

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING – **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, JULY 5, 2011 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus (6:06 P.M.), LeGoff, Ochberg, Veenstra
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach

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.

Charles Blanchard, Wood Valley Subdivision, 5718 Wood Valley Drive, requested the Board give strong consideration to Blondie's Barn (a local business), as the preferred applicant for the available liquor license.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested the Board remove the American Legion Fundraiser's outdoor gathering permit from the consent agenda, noting difficulty in monitoring the crowd. He inquired if the Police Department has the manpower to monitor the event and questioned who would be responsible for clean-up. He spoke in opposition to the liquor license application of Meridian Cinema Grill as he viewed theaters as family art. Mr. Provencher requested the Board give consideration to the other four (4) applicants over the Meridian Cinema Grill. He requested more specificity be recorded in the minutes where his public remarks are concerned.

Vance Kincaid, 4530 Nakoma Drive, Okemos, expressed opposition to the characterization of code enforcement inside a home occupied business. He expressed concern with the shortness of time (less than 60 days) relative to the MUPUD. Mr. Kincaid believed the proposed ordinance regarding pets on sidewalks is problematic, citing the issue of a resident jogging with his/her dog. He spoke in support of the change in the flag ordinance and believed an increase to 60 or 72 square feet to be reasonable.

Tom Boyd, Chief Judge, 55th District Court, 700 Buhl Avenue, Mason, spoke to the results of Operation Nighthawk and thanked the Meridian Township Police Department for its participation. He explained Operation Nighthawk is a surprise program which is conducted on a targeted basis after business hours to monitor defendants on probation.

Will Tyler White, 2142 ½ Hamilton, Okemos, expressed concern with enforcing regulations inside a residents home relative to the home occupation ordinance. He spoke in continued opposition to the restrictive nature of the Mixed Use Planned Unit Development (MUPUD) ordinance, specifically the requirement for a traffic study if the project generates 100 or more vehicle trips per day.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy expressed appreciation to Adrienne Goldsberry for her 3-½ years of service on the Planning Commission. She noted receipt of many positive comments on the July 4th fireworks. Supervisor McGillicuddy thanked residents and staff who attended Assistant Township Manager Paul Brake's farewell reception.

Treasurer Brixie announced summer tax bills were mailed July 1st and due on September 14, 2011. She added the Treasurer's office is open Monday through Friday, 8:00 A.M. until 5:00 P.M. Treasurer Brixie stated tax bill payments are collected multiple times per day when placed in the white drop box outside the Municipal Building.

Trustee Veenstra congratulated HOMTV for receiving a national award for its *2010 Live Election Coverage*. He reported his attendance at the regular meeting of the Tri County Regional Planning Commission (TCRPC) where the TCRPC placed an approximate \$5 million project to fund construction of a new Amtrak intercity bus station on its wish list for funding. Trustee Veenstra added Capital Area Transportation Authority (CATA) is the lead agency to obtain this grant. He noted a representative from the Michigan Department of Transportation's reported on Michigan's Five Year Transportation Plan and in that time period, Michigan will lose \$700-\$800 million of federal highway funds per year due to the state's inability to provide funds for a local match. Trustee Veenstra voiced his continued opinion that a gas tax increase would provide the necessary local match to receive the federal highway funds to which Michigan is entitled.

Trustee Dreyfus announced meetings of the Meridian Time Bank will be held the second Saturday of each month at the Meridian Activity Center, 4675 Okemos Road at 12:00 noon. He explained that since the principle of the Time Bank is that participants help one another for one hour, the meetings are kept to a one-hour time frame. Trustee Dreyfus synopsized his month-long trip to Turkey and how it related to Meridian Township.

Trustee Ochberg mentioned the five (5) applicants for the available liquor license were two applicants with Coney Island establishments, Coffee and Friends, Blondie's Barn and Meridian Cinema Grill. She stated the Economic Development Corporation's (EDC) recommendation to award Meridian Cinema Grill the license was primarily due to the fact the investment it plans to make would significantly increase revenue to the Township's general fund. She also stated that three (3) of the applicants had no experience serving liquor and would require education courses and investment in their establishments to meet state requirements.

Township Manager Richards read an e-mail sent to the Board regarding the excellent fireworks display last evening. He noted primary sponsors for the event were Meijer, Douglas J Salons, Meridian Plumbing, Meridian Township, Hubbard Law Firm, Culver's of Okemos and WLNS. Manager Richards added Eastside Tax and Accounting, Okemos Animal Hospital, Ingham County Medical Care Facility and Rehab Services PK Housing and Management Company, JP Keegan's dba Biggby Coffee and Meridian Mall contributed smaller amounts to support the event.

Clerk Helmbrecht noted HOMTV received two additional first place national awards for its *Internship Experience* and *Winter Olympic Tribute* programming:

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda amended as follows:

- **Move Agenda Items #7E through #7I to Agenda Items #10F through #10J respectively**

Seconded by Trustee LeGoff.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

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 LeGoff.

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

B. Minutes

Trustee Veenstra moved to approve and ratify the minutes of the June 21, 2011 Regular Meeting as submitted. Seconded by Trustee LeGoff.

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

C. Bills

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

Common Cash	\$ 299,100.61
Public Works	\$ 44,531.87
Total Checks	\$ 343,632.48
Credit Card Transactions	\$ 8,678.43
Total Purchases	<u>\$ 352,310.91</u>
ACH Payments	<u>\$ 295,585.05</u>

Seconded by Trustee LeGoff.

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]

D. Assessing Stipulation

Trustee Veenstra moved that the Township Assessor be authorized to sign a stipulation with Richard and Michelle Brown in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 392656
 RICHARD AND MICHELLE BROWN
 PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-17-460-019	2660 Grand River	2010	\$602,200	\$516,670
33-02-02-17-460-019	2660 Grand River	2011	\$600,000	\$525,453

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-17-460-019	2660 Grand River	2010	\$336,000	\$336,000
33-02-02-17-460-019	2660 Grand River	2011	\$336,000	\$336,000

Seconded by Trustee LeGoff.

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

NAYS: None

Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Will Tyler White, 2142-1/2 Hamilton Road, noted he was the dissenting vote at the EDC meeting where the Meridian Cinema Grill was given preference and indicated Blondie’s Barn would have been his choice to receive the open liquor license

Supervisor McGillicuddy closed public comment.

A. Zoning Amendment #10010 (Township Board), a request to amend Section 86-368 (b)(2) Home Occupations to update the allowed uses and standards for home occupations, **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 Code of the Charter Township of Meridian, Michigan, Chapter 86, Article I, Section 86-2, by amending Section 86-2; Article IV, Section 86-368, by amending Section 86-368(b)(2) and by adding Section 86-368(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 introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Primary reason for the amendment was to provide updates to the definitions so the ordinance can be properly enforced
- Proposed amendment allows people living in the home who are not family to work at the occupation
- Not allowing an outside employee will preserve and protect the residential quality of neighborhood0073

- Many businesses operating out of homes in Meridian Township currently utilize outside employees
- Amendment will create an economic burden on businesses which operate out of homes and currently utilize outside employees
- Concern enforcement of this amendment is a violation of the fourth amendment of the U.S. Constitution
- Current ordinance which regulates home occupations provides protection for the residential character of neighborhoods
- Nearly 3,000 home occupations currently operate within the Township

Trustee Veenstra offered the following amendments:

- Amend Section 86-368, (b) (2) a. by deleting “often” after “which” in the first line
- Amend Section 86-368, (b) (2) a. by deleting “may” after “therefore” in the second line
- Amend Section 86-368, (b) (2) a. by deleting “may” after “which” in the third line
- Amend Section 86-368, (b) (2) a. by deleting “, nor does the listing of a use in this section automatically qualify it as a home occupation” after “section” in the third line
- Amend Section 86-368, (b) (2) a. by deleting the last sentence in this subsection

Seconded by Trustee Ochberg.

Board members discussed the following:

- Concern that, as proposed, the Director of Community Planning and Development determines whether a home occupation meets the intent of this section
- If a home occupation is listed in an ordinance adopted by the Board, it should “automatically” qualify as a home occupation

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

Trustee Veenstra offered the following amendment:

- Amend Section 86-368, (b) (2) a. 3. by deleting “(excluding internal combustion engines)”

The motion died for lack of a second.

Trustee Veenstra offered the following amendment:

- Amend Section 86-368, (b) (2) a. 4. by deleting “, limited to dietitians/nutritionists, massage therapists, psychiatrists, and psychologists” after “patients”

Seconded by Trustee Ochberg.

Board members discussed the following:

- Recollection that surgery would have qualified as a home occupation without this language and certain procedures should not be treated in the home, but at an office with the appropriate equipment and conditions
- House in Haslett which has a dental office
- State of Michigan Licensing Boards as the best determiners of what is necessary to provide “good” care

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

Trustee Veenstra offered the following amendment:

- Amend Section 86-368, (b) (2) b. 2. by deleting “or 500 square feet, whichever is less.”

Seconded by Trustee Ochberg.

Board members discussed the following:

- Deletion of the 500 foot threshold could compromise the residential quality of a neighborhood
- Section 86-368, (b) (2) a. 2. allows for the instruction of dance which requires significant space
- Space restriction is anti-business
- Rationale for creation of the office zoning category was to keep office business in offices and residential areas as residences
- Enforcement of the amount of square footage used as a home occupation would be problematic

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

Trustee Veenstra offered the following amendment:

- **Amend Section 86-368, (b) (2) b. by deleting “3. The home occupation shall involve only those persons residing in the dwelling.”**

Seconded by Trustee Ochberg.

Board members discussed the following:

- Having a child who no longer lives in the home assist a parent in a home occupation would not be allowed as proposed and is an unreasonable restriction
- Economic Development Corporation (EDC) recommendation to allow an outside employee
- What transpires inside a home does not impair the quality of the rest of the residential neighborhood
- Need for the Board to allow residents an opportunity to be entrepreneurial in these difficult economic times
- Reminder that the cities of East Lansing and Lansing do not allow outside employees
- Changes as proposed capture the young entrepreneurs by allowing all individuals who reside in the dwelling to participate in the home occupation
- Concern expressed by representatives of several homeowner associations with allowing an outside employee
- Meridian Township is a zoned community
- Goal is to protect the residential component of a neighborhood
- Proposed limitations are not an infringement of a resident’s entrepreneurial rights
- Lack of a definition for employee
- A “1099 contractual worker” has no set hours; no set place of work and is not allowed to come to a home on a continual basis without violating tax law

Clerk Helmbrecht called the question. Seconded by Treasurer Brixie.

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

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

Trustee Ochberg moved to amend Section 86-368, (b) (2) b. 3 by inserting “and their relatives” after “dwelling”. Seconded by Trustee Veenstra.

Continued Board discussion:

- Many residents are experiencing what is called “yo-yo children”

- “Yo-yo children” defined as young college graduates unable to secure employment in other places who come home and their parents obtain other housing arrangements for them
- Belief that parents who maintain a home occupation should be able to utilize the services of their “yo-yo children”
- Belief the definition of home occupation is faulty and causing confusion
- Concern that relative is a broad term and could encompass many people

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

Trustee Veenstra moved to amend Section 86-368, (b) (2) b. by deleting “4. All activities shall be carried on indoors only in the principal building, an attached or detached garage, or other accessory building. No outdoor activities or storage shall be permitted.”

Motion died for lack of a second.

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

- B. Zoning Amendment #11020 (Township Board), a request to amend Section 86-440 Mixed Use Planned Unit Development (MUPUD) Ordinance, **Final Adoption**

Trustee Dreyfus 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. 2011-08, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 4 by amending Section 86-440.”

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 Supervisor McGillicuddy.

Board members discussed the following:

- Zoning amendment a good compromise
- Proposed amendments an enhancement to the MUPUD
- Extension of time frames will help streamline the process
- Planning phase requires all phasing components to be represented

Trustee Veenstra offered the following friendly amendment:

- Amend Page 3, (2) b. 1. a. by deleting “and self service laundries”

The amendment was accepted by the maker.

Clerk Helmbrecht offered the following friendly amendment:

- Amend Page 12, (I) (2) g. by deleting “residentially zoned property” and inserting “single family dwellings”

The amendment was accepted by the maker.

Board members discussed the following:

- As currently written, any change on a parcel adjacent to residentially zoned property automatically becomes a major amendment and the project must go back through the entire process
- As examples, changing the landscape plan or parking design on a parcel adjacent to residentially zoned property would become a major amendment
- Schools, churches, park land are all zoned residential
- Language as originally proposed is a change from the current process
- Removal of ash trees suffering from the emerald ash borer blight would become a major amendment

Trustee Ochberg offered the following friendly amendment:

- **Amend page 12, (i) (2) g. by deleting “single family dwellings” and inserting “residentially occupied property”**

Continued Board discussion:

- Proposed language “single family dwellings” creates discrimination between single family use and multiple family use
- Concern if vacant land is residentially zoned, then the MUPUD will change the character

The amendment was accepted by the maker.

Continued Board discussion:

- Concern with some commercially zoned properties which have a vacant residentially zoned component and are adjacent to residentially occupied homes
- Reminder the Board is discussing an amendment to a plan which has already been approved and concerns should have been given consideration when the original MUPUD was approved
- Moving the proposed change back through the process gives reassurance to owners of the adjacent residentially zoned property that the proposed amendment will not impose problems for them
- Fee for a major amendment is \$500 plus \$5 per dwelling unit
- Fee for a minor amendment is \$300
- Suggestion to refer this point to staff to provide language which makes minor changes as minor amendments and major changes as major amendments
- Suggestion to specifically list a change to landscaping as a minor amendment
- Staff interprets “occupied” differently when considering buildings

Trustee Ochberg offered the following friendly amendment:

- **Amend page 12, (i) (2) g. by deleting “residentially occupied property” and inserting “existing single family or multiple family dwellings”**

The amendment was accepted by maker.

Continued Board discussion:

- The existing minor amendment process is handled by staff, but includes notification
- Minor amendments require notification whether the subject property is occupied or not

Treasurer Brixie moved to delete (I) (2) g. Seconded by Trustee Veenstra.

Board members discussed the following:

- Deletion would prevent requiring minor amendments for property adjacent to existing single family or multiple family dwellings from going through the major amendment process
- Better use of staff time not to go through unnecessary “red tape” for a minor amendment
- Concern that (I) (2) g. is too broad and makes every minor change a major amendment

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

Continued Board discussion:

- Concern language in (I) (2) e. requiring the area to be two times the original site size for sites over 40,000 square feet in order to be a major amendment is too large

Trustee Veenstra moved to amend (I) (2) e. by changing “two times” to “30% of”

The motion died for lack of a second.

Clerk Helmbrecht called the question. Seconded by Trustee Brixie.

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

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

C. Zoning Amendment #11040 (Township Board), amendment to Section 86-436 Conservancy, **Introduction**

Clerk Helmbrecht 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 Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 4 by amending Section 86-436.”

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 Supervisor McGillicuddy.

Board members discussed the following:

- Housekeeping amendment ensures compliance with FEMA regulations
- Amendment specifies where fill and cutting is allowed
- Amendment specifies what types of uses are allowed in the floodplain
- Staff explanation of language relative to sidewalks and pedestrian/bicycle pathways being a permitted use by right in the floodway fringe and a permitted use by special use permit in the floodway fringe

Treasurer Brixie called the question. 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.

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

Trustee Ochberg 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 Code of the Charter Township of Meridian, Michigan, Chapter 14, Article II, Section 14-26, by adding Section 14-26 (c) and Section 14-26 (d).”

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 introduced at least once prior to the next regular meeting of the Township Board. Seconded by Supervisor McGillicuddy.

Board members and staff discussed the following:

- Reference to language which would allow for the automatic adoption of future amendments
- Language was not included as it has been over ten (10) years since the last update
- Staff preference for the public to know the actual panel numbers
- Panel defined as a section of the Township on Federal Emergency Management Agency’s (FEMA) floodway map

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

Trustee Ochberg moved that the reference to the Michigan Community Resolution to Manage Floodplain Development for the National Flood Insurance Program be approved by this Board and all blanks be filled in by the appropriate staff or officer. Seconded by Trustee Brixie.

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

D. Streets and Sidewalks Ordinance Amendments, **Introduction**

Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, the Township Board hereby introduces for publication and subsequent adoption Ordinance No. _____, entitled “Ordinance Amending the Code of Ordinances of the Charter Township of Meridian, Michigan, Chapter 58, by adding Section 58-33(c) and Section 58-34.

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 introduced at least once prior to the next regular meeting of the Township Board. Seconded by Clerk Helmbrecht.

Board members and staff discussed the following:

- Unleashed dogs an impediment to residents wishing to use the Township’s pedestrian/bicycle pathways
- Snow removal from the Township’s pathway system along Grand River Avenue is the responsibility of the Township
- Township process of identifying parcels and billing property owners where homeowner does not perform snow removal according to ordinance
- Homeowner associations’ ability to enforce sidewalk snow removal dependent upon each association’s deed restrictions or bylaws

- President of Briarwood Homeowners’ Association comes to the Township with complaints brought to her regarding sidewalks which are not walkable in that subdivision
- Sidewalks within subdivisions are typically in the road right-of-way
- Amendments will expedite the process to have cleaned sidewalks
- Concern this proposed ordinance is just the “tip of the iceberg” of government interference into residents’ lives
- Provision to place a lien on a non-compliant homeowner’s property is punitive
- Suggestion to place a notice on the Township website each year or send a reminder with the tax bills
- Proposed process is consistent with the one used for lawn mowing violations
- Proposed amendment will address foreclosed homes where the bank owns the mortgage
- Approximately 100 lawn mowings are placed on the tax bills each year
- Proposed amendment will help maintain the assessed value of homes
- Maintaining the assessed value of homes helps maintain Township revenue through tax assessments
- Proposed amendment promotes walkability in the Township
- Failure to remove snow under the current ordinance is a civil infraction and, if not cleared within 24 hours, is subject to a \$75 ticket for each day of non-compliance

Trustee Veenstra offered the following amendment:

- **Amend Section 1, B. (b) after “less,” by inserting “when near other people,”**

The motion died for lack of a second.

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

Supervisor McGillicuddy recessed the meeting at 8:42 P.M.
 Supervisor McGillicuddy reconvened the meeting at 8:50 P.M.

E. Second Quarter Budget Amendments

Clerk Helmbrecht moved that the Township Board approve the 2011 amended budget (with second quarter budget amendments) and the Summary of Special Revenue Funds attached to the memorandum from the Finance Director dated June 30, 2011. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Additional cost incurred for a DDA intern’s salary and free-lance staff to assist in the Art Walk event
- Funds should have been approved prior to expenditure
- Township Manager has the authority to approve an expenditure up to \$5,000 without Board approval

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

F. Resolution to Revise Loan Agreement between Meridian Township and the Downtown Development Authority (DDA)

Supervisor McGillicuddy and Township Manager Richards summarized the revised loan agreement as outlined in staff memorandum dated June 28, 2011.

Board member and staff discussion:

- Loan agreement was “set up” similar to the way bonds are issued
- DDA has made one \$10,000 payment

- DDA did not spend any money from the \$20,000 contingency fund
- The word expenditure is an accounting and auditing term
- The amount will be “back corrected” according to this revision and must be listed as an expenditure
- Double lamp in the roundabout which was knocked down belongs to the Ingham County Road Commission and was not a Township expenditure
- Loan agreement viewed as a blended loan v. a simple interest loan
- Revised loan as a positive for the general fund

Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED the Township Board authorizes the Township Supervisor and Clerk, on behalf of the Township, to sign the “Loan Agreement between the Charter Township of Meridian and the Meridian Township Downtown Development Authority” and further authorizes the expenditure of one hundred sixty thousand dollars (\$160,000) from the Township (the specific fund to be determined) to the DDA to be fully reimbursed by the DDA from the DDA’s tax revenues consistent with the “Loan Agreement between the Charter Township of Meridian and the Meridian Township Downtown Development Authority.” Seconded by Clerk Helmbrecht.

Trustee Veenstra offered the following friendly amendment:

- **Amend the fourth WHEREAS clause by deleting “an approximate” and inserting “approximately”**

The amendment was accepted by the maker.

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

NAYS: None

Motion carried unanimously.

G. Outdoor Gathering Permit, American Legion Fundraiser

Trustee LeGoff moved approval of the Outdoor Assembly License and the permit for The American Legion Fundraising Event on July 23, 2011, as described in the memorandum dated June 27, 2011. Seconded by Treasurer Brixie.

Board members discussed the following:

- Concern with noise for the neighbors beyond 10:00 PM
- Permit will come under the scrutiny of the Police Department
- American Legion received a road closing permit from the Ingham County Road Commission

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

NAYS: Trustee Ochberg

Motion carried 6-1.

H. Liquor License Application, Meridian Cinema Grill

Trustee Ochberg moved that the request for the Class C licensed business for Lansing Theater Company, Inc., 1999 Central Park Drive, Okemos, MI, Ingham County, be approved as “above all others” and the Township Clerk be authorized to execute the authorized resolution. Seconded by Treasurer Brixie.

Board members discussed the following:

- EDC recommendation due to the fact the Township will receive more money when completed through increased property tax revenue
- A locally owned business, Blondie’s Barn, was the second choice
- EDC request that the motion clearly convey Blondie’s was the “runner-up” should the license fall through for the Lansing Theater Company, Inc.
- Liquor Control Commission resolution requires specific language to be passed by the Board

- Likelihood of a significant increase in business traffic for Meridian Mall when movie theatre/ restaurant is constructed
- Data from movie theatre/restaurant construction in other areas indicates a traffic increase of 25-30%
- Liquor license is the only economic development tool available to the Township for this project
- AMC's lease expires October 1, 2011
- This project will be redevelopment in the commercial core
- Business viewed as a new venue as there are no restaurant/movie theaters currently in the greater Lansing area
- Proposed project is not necessarily contingent upon obtaining the liquor license
- Applicant is also looking at two (2) other locations in Michigan
- Issuance of the liquor license would send a "signal" to the applicant to commence business in our state
- Cost of a liquor license from a community is free v. the cost to obtain a license from outside the community
- Township has not had a liquor license available since the mid-1990's
- The Township's biggest commercial area is Meridian Mall and the mall is a driver to the success of many other businesses in the community
- Project near Meridian Mall will have a positive "ripple affect" on other local businesses
- Project as a draw for the younger demographic
- Concern that the restaurant/movie theaters will not be family friendly
- Project will provide the option of watching a movie or dining at a table while watching a movie
- Facility will check I.D.'s to have the ability to order liquor
- Process will be similar to those used by restaurants which serve liquor
- Appreciation to the EDC for its thorough review
- Suggestion that the American Theatre Corporation, based in Atlanta, GA, purchase a liquor license and give the free license to Blondie's Barn
- Information given at the EDC meeting indicated in order for the American Theatre Corporation to obtain the right license, it would cost the corporation \$250,000

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

- I. Revised Lease Agreement and Memorandum of Understanding - Friends of Historical Meridian
Trustee Ochberg moved to amend and renew the lease agreement and Memorandum of Understanding with the Friends of Historic Meridian for operation and maintenance of eight (8) structures in the Meridian Historical Village for a two year period from the date of execution. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- The revised lease agreement and memorandum of understanding is a simple housekeeping measure
- These documents will continue an arrangement that has benefited the education of both young and old residents in this community
- The Meridian Historical Village provides a beneficial community interaction with and for residents
- Need for consistency in listing the structures included in both documents
- Education Coordinator should be changed to Executive Director throughout memorandum of understanding
- Signature line in the memorandum of understanding should reflect the name of the current chair of the Park Commission
- Suggestion to amend the lease on Page 3, Fifth: A. by inserting "(except the chapel as described in H above)" after "General Fund"
- Suggestion to amend the lease on Page 5, line 4, by deleting "14" and inserting "13"

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

J. Interim Organizational Structure

Trustee Veenstra moved approval of the position of Interim Department Director with an annualized salary of \$69,000 and interim organizational structure as proposed by the Township Manager in a memorandum to the Township Board dated July 1, 2011. Seconded by Supervisor McGillicuddy.

Board members and staff discussed the following:

- Interim organizational structure is a reallocation of the duties of the former Assistant Township Manager
- All media relations will be handled by the Cable Coordinator
- A specific skill set is needed for media relations
- Recommendation for the Township Manager to handle media relations as he is involved with all departments within the organizational structure
- Communications role at the Township does not necessarily translate to the role that this position requires
- Reminder that these positions are interim positions
- Former Assistant Township Manager was involved in handling and writing press releases
- Cable interns have the ability to draft press releases
- Press releases are prepared in conjunction with individual departments
- Concept is intended to disseminate more information to residents about the operations of and happenings in the Township
- Cable department has the ability to train other departments in greater use of electronic technology to disseminate each department's information
- Township Manager to prepare a job descriptions relative to media relations
- Township Manager's request is for Board approval to create the position(s) of Interim Director and to spend the money on those positions
- Concern with creating a position which is interim to then "take it away" or change it to something else
- No need for a newly created title
- Concern with creating a department head which does not have department head responsibilities
- Almost every Township employee has not had a salary increase in the last four (4) years, and these two employees will receive a 20% increase for taking on added responsibility
- Many employees over the last few years have been asked to take on additional responsibilities without remuneration (e.g., mechanical, electrical and plumbing inspections, soil erosion)
- One interim department director does not have staff
- Suggestion to distinguish between the Human Resources Department which is a one-person department and the Cable Department which currently has 3.5 positions in addition to several interns
- Township employs 160 full-time positions and over 40 part-time positions
- Township has eight (8) unions with fairly sophisticated benefit packages
- Township will be looking at a 15% increase in health insurance
- Belief the Assistant Human Resources Director is essentially an "expert" on health insurance
- Request by the Township Manager for the Board to trust his management abilities and his ability to assess what these departments and the Township need at this time
- Once the 2012 budget is assembled, the Board will have a better idea what positions may be restored and what the organization will look like with or without an Assistant Manager
- Board policy allows the Township Manager to create the organizational structure
- Board member review of the 2012 budget will include analysis of the cable interns knowledge of Township policies and ordinances relative to media relations and representing the public image of Meridian Township
- Board member desire for staff to have provided a cost savings analysis for the proposed organizational structure over the next 12-14 weeks

- Since many employees have had to take on additional duties without remuneration due to employee lay offs, the logical repercussion will be a negative impact on employee morale
- Concern with a net creation of a Director position in lean economic times
- Only Department Director positions are exempt from overtime
- Definition of public relations v. media relations
- This is not a policy governance issue, but an issue that affects the Board as it looks at the impact it will have on productivity and morale “across the board”
- The township can “get by” until the preliminary 2012 budget becomes available without creating new positions
- Inappropriate to give any person currently on staff a pay raise for any reason at this time
- If this proposal passes, Board member request for written responsibilities of the Interim Director of the Cable Department which distinguishes her Township role v. cable role

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

11. DISCUSSION ITEMS/ENDS

- A. Zoning Amendment #10080, request to add Section 86-444 Commercial Planned Unit Development to the Code of Ordinances

Without objection, the Supervisor deferred discussion of this item until the next Board meeting.

- B. Zoning Amendment #11050 (Township Board), request to amend Section 86-402(3) pertaining to the size and display of flags in commercial zoning districts

Without objection, the Supervisor deferred discussion of this item until the next Board meeting.

- C. Murals

Without objection, the Supervisor deferred discussion of this item until the next Board meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, thanked the Board for its diligence during this Board meeting.

Cecilia Gaglio, HOMTV intern, Abbott Place, East Lansing, spoke to deer relocation in lieu of deer culling.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra clarified that during a previous presentation on deer culling, the Department of Natural Resources (DNR) representative stated the department would prohibit the transportation of deer. He noted the cost per deer mentioned by the previous public speaker (\$200-\$800) would be prohibitive. Trustee Veenstra spoke in support of increasing the size of the US flag which can be flown in the Township to at least 60 square feet.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:15 P.M.

SUSAN McGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary