

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, SEPTEMBER 6, 2016 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra  
ABSENT: Trustee Wilson  
STAFF: Township Manager Frank Walsh, Assistant Township Manager/Director of Public Works and Engineering Derek Perry, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Fire Chief Fred Cowper, Assessor David Lee, Director of Parks and Recreation LuAnn Maisner, Communications Director Deborah Guthrie, Finance Director Miriam Mattison, Human Resources Director Joyce Marx, Director of Information and Technology Stephen Gebes

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

A. 2017 Draft Township Budget Formal Presentation

Township Manager Walsh gave a Powerpoint presentation on the 2017 Draft Recommended Budget.

Board and staff discussion:

- Appreciation to the Manager and staff who worked to put the 2017 recommended budget together
- Numbers for police and fire revenue in the “handout” differ from the budget book as only the major areas of revenue were highlighted
- Police revenue of \$15,000 for school security was omitted from the “handout”
- Board member inquiry as to when the pension problem originally occurred
- Township Manager statement he became aware there was a pension liability problem at the beginning of 2015
- Request for each Board member to be provided a copy of the 2015 and 2016 minutes from the Township Pension Board
- Township Pension Board only has oversight of the Township Pension Fund, which consists of one (1) active member
- Board member inquiry as to who “sits at the table” as the Township Representative with the Michigan Employees Retirement System (MERS)
- MERS has its own Board of Directors
- Manager belief the pension problem is due to the fact MERS based pension enhancements on an 8% assumed rate of return for several years which has not come to fruition
- New Michigan law prohibits pension enhancements without the pension fund being funded at 100%
- State average percentage of pension funding is 78% while the Township is at 56%
- Placing all employees in a defined contribution system would make the actuarial required contribution (ARC) “spike” as no one would be paying into the system
- Bonding for the unfunded pension liability “kicks the can down the road” as the funds do not meet the obligation and the system must be closed out
- Inquiry if there was any oversight of the pension liability up to 2014

- Every annual budget and audit process discussed the pension, pension payment and pension liability
- Pension liability was included in the audit as a footnote
- Pension liability is now recorded differently because of accounting changes from Governmental Accounting Standards Board (GASB)
- Board member belief a more formal review discussed at the Board level would have looked at the rate of return on investments and made a decision whether to make additional payments to the pension fund
- Manager explanation that employee benefits are on the high side and the structural problem must be addressed through change
- MERS changed many of its requirements (e.g., mortality rate, smoothing, assumed rate of return, etc.)
- Manager statement the benefit structure for employees must change moving forward as he believes it is not sustainable
- Manager statement the assumed rate of return is too high, the Township taxpayer is not paying enough for the police and fire services received and the benefit structure must change moving forward
- Manager suggestion for a special budget discussion in between the regularly scheduled Board meetings in September if members have a lot of in-depth questions
- Board member recollection the significance of the unfunded pension liability was not brought to the forefront until the federal government required disclosure
- Board member belief it is necessary to understand how the Township “got into this situation” so it can get out of it
- Board member reminder some pension enhancements were previously made through contract negotiations in lieu of pay raises and belief that those collective bargaining agreements must be honored
- Necessity of finding a way to maintain the professionalism of the Township’s police and fire services through proper compensation to existing police and fire personnel
- Two (2) underground storage tanks which have reached their life expectancy will be removed at the Service Center
- Township will explore whether to install above ground fuel tanks or use a fuel provider after removal of the underground storage tanks currently located at the Service Center
- Personnel costs should reflect an increase from 2015 to 2017, not a decrease

##### 5. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Diana Paiz Engle, 2164 Quarry, East Lansing, requested the Board consider her application for appointment to fill the vacancy on the Capital Area Transportation Authority (CATA) Board of Directors. She voiced her commitment to public transportation which serves the needs of the community, as she is a lifelong user of public transportation.

JJ Jerome Jackson, 1829 N. Grand River Avenue, Apt. 18, Okemos, requested the Board appoint him as the new CATA Board representative. He noted he has used all forms of transportation available to the Meridian community.

Pat Munshaw, 5261 Golden Circle, East Lansing, introduced herself as an applicant for appointment to the CATA Board of Directors. She noted her previous service to the Township as its CATA representative for several years.

Billie Jo O’Berry, 1195 Clayton Court, Mason, introduced herself as one (1) of two (2) candidates for the position of Ingham County Prosecutor. She offered her qualifications to serve in the position and urged residents to vote for her in the November 8, 2016 General Election.

Leonard Provencher, 5824 Buena Parkway, Haslett, thanked the Board for its in depth questions regarding the budget and the unfunded pension liability. He noted CATA has not answered his questions proposed at the August 16, 2016 CATA Community Conversation meetings, despite their commitment they would do so.

Kathy Sundland, 2318 Barnsbury Road, East Lansing, introduced herself as a Democratic candidate for Township Trustee. She offered her qualifications and skills which she would bring to the position.

Erik Lindquist, 4436 Copperhill Drive, Okemos, introduced himself as a candidate for Township Treasurer. He addressed the need for a professional in this office and provided his many qualifications to fill this position.

Jeff Neilson, 2450 Barnsbury Road, East Lansing, stated the foundation of this Township is built on its police and fire department. He questioned how the unfunded pension liability was allowed to get to the point it is currently at. Mr. Neilson spoke in support of Donna Rose for appointment to the CATA Board of Directors. He believed Mr. Lindquist has a great deal of experience and would do a "remarkable" job as Treasurer.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to his analysis of the rate of return for Township investments beginning in 2012. He believed part of the state mandate for the Township Treasurer to "take charge" of the Township's money is making investments. Mr. Bowlby displayed a graph on the overhead projector which calculated a cumulative interest return (average return for each quarter), showing a cumulative interest rate of 1% over the last two quarters. He believed the Township can do better investing its money with someone who has knowledge of and experience in financial markets.

## 6. TOWNSHIP MANAGER REPORT

## 7. BOARD COMMENTS & REPORTS

Trustee Scales requested Board members and the public offer a moment of silence for the lives which were lost on September 11, 2001.

Clerk Dreyfus reported his attendance at the September 1, 2016 Economic Development Corporation (EDC) meeting, where numerous issues were discussed. He announced the Lansing Chamber of Commerce sent out a press release two weeks ago in opposition to the current Bus Rapid Transit (BRT) plan. Clerk Dreyfus noted Michigan State University President Lou Anna Simon also voiced opposition to the current BRT plan. He highlighted citizen concern expressed at the last Board meeting indicating CATA paid \$800,000 to a public relations firm during an emergency special meeting. Clerk Dreyfus pointed to CATA's quarter-page ad in the most recent edition of the Towne Courier which included a picture of Chief Executive Officer Sandra Draggoo. He noted there is also a series of billboards around town highlighting CATA which also included a picture of CEO Sandra Draggoo. Clerk Dreyfus was puzzled why CATA will not provide clear-cut answers to questions repeatedly asked by citizens at numerous Board meetings, but will spend money on billboards and advertisements showing photos of the CEO. He believed those ads represent a disconnect between what CATA riders, CATA stakeholders and citizens in Meridian Township, East Lansing and Lansing are calling for which is transparency in the BRT budget, details of the BRT and prudent spending of available resources.

Trustee Styka announced August 29<sup>th</sup> was the opening day of school and urged caution when traveling during school start and ending times. He reported his attendance at meetings to work out a few issues with the potential Costco project, working through some requirements. Trustee Styka noted his attendance at the August 23<sup>rd</sup> Wonch Park Pavilion dedication. He added his gratification the Lansing Chamber of Commerce has come to the same position the Township Board adopted a month ago relative to the resolution to oppose the BRT plan in its current configuration.

Trustee Veenstra inquired if Costco has asked for a brownfield tax credit.

Trustee Styka replied not at this time.

Treasurer Brixie clarified the \$800,000 CATA expense mentioned earlier was budgeted for modification to the BRT plan, not advertising. She announced summer property taxes are due Wednesday, September 14<sup>th</sup> by 5:00 P.M. Treasurer Brixie urged taxpayers at this point to either place their payment in the white drop box outside of the Municipal Building or deliver it in person at the Treasurer’s office to avoid penalty.

Clerk Dreyfus explained the Haslett Public School administration has decided to not allow the use of the Haslett Public Library as a polling location in the November 8<sup>th</sup> General Election (Precinct 20). He addressed several state requirements in the selection of a polling location, adding he is involved in outreach to organizations whose buildings would comply and be convenient for voters in Precinct 20.

Trustee Veenstra inquired as to who made the decision to not allow the use of the Haslett Public Library as a polling location.

Clerk Dreyfus replied he has not received further clarification on the issue.

Trustee Veenstra stated he believed a public entity has an obligation to make their buildings available for elections.

8. APPROVAL OF AGENDA

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

VOICE VOTE: Motion carried 6-0.

9. CONSENT AGENDA (SALMON)

Supervisor LeGoff reviewed the consent agenda.

**Clerk Dreyfus moved to adopt the Consent Agenda. Seconded by Trustee Scales.**

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

NAYS: None

Motion carried 6-0.

A. Communications

(1) Board Deliberations (BD)

BD 12A-1 Donna Rose, 6207 Cobblers Drive, East Lansing; RE: Public Service Application seeking appointment to the Capital Area Transportation Authority (CATA) Board of Directors as the Meridian Township Representative and the Redi-Ride Review Committee

BD 12A-2 Gus Breymann, 2176 Donovan Place, Okemos; RE: Recommendation for Pat Cannon’s Replacement on the CATA Board

BD 12A-3 Renee Korrey, 4633 Okemos Road, Okemos; RE: CATA Appointment

BD 12A-4 Rhonda Bueche, 4126 Leeward Avenue, Okemos; RE: Meridian Township Representative Candidates to the CATA Board

(2) Information (BI)

BI-1 Tim Potter , 4632 Van Atta Road, Okemos; RE: Questions related to pathways

- BI-2 Donna Rose, 6207 Cobblers Drive, East Lansing; RE: Copy of email to Sandra Draggoo and Debbie Alexander from CATA concerning the August 16, 2016 Bus Rapid Transit (BRT) community conversations
- BI-3 Michael E. Unsworth, Advocacy Committee Chair, Tri-County Bicycle Association, 1518 Haslett Road, Unit 635, Haslett; RE: Bicycling and CATA's BRT
- BI-4 Frank Webster, 3845 Roxbury Avenue, Okemos; RE: Opposition to CATA's BRT
- BI-5 Ronald and Carol Dooley, 100 Nature Way, Okemos; RE: Opposition to CATA's BRT
- BI-6 Michael and Gwen Maisch, 4775 Nakoma Drive, Okemos; RE: Opposition to CATA's BRT
- BI-7 Tim Potter, 4632 Van Atta Road, Okemos; RE: Email exchange with Assistant Township Manager/Director of Public Works Derek Perry regarding the sidewalk closed signs along Grand River Avenue
- BI-8 Jason Honeycutt, 4035 W. Jolly Road, Apt. 32, Lansing; RE: Alternate BRT Route(s)
- BI-9 Jim Spanos, 4648 Nakoma Drive, Okemos; RE: McDonald's Bus Stop
- BI-10 Jim Spanos, 4648 Nakoma Drive, Okemos; RE: McDonald's Bus Stop
- BI-11 Rhonda Bueche, 4126 Leeward Avenue, Okemos; RE: August 19, 2016 forum with State Representative Sam Singh and the Disabled Community to discuss CATA's BRT
- BI-12 Lucy Garliauskas, Associate Administrator, Transportation Planning and Environment, Federal Transit Administration, 1200 New Jersey Avenue, S.E. 43-312, Washington DC; RE: Email response to communications regarding the August 19, 2016 forum with State Representative Sam Singh and the Disabled Community to discuss CATA's BRT
- BI-13 Rhonda Bueche, 4126 Leeward Avenue, Okemos; RE: Transmittal of a press release and position statement from the Lansing Regional Chamber of Commerce in opposition to CATA's Current Proposed BRT Plan
- BI-14 Sandy Draggoo, CEO, CATA, 4615 Tranter Avenue, Lansing; RE: BRT Update
- (3) Commission Linkage (CL)
- CL-1 Kenneth Lane, 540 Juneberry Lane, Okemos; RE: Resignation from the Zoning Board of Appeals
- (4) On File in the Clerk's Office (OF)
- Material handed out at the August 16, 2016 Board Meeting
- Renee Korrey, 4633 Okemos Road, Okemos; RE: CATA Appointment
- Kathy DeVito, 470 Chimney Oaks, Okemos; RE: CATA Appointment
- Kathy DeVito, 470 Chimney Oaks, Okemos; RE: Correction to previous CATA Appointment letter
- Rhonda Bueche, 4126 Leeward, Okemos; RE: CATA Board member Appointment

**Clerk Dreyfus moved the communications he 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 Scales.**

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

B. Minutes

**Clerk Dreyfus moved to approve and ratify the minutes of the August 16, 2016 Regular Meeting as submitted. Seconded by Trustee Scales.**

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

C. Bills

**Clerk Dreyfus moved that the Township Board approve the Manager’s Bills as follows:**

Common Cash	\$ 300,466.12
Public Works	\$ 277,968.05
Trust & Agency	\$ 3,272,125.64
 Total Checks	 \$ 3,850,559.81
 Credit Card Transactions	 \$ 11,975.26
 Total Purchases	 <u>\$ 3,850,559.81</u>
 ACH Payments	 <u>\$ 958,116.94</u>

**Seconded by Trustee Scales.**

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

[Bill list in Official Minute Book]

D. 2017 Budget Public Hearing Date-September 20, 2016

**Clerk Dreyfus moved that a public hearing be held at 6:00 P.M. in the Town Hall on September 20, 2016 for the purpose of taking comments regarding the 2017 Charter Township of Meridian Recommended Budget. Seconded by Trustee Scales.**

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

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS (None)

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Kathy Sundland, 2318 Barnsbury Road, East Lansing, voiced appreciation for Board action at the last meeting which allowed an additional two (2) weeks to obtain applications for the vacant position of the Meridian Township representative to the CATA Board.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested the Board fully support whoever it selects as the Township representative to the CATA Board of Directors. While acknowledging appreciation for all the applicants' qualifications, he spoke in favor of the application of Donna Rose as the strongest applicant for the position.

Erik Lindquist, 4436 Copperhill, Okemos, encouraged the selection of Donna Rose as the Township representative to the CATA Board of Directors.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in support of Donna Rose for appointment to the CATA Board of Directors as Meridian Township's representative.

Supervisor LeGoff closed Public Remarks.

A. CATA Board of Directors Representative Appointment

**Treasurer Brixie moved that JJ Jerome Jackson be appointed as representative to the CATA Board of Directors to fill a vacancy for the term ending September 30, 2019. Seconded by Supervisor LeGoff.**

Board discussion:

- Township goal of increasing diversity of Board and Commission appointees
- Importance of including residents with disabilities as appointees in order to garner their perspective on the CATA Board system and its services
- Board member preference for Mr. Jackson to serve on the prospective Township Transportation Commission
- Several of the candidates have outstanding qualifications
- Donna Rose served on the Redi-Ride Review Committee, is a thoughtful caring individual and is knowledgeable about transportation issues

ROLL CALL VOTE: YEAS: Treasurer Brixie

NAYS: Trustee Scales, Styka, Veenstra, Supervisor LeGoff, Clerk Dreyfus

Motion failed 1-5.

**Trustee Scales moved that Donna Rose be appointed as representative to the CATA Board of Directors to fill a vacancy for the term ending September 30, 2019 and, further move this Board provide her with its full support. Seconded by Trustee Veenstra.**

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Clerk Dreyfus

NAYS: Supervisor LeGoff, Treasurer Brixie

Motion carried 4-2.

B. Resolution to Approve Investment Institution-Comerica Bank

**Treasurer Brixie moved to adopt a resolution entitled "Authority to Open an Account" at Comerica Bank. Seconded by Trustee Styka.**

Board discussion:

- Township has invested and bonded with Comerica in the past
- Comerica is now offering more attractive rates of return on municipal investments
- Comerica is a creditworthy institution

- Having a variety of investing institutions allows the Treasurer more options when investing the Township's money

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

NAYS: None

Motion carried 6-0.

### 13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Carl Dorshimer, 2000 S. Washington Avenue, Lansing, Lansing Economic Area Partnership (LEAP), noted he manages the Brownfield Authority for the City of Lansing. He stated LEAP has worked with Mr. Forsberg and Mr. Randle on the proposed brownfield plan for Okemos Pointe. Mr. Dorshimer indicated LEAP provided some upfront funding for the environmental assessment. He believed the brownfield plan is financially strong and stated the plan is short with only 12 years in duration for the capture, adding the 25% pass through will provide the Township with immediate revenue.

Neil Bowlby, 6020 Beechwood Drive, Haslett, used the Square on Grand River brownfield plan to compare the cost-to-investment ratio and future taxable value with the proposed brownfield for Okemos Pointe. He believed the Okemos Pointe brownfield plan to be a better investment. Mr. Bowlby suggested lengthening the time of the capture period to take less money annually from the Township. He requested the Township only allow the applicant to capture taxes for the actual cleanup cost of the brownfield.

Kathy Sundland, 2318 Barnsbury Road, East Lansing, voiced concern with the proposed Distributed Antenna System (DAS) being in the road right of way, and cautioned the Board when it makes its decision.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested the Board carefully review the proposed brownfield plan for Okemos Pointe. He asked the Board to take into consideration all surface transportation needs (motorized and non-motorized) and select appointees to the prospective Transportation Commission who will represent the various positions. Mr. Provencher indicated he is not supportive of DAS towers in the road right of way.

Erik Lindquist, 4454 Copperhill Drive, Okemos, suggested there are more appropriate places to locate the proposed DAS towers than in the road right of way.

Supervisor LeGoff closed Public Remarks.

A. Rezoning #16030 (Maniaci) 3690 Hulett Road RR (Rural Residential) to RAA (Single Family-Low Density)

Director Kieselbach summarized the proposed rezoning request as outlined in staff memorandum dated August 31, 2016.

The applicant, Chuck Maniaci, 2553 Sundance Lane, Okemos, explained the purpose behind the rezoning was to allow for a division of the subject property and build a new home.

Board, staff and applicant discussion:

- Options for the existing house
- Barn will remain
- Applicant's hope to retain the garage through attachment to the principal residence if feasible

- If the land division is approved, the existing garage located on the northern parcel would not be tied to a principal structure and would need a variance from the Zoning Board of Appeals
- Rezoning request is consistent with the Future Land Use Map (FLUM)

**It was the consensus of the Board to place this item on for action at the September 20, 2016 Board meeting.**

B. Okemos Pointe Brownfield

Director Kieselbach summarized the proposed brownfield plan as outlined in staff memorandum dated September 1, 2016.

Will Randle, 4409 Dobie Road, Okemos, development team representative, noted soil investigations revealed contamination on the site. He requested feedback from the Board first on the applicant's methods to be taken to "neutralize" the brownfield prior to taking the project to the county level.

Board and applicant's discussion:

- Board member belief the taxes paid on a property "merely" cover the services a property receives
- Board member belief the question is regarding the possible contamination on the site
- Reasonable cost of cleanup
- Board member question is if the Township should contribute tax dollars to the cost of the brownfield cleanup
- Detailed presentation will be given at a subsequent Board meeting as to the cost of the various measures needed to clean up the contamination
- Concern with the projected \$600,000 cost for interest incorporated into the brownfield plan
- Intent of the developer for the brownfield tax credit to be limited to the actual cost of cleanup
- True intent of the brownfield law will be implemented with this project
- Contingency rate of 15% and a 25% tax increment pass through to the Township
- Chart provided by the applicant demonstrates a "significant" gain for the Township through the life of the recapture (\$1,278,412 increase over the 12 year plan)
- Applicant is committed to bring back from the county a brownfield plan which does not exceed the numbers provided in the chart
- Interest is an important component in financing the improvements of the proposed brownfield plan
- Explanation of the map which demonstrates the various cleanup activities
- Applicant is presenting the Board with the worst-case scenario
- Estimate contains a vented vapor barrier for the market building under the slab
- Applicant's preference to remove the slab material v. installation of a vapor barrier
- Valued engineering will take place until the cleanup reaches the level of the type of business previously approved by the Board for this property
- Appreciation that the applicant has performed over 80 punch holes on the site to ensure identification of where the contamination exists
- Board member statement the Township will be "investing" \$856,000 and receive an immediate return (22.8% of the "ask" is proposed to come from the Township)
- Appreciation for the applicant's due care and caution in the development of the brownfield plan and efforts taken to determine contamination on the site
- State law allows for the developer to recover interest during the recapture period to neutralize the effect of the brownfield in comparison to a greenfield location for the same project

- Interest rate used is 2.5%, but less than the applicant's "cost of funds" (approximately 3-3.5%)
- A longer recovery period means higher interest
- Board member preference for more details and specific numbers from the applicant when the time comes
- Board member impression that when the Michigan Dental Association building was constructed, the owner of the property moved contaminated soil and "dumped" it on this land
- No recollection by the applicant that contaminated soil was dumped on the subject site when the Michigan Dental Association building was constructed
- Some unstable soils were moved from the Michigan Dental Association site
- Construction yard was originally located on the subject site which closed in the early 1990s
- Applicant performed a remediation using Michigan Underground Storage Tank Financial Assurance (MUSTFA) funds by removing tanks which had been on the site for more than 30 years
- Subsequent uses after the construction yard closed included building equipment for dairy farms, building interiors for Hummer and lease for trucking companies
- Applicant received a clean environmental report after the construction yard closed and the application embarked upon the process to rezone the subject land to professional and office
- Rezoning process took ten (10 years) and the market "tanked" after the then sitting Board approved the rezoning
- Forsberg Company has been in existence for 60 years and this is its first brownfield request
- Board member reminder that removal of contaminated soil from the Michigan Dental Association site and placed on the subject site would have been a criminal offense
- Most identified ground and slab contaminants were petroleum based
- Determination of the level of responsibility which "falls" on the property owner
- Board member preference for the interest to be borne by the property owner
- Board member belief the applicant's brownfield proposal is reasonable
- Law provides the applicant will only be reimbursed for the actual cost of the cleanup
- Detail will be provided when the applicant presents its brownfield plan to Ingham County

**It was the consensus of the Board to have the applicant bring the brownfield plan back for discussion when it is going through the process at the county level in order for Board members to become familiarized with the detail of the plan.**

C. Transportation Commission

Board discussion:

- Five (5) to seven (7) members which at least include a bicyclist, Redi-Ride user, Spec-Tran user, CATA bus user, motorist charged with reviewing the provision of public and private transportation services within Meridian Township
- Scope of review would include efficiency, sufficiency, and cost
- Scope of review would also include a report to the Board on the status of transportation services and recommendations, if necessary, for improvements, including the priority of needed actions
- Review of citizen complaints on service and work with staff to obtain a response or resolution from providers of those services
- Regular meetings as determined by the Commission at its first meeting, at least on a quarterly basis
- Two-year initial appointment length prior to consideration of a permanent Commission
- Preference for either monthly or bi-monthly meetings for the two (2) year period

- Board member preference for the commission to include four (4) citizens and three (3) non-voting Board members
- Board member suggestion for roads to be considered as part of the Transportation Commission
- Board member suggestion for other CATA Board applicants to serve on the Transportation Commission
- One (1) of the two (2) current CATA representatives should serve on the Transportation Commission in order for there to be a direct link between the two
- Roads and pathways should fall under the purview of the Transportation Commission
- One of the CATA Board appointments should serve on the Transportation Commission
- Board member preference for the CATA representative and one (1) Board member be non-voting members of the Transportation Commission
- Board member concern three (3) Board members on the Commission would dominate its meetings and its vision
- Board members preference for only one (1) Board member to serve on the Transportation Commission, similar to Board liaisons on other Boards and Commissions
- Board member belief the Commission's purpose is to give advice and consultation to the Township Board
- Board member preference for the Commission to be permanent
- Board member preference for stronger representation in the non-motorized and other modes of transportation sectors
- Board member suggestion for staff to provide the Board with recommendations (i.e., how the Commission should function with the roads "group", work in tandem with one another, etc.)
- Redi-Ride Review Committee (RRRC) functioned well with three (3) voting Township Board members
- Transportation Commission would be better served with three (3) non-voting Township Board members who would be able to grasp the information presented to them by members of the public
- A seven (7) member Transportation Commission would allow for the majority of its members to be Township citizens
- All related transportation issues should fall under the purview of the Transportation Commission

D. Distributed Antenna System (DAS) Recommendation

Director Guthrie summarized the proposed licensing agreement with ACD.net as outlined in staff memorandum dated September 2, 2016.

Joe Van Eaton, Best Best & Krieger, 2000 Pennsylvania Avenue NW, Suite 5400, Washington DC, availed himself for Board questions.

Board, applicant and Township communications lawyer discussion:

- Pole location would be determined by the Ingham County Road Department (ICRD)
- Board member concern the 2-1/2 foot width poles would be a traffic hazard during the winter months
- Board member preference for the poles to be located on private property
- Primary purpose of these systems is to communicate with surrounding customers
- If the DAS systems are not allowed by the Township, there is the option for the deployment of additional cell towers on private property
- Decrease in the height of cell towers needed to increase capacity to new electronic equipment (i.e., tablets, phones and connected vehicles)
- DAS systems are much shorter (40 feet), smaller and have less of a visual impact than large cell towers

- ACD.net representative belief he has been successful in addressing traffic concerns related to the DAS systems placed in numerous communities (e.g., Lansing, East Lansing and Grand Rapids)
- Along with the advent of driverless vehicles and assisted drive vehicles, the DAS systems are the best way to decrease traffic fatalities
- 700 megahertz bands and 2.1 gigahertz frequency bands can only be functionally deployed on DAS systems
- Concern with DAS system locations when it is the ICRD's desire to clear cut trees within 15 feet of the roadway
- Applicant must receive approval from the ICRD and meet its traffic safety guidelines
- The Federal Communications Commission (FCC) promulgated and standardized the architecture used and the permitting process required for DAS systems in municipalities
- DAS systems offload from the current "macro" towers in high density cell "traffic" districts which provides bandwidth across the wider area serviced by the macro towers
- DAS systems decrease the necessity for tall cell towers and mimic the height of utility poles
- Two foot diameter poles would include additional equipment (i.e., battery systems) in the base
- Inclusion of additional equipment in the base preclude the necessity for "boxes" outside of the poles
- Applicant is legally bound to request they be allowed to place batteries into the DAS systems to address power outages
- Option available for the Board to decrease the circumference of the poles by removing the battery systems contained therein
- Installation of underground batteries is not feasible at this time as there is no existing approved National Electric Safety Code designs
- Aesthetic concern with the placement of the proposed poles in an area where the Board took great effort to bury utilities
- Board member concern with other companies making additional requests for pole placement
- Potential freedom of the Board to establish a policy on placement of wireless facilities
- DAS systems were designed for Verizon Wireless
- Assumption the other three (3) cell phone providers will want the same level of coverage to provide high bandwidth data
- Law precludes the Township from prohibiting a wireless service from providing wireless services but has authority to control placement of their towers
- Inquiry if there is a recognized set of policies which could be used as a template for Meridian Township
- Communities across the country are developing different policies dependent upon the design of the community and its stated goals
- Board rejected the placement of a 90 foot tower in the Wardcliff neighborhood 18 months ago
- The Township updated its wireless communication ordinance at that time to be consistent with the state act
- DAS poles are not covered by the Township's wireless communication ordinance
- Placement of 15 DAS systems in East Lansing are west of the downtown district in residential neighborhoods to deal with the capacity needed for large venue events and the number of students
- Proposed height of the DAS poles have the capability to carry multiple providers
- Six (6) proposed poles will "fill in all the holes"
- Applicant's belief the tall towers will eventually disappear in urban and suburban markets
- Ability of the Township to institute a licensing agreement which contains several conditions, including requirements relative to DAS poles
- Township could include a licensing fee, require colocation, mandate aesthetics, place a limit on height and diameter, etc. within the licensing agreement
- Board member preference for the Township to develop a proposed licensing agreement which would cover the concerns expressed by members of the Board
- Board member suggestion for staff to provide policy recommendations which could include geographic location throughout the Township while dealing with ACD.net's request

- Federal law contains a nondiscrimination provision among providers
- Board member preference for additional data and Board discussion before negotiations begin
- Federal law prohibits setting a fee for use of the right-of-way so high that it would be prohibitory
- Board member request for staff to provide examples of pole options
- Board member preference for staff to provide a specific set of policy choices with input from the Communications Commission
- Map contained in the packet only provides a general area where the applicant is proposing location of the poles
- Board member request for staff to provide the total number of poles requested through all the applications received from various providers
- Only one applicant (Mobility) has proposed 120 foot poles in height
- Mobility model is to use 120 foot towers as a repeater from the macro tower by microwave instead of fiber
- Board member preference to have underground fiber optic cables v. 120 foot cell towers
- Question before the Board is whether it is willing to open up the underground utility area shown on the map for access to the wireless industry

14. FINAL PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Kathy Sundland, 2318 Barnsbury Road, East Lansing, voiced appreciation for being able to introduce herself as a Democratic candidate for Township Trustee.

Leonard Provencher, 5824 Buena Parkway, Haslett, recommended the Director of Public Works and Engineering or his representative be an ex-officio member on the Transportation Commission.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Veenstra pointed to the cost per mile for the BRT (approximately \$4.00) compared to the cost per mile for the fixed route (approximately \$8.00) contained in a communication from CATA. He requested the current CATA Board representative who sits on the Township Board explain the difference in cost.

Treasurer Brixie responded that she will obtain an answer and submit it to Trustee Veenstra.

Trustee Veenstra pointed out the data from CATA showed a “jump” in the number of annual Redi-Rides from 20,000 to 26,000 and requested an explanation as to how CATA was able to achieve the 30% increase. He requested CATA review their turndown data, as the Board received anecdotal evidence it is much greater than the 2% reported.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 10:24 P.M.

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ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS, CMMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary