

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD WORK SESSION MINUTES – **APPROVED**
5151 MARSH ROAD, OKEMOS, MI 48864-1198
349-1200, TOWN HALL ROOM
TUESDAY, DECEMBER 7, 1999. **6:00 P.M.**

PRESENT: Supervisor Little, Clerk Helmbrecht, Trustees McCullough, McGillicuddy
Squiers, Such
ABSENT: Treasurer Klunzinger
STAFF: Township Manager Gerald Richards, Director of Community Planning &
Development Mark Kieselbach, Director of Engineering & Public Works Roger
Buell, Personnel Director/Assistant Manager Paul Brake, Recreation Director
LuAnn Maisner, EMS/Fire Chief Fred Cowper, Police Chief Gary Gibbons,
Attorney Steve Lasher.

1. CALL WORK SESSION TO ORDER

Supervisor Little called the Work Session to order at 6:00 p.m.

2. QUESTIONS FOR ATTORNEY

Trustee Such asked for clarification on the bicycle pathway master plan. He noted a number of developments started in the township include a bicycle pathway through the development. Such referred to the Township resolution that requires the developer to put in a bicycle pathway if it's indicated on the master plan. He asked Attorney Lasher to review the resolution and inform the Board what it's legal standing is in requiring developers to follow through with the commitment to put in a bicycle pathway. Lasher responded that the issue would be reviewed and reported back to the Board.

3. DISCUSSION ON 7:00 AGENDA ITEM TOPICS

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

- Consent Agenda
- Corrections to minutes
- Format for preparing minutes
- Communications
- Ice Rink proposal for Meridian Road Park (to be removed from agenda)
- Pathway Master Plan for Times Square Drive (to be removed from agenda)

4. LIBRARY OPTIONS

Trustee McGillicuddy reported that the Physical Operations Subcommittee reviewing Capital Area District Library (CADL) options had approached CADL about picking up the rental fee for the Okemos Branch but CADL had responded no to the request. In lieu of picking up the rental fee, however, McGillicuddy reported CADL offered other options that they could do for the Township to bring more services to the area, including more books, longer hours and the addition of a reference librarian.

Trustee Such, the Board's appointed representative on the CADL Committee to set the rate/term for the August, 2000 CADL election, provided background on the Committee's discussion. He also noted that, per staff recommendations, he had pursued a three-year contract at 1.2 mills; CADL, however, voted on a rate of 1.33 mills for four years. A public hearing is scheduled for Wednesday, December 8 to review this proposal prior to the CADL meeting.

Clerk Helmbrecht asked that all Board members receive the CADL report outlining the proposal for increased services. She noted many things on the list don't necessarily need more space, but can provide more service. She recommended more creative use of current and new services with current space.

Trustee McCullough provided additional background on CADL discussions at Physical Operations Subcommittee meetings, noting CADL was referred back to the survey to determine what services residents wanted from CADL and offer additional services based on survey findings.

Trustee Squiers noted that less than 10 percent of registered voters participated in the vote two years ago to stay with CADL. There is a need for more communication with residents about CADL services. Since the election, he pointed out the Township has put in more than \$2.4 million into the CADL system and there needs to be more return on the investment directly to the Township.

Trustee McCullough asked Trustee Such to follow-up on the Board's questions before the next meeting about CADL, including:

- Do all other CADL participants provide their own facility
- How much has been spent on other CADL participants
- What percentage of CADL millage has gone to materials, services, facilities, salaries and administration district-wide

5. OTHER BUSINESS (None)

6. POSSIBLE CLOSED SESSION

MOVED BY TRUSTEE MCCULLOUGH TO GO INTO CLOSED SESSION FOR CONSIDERATION OF A WRITTEN LEGAL OPINION WITHIN THE ATTORNEY-CLIENT PRIVILEGE UNDER SEC. 4.1800(18)8(h) AND TO ALSO DISCUSS PENDING LITIGATION.

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE:

YEAS: Supervisor Little, Clerk Helmbrecht, Trustees
McCullough, McGillicuddy, Such, Squiers

NAYS: None

Motion carried 6-0.

Supervisor Little recessed the Work Session at 6:45 p.m. to go into closed session.

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

Treasurer Klunzinger arrived at 6:50 p.m.

Supervisor Little reconvened the Work Session at 7:08 p.m.

7. PUBLIC REMARKS

Supervisor Little opened Public Remarks.

John Duley, 4594 Chippewa Drive, Okemos; RE: supported continued relationship with Capital Area District Library (CADL); presented petition of support for the record.

Nancy Schwartz, 2244 Burchham Drive, East Lansing; RE: supported continued CADL relationship; concerned about level of services if Township starts own Library.

Supervisor Little closed Public Remarks.

8. ADJOURNMENT

Supervisor Little adjourned the Work Session at 7:14 p.m.

BRUCE A. LITTLE
TOWNSHIP SUPERVISOR

MARY M.G. HELMBRECHT
TOWNSHIP CLERK

Janis L. Haskell, Acting Secretary

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING MINUTES – **APPROVED**
5151 MARSH ROAD, OKEMOS, MI 48864-1198
349-1200, TOWN HALL ROOM
TUESDAY, DECEMBER 7, 1999. **7:00 P.M.**

PRESENT: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McCullough, McGillicuddy, Squiers, Such
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning &
Development Mark Kieselbach, Director of Engineering & Public Works Roger
Buell, Personnel Director/Assistant Manager Paul Brake, Recreation Director
LuAnn Maisner, EMS/Fire Chief Fred Cowper, Police Chief Gary Gibbons,
Attorney Steve Lasher.

1. CALL MEETING TO ORDER
Supervisor Little called the Regular Meeting to order at 7:15 p.m.
2. INTRODUCTION OF NEW POLICE OFFICERS
Police Chief Gary Gibbons introduced two new police officers to the Board:
Curtice Squiers
Joel Langland
3. APPROVAL OF AGENDA – OR CHANGES
TREASURER KLUNZINGER MOVED TO APPROVE THE AGENDA AS AMENDED
WITH THE DELETION OF ITEMS #17.C. (Cost of Ice Skating Rink at Meridian Road
Park) AND #18.A.5.b. (Amend Pathway Master Plan for Times Square Drive).
 - A. CONSENT AGENDA TO INCLUDE ITEMS #4.A. (Correction, Approval &
Ratification of Minutes —November 3, 1999 Work Session Minutes, November 3, 1999
Regular Meeting Minutes (as amended), November 16, 1999 Work Session Minutes,
November 16, 1999 Regular Meeting Minutes); #5 (Communications); #11A. (2000
Meeting Dates); #11.B. (Recommendations for Environmental Commission Positions
from Carla Clos, Environmental Commission Chair); #17.A.(Bills); #17.B. (Assessing
Stipulations); \$17.D. (Recommendation for Promotion to Police Sergeant); \$18.A.3.a.
(Authorization to Advertise and Fill the Vacant Parks & Recreation Specialist);
#18.A.3.b. (Proposed 2000 Non-Union Wage Scale); #18.5.c. Set Public Hearing for
Water Meter Charges).
4. CORRECTION, APPROVAL & RATIFICATION OF MINUTES (See Consent Agenda)
 - A. November 3, 1999, Work Session Minutes
 - B. November 3, 1999 Regular Meeting Minutes
 - C. November 16, 1999 Work Session Minutes
 - D. November 16, 1999 Regular Meeting Minutes
5. COMMUNICATIONS (See Consent Agenda)
 - A. APPLICATIONS FOR PUBLIC SERVICE (APP)
APP-1 Michael R. Thomas, 2555 Capeside Dr., Okemos; RE: Environmental
Commission
APP-2 Robert B. Smith, 1847 Hamilton Rd., Okemos; RE: Planning Commission
APP-3 Jim Hershiser, 4465 Kenneth Dr. #D-8, Okemos; RE: Zoning Board of Appeals

- APP-4 Kevin G. Duff, 2418 Mt. Hope, Okemos; RE: Environmental Commission
- APP-5 Patricia McKane, 2195 Hamilton Rd., Okemos; RE: Environmental Commission, Planning Commission, Zoning Board of Appeals
- APP-6 Eldon L. Clark, 6048 Horizon Dr., EL; RE: Planning Commission

B. BOARD DELIBERATION (BD)

- BD-1(a) Anne Woiwode, 5008 Powell Rd., Okemos; RE: Appeal of Special Use Permit #990910 (Walmart Stores, Inc.) Request to construct a Walmart Department Store, and Outdoor Garden Center, and an Automobile Facility
- BD-1(b) Debra J. Oliva, 2430 Maumee Dr., Okemos; RE: Request for Appeal for Revocation of Special Use Permit #99091 (Wal-Mart)
- BD-2 EL Hospitality, LLC, 844 Pebblebrook, East Lansing; RE: ZBA Case No. 99-11-10-3
- BD-3 Anne Woiwode, 5008 Powell Rd., Okemos; RE: Special Use Permit #99151(Eyde Company) Request to work within the floodplain of the Mud Lake Drain
- BD-4 Jack Mosley, Associate Pastor/Director of Development, Cornerstone Outreach Ministries, 3654 Okemos Road, Okemos; RE: Appealing the Planning Commission's decision to deny their request to construct an engineered stress membrane structure at 3654 Okemos Road
- BD-5 James B. Wessinger, M.D., P.C., 1200 E. Michigan Ave. Suite 705, Lansing; RE: Purchase of township property, which lies adjacent to his lot in Okemos

C. BOARD INFORMATION (BI)

- BI-1 Juan Arellano, Ottawa Hills Homeowners Association; Re: Request that the Board considers both sidewalks and bicycle paths throughout Ottawa Hills subdivision
- BI-2 K.L. Cool, Director, Department of Natural Resources; RE: Ferguson Park Renovation
- BI-3 Jim Shaheen, 1548 Otsego Dr., Okemos; RE: Against the cut through streets in the proposed Ember Oaks through his subdivision
- BI-4 Eckhart Dersch, Chair, Meridian Township Park Commission; RE: Vacant position of the Park Coordinator/Landscape Architect
- BI-5 Craig & Teri Muhn, 7218 Lime Lake Court, Brighton; RE: ZBA Case No. 99-11-10-2 Dr. Gregory Gavrillides, 2705 Rockwood Drive, East Lansing, MI 48823
- BI-6 Act 51 Policy in the Meeting
- BI-7 Reconciling Preferences Into Transportation Policy
- BI-8 East Lansing – Meridian Water and Sewer Authority; RE: Changing meeting date from December 16 to December 15
- BI-9 To Lansing City Council from Bonnie Stebbins, P.O. Box 1124, Okemos, RE: Governors Club development
- BI-10 Gail Garber, Coordinator, Meridian Senior Center; RE: Contribution to the Senior Center
- BI-11 2 letters received supporting the WalMart project (ON FILE IN CLERK'S OFFICE)
- BI-12 97 letters received opposing the WalMart project (ON FILE IN CLERK'S OFFICE)

D. INGHAM COUNTY (IC)

IC-1 Ingham County Health Department; RE: Sanitary Code Appeals – Request for Hearing – 1793 Towner Road, Section 3, Meridian Township

E. MICHIGAN TOWNSHIP ASSOCIATION (MTA)

MTA-1 Michigan Township Association, Legislative Fax, November 5, 1999, edition
MTA-2 Michigan Township Association, Legislative Fax, November 19, 1999 edition

F. FREEDOM OF INFORMATION (FOI) [On file in Clerk's Office]

FOI-99-43 From Anne Woiwode, 5088 Powell Rd., Okemos
FOI-99-44 From Gary J. Canjar, Neumann & Canjar
FOI-99-45 From Jack F. Vogl, Attorney At Law

G. ON FILE IN CLERK'S OFFICE (OF)

OF-1 Okemos Board of Education; RE: Minutes of October 18, 1999 meeting
OF-2 Ingham County Drain Commissioner; RE: Minutes of November 5, 1999 meeting
OF-3 Legislative Bulletin; November 19, 1999 issue
OF-4 Capitol Currents, November 1999 issue
OF-5 Oldsmobile Classic Fall 1999 Newsletter

H. STAFF RESPONSE (SR)

SR-1 From Township Manager Gerald Richards to Ingham County Road Commission;
RE: Proposed Abandonment of Zephyr Drive in Sunwind Estates

6. QUESTIONS OF ATTORNEY (None)

7. PUBLIC REMARKS

Supervisor Little opened Public Remarks

Judy Schwary, 6347 Gossard, East Lansing; RE: Annexation of Gossard/Tower area property to East Lansing; concerned about East Lansing complying with original agreement in site plan.

Carolyn Baumgartner, 837 E. Thomas L. Parkway, (Lansing); RE: Against Wal-Mart construction, incomplete information.

Supervisor Little closed Public Remarks.

8. CONSENT AGENDA

TRUSTEE MCGILLICUDDY MOVED TO ADOPT THE CONSENT AGENDA TO INCLUDE ITEMS #4.A. (Correction, Approval & Ratification of Minutes —November 3, 1999 Work Session Minutes, November 3, 1999 Regular Meeting Minutes (as amended), November 16, 1999 Work Session Minutes, November 16, 1999 Regular Meeting Minutes); #5 (Communications); #11A. (2000 Meeting Dates); #11.C. (Recommendations for Environmental Commission Positions from Carla Clos, Environmental Commission Chair); #17.A.(Bills); #17.B. (Assessing Stipulations); #17.D. (Recommendation for Promotion to Police Sergeant); \$18.A.(3).(a). (Authorization to Advertise and Fill the Vacant Parks & Recreation Specialist); #18.A.(3).(b). (Proposed 2000 Non-Union Wage Scale); #18.5.c. Set Public Hearing for Water Meter Charges).

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger,
Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

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

A. CORRECTION, APPROVAL & RATIFICATION OF MINUTES

TRUSTEE MCGILLICUDDY MOVED TO ADOPT THE MINUTES OF THE NOVEMBER 3, 1999 WORK SESSION AND REGULAR MEETING AND THE NOVEMBER 16, 1999 WORK SESSION AND REGULAR MEETING AS AMENDED:

November 16, 1999 Regular Meeting minutes, page 8, paragraph 1 under BOARD MEMBER COMMENTS, replace first sentence with:

Trustee McGillicuddy asked if any Trustee on the yes side of the previous vote on the 425 Agreement was willing to bring the 425 Agreement back to the table, as all Trustees were not present during the November 3, 1999 vote. .

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

B. COMMUNICATIONS

TRUSTEE MCGILLICUDDY MOVED THAT THE COMMUNICATION 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 OR FURTHER DISPOSITION.

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

C. 2000 MEETING DATES

TREASURER MCGILLICUDDY MOVED APPROVAL OF THE MERIDIAN TOWNSHIP BOARD MEETING SCHEDULE FOR 2000. SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None

Motion carried 7-0.

(MEETING DATES ON FILE IN THE CLERK'S OFFICE)

- D. RECOMMENDATIONS FOR ENVIRONMENTAL COMMISSION POSITIONS FROM CARLA CLOS, ENVIRONMENTAL COMMISSION CHAIR
 TRUSTEE MCGILLICUDDY MOVED APPROVAL OF KEVIN G. DUFF AND MICHAEL R. THOMAS TO THE TWO OPEN POSITIONS ON THE ENVIRONMENTAL COMMISSION. SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
 NAYS: None
 Motion carried 7-0.

- E. MANAGER'S BILLS (Agenda Item #17.A)
 TRUSTEE MCGILLICUDDY MOVED THAT THE TOWNSHIP BOARD APPROVE THE MANAGER'S BILLS AS FOLLOWS:

General Fun/Special Revenue	\$364,952.12
Public Works	<u>19,979.91</u>
TOTAL	<u>\$384,932.03</u>

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
 NAYS: None
 Motion carried 7-0.

- F. ASSESSING STIPULATIONS (Agenda Item #17.B.)
 TRUSTEE MCGILLICUDDY MOVED THAT THE TOWNSHIP ASSESSOR BE AUTHORIZED TO SIGN A TAX TRIBUNAL STIPULATION WITH FAMILY RESTAURANTS, INC., ON THE FOLLOWING COMMERCIAL PROPERTY:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
1998/1999	259144	4880 Marsh
Assessment/Taxable		\$635,000/\$635,000 \$635,000/635,000

RATIONALE: This Stipulation is recommended to correct the 1999 Assessed and Taxable Values. After extensive research, it has been determined that our Assessment exceeds 50 percent of the property's True Cash Value. Therefore, the Proposed Amendment is recommended.

SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

- G. RECOMMENDATION FOR PROMOTION TO POLICE SERGEANT (Agenda Item #17.D.)
TRUSTEE MCGILICUDDY MOVED THAT THE PROMOTION OF KENNETH PLAGA TO POSITION OF POLICE SERGEANT BE CONFIRMED. SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

- H. AUTHORIZATION TO ADVERTISE AND FILL THE VACANT PARKS & RECREATION SPECIALIST (Agenda Item #A.3.a.)
TRUSTEE MCGILICUDDY MOVED TO AUTHORIZE THE MANAGER TO ADVERTISE AND FILL THE POSITION OF THE PARKS AND RECREATION SPECIALIST AND APPROVE THE REVISED ORGANIZATIONAL CHART FOR THE PARKS AND RECREATION DEPARTMENT. SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

- I. PROPOSED 2000 NON-UNION WAGE SCALE
TRUSTEE MCGILICUDDY MOVED THAT THE TOWNSHIP BOARD APPROVE THE 2000 NON-UNION WAGE SCALE. SECONDED BY TRUSTEE SUCH.

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough, McGillicuddy, Squiers, Such
NAYS: None
Motion carried 7-0.

- J. SET PUBLIC HEARING FOR WATER METER CHARGES
TRUSTEE MCGILICUDDY MOVED THAT THE TOWNSHIP BOARD SET A PUBLIC HEARING FOR DECEMBER 21, 1999 DURING THE BOARD OF TRUSTEES MEETING TO HEAR COMMENTS ON THE PROPOSED WATER METER CHARGES. SECONDED BY TRUSTEE SUCH.

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

NAYS: None
Motion carried 7-0.

9. BOARD MEMBER COMMENTS

Treasurer Klunzinger commended Haslett High School's Eric Wangemann and the students responsible for the outstanding performance of "Joseph and the Amazing Technicolor Dreamcoat."

Trustee McGillicuddy congratulated Police Sergeant Bob PeLong on his upcoming retirement.

Trustee McGillicuddy reported she received notification of an Infrastructure Committee meeting an hour after the meeting had started. She requested better notice of meetings. She also noted she had heard that Supervisor Little was interested in the Assessor position. She expressed concern that Little would resign from the Board, causing turnover on the Board and inconsistency in its ability to conduct business. McGillicuddy said if Little does resign, she would be interested in filling the Supervisor's position.

Trustee Such announced a Public Forum has been scheduled for Thursday, January 27 at 7:00 p.m. in the Service Center. The purpose is to discuss the Hamilton Road traffic concerns with officials of the Ingham County Road Commission.

10. SUPERVISOR'S REPORT (None)

11. CLERK'S REPORT

Clerk Helmbrecht announced she had completed the final class at Michigan State University's Michigan Municipal Clerk's Institute toward receiving her Certified Municipal Clerk certification. She also announced a list is available for upcoming Board and Commission appointments.

Clerk Helmbrecht congratulated Bobby Williams, Township resident, and her neighbor, on his appointment as Head Coach for the Michigan State University football program.

12. TREASURER'S REPORT

Treasurer Klunzinger announced tax receipts have begun to arrive and that checks to taxing entities is going out the end of the week.

13. TOWNSHIP BOARD

TRUSTEE SUCH MOVED THAT THE REVISED RESOLUTION APPROVING ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF EAST LANSING BE ADOPTED.

SECONDED BY TRUSTEE SQUIERS.

Discussion included:

- Worked closely with residents in area in developing stipulations
- Stipulations are noted in resolution
- Right thing to do
- East Lansing has not been regionally cooperative
- Stipulations in resolution not necessarily legally binding

- Township has already spent a great deal of money as a result of East Lansing's predatory ways
- East Lansing will annex land with or without Township's permission
- Residents don't care who owns property, just want stipulations met
- East Lansing has already completed softball diamond, concession stand, have not started work on aquatic center
- If not annexed by resolution, East Lansing would have to abide by Township's regulations until an annexation election is completed
- Already took East Lansing to court on this annexation and won case
- Township would have no control if not annexed by resolution
- Only way to hold East Lansing to stipulations is through litigation
- Process has been going on for a while
- Residents have participated in development of conditions/stipulations

TREASURER KLUNZINGER MOVED TO PLACE THE MOTION ON THE DECEMBER 21, 1999 BOARD AGENDA.

SECONDED BY CLERK HELMBRECHT.

ROLL CALL VOTE

(On motion to postpone) YEAS: Clerk Helmbrecht, Treasurer Klunzinger, Trustees
McGillicuddy
NAYS: Squiers, Such, McCullough, Supervisor Little
Motion failed 4-3

ROLL CALL VOTE

(On original motion) YEAS: Trustee Such, Squiers, Supervisor Little
NAYS: Trustees McCullough, McGillicuddy, Clerk Helmbrecht,
Treasurer Klunzinger
Motion failed 4-3

TRUSTEE KLUNZINGER MOVED TO RECONSIDER THE PREVIOUS MOTION AND PLACE IT ON THE DECEMBER 21, 1999 BOARD AGENDA.

SECONDED BY CLERK HELMBRECHT

ROLL CALL VOTE: YEAS: Treasurer Klunzinger, Trustee Squiers, Such,
McGillicuddy, McCulloough, Clerk Helmbrecht
NAYS: Supervisor Little
Motion carried 6-1

14. SPECIAL HEARINGS/APPEALS (None)

15. UNFINISHED BUSINESS (None)

16. DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

A. Unfinished Business (None)

B. New Business

- (1) Appeal of Special Use Permit #99151 (Eyde); request to work in the floodplain of the Mud Lake Drain and a groundwater recharge area, east of Marsh Road and north of Central Park Drive, Okemos – disposition.

TRUSTEE MCGILLICUDDY MOVED TO SCHEDULE A HEARING ON THE APPEAL OF THE PLANNING COMMISSIONS DECISION ON SPECIAL USE PERMIT #99151 FOR THE REGULAR TOWNSHIP BOARD MEETING ON DECEMBER 21, 1999. THE HEARING WILL ADDRESS THE APPEAL FILED BY ANNE WOIWODE, JEAN NICHOLAS, TINA KAHN, TED BLACK, PAT HAGEN, MICHAEL KING, STEVE STIER, RICHARD BAUMGARTNER, DONALD TWOHY AND LEONARD SILVERMAN. SECONDED BY TRUSTEE SUCH.

Discussion included:

- Project is significant
- May affect a lot of residents

SUPERVISOR LITTLE MOVED TO AMEND THE MOTION TO SCHEDULE A HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S DECISION ON SPECIAL USE PERMIT #99151 FOR THE REGULAR TOWNSHIP BOARD MEETING ON DECEMBER 21, 1999. THE HEARING WILL ADDRESS THE APPEAL FILED BY MICHAEL KING.

SECONDED BY CLERK HELMBRECHT.

Discussion on amendment included:

- Would set a precedent of allowing appeals beyond the 300 foot limit
- Need for consistency in keeping within 300 foot limit
- State Legislation established 300 foot limit
- Appeal made by renter, not property owner
- Property owner is proponent of development
- Have a well-established process for residents' participation in decision
- People filing appeal had opportunity to make public comments/submit written comments
- Appeal would be repeat of work of Planning Commission

ROLL CALL VOTE

(On amendment) YEAS: Clerk Helmbrecht, Trustee McGillicuddy, Supervisor Little
NAYS: Treasurer Klunzinger, Trustees Such, McCullough, Squiers
Motion failed 4- 3

ROLL CALL VOTE

(On main motion) YEAS: Trustee McGillicuddy, Such
NAYS: Treasurer Klunzinger, Clerk Helmbrecht, Supervisor Little, Trustees McCullough, Squiers
Motion failed 5-2.

TRUSTEE MCCULLOUGH MOVED TO DENY THE APPEAL OF SPECIAL USE PERMIT #99151 FILED BY ANN WOIWODE, JEAN NICHOLAS, TINA KAHN, TED BLACK, PAT HAGEN, MICHAEL KING, STEVE STIER, RICHARD BAUMGARTNER, DONALD TWOHY AND LEONARD SILVERMAN AS

THESE INDIVIDUALS HAVE NOT SHOWN THEY ARE AN AGGRIEVED PERSON IN THAT THEIR PROPERTY WILL SUFFER SOME SPECIAL DAMAGES AS A RESULT OF THE DECISION OF THE PLANNING COMMISSION WHICH IS NOT COMMON TO OTHER PROPERTY OWNERS SIMILARLY SITUATED.

SECONDED BY TRUSTEE SQUIERS.

ROLL CALL VOTE YEAS: Trustee McCullough, Squiers, Clerk Helmbrecht,
Treasurer Klunzinger, Supervisor Little
NAYS: Trustees Such, McGillicuddy
Motion carried 5-2 (Such, McGillicuddy)

B.(2). Appeal of Special Use Permit #99091 (Wal-Mart); request to construct a shopping center with an outdoor garden center and auto service center south of Mud Lake Drain, north of Central Park Drive and east of Marsh Road, Okemos – disposition.

TRUSTEE MCCULLOUGH MOVED TO DENY THE APPEALS OF SPECIAL USE PERMIT #99091 FILED BY DEBRA OLIVA AND ANNE WOIWODE, JEAN NICHOLS, TINA KAHN, TED BLACK, PAT HAGEN, MICHAEL KING, STEVE STIER, RICHARD BAUMGARTNER, DONALD TWOHY AND LEONARD SILVERMAN AS THESE INDIVIDUALS HAVE NOT SHOWN THEY ARE AN AGGRIEVED PERSON IN THAT THEIR PROPERTY WILL SUFFER SOME SPECIAL DAMAGES AS A RESULT OF THE DECISION OF THE PLANNING COMMISSION WHICH IS NOT COMMON TO OTHER PROPERTY OWNERS SIMILARLY SITUATED.

SECONDED BY TREASURER KLUNZINGER.

Discussion included:

- Residents should be allowed to be heard, let appeals process move on
- Planning Commission held a public hearing on the issue, approved the special permit 7-2.
- Should consider hearing appeal of person living closest to area.

CLERK HELMBRECHT MOVED TO AMEND THE MOTION TO SCHEDULE A HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S DECISION ON SPECIAL USE PERMIT #99091 FOR THE REGULAR TOWNSHIP BOARD MEETING ON DECEMBER 21, 1999. THE HEARING WILL ADDRESS THE APPEAL FILED BY MICHAEL KING.

SECONDED BY TRUSTEE SQUIERS.

Discussion on amendment included:

- If a hearing/appeal is scheduled, everyone should have the right to be heard

ROLL CALL VOTE

(On amendment) YEAS: Trustees McGillicuddy, Clerk Helmbrecht

NAYS: Trustees Squiers, Such, McCullough, Treasurer
Klunzinger, Supervisor Little
Motion failed 5-2

ROLL CALL VOTE

(On main motion) YEAS: Trustees McCullough, Squiers, Treasurer Klunzinger,
Supervisor Little

NAYS: Trustees Such, McGillicuddy, Clerk Helmbrecht
Motion carried 4-3

- B.(3) Appeal of Special Use Permit #99-95151 (Cornerstone Church); request for a modification to allow for the construction of an engineered stress membrane structure at 3654 Okemos Road, Okemos – disposition.

TRUSTEE MCCULLOUGH MOVED TO SCHEDULE A HEARING ON THE APPEAL OF THE PLANNING COMMISSION'S DECISION ON SPECIAL USE PERMIT #99-95151 FOR THE REGULAR TOWNSHIP BOARD MEETING ON DECEMBER 21, 1999. THE HEARING WILL ADDRESS THE APPEAL BY CORNERSTONE OUTREACH MINISTRIES.

SECONDED BY TRUSTEE SUCH.

Discussion included:

- Need to go back to the Planning Commission if changes are sought to original permit
- Appeal hearing can only be on Planning Commission discussions/decision
- If Board wants to put additional conditions on permit, it may send it back to the Planning Commission
- Can't send it back to Planning Commission without a hearing at the Board level.

VOICE VOTE: Motion carried unanimously

18. BOARD MEMBER, BOARD COMMITTEE AND LIAISON REPORTS

A. Standing Committee Reports

(1) Physical Operations & Activities

Met on December 3; plan to schedule a forum to gain input on the library issue for an upcoming ballot.

(2) Financial Planning & Budgeting

(3) Personnel

(a) Authorization to Advertise and Fill the Vacant Parks & Recreation Specialist
(See Consent Agenda)

(b) Proposed 2000 Non-Union Wage Scale (See Consent Agenda)

(4) Planning and Development

(5) Infrastructure

(a) Engineering Services Contract

TRUSTEE SUCH MOVED TO APPROVE AN AGREEMENT FOR ENGINEERING SERVICES WITH MCNAMEE, PORTER & SEELEY IN A FORM APPROVED BY THE TOWNSHIP ATTORNEY AND AUTHORIZE

THE SUPERVISOR AND CLERK TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP. SECONDED BY TRUSTEE MCCULLOUGH.

Discussion included:

- Provides a fixed-rate for this service
- Amount budgeted
- Very reputable firm, best in the state
- Interviewed a number of other firms
- Used a point system in evaluating firms
- Not a retainer contract
- Proper way to privatize this level of service
- Not a significant increase over past budget based retainer contract
- All projects will be specific, reviewed by manager, Infrastructure Committee
- Allows for use of other firms if additional expertise is needed
- Will provide a more level project load for staff
- If contract goes over budget, Board will have an opportunity for oversight as increases are brought to the Board
- Right thing to do, fiscally responsible
- Will provide consistency in knowledge, history of Township work

ROLL CALL VOTE: YEAS: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees Squiers, Such, McCullough, McGillicuddy
NAYS: None
Motion carried 7-0.

(6) Public Safety (None)

(7) Recreation

Trustee McCullough reported that logistics do not allow for construction of the ice rink as proposed for the Meridian Road Park. Because the Committee was favorable to spending approximately \$4,000 on the project, Manager Richards was instructed to look into costs for sponsoring "Meridian Skate Night" at the ARC Ice Arena, using the funds in lieu of the ice rink construction.

B. Special Committees (None)

C. Liaison Representative Reports (None)

19. OTHER REPORTS (None)

20. NEW BUSINESS (None)

21. PUBLIC REMARKS

Supervisor Little opened Public Remarks.

Charles Willems, 1387 Hickory Island, Haslett; RE: Appreciated notice and opportunity to attend Public Safety meetings; concerned about creative descriptions in annexation resolution; need for better notice of Board of Review special meetings.

Pat Hagen, 4135 Wabaningo, Okemos; RE: Concerned about Board's unwillingness to listen to appeals; people appointed to Boards/Commissions are pro-development.

Wayne McLellen, 1459 Cheboygan, Okemos; RE: Board not answering questions during Public Remarks; regional cooperation/annexation; Board needs to hear appeals.

Supervisor Little closed Public Remarks.

19. FINAL BOARD MEMBER COMMENTS (None)

20. ADJOURNMENT

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

BRUCE A. LITTLE
TOWNSHIP SUPERVISOR

MARY M.G. HELMBRECHT
TOWNSHIP CLERK

Janis L. Haskell, Acting Secretary