

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD WORK SESSION MINUTES - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
WEDNESDAY, JULY 18, 2000, **6:00 P.M. — 7:00 P.M.**

PRESENT: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger, Trustees
McGillicuddy, Milliman, Such
ABSENT: Trustee Squiers
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Roger Buell, Assistant Fire
Chief Dale Monnier, and Attorney Rick Hillman

1. CALL WORK SESSION TO ORDER

Supervisor McCullough called the Work Session to order at 6:02 p.m.

2. QUESTIONS FOR ATTORNEY (See Item #4)

3. DISCUSSION ON 7:00 AGENDA ITEM TOPICS

The following 7:00 p.m. agenda items were discussed:

- Consent Agenda
- Preliminary Plat #00012 (SBI Ltd. Partnership)

[See Item #4]

4. OTHER BUSINESS

The following Other Business items were discussed:

- Township Pipeline Ordinance
- Wolverine Pipeline

Rescission of Vote to Amend Easement and Accept Compensation:

Trustee Such asked if Board action to rescind the vote of May 16, 2000 to "... accept \$3,096 as additional pipeline consideration for the construction of a second pipeline as allowed by the existing easement across two (2) Township properties...." would expose the Township to liability. Attorney Hillman stated the Township could be held liable provided the rescission vote was not based on a mistake of fact, fraud, or unusual circumstance in entering into the contract.

The following 7:00 p.m. agenda items were discussed:

- Preliminary Plat #00012 (SBI Ltd. Partnership)
- Communication BD-1

Board Members discussed with David Pierson the intent of the applicant as communicated in BD-1.

Treasurer Klunzinger moved to go into closed session to discuss the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees McGillicuddy, Milliman, Such, Supervisor McCullough,
Clerk Helmbrecht, Treasurer Klunzinger

NAYS: None

Motion carried 6-0.

Supervisor McCullough recessed the work session for a closed session at 6:42 p.m.

The Board adjourned to the Administrative Conference Room for a closed session.

Supervisor McCullough reconvened the Work Session at 7:05 p.m.

5. PUBLIC REMARKS
6. POSSIBLE CLOSED SESSION (See Item #4)
7. ADJOURNMENT

Supervisor McCullough adjourned the Work Session at 7:05 p.m.

BILL McCULLOUGH
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Paul J. Cassidy, Secretary

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, JULY 18, 2000, **7:00 P.M.**

PRESENT: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger, Trustees
McGillicuddy, Milliman, Such
ABSENT: Trustee Squiers
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Roger Buell, Police Chief
Gary Gibbons, and Attorney Rick Hillman

1. CALL MEETING TO ORDER

Supervisor McCullough called the meeting to order at 7:05 p.m.

A. Pledge of Allegiance

Supervisor McCullough led the pledge of allegiance.

2. APPROVAL OF AGENDA — OR CHANGES

Treasurer Klunzinger moved to approve the agenda as submitted and consent agenda to include items #3 (Minutes), 4 (Communications), 15A(1) (Zoning Amendment #00080 (Planning Commission)), 16 (Manager's Report). Seconded by Trustee Milliman.

VOICE VOTE: Motion carried 6-0.

3. CORRECTION, APPROVAL & RATIFICATION OF MINUTES

A. July 5, 2000, Work Session

B. July 5, 2000, Regular Meeting

4. COMMUNICATIONS (See Consent Agenda)

A. Board Deliberation (BD)

BD-1 David E. Pierson, McClelland & Anderson, L.L.P.; RE: Preliminary Plat #0012 (S.B.I. Investments Limited Partnership) Ember Oaks Subdivision

BD-2 H.R. Smith, 2343 Hulett Road, Okemos; RE: Need of speed bumps on Hulett Road

B. Board Information (BI)

BI-1 Michigan Townships Association Legislative Fax, June 23, 2000 edition

BI-2 Michigan Townships Association Legislative Fax, June 30, 2000 edition

BI-3 Michigan Townships Association E-News, July 3, 2000 edition

BI-4 Michigan Townships Association Capitol Currents, July 2000 edition

BI-5 Michigan Townships Association Legislative Fax, July 10, 2000 edition

BI-6 City of East Lansing, Dedication of the East Lansing Softball Complex

BI-7 Mary Austin, 1201 Woodwind Trail, Haslett; RE: Land Preservation

BI-8 Joan Guy, 1082 Woodside Drive, HA; RE: January 1, 1999 - May 3, 2000 zoning actions of the Township Board

BI-9 William Cleary, 1896 Danbury East, OK; RE: The roundabout at Marsh and Okemos Roads appears to be working

BI-10 Catherine Kieselbach obituary, mother of Mark Kieselbach, Director of Community Planning & Development

BI-11 Leonor & Maurice Reizen, Re: Thanking the Park Commission and all other involved in supporting the Outing Productions' "Shakespeare in the Park"

BI-12 Todd Heywood, Outing Productions; RE: Sunsets with Shakespeare First Weekend Totals

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JULY 18, 2000 *APPROVED*

BI-13 Capital Region Community Foundation News Release; RE: Receipt of Tobacco Settlement Funds

BI-14 Michigan Townships Association Legislative Fax, July 14, 2000 edition

C. On File in Clerk's Office (OF)

OF-1 Okemos Board of Education Organizational Meeting Packet

OF-2 Okemos Board of Education Minutes of June 19, 2000

OF-3 C.A.D.L. July 19, 2000 Meeting Agenda

5. QUESTIONS OF ATTORNEY (None)

6. PUBLIC REMARKS

Supervisor McCullough opened Public Remarks.

Kevin Duff, 2418 Mt. Hope Road, Okemos; stated his concern that the pipeline would run too close to a Township water well.

David Pierson, 1305 S. Washington Ave, Lansing, spoke on behalf of SBI Limited Partnership in support of Preliminary Plat #00012.

Carla Clos, Chair, Environmental Commission, spoke in support of a determination of essentiality for agenda item #15B(2).

Trustee Such moved to suspend the rule to restrict the first public remarks to agenda items. Seconded by Trustee McGillicuddy.

VOICE VOTE: Motion carried 6-0.

Frank Webster, 3845 Roxbury Ave, Okemos, read from a prepared statement to correct the record regarding the fund balance of the general fund.

Satnam Singh Bhugra, 2163 White Owl Way, Okemos, requested a response as promised at the last meeting.

David Pierson, 1305 S. Washington Ave, Lansing, requested Preliminary Plat #00012 (SBI) condition #19 be imposed by ordinance.

Supervisor McCullough closed Public Remarks.

7. CONSENT AGENDA

Treasurer Klunzinger moved to adopt the Consent Agenda to include items: #3 (Minutes), 4 (Communications), 15A(1) (Zoning Amendment #00080 (Planning Commission)), 16A (Manager's Bills), 16B (Ratify Paramedic/Firefighter Appointment), 16C (Road Closure Permit, Towar Community Days). Seconded by Trustee Such.

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McGillicuddy, Milliman, Such

Nays: None

Motion carried 6-0

Therefore, the above actions were taken with the votes as follow:

A. CORRECTION, APPROVAL & RATIFICATION OF MINUTES (Agenda Item #3):

Treasurer Klunzinger moved to approve and ratify the minutes of the July 5, 2000 Work Session and Regular Meeting as submitted. Seconded by Trustee Such.

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McGillicuddy, Milliman, Such
Nays: None
Motion carried 6-0

B. COMMUNICATIONS (Agenda Item #4):

Treasurer Klunzinger 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 Such.

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McGillicuddy, Milliman, Such
Nays: None
Motion carried 6-0

C. Zoning Amendment #00080 (Planning Commission) - Final Adoption (Agenda Item #15A(1)):
Treasurer Klunzinger moved that the Township Board hereby Finally Adopts Ordinance No. 2000-08, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, by Amendment Section 82-14.3f. Seconded by Trustee Such.

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McGillicuddy, Milliman, Such
Nays: None
Motion carried 6-0

[Signed and Sealed Resolution in Official Minute Book]

D. MANAGER'S BILLS (Agenda Item #16A):

Treasurer Klunzinger moved that the Township Board approve the Manager's Bills as follows:

General Fund/Special Revenue	\$209,663.77
<u>Public Works</u>	<u>\$401,906.75</u>
Total	<u>\$611,570.52</u>

Seconded by Trustee Such.

[Bill list for 7/18/00 in Official Minute Book]

E. Ratify Paramedic/Firefighter Appointment (Agenda Item #16B):

Treasurer Klunzinger moved ratification of Brian Pennell to the position of Paramedic/Firefighter contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Such.

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McGillicuddy, Milliman, Such
Nays: None
Motion carried 6-0

F. Road Closure Permit, Towar Community Days (Agenda Item #16C):
Treasurer Klunzinger moved adoption of the following:

Whereas, Section 247.323 of the Michigan Road Laws provides that highways may be temporarily closed on a request of an official authorized by the governing body of a city, village or township; and

Whereas, the Charter Township of Meridian has requested that Towar Avenue at the Baptist Church parking lot, and continuing south to Birchrow, east to Hardy Avenue,

north on Hardy to Biber Street, west on Biber to Porter Avenue, south on Porter to the Towar recreation center parking lot be temporarily closed on July 22, 2000, from 9:00 a.m. until 11:00 a.m.

Therefore, I move the following:

**The Township Manager's Office is authorized to request the Ingham County Road Commission to temporarily close Towar Avenue at the Baptist Church parking lot, and continuing south to Birchrow, east to Hardy Avenue, north on Hardy to Biber Street, west on Biber to Porter Avenue, south on Porter to the Towar recreation center parking lot be temporarily closed on July 22, 2000, from 9:00 a.m. until 11:00 a.m.
Seconded by Trustee Such.**

Roll call vote: Yeas: Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McGillicuddy, Milliman, Such
Nays: None
Motion carried 6-0

8. BOARD MEMBER COMMENTS

Trustee McGillicuddy gave the address for the Public Service Commission to address correspondence regarding the Wolverine Pipeline.

Trustee Such asked the Township Manager to call the Public Service Commission to get the time-line for consideration of the Wolverine Pipeline and communicate the information on HOM-TV and the Township web site.

9. SUPERVISOR'S REPORT

Supervisor McCullough referred the Board to a Michigan Township News article¹ regarding Community Policing in which Township Officials are quoted.

10. CLERK'S REPORT

Clerk Helmbrecht reported absentee ballots are going out daily as requests are received.

Clerk Helmbrecht reported the close of registration for the August 2000 Primary has passed.

Clerk Helmbrecht reported voters who moved within the last 60 days must vote in their old precinct.

Clerk Helmbrecht reported the last date an absentee ballot can be requested for the August Primary is Saturday August 5th 2000. She reported an absentee ballot can be requested Monday, August 7th, but it must be voted at the Township Hall.

11. TREASURER'S REPORT

Treasurer Klunzinger reported summer taxes are being received, and the first settlement checks to area school districts have been distributed.

Treasurer Klunzinger reported on the success of the C.A.T.A. Redi-Ride program in the Township during its first month of operation.

Treasurer Klunzinger discussed communication BI-12 (Heywood) and the success of Shakespeare in the Park.

12. TOWNSHIP BOARD (None)

13. SPECIAL HEARINGS/APPEALS

A. Proposed Street Tree Ordinance

Director Kieselbach introduced the proposed Street Tree Ordinance.

¹ "Community Policing Helps Townships Tackle Crime", Catherine A. Mullhaupt & Jean Hughes Raber, Michigan Township News, July 2000, pp. 11-15.

Supervisor McCullough opened the public hearing.

Bob Homan, 2176 Hamilton Road, Okemos, requested the public hearing be held open through the next meeting.

Carla Clos, Chair, Environmental Commission, read from a communication discussing recommendations from the Commission regarding the proposed ordinance.

[statement in Official Minute Book]

Trustee McGillicuddy moved to hold open the Proposed Street Tree Ordinance Hearing open to the next regular meeting to permit additional public review and consideration of a revised tree listing. Seconded by Trustee Such.

VOICE VOTE: Motion carried 6-0.

Board Members discussed the following items:

- Ingham County Road Commission comments
 - Specificity to new construction
 - Placement between curb and sidewalk.
 - Procedure for voluntary planting of street trees.
 - Tree plantings in front of existing homes.
- **Treasurer Klunzinger moved that the Township Manager be authorized to proceed in accordance with discussion in closed session subject to review as to form by the Township Attorney and authorize the Clerk and Supervisor to sign on behalf of the Township. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustee Such, Supervisor McCullough, Clerk Helmbrecht,
Treasurer Klunzinger
NAYS: Trustee McGillicuddy, Milliman
Motion carried 4-2.

14. UNFINISHED BUSINESS (None)

15. DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

A. Unfinished Business

- (1) Zoning Amendment #00080 (Planning Commission), amendment to Section 82-16, Conservancy District, for the adoption of a new Flood Insurance Rate Map - Final Adoption (See Consent Agenda)

B. New Business

- (1) Final Plat #99012 (Whitehills Development Corp.),
Director Kieselbach introduced the final plat for Whitehills Lake No. 6, located west of BL-69 and east of Park Lake Road.

Trustee Milliman moved that the Township Board approve the Final Plat of Whitehills Lakes No. 6. Seconded by Treasurer Klunzinger.

Board Members discussed the following items:

- Number of phases for Whitehills Lake

ROLL CALL VOTE: YEAS: Trustees McGillicuddy, Milliman, Squiers, Such, Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger
NAYS: None
Motion carried 6-0.

[Signed and Sealed Resolution in Official Minute Book]

- (2) **Essential Wetland Determination (Wolverine Pipeline)**
Director Kieselbach introduced the essential wetland determination.

Trustee Such moved to approve the essential wetland determination for four (4) wetlands (Wetlands 16-7, the uninventoried wetland identified by Tip of the Mitt, 22-18 and 27-4), identifying them as essential to the preservation of the natural resources of the Township. Approval is based upon the findings and recommendation of the Township's Wetland Consultant, and in accordance with the requirements of the Charter Township of Meridian Wetland Protection Ordinance (Chapter 105). Seconded by Trustee McGillicuddy.

VOICE VOTE: Motion carried 6-0.

- (3) **Preliminary Plat #00012 (SBI Limited Partnership)**,
Director Kieselbach introduced the preliminary plat for Ember Oaks, located north of Jolly Road, east of the Hiawatha Park/Sierra Vista subdivisions and west of Ponderosa subdivision.

Trustee Milliman moved that the Township Board approve the request for preliminary plat approval for a single-family subdivision of 158 lots commonly known as Ember Oaks, located north of Jolly Road, east of the Hiawatha Park/Sierra Vista subdivisions, and west of the Ponderosa subdivision is hereby granted with conditions 1 through 24 as recommended by the Planning Commission. Seconded by Treasurer Klunzinger.

Trustee Milliman amended the motion by amending condition #19 to read:

A warning marker/sign noting the existence of the pipeline(s) shall be placed on each lot or open space which is crossed by the pipeline.

And amending condition #22 to read:

The habitable portions of all homes, including basements and crawl spaces shall be setback from pipeline(s) a minimum of fifty feet (50') or in accordance with any federal, state or Township regulation, whichever is greater.

Amendment accepted by Treasurer Klunzinger.

Board Members discussed the following items:

- Modification to Condition #22
- Consideration of a Pipeline Ordinance
- Pipeline Setback
- Off-road pedestrian/bicycle pathway

During Board discussion, David Pierson, representing SBI Limited Partnership, stated the applicant intended to donate property by deed to the Township for a pedestrian/bicycle pathway, should the remainder of the pathway become viable.

- Required Variances

ROLL CALL VOTE: YEAS: Trustees McGillicuddy, Milliman, Squiers, Such, Supervisor McCullough, Clerk Helmbrecht, Treasurer Klunzinger

NAYS: None

Motion carried 6-0.

16. MANAGER'S REPORT, INVOICES & BILLS

- A. Bills (See Consent Agenda)
- B. Ratify Paramedic/Firefighter Appointment (See Consent Agenda)
- C. Road Closure Permit, Toward Community Days (See Consent Agenda)

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JULY 18, 2000 *APPROVED*

- Manager Richards updated the Board on the status of compliance with the stipulations regarding the East Lansing Softball Complex.
- Manager Richards apologized to Mr. Bhugra for not getting the promised information to him.

Board Members discussed stipulations for the City of East Lansing's Softball Complex.

17. BOARD MEMBER, BOARD COMMITTEE AND LIAISON REPORTS

A. Standing Committee Reports

(1) Physical Operations & Activities (None)

(2) Financial Planning and Budgeting

Treasurer Klunzinger reported the scheduled meeting for Thursday, July 20th may be rescheduled.

(3) Personnel (None)

(4) Planning and Development

Trustee Milliman reported the next meeting would be Friday, July 21st at 9:00 a.m.

(5) Infrastructure

Trustee Such reported the July 20th meeting is rescheduled for August 3rd at 5:15 p.m.

(6) Public Safety

Clerk Helmbrecht reported the next meeting would be scheduled in the first half of August.

(7) Recreation

Trustee Milliman reported on community activities and programs.

B. Special Committees (None)

C. Liaison Representative Reports

Treasurer Klunzinger reminded the Board of the Golf Fest for the Community Needs Fund at the Indian Hills Golf Course.

18. OTHER REPORTS (None)

19. NEW BUSINESS (None)

20. PUBLIC REMARKS

Supervisor McCullough opened public remarks.

Police Chief Gibbons announced the next session of the Police Citizens Academy is scheduled for Sept 14th through Nov 9th.

Trustee Such recommended the public attend the Police Citizens Academy.

Clerk Helmbrecht recommended doing a promotion of the Police Citizens Academy on HOM-TV.

Supervisor McCullough closed public remarks.

21. FINAL BOARD MEMBER COMMENTS (None)

22. ADJOURNMENT

Supervisor McCullough adjourned the meeting at 8:35 p.m.

BILL McCULLOUGH
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Paul J. Cassidy, Secretary