

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED & AMENDED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, JUNE 17, 2003, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such (6:09 P.M.), Woiwode  
ABSENT: Trustee Stier  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Gary Gibbons, EMS/Fire Chief Fred Cowper, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:02 P.M.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy stated that she and Parks & Recreation Director Maisner attended the May 22<sup>nd</sup> Active Communities Award Banquet. Meridian Township was presented with a Level 4 Active Communities Award by Governor Granholm. The award will be on display in the Township Administrative Office.

Treasurer Hunting announced a change in the way the State Education Tax (SET) is collected as a result of a state act passed in 2002. The Okemos, Haslett and Williamston School Districts split their six (6) mill SET Tax by collecting three (3) mills in summer and three (3) mills in winter. East Lansing School District collects all six (6) mills in the summer. All of the SET taxes will now be collected in the summer. The Okemos, Haslett and Williamston School District taxpayers in Meridian Township will have all taxes collected in summer with a reduction from six (6) to five (5) mills for 2003 only. For Okemos, Haslett and Williamston, this change will result in a two (2) mill increase in summer taxes and a three (3) mill decrease in winter taxes. East Lansing School District taxpayers in Meridian Township will have a one (1) mill reduction in summer tax collection. All tax bills will be sent out by July 1<sup>st</sup>. Explanations of these changes will also be in the Meridian Monitor and on HOM-TV. Please contact the Treasurer's Office if there are any questions.

Clerk Helmbrecht apprised residents that absentee voter applications for the August 5<sup>th</sup> Election will be mailed June 19<sup>th</sup>. Absentee voter ballots will be delivered by the County on July 16<sup>th</sup> and sent out shortly thereafter.

Clerk Helmbrecht noted the Band Shell Opening at Lake Lansing Park South premiered last Friday evening and encouraged residents to attend future concerts each Friday during the summer.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Trustee Brixie moved to adopt the Consent Agenda. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

- BI-1 Cindy Cummings, Meridian Township Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing within Meridian Township
- BI-2 Larry Sawdy, 5588 Marsh Road, Haslett; RE: Return of allocated road improvement funds when projects within Meridian Township are cancelled
- BI-3 Gail Peterson, 1339 Spicewood Drive, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- BI-4 Mary Glees, 1180 Buckingham, Haslett; RE: E-mail in support of Rezoning #03020 (Newman Equities).
- BI-5 Friends of the Haslett Library, 5670 School Street, Haslett; RE: Statement of support for Board approval of ballot language and voter support for Library Facilities through an election to be held on August 5, 2003
- BI-6 John T. Anderson, 215 W. Newman Road, Okemos; Katherine R. Guins, 4496 Dobie Road, Okemos; and Daria Schlega, 2446 Burcham Drive, East Lansing; RE: Notice of Intent to File Petition for Amendment to the Zoning District Map of Meridian Township pursuant to Rezoning #03020 (Newman Equities)

(2). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax May 30, 2003 Edition
- SC-2 Michigan Townships Association Legislative Fax June 6, 2003 Edition
- SC-3 Vipul P. Desai, Boss Engineering, 7125 Orchard Lake Road, Suite 108, West Bloomfield; RE: Zoning Amendment Request for a parcel located in Section 11, NW 1/4
- SC-4 Meridian Township Greenspace Plan-Alternatives Public Workshops

**Trustee Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

B. Minutes

**Trustee Brixie moved to approve and ratify the minutes of the [June 3, 2003 Regular Meeting](#) as [submitted](#). Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

C. Resignations from Cable Communications Commission and Community Resources Commission  
**Trustee Brixie moved that the Township Board accept the resignations of Clinton R. Lewis**

**from the Cable Communications Commission as stated in a letter dated June 9, 2003 and from Carolyn Ahlbrand from the Community Resources Commission in a letter received June 12, 2003. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

D. Bills

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

Common Cash	\$ 587,704.31
Public Works	\$ 222,612.32
Total Checks	\$ 810,316.63
Credit Card Transactions	\$ 15,099.38
Total Purchases	<u>\$ 825,416.01</u>
ACH Payments	<u>\$ 248,730.52</u>

**Seconded by Trustee Woiwode**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Bill list in Official Minute Book]

E. Amendment to the AFSCME Secretarial and Clerical Labor Agreement

**Trustee Brixie moved that the Township Board approve the amendments as specified in the attached tentative agreement to the AFSCME Office, Clerical and Secretarial Employees Union Collective Bargaining Agreement for 2003-2005 and authorize the Supervisor and Clerk to sign the same. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

F. Rezoning #03040 (Planning Commission), Request to Rezone 1330 Hickory Island Drive from RR (Rural Residential) to RAA, **Final Adoption**

**Trustee Brixie moved NOW THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, The Township Board hereby Finally Adopts Ordinance No. 2003-10 entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #03040" rezoning from RR (Rural Residential) to RAA (Single Family-Low Density). Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Signed and Sealed Resolution in Official Resolution Book]

G. Ember Oaks Subdivision, Street Lighting Special Assessment District, **Resolution #1-Introduction** (Set Public Hearing July 15, 2003)

**Trustee Brixie moved to approve Ember Oaks Subdivision Streetlighting District-Resolution #1, tentatively declaring its intention to install and maintain twenty (20)**

**streetlights and defray the cost by special assessment against the benefiting parcels and setting a public hearing for July 15, 2003. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Signed and Sealed Resolution in Official Resolution Book]

- H. Resolution to approve Mutual Aid Agreement-Bath Township  
**Trustee Brixie moved NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Meridian, Ingham County, Michigan does hereby approve the attached Mutual Aid Agreement between the Charter Township of Bath and the Charter Township of Meridian, and authorizes and directs the Township Supervisor, Clerk, and Manager to execute, and enter into said Agreement on behalf of the Township. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Signed and Sealed Resolution in Official Resolution Book]

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 11A)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Public Comment

Supervisor McGillicuddy opened public comment.

No one spoke.

Supervisor McGillicuddy closed public comment.

- A. Amendment to Meridian Charter Township Wetland Protection Code  
**Trustee Woiwode moved [and read the resolution into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_\_\_\_\_, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, by Amending Chapter 22 Environment, Article IV Wetland Protection, Divisions 1 and 2, Section 22-116, Section 22-155(e)(1) and Section 22-155(e)(2)." Seconded by Trustee Brixie.**

Board Members discussed the following:

- Useful tool to broaden standing of Township citizens regarding appropriate wetland concerns
- Err on the side of environmental protection and pollution control
- Opportunity for neighboring landowners outside Meridian Township to appeal to the Township Board
- Citizen access to government and active involvement in the process

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Signed and Sealed Resolution in Official Resolution Book]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

William Tyler White, 4695 Okemos Road, Okemos, spoke in support of Wetland Use Permit #03-01 (Fedewa) and mixed use zoning, citing criteria he believed should be included in the mixed use zoning ordinance.

Supervisor McGillicuddy closed public comment.

- A. Wetland Use Permit #03-01 (Fedewa), request to fill approximately .30 acre of wetland  
The applicant commented on the area designated as Wetland #7, which is the subject of the permit request to fill and mitigate elsewhere. Mr. Fedewa indicated Chris Grobbel from Tip of the Mitt Watershed Council procured a soil sample at the lowest possible location of the site of this wetland and another one approximately forty (40) feet from the 13,000 square foot wetland.

Mr. Fedewa indicated that prior to 1991, Wetland #7 was not even designated on the Township map. The wetland grew as a result of the neighbor, Mr. Wamhoff, building a ditch system on the subject property. Mr. Fedewa stated he has been careful to work around the wetlands during the development process, with the roads strategically placed so as to maintain the "essential" wetlands. The applicant maintained an overview of the entire development revealed a substantial amount of wetlands remain intact.

Mr. Fedewa pointed to his wetland consultant's rebuttal to the Tip of the Mitt investigation. The response indicated there are five (5) acres of run-off that contributes to that area. Once roads have been built, there will no longer be additional water. Over the years, that wetland will diminish, possibly to the point that it would no longer be regulated by the Township.

Director Kieselbach gave a brief overview of the wetland use permit and Preliminary Plat Review #03012. Both of these requests have a ninety (90) day process time-frame which runs concurrently. The ninety (90) day deadline is July 5<sup>th</sup>, which would require a decision at the July 1<sup>st</sup> Board meeting, unless the applicant is willing to grant extensions.

Board Members and staff discussed the following:

- Wetland #7 as the focus of this wetland use permit
- Amount of fill for alternative mitigation option of approving only the portion of the permit pertaining to the road and mitigation at southern end of property
- Road right-of-ways usually contain utilities and sidewalk
- Approximate square yards of fill in Wetland #7
- Affect on mitigation area for just road fill
- Conflicting conclusions from two wetland consultants
- Option of Lot #14 designation as dedicated #7 Wetland and mitigated area
- Mitigated wetlands contiguous to existing wetlands are more reliable
- Increase in size of Lot #8 as a result of Lot #14 dedication as a wetland
- Mitigation of portion of wetland in road right-of-way
- Change to contours of the area as a result of fill and new mitigated area built on southern end of property
- Effect on future property owners and future Board Members as a result of decision
- Drain Commission requirements
- Undesirable mitigation site location for wildlife
- Square footage of buildable area on Lots #63, 14 and 15
- Original subdivision plan changed after Road Commission and Drain Commission critique
- Alternative plan to avoid impact on Wetland #7 would necessitate change in road and affect at least four (4) lots
- Property next to Lot #8 as a buildable lot if proposed mitigation area is not mitigated
- Proposed storm drain system should protect Wamhoff property regardless of wetland
- Movement of Issac Lane twenty (20) feet to the south
- Any change in the road(s) would necessitate going through the process again
- Consideration of alternative mitigation area(s) on site

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 17, 2003 \*APPROVED\*

- Modification of wetland use permit to change the mitigation area
- Move mitigation site to Wetland #12
- Planning Commission does not have jurisdiction to approve or deny wetland use permit
- Conflicting information from various sources
- Denial of wetland use permit, causing a redesign, would necessitate Planning Commission approval of plat redesign
- Staff to provide alternatives in the form of motions as a result of Board discussion
- Concern with change of mitigation up in Wetland #12 because of oak trees

Township Jurisdictional Responsibility: (Agenda Item #8 (Questions for the Attorney))

- Q. If we allow Wetland #7 to be filled, what does that obligate the Township to if it does not dry out?
- A. Once you allow it to be filled, it would no longer be a regulated site. There would be no further jurisdiction or opportunity for the Township to exercise any control over that.
- Q. One of our reports said that even if it is filled, they don't think that it would dry up; it exists because of underground water. It is a concern I have because I would not want to see people's sump pumps running 24 hours a day to keep their basements dry. What responsibility does the Township then assume, if any?
- A. Once the determination was made to essentially eliminate the wetland, that would be the end of the jurisdictional basis of the Township. If there are problems with on-site drainage or sump pumps, that would be an issue which would need to be addressed by the builder/developer.

Absence of Alternative Plan(s): (Agenda Item #8 (Questions for the Attorney))

- Q. What obligation, if any, does Mr. Fedewa have as far as showing another alternative plan instead of filling the wetland?
- A. Our ordinance does require that there be an absence of a reasonable and prudent alternative that would include the relocation, for example, of lots or reconfiguration. That is part of the burden that any applicant faces when they seek a wetland permit; to show the absence of a reasonable and prudent alternative.
- Q. Would this be too much to ask if you felt that he has shown alternatives?
- A. I don't know that would be an appropriate question for me to respond to. I will say this. I think there has been a good dialogue between the Board and the developer, exploring that very issue of alternatives. For whatever my opinion is worth, some very good ideas have been voiced in this discussion. Mr. Kieselbach is accurate that in granting a permit, it could be conditioned upon mitigation occurring at a different location with, perhaps, a different ratio. All of that would be possible within the context of granting a wetland permit with conditions.
- B. Preliminary Plat Review #03012 (Fedewa), request for preliminary plat approval for 99 lots in Sierra Ridge Estates Subdivision located north of Lake Lansing Road and east of Newton Road in Haslett  
Director Kieselbach addressed the preliminary plat request as outlined in staff memorandum.

Board Members and staff discussed the following:

- Planning Commission recommendation for approval with twenty-four (24) conditions
- Attractive design but wetland issue must first be addressed
- Consistency of lot sizes in overall design at plat approval level
- Preliminary plat approval based on wetland use permit
- Preliminary plat approval but denial of wetland use permit with resulting reduction of total sites require revisit by Planning Commission
- Granting of extension by applicant to allow time to go back for Road Commission reapproval
- Floodplain reference in conditions 18 & 20 to insure homes with walkout basements are #1) adequately checked and protected from hydrostatic pressure concerns and #2) insure the grade adjacent to walkouts is not lowered below the floodplain level
- Change the contour of land as a result of soil movement and its effect on trees receiving more water
- PUD public hearing requirement

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 17, 2003 \*APPROVED\*

- Approval of a portion excluding problem area, then come back with PUD
- Potential to incorporate portion as a PRD
- Question of necessity for open space contiguity in a PUD
- Lot size and open space requirements in a PUD
- Connection to greenways program

C. Mixed Use Zoning

Director Kieselbach introduced photographic examples of various building styles as presented in staff memorandum.

Board Members discussed the following:

- Staff analysis and recommendation on workability of overlay district(s)
- Draft of document to implement mixed use
- Size of mixed use study area
- Flexibility of study area to allow changes
- Concern with sole focus on commercial area
- Integration of commercial areas with residential areas
- Purpose and intent of mixed use

D. Citizen Awards

Planning Commissioner Juan Arellano and Community Resources Commissioner Pat Munshaw spoke regarding presentation of “Quality of Life” awards to individuals, groups or organizations which contributed to the quality of life within Meridian Township through such efforts as community organization and philanthropy. Ideas included the creation of a steering committee comprised of representatives from various Township committees. Recognition could take the form of a tree planting accompanied by a plaque within the Township park system.

- Appreciation for initiative and enthusiasm of the project
- Opportunity for future generations to understand the contributions which have preceded them
- Meeting of presenters with Township Manager to devise implementation of the plan
- “Celebrate the contribution” terminology

E. Recommendation to Pursue Property Purchase at 4675 Okemos Road

Manager Richards summarized the potential purchase of this property as outlined in staff memorandum.

Board Members discussed the following:

- Reasonably priced commercial property contiguous to current Central Fire Station
- Retention of original Central Fire Station site and its historical value
- Installment purchase with interest rates at a 45-year low would allow procurement without asking voters to incur additional taxes
- Wise long-term planning option
- Cohesive acquisition and maintenance strategy for all Township owned land

12. VISION SESSION/ENDS: General Discussion with June Pallottini and John Midgley, Ingham County Road Commission

June Pallottini stated various Ingham County Road Commission members are visiting the townships in an effort to continue good dialogue with the ICRC.

Board Members, staff and ICRC representatives discussed the following:

- Board appreciation for the annual joint meeting between ICRC and the Townships
- ICRC openness to different set of standards in certain categories, e.g., walkable communities and traffic issues, for more urbanized townships such as Meridian, Delhi and Lansing
- ICRC exploration of wider streets appropriately marked for street parking in mixed use areas
- Tree replacement program to have trees line the streets once again
- Narrower streets and curves in subdivisions to slow traffic speed
- Shorter blocks to provide more alternate routes in the absence of narrower streets
- Possible ICRC policy of looking at targeted mixed use areas in relation to rules regarding speed limits, walkable communities, setbacks, street trees, on street parking

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 17, 2003 \*APPROVED\*

- Accurate and up-to-date information from the ICRC relative to primary and secondary road capacity as a planning aid for the Board
- Need for procedural concurrency with the ICRC during development phase as a planning aid
- Open lines of communication when goals conflict between agencies
- Appreciation for ICRC policy relative to administrative cost adjustment
- ICRC cooperative attitude towards Board vision of boulevards/center islands in Okemos Road
- ICRC has no plans to widen Dobie Road

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

John Anderson, 215 Newman Road, Okemos, announced a referendum petition on Rezoning #03020 (Newman Equities). He also indicated support for the library.

Eldon Clark, 2415 Sapphire Lane, East Lansing, spoke in support of early planning with applicants to avoid the necessity of going back to approving bodies with changes and in support of mixed zoning.

Charles Willems, PO Box 184, Haslett, spoke concerning the use of “abandonment” v. “vacated” on property located at 1387 Hickory Island Drive.

Treasurer Hunting asked the township attorney to give an opinion on vacated v. abandonment in order to address Mr. Willems’ concern.

Harold Schmidt, 4086 Dobie Road, Okemos, spoke in support of the current Board’s actions to take the necessary time to explore options on issues. He spoke against inciteful flyers about the Board’s actions, questioning the accuracy of information contained therein.

William White, 4695 Okemos Road, Okemos, spoke in support of mixed use within downtown Okemos, showing aerial photographs of the area.

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:09 P.M.

---

SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

---

MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Sandra K. Otto, Acting Secretary