

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, SEPTEMBER 15, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief
Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Manager/ Human Resources
Director Paul Brake, Director of Finance Diana Hasse, Director of Parks & Recreation
LuAnn Maisner, Director of Information Technology Stephen Gebes, Attorney Andria
Ditschman

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.
Ronald Shavey, Ingham County Probate Court Personal Representative for the estate of Kenneth Smith, 16400 Upton Road, East Lansing, requested the Board initiate a rezoning at 1586 Haslett Road from C-1 to RN.

Rick Hays, 1371 Mapleleaf Lane, Howell, listing Realtor for the property at 1586 Haslett Road, voiced his support to have the Board initiate a rezoning at 1586 Haslett Road from C-1 to RN.

Marilyn Britten, 1874 Birchwood Drive, Okemos, read from a prepared statement which asked several questions regarding the proposed 2010 Budget.

[Prepared statement in Official Minute Book]

Sonny France, 4932 Grandview, Okemos, spoke to Meridian Township's ambulance service and its response time.

George Kass, 4512 Nakoma Drive, Okemos, spoke to the lack of code enforcement. He also addressed the code relative to lawn mowing.

Ganesh Reddy, 3614 Ponderosa Drive, Okemos, spoke to the proposed elimination of the 4th of July Celebration and in opposition to continued funding of the Okemos Road Enhancement Project.

Charles Willems, 1387 Hickory Island Drive, Haslett, spoke in opposition to funding of the Okemos Road Enhancement Project and in support of keeping the Central Fire Station open.

Lynne Page, President, Briarwood Homeowners Association, 3912 Raleigh Drive, Okemos, spoke to the need for reducing the speed limit on both Jolly and Okemos Roads and requested the Board support a speed study for those areas.

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in opposition to closing the Central Fire Station and in opposition to continued funding of the Okemos Road Enhancement Project.

Renee Korrey, Chair, Downtown Development Authority (DDA), 4633 Okemos Road, Okemos, urged the Board to maintain the Okemos Road Enhancement Project.

Will Tyler White, 2138 Hamilton Road, Okemos, expressed support for the DDA, its members and the Okemos Road Enhancement Project.

Ann Alchin, 2227 Hamilton Road, spoke in support of closing the Central Fire Station.

State Representative Mark Meadows, 69th District, S-1088 House Office Building, Lansing, spoke to the historic lows of state revenues, directly affecting state revenue sharing to municipal governments and the Township's budget. He spoke to the lack of options currently at the state level.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Medical Research Management Presentation, Rai Claire Johnson

Rai Claire Johnson, 1717 Indian Rocks Road, Belleair, Florida gave an extensive presentation on a patient owned automated health records system utilizing health profiles, bio IDs, treatment plans and best practices. She also spoke to the corresponding reduction in health care costs.

Trustee LeGoff requested the Board support lowering the speed limit on Jolly Road near Okemos High School.

Trustee Veenstra announced a resolution authorizing acceptance of a Michigan Natural Resources Trust Fund Grant to fund the acquisition of a 120-acre parcel to expand Lake Lansing Park North will be considered at the Ingham County Board of Commissioners County Services meeting this evening.

Trustee Veenstra attended the Tri-County Regional Planning Commission Transportation Review Committee. He announced one recommendation from the Michigan/Grand River Corridor study was a light rail system at a cost of \$100 million, but believed the Tri-County area would be better served by a bus rapid transit system.

Trustee Brixie announced summer taxes were due yesterday, September 14, 2009 and the vast majority of residents paid taxes on time.

Trustee Ochberg attended the Meridian Township Economic Development (EDC) meeting where it was determined by a majority vote the EDC will spend money to create a new logo and have it printed on paper to cover the bottom two feet of all the vacant commercial windows in Meridian Township. She expressed interest in hearing from Meridian residents, business owners and owners regarding this concept.

6. APPROVAL OF AGENDA

Trustee Ochberg moved to approve the agenda amended as follows:

- **Add Agenda Item #10C: Request for Board initiation of a rezoning at 1586 Haslett Road from C-1 to RN**

Seconded by Trustee Veenstra.

Board Referral to the Planning Commission: (See Agenda Item #8 (Questions for the Attorney))

Q. By the Board referring this request to the Planning Commission, does that initially commit us?

A. To answer your question, there are three (3) options for initiation: (1) The ordinance states that

if the applicant makes the request, they have to follow precisely all the application rules and those aren't waived; (2) through the Planning Commission, or (3) through the Board. It does not say in the ordinance, although I believe it could be interpreted, that if the Board refers it to the Planning Commission to have the Planning Commission begin that review, there is some basis that the Board believed it should be looked into. Otherwise, the Planning Commission can pick it up on its own or the applicant can go through the process.

Now, it is not clear what that basis is, so that would be up to the Board to decide. You've already talked about several reasons why you might want to send it there and not wait for more information. The ordinance is not clear on what you need to have as a basis for initiation, but I would say there would be inference to the Planning Commission that you want it looked at or you would not have sent it there.

Q. But, looking at it doesn't mean the Board believes this is a good rezoning?

A. It does not. When the information comes back to the Board with a recommendation, the Board will have to vote on it.

Board members and staff discussed the following:

- Nothing preventing the applicant from applying for the rezoning
- The time frame for the rezoning process is set by ordinance and state law so it is the same regardless of who initiates the request
- Board or Planning Commission initiation would waive the application fee
- Planning Commission request for staff to provide information at its next meeting
- Precedent for Board initiation of a rezoning request
- Staff determination that a complete application is critical to begin the process
- Fee for rezoning a parcel that is three (3) acres or less is \$700

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

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

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Ochberg moved to adopt the Consent Agenda. Seconded by Treasurer Brixie.

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

(1). Board Information (BI)

BI-1 Treasurer Brixie; RE: Article from *The Boston Globe* entitled "Roads that are designed to kill"

BI-2 Ciney and Jan Rich, 5538 Silverleaf, Haslett; RE: Road work on Cornell Road

BI-3 Randy Schaetzl, 2294 Hamilton Road, Okemos; RE: Request for passage of an ordinance which permits domestic animals and fowl in Meridian Township

(2). On File in the Clerk's Office (OF)

Material received at the September 1, 2009 Board Meeting

OF-1 Vincent Lyon-Callo, 4112 Hulett Road, Okemos; RE: Support for speed humps on Hulett Road

Material received at the September 8, 2009 Board Meeting

- OF-1 Charles Willems, 1387 Hickory Island Drive, Haslett; RE: Opposition to proposed budget elimination of summer youth programs
- OF-2 E-mail from Mary Helmbrecht; RE: Telephone call from Joan Helms, 1727 Hillcurve, Haslett, in opposition to the proposed closing of the Central Fire Station.
- OF-3 E-mail from Lynn Ochberg; RE: Budget Concerns

Trustee Ochberg 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 Treasurer Brixie.

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

B. Minutes

Trustee Ochberg moved to approve and ratify the minutes of the September 1, 2009 Regular Meeting as submitted/amended. Seconded by Treasurer Brixie.

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

C. Bills

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

Common Cash	\$ 140,852.72
Public Works	\$ 159,490.74
Total Checks	\$ 300,343.46
Credit Card Transactions	\$ 7,451.81
Total Purchases	<u>\$ 307,795.27</u>
 ACH Payments	 <u>\$ 354,299.95</u>

Seconded by Treasurer Brixie.

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. Tri-County Urban Service Management Study Grant Application

Trustee Ochberg moved that the Township Supervisor and Clerk be authorized to submit a grant application on behalf of Lansing area governmental units to the Land Information Access Association for a Tri-County Urban Service Management study estimated to cost \$25,000 and commit to a maximum of \$500 in local match from Meridian Township. Seconded by Treasurer Brixie.

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

NAYS: None
 Motion carried unanimously.

- E. Meridian Township Employee Pension Plan Amendments
Trustee Ochberg moved approval of the IRS qualifying amendment to the Meridian Township Employee Pension Plan as enumerated in the staff report dated September 11, 2009. Seconded by Treasurer Brixie.

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

- F. Outdoor Gathering Permit, Meridian Heritage Festival
Trustee Ochberg moved approval of the Outdoor Assembly License Permit for the Heritage Festival on October 3, 2009, in Central Park, Historical Village and Nokomis Learning Center areas as described in the staff memorandum dated September 11, 2009. Seconded by Treasurer Brixie.

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

- G. Jolly Oak Road Public Road Improvements, SAD #36 – Revised Special Assessment Roll
Trustee Ochberg moved to amend Resolution No. 5 for the Jolly Oak Road Public Road Improvements Special Assessment District No. 36 decreasing the final amount for the assessment roll from \$417,000 to \$350,632.09 and approve the Jolly Oak Road Public Road Improvements Special Assessment District No. 36 Revised Special Assessment Roll. Seconded by Treasurer Brixie.

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

- H. Herron Creek Sanitary Sewer SAD #50 – Revised Special Assessment Roll
Trustee Ochberg moved to amend Resolution No. 5 for the Herron Creek Sanitary Sewer Special Assessment District No. 50 decreasing the final amount for the assessment roll from \$601,210.90 to \$592,638.65 and approve the Herron Creek Sanitary Sewer Special Assessment District No. 50 Revised Special Assessment Roll. Seconded by Treasurer Brixie.

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

- I. Waiver of Construction Hours for East End Lift Station Rehabilitation
Trustee Ochberg moved to waive the requirements of Section 50-84(4) of the Code of Ordinances to allow construction activities from 7:00 pm to 2:00 am from Monday, September 21, 2009 to Friday, October 9, 2009, for rehabilitation of the East End sanitary sewage lift station. No construction activities shall take place on Sundays. Seconded by Treasurer Brixie.

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

J. Approval to Sell Township Surplus Vehicles

Trustee Ochberg moved to approve the sale of the following surplus Township vehicles at public auction, internet auction, or by sealed bid:

<u>Year</u>	<u>Make & Model</u>	<u>VIN Number</u>
2006	Chevrolet Impala	2G1WS5551569352159
1987	Pierce Dash	1P9CT01G5HAO40098
2006	Ford Crown Victoria	2FAFP71W06X149249
2004	Ford Expedition	1FMPU16L74LB42291

Seconded by Treasurer Brixie.

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 (See Agenda Items #6, #13)

9. HEARINGS

A. Essential Wetland Determination and Wetland Use Permit #09-02 (Capstone)

Supervisor McGillicuddy opened the public hearing at 7:30 P.M.
 Director Kieselbach summarized the essential wetland determination and wetland use permit as outlined in staff memorandum dated September 11, 2009.

Mark Clouse, General Counsel and CFO, Eyde Co., 4660 S. Hagadorn Road, East Lansing, spoke to the Eyde Company's accommodation of the Board request to move the wetland mitigation off site on its property. He believed the passive recreational uses of the river area in the future outweighed the placement of wetlands at that location.

Mr. Clouse addressed the discovery of Wetland X (.176 acre) during a Michigan Department of Environmental Quality (MDEQ) site investigation. He believed that grouping this wetland with the new wetland created adjacent to the drain will produce a single long term thriving wetland. Mr. Clouse added that the off-site wetland mitigation location is within the initial 81 acre parcel rezoned by the Township last year.

A. J. Patrick, KEBS, Inc., 2116 Haslett Road, Haslett, noted the wetland mitigation reconfiguration adjacent to the floodplain allowed for elimination of a majority of the grading in the north area and consolidation of the wetland mitigation in the new area.

Trustee Veenstra inquired if a pathway would go through the area to the north along the river.

Mr. Patrick responded it would be possible to place a pathway in that area.

Trustee Veenstra stated an informal pathway would enhance the grounds and promote walkability.

Supervisor McGillicuddy inquired what would happen to a number of trees located in the northern area.

Mr. Patrick stated the trees would not be disturbed.

Trustee LeGoff asked what would be constructed ¼ mile east of the Capstone area as there used to be a dirt road to and turn around at the river which has now been blocked by a tree laying across the road.

Mark Clouse responded he was unsure as there are no other plans at this time. He added his company is currently looking into the fallen trees in the river in cooperation with the Ingham County Drain Commissioner.

Trustee Ochberg thanked Mr. Clouse for moving the wetland mitigation to the south on the Eyde property.

Supervisor McGillicuddy closed the public hearing at 7:52 P.M.

B. Hulett Road Public Road Improvements SAD #42

Supervisor McGillicuddy opened the public hearing at 7:52 P.M.

Director Severy summarized the Hulett Road Public Road Improvements, SAD #42 as outlined in staff memorandum dated September 10, 2009.

Jean Doss, 2276 Hulett Road, Okemos, thanked both the Director of Engineering and Treasurer Brixie for their accessibility during the process.

Jim Carter, 2296 Hulett Road, Okemos, thanked the Township for being proactive in placing the speed humps on Hulett Road. He spoke in support to the Hulett Road “speed humps” special assessment. He addressed what he believed were misconceptions expressed by Board members as follows: (1) Better traffic control would eliminate the need for speed humps and (2) speed humps would primarily benefit the residents who live along that section of Hulett Road

Jaime Green, 2376 Hulett Road, Okemos, expressed appreciation for Board support of the speed humps, but voiced opposition to the special assessment being placed only on the Hulett Road property owners. She stated she did not believe the Hulett Road residents were the primary beneficiaries as it has become a connector road to the high school and nearby subdivisions.

Sonny France, 4932 Grandview, Okemos, inquired if Hulett Road would be used as an emergency road if the railroad tracks are closed.

Supervisor McGillicuddy closed the public hearing at 8:02 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Essential Wetland Determination and Wetland Use Permit #09-02 (Capstone)

Essential Wetland Determination

Trustee Dreyfus moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Section 22-156 of the Township Code of Ordinances, hereby identifies Wetland X, located north of Hannah Boulevard and east of Hagadorn Road as essential to the preservation of the natural resources of the Charter Township of Meridian. Seconded by Trustee Veenstra.

Board members discussed the following:

- Subject wetland meets three (3) of the ten (10) criteria for determination as essential

The seconder offered the following friendly amendment:

- Amend the fifth WHEREAS clause by deleting “one or more” and inserting “three”

The maker accepted the amendment.

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

NAYS: None

Motion carried unanimously.

Wetland Use Permit #09-02 (Capstone)

Trustee Ochberg moved [and read into the record] **NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, hereby approves Wetland Use Permit #09-02 with the following conditions:**

1. Approval is based upon the revised plans prepared by KEBS, Inc., dated May 12, 2009 and September 4, 2009, the revised storm and grading plan prepared by KEBS, Inc., dated June 10, 2009, as well as the documents and materials submitted by the applicant in conjunction with Wetland Use Permit #09-02, subject to revisions as required.
2. The applicant shall submit a complete set of wetland plans and mitigation plans which reflect all the changes made as identified in the September 8, 2009 letter from the applicant's representative.
3. The final design and location of the mitigation area shall be subject to the review and approval of the Director of Community Planning and Development.
4. The applicant shall obtain all necessary permits, licenses and approvals from the Michigan Department of Environmental Quality, Ingham County Drain Commissioner's office, and the Township prior to any work taking place. Copies of all permits, licenses and approvals shall be submitted to the Department of Community Planning and Development.
5. All applicable variances shall be obtained prior to the start of any work related to the project or the plans shall be revised so no variances are necessary.
6. Wetland Use Permit #09-02 shall be subject to the applicant receiving approval to amend Special Use Permit #09011 for work in the 100-year floodplain related to the relocation of the mitigation area.
7. All appropriate soil erosion and sedimentation control best management practices shall be installed and maintained until natural stabilizing vegetation has been established.
8. Prior to construction, erosion control fencing shall be installed to prevent sedimentation from infiltrating into the wetlands. The erosion control fencing shall be maintained throughout the duration of the project and shall be removed after construction is completed and the area is stabilized.
9. No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.
10. All excess soil from the project shall be removed, placed at an upland location, and stabilized to prevent erosion.
11. Silt fencing and filter rolls shall be installed in the areas identified as "limits of earth disturbance" located north and south of Wetland Impact Area F. The areas shall be immediately stabilized with a fast growing seed mix and mulch blankets that are staked in place.
12. No wetland fill shall be authorized north of Wetland Impact Area F unless revised plans are submitted for further consideration.

13. Construction of the mitigation area shall be overseen by the applicant's wetland consultant. Deviations from the approved mitigation plan shall be first reviewed and approved by the Director of Community Planning and Development.
14. Prior to the start of construction related to the wetland use permit, a performance guarantee in the amount of \$10,000 shall be provided in an acceptable form to the Township to ensure completion of the wetland mitigation.
15. The wetland mitigation area shall be monitored annually by the applicant's wetland consultant for five (5) years with a written status report and photographic documentation provided to the Township each year.
16. Should the mitigation area fail to establish wetland vegetation after one growing season, or fail to progress satisfactorily to a self-sustaining wetland as designed, the applicant shall conduct corrective measures as directed by the Township's Environmental Consultant to ensure successful wetland establishment.
17. The activities impacting the wetlands and construction of the mitigation area shall be overseen by the applicant's wetland consultant throughout the process. Deviations from the approved mitigation plan shall be first reviewed and approved by the Director of Community Planning and Development.
18. Prior to work starting on the project, the applicant shall provide to the Department of Community Planning and Development written notice of commencement.
19. A copy of the approved wetland use permit containing the conditions of issuance shall be posted in a conspicuous manner such that the wording of the permit is available for public inspection and continue throughout the duration of the project.
20. Upon completion of construction, the applicant shall contact the Department of Community Planning and Development for an inspection of the site to ensure compliance with the permit.

Seconded by Trustee Veenstra.

Board members discussed the following:

- Careful supervision by the Department of Community Planning and Development during the construction of mitigation areas for the disturbed wetlands
- Appreciation for the applicant's willingness to relocate the mitigation area
- Explanation of a "filter roll"
- Concern over size and scope of project causing unnecessary wetland disturbance

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

NAYS: Trustee Dreyfus

Motion carried 6-1.

- B. Hulett Road Public Road Improvements SAD #42, **Resolution #3**
Treasurer Brixie moved to approve Hulett Road Public Road Improvements Special Assessment District #42 Resolution #3, approving the construction of up to 5 speed humps on Hulett Road between Okemos Road and the railroad tracks; defraying a portion of the estimated cost by special assessment; approving the total estimated cost of \$13,000, and determining the special assessment district. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Speed humps an inexpensive way to control speed on roads
- Speed humps offer both Hulett Road and Township residents in general an opportunity to slow down and enjoy the road in the way it was originally designed
- Speed humps will help drivers on this much traveled road drive in a safer fashion
- Township share of 50% is a good apportionment

Trustee Veenstra offered the following amendment to the motion:

- Delete “a portion” and insert “50%”

The maker accepted the amendment.

Continued Board discussion:

- Clarification between speed bump and speed hump
- Primary initiators were the property owners and should bear more of the cost
- Preference for the Township to pay more than 50%
- Township should work with individual property owners so assessment is not a burden

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

[Supervisor McGillicuddy recessed the meeting at 8:29 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:42 P.M.]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Marilyn Britten, 1874 Birchwood, Okemos, inquired if the administrative intern is a paid or unpaid position. She noted the Executive Director of the Okemos Downtown Development Authority (DDA) also holds a full time position within the Township and inquired if the work for the DDA is performed during normal operating hours of the Township.

Aajay Shah, 3547 Meridian Road, Okemos, spoke in opposition to closing the Central Fire Station and urged the Board to look into medical research on increasing response time.

Lynne Page, President, Briarwood Homeowners Association, 3912 Raleigh Drive, Okemos, requested the Board clarify extending the Okemos Road Enhancement to include the DDA and the money which would be lost if the enhancement project is not completed. She believed it to be an inappropriate context in which to place the extension as it is not subject to the grant funding and would not be reimbursed. Ms. Page addressed safety as a priority in the community. She requested a public discussion relative to increases in salaries and wages for administrative employees.

Supervisor McGillicuddy closed public comment.

A. 2010 Proposed Budget

Board members discussed the following:

- Funding for the Okemos Road Enhancement Project will come before the Board as a budget amendment before it proceeds
- Township funding for the Okemos Road Enhancement Project will not make the fund balance fall below Board policy of two months' fund balance reserve
- Staff clarification on public comment regarding alleged \$1.6 million budget deficit
- Non-union staff did not receive a raise in 2009 and none are proposed for 2010
- Anticipated quarterly budget amendments in 2009 which have not been discussed by the Board
- Explanation of drive time maps for proposed closing of the Central Fire Station
- Board request for Township map of population density
- Some fire equipment will be sent to the Metro Fire Team for storage and use
- Firm retainer v. in-house Township attorney
- Multiple areas of expertise with a firm retained by the Township

- Budget impact of \$230,000 in 2010 for attorney services under the current arrangement
- Unrealistic budget of \$134,000 for an in-house attorney
- Concern that one attorney cannot perform all services provided by the current contracted law firm
- Request for itemization of \$134,000 budgeted for an in-house attorney
- Specific salary for an in-house attorney contingent upon applicants and their qualifications
- Trend for lawyers to specialize in a specific area (i.e., litigation)
- Benefit to discussion of issues among attorneys in a law firm
- Request to explore the retainer of the current law firm for the remainder of the contract
- Request for an additional budget meeting on September 29th
- Preference to keep the budget hearing scheduled for the October 6, 2009 Meeting

The consensus of the Board was to continue the budget discussion on September 29, 2009, hold the public hearing at the October 6th meeting and schedule the budget for a vote at the October 20, 2009 Board meeting.

- B. Amendments to the Mixed Use Planned Unit Development Ordinance
By unanimous consent, the Board deferred discussion on the MUPUD Ordinance amendments until the October 6th Board meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Treasurer Brixie noted the airport project is being worked on by the Lansing Regional Chamber of Commerce and the Township is not a member of that organization.

Manager Richards added the Lansing Economic Area Partnership (LEAP) organization has been active in bringing new business to the region, one of which was the IBM delivery center in East Lansing. He added the organization was also successful in obtaining a \$150,000 grant through the Kellogg Foundation for an asset analysis of our region and development of a ten-year strategic economic development vision. Manager Richards noted that the \$35,000 annual fee entitles governmental entities active participation in the public/private LEAP organization.

Trustee Veenstra expressed concern with the cost of an attorney fee in an ongoing case.

Board discussion of current litigation: (See Agenda Item #8 (Questions for the Attorney))

Q. Andria, is this something we should be talking about?

A. Our firm is not handling this matter, but I will tell you that I don't know where it is in the process; I don't know what is going on as it is being handled by another firm. However, if it is in the middle of being litigated, you should not be talking about it. It is something your attorney could talk to you about in closed session, give you legal advice on the issue and you could ask questions about it at that point.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:09 P.M.

SUSAN MCGILLICUDDY
 TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
 TOWNSHIP CLERK

Sandra K. Otto, Secretary