ending December 31, 2015. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint John Schlinker to the Board of Pension Trustees for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint George Nastas to the Board of Pension Trustees for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

Continued Board member discussion:

- Loss of 30 year member (Daniel Garver) on the Pension Board who performed major oversight of the pension fund
- Preference to seek a more qualified individual to replace Daniel Garver
- Preference for an highly qualified applicant who has work experience with investment in retirement funds

VOICE VOTE: Motion failed 3-4 (LeGoff, Veenstra, Clerk Helmbrecht, Treasurer Brixie)

Trustee Ochberg moved to reappoint Holly Cordill to the Planning Commission for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried 6-1 (Treasurer Brixie)

Trustee Ochberg moved to reappoint Lynn Hildebrandt to the Planning Commission for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried 5-2 (Clerk Helmbrecht, Treasurer Brixie)

Trustee Ochberg moved to reappoint John Scott-Craig to the Planning Commission for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to reappoint Jim Hershiser to the Zoning Board of Appeals for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried unanimously.

Trustee Ochberg moved to appoint George Kass to the Zoning Board of Appeals as Alternate #1 for a three (3) year term ending December 31, 2014. Seconded by Supervisor McGillicuddy.

Continued Board discussion:

- Concern with applicant's address
- Applicant's address is listed as Nakoma Drive, but his property has no frontage on Nakoma Drive
- Board member belief the applicant is listing a "fraudulent" address
- Address is given to a property owner either by the Township or the postal service
- Other residents in the Township have a similar situation with their property fronting one street and their address is on a different road
- Applicant has resided at this address for over 30 years

VOICE VOTE: Motion carried 4-3 (LeGoff, Veenstra, Treasurer Brixie)

- Duplication of services viewed as a “waste”
- The new CEO comes from the Lansing EDC and will likely work hard to increase economic development for Lansing
- New LEAP CEO is aware that the Township Board previously voted against the \$15,000 expenditure for membership in LEAP, Inc. for 2012
- By statute, Tri-County Regional Planning Commission (TCRPC) is the metropolitan planning organization for our region
- LEAP performs functions which TCRPC does not

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

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed Public Remarks.

A. 2011 Order to Maintain Sidewalk, Special Assessment District #12

It was the consensus of the Board to place this item on for action at its January 3, 2012 meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT (None)

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:20 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary