

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**  
5151 Marsh Road, Okemos MI 48864-1198  
853-4000, Township Hall Room  
TUESDAY, February 18, 2020 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine, Trustees Jackson, Opsommer, Wisinski, Sundland

ABSENT: Trustee Sundland left the meeting at 7:05pm.

STAFF: Township Manager Walsh, Director of Public Works Perry, Police Chief Plaga, Fire Chief Hamel, Community Planning Director Kieselbach, Principal Planner Peter Menser, Information Technology Director Gebes

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Township Clerk called the roll of the Board.

4. PRESENTATIONS

A. Robert Stevenson, Executive Director, Michigan Association of Chiefs of Police (MACP), Neal Rossow, Program Director of Professional Development and Accreditation, and MACP President Terrence McDonnell, presented the Certificate of Accreditation to the Meridian Township Police. Police Lieutenant Rick Grillo and Sergeant Andrew McCready were also in attendance.

B. Ken Lane, Chair of the Planning Commission, presented on the draft process of the Form-Based Code (FBC), which focuses on the building and the building's environment rather than the use of the property. Form Based Districts (FBD) are based on the streets & districts that the property fronts on rather than traditional zoning district designations.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:22 pm.

Gary Durow, 1259 W. Grand River, Okemos, MI; spoke in support of Rezoning Request #19100 (Discussion Item 12B).

Karen McWilliams, 1897 Wilder St., Haslett, MI; spoke in opposition of Special Use Permit #1915 (Haslett Gallery) Discussion Item 13C.

Carol Bidigare, 6279 High St., Haslett, MI; spoke in opposition of Special Use Permit #1915 (Haslett Gallery) Discussion Item 13C.

Frank Fugate, 500 S. Front St., Columbus, OH; (Woda Cooper executive/developer) spoke in support of Discussion Item 12A.

Supervisor Styka closed public remarks at 6:16 pm.

#### 6. TOWNSHIP MANAGER REPORT

Met with of Okemos Village developers for project update, applications accepted for the Economic Director position until February 21, 2020, met with MSU last week to discuss the Solar Project proposed on MSU property located in Meridian Township, attended the Meridian Area Business Association (MABA) meeting on February 14, 2020 to discuss the Economic Development Director position, Brownfield Redevelopment Authority meeting in the Town Hall on February 20, 2020 at 8:00 am.

Director of Public Works spoke on the HVAC System bids due March 05, 2020 and on road design bids.

#### 7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Treasurer Deschaine:

- Taxes were due Friday, February 14, 2020. After March 3, 2020, delinquent property taxes go to the Ingham County Treasurer with 5% added interest and penalties.
- Attended the Meridian Area Business Association (MABA) meeting on February 14, 2020.
- Attended the Economic Development Corporation meeting at the Town Hall on February 6, 2020.
- Attended the Rotary Hero Luncheon on February 11, 2020, fundraiser for the community. Recently donated money for the new Jaws of Life for the Meridian Township Fire Department.

Clerk Dreyfus:

- Election Update: Mailed out 5,600 ballots as of Friday, February 14, 2020.
- Overseas ballots were mailed out previously.
- Voters who submit Applications for Absentee Voter Ballot after February 14<sup>th</sup> get their ballots within 24 - 48 hours. Any citizen can come in 8 am to 5 pm, Monday through Friday, and vote an Early Ballot in the Township Hall, or a ballot can be mailed, or citizens can pick up a ballot and take it with them.
- Attended the Ground Water Management Board (GWMB) meeting Feb. 12. New staff person – Environmental Sustainability Director – at Tri-County Regional Planning Commission (TCRPC). Looked at formation of the GWMB, discussed more active outreach and education to Public Bodies through member representatives, deliver better and more consistent messaging about ground water issues, including wellhead protection, research studies, and analysis of water issues as they arise.

#### 8. APPROVAL OF AGENDA

**Clerk Dreyfus moved to approve the Agenda. Seconded by Treasurer Deschaine.**

VOICE VOTE:

Motion carried: 7 – 0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

**Clerk Dreyfus moved to approve the Consent Agenda as presented. Seconded by Trustee Jackson.**

Treasurer question regarding letter received from Ingham County Clerk on February 11 not being included in Board packet. Letter questioned delay in absentee ballots and return of absentee ballots. Concerns about transparency, previous examples of correspondence not included in packet, the need for all correspondence to be placed in Board packet. TREASURER CITED OTHER EXAMPLES OF IMPORTANT ITEMS BEING LEFT OUT OF THE PACKET INCLUDING WHEN THE CATA FORENSIC AUDIT WAS LEFT OUT OF THE PACKET IN NOVEMBER 2017 AND IN MARCH OF 2019 WHEN THE CLERK DID NOT INCLUDE OVER 100 LETTERS IN OPPOSITION TO MEDICAL MARIJUANA.

Clerk Dreyfus responded that Board packet is for the use of the board members in their public deliberation and for their information needs. He stated that he believed the Clerk has diligent discretion of what goes into the packet, leaving out correspondence that is politically biased / disparaging, or unnecessary. ~~Previous exclusions from packet were necessary and proper, examples provided.~~ CLERK STATED THE CATA AUDIT WAS ONLY REQUESTED IN BECAUSE IT WAS CRITICAL OF A CATA STAFF PERSON WHO RAN AGAINST FORMER TREASURER BRIXIE, AND THAT HE FELT THE 100 LETTERS WERE VERY SIMILAR AND THEREFORE DID NOT DESERVE TO BE INCLUDED IN THE PACKET. Clerk EXPRESSED concern that County Clerk Byrum did not call or reach out to Township Clerk to address her questions. ~~but instead sent inaccurate and misleading letter to Board and media, and she omitted her role in causing absentee ballot delay due to County Clerk not providing programming needed to test ballots before they are mailed out.~~

**Treasurer Deschaine requested the letter be included in the next Board packet. Seconded by Trustee Jackson.**

Trustee Opsommer comments that the Clerk should not censure comments to the Board FOR ANY REASON. HE STATED IT IS NOT THE CLERK'S JOB TO DECIDE WHAT IS FACTUAL, POLITICAL, OR BIASED. HE STATED BOARD MEMBERS ARE VERY CAPABLE OF DETERMINING THE ACCURACY OF CORRESPONDENCE WE RECEIVE. Trustee Opsommer had questions regarding number of ballots requested as of Friday, February 14, when ballots were mailed out and the number of overseas ballots sent out. HE stated belief that THE REASON for the delay is that County Clerks are waiting on information from Bureau of Elections regarding testing programming, and THE reason for 40 day deadline ON SENDING OUT ABSENTEE BALLOTS is to avoid disenfranchising overseas voters.

Clerk Dreyfus responded that mass mailing of absentee ballot applications were sent to the printer on December 11, 2019. 5,900 applications were mailed from printer on January 17, 2020 and total of 9,000 absentee ballot applications have been mailed. Ballots received from printer on January 23. Approximately 40 ballots have been sent out overseas to date. First mass mailing of ballots were on February 14<sup>th</sup>.

Clerk read letter from new Director of Bureau of Elections (Feb 6, 2020) stating the law required that "ballots be tested early, as soon as possible, upon receipt and before the bulk of ballots are issued." Clerk's Office repeatedly contacted Ingham County Clerk Byrum by telephone and email, requesting date of availability of programming for ballot testing; no date provided by her office and 40 day deadline elapsed. Other jurisdictions in Michigan waited to mail absentee ballots past 40 day deadline due to same issue of not having programming available for testing ballots before mass mailing.

Trustee Jackson expressed VERY STRONG concern THAT ANY if the mail addressed to the Board is being censored. SHE STATED ~~as whether it is appropriate/factual, does not believe~~ that it is NOT the role of any official to censor the correspondence OR TO MAKE A JUDGMENT CALL WHETHER IT IS appropriate or factual. SHE supports the inclusion of the letter from the Ingham County Clerk.

VOICE VOTE: Motion carried: 6 – 1 (Clerk Dreyfus)

**Clerk Dreyfus moved to approve the Consent Agenda. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 – 0

A. Communications

**Clerk Dreyfus 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 Opsommer.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 – 0

B. Minutes

- 1) January 28, 2020 Joint Meeting Minutes
- 2) February 04, 2020 Regular Meeting Minutes

**Clerk Dreyfus moved to approve and ratify the minutes of the Joint Meeting of January 28, 2020, and the Regular Meeting of February 04, 2020 as submitted. Seconded by Trustee Opsommer.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 – 0

C. Bills

**Clerk Dreyfus moved to approve that the Township Board approve the Manager’s Bills as follows. Seconded by Trustee Opsommer.**

<b>Common Cash</b>		\$	535,033.21
<b>Public Works</b>		\$	473,952.67
<b>Trust &amp; Agency</b>		\$	2,945,373.53
	<b>Total Checks</b>	\$	3,954,359.41
<b>Credit Card Transactions</b>		\$	13,590.77
Jan 30th - Feb 12th			
	<b>Total Purchases</b>	\$	<u>3,967,950.18</u>
<b>ACH Payments</b>		\$	<u>617,106.38</u>

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 - 0

D. CATA Hours

**Clerk Dreyfus moved to authorize the Township Supervisor and Township Manager to execute an amendment to the Redi-Ride Service Agreement to increase the service time in the morning to 7:00 a.m. and decrease the service time in the evening to 6:00 p.m. Monday through Friday. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 - 0

E. Brownfield Redevelopment Authority Appointment

**Clerk Dreyfus moved to approve the appointment of David Premoe to the Brownfield Redevelopment Authority for a term ending 12/31/2020. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 - 0

F. Haslett Road and Newman Road Water Main Replacement Contract

**Clerk Dreyfus moved to approve the Haslett & Newman Road Water Main Contract with C & D Hughes, Inc. in the amount of \$395,800, and authorize Deputy Township Manager, Derek Perry, to sign the contract. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS:

Motion carried: 7 - 0

10. QUESTIONS FOR THE ATTORNEY - NONE

11. HEARINGS (CANARY) - NONE

12. ACTION ITEMS (PINK)

A. Woodward Way PILOT

**Trustee Opsommer moved to approve the resolution to grant tax exempt status with Payment in Lieu of Taxes (PILOT) for the housing project known as Woodward Way. Seconded by Trustee Jackson.**

Board discussion: extension already granted to the applicant in order to reapply to Michigan State Housing Development Authority (MSHDA) for approval for tax credit housing.

Support for PILOT because belief it would provide added diversity in the area, ideal location, provides affordable housing for those just above Sec 8 requirements.

Opposition for PILOT because belief that property taxes are needed for infrastructure and services, proposed project would not pay its "fair share" in taxes like all other property owners, site is better suited for low-cost single family homes for first time homebuyers as designated in the Future Land Use Map.

Support for PILOT because it is a "real project" and not a fantasy, extends the PILOT given to two senior housing projects to family housing, young families ages from 20 to 64 years old are more in need of affordable housing than seniors, PILOT supports Board goal of adding diversity to Township housing stock.

ROLL CALL VOTE: YEAS: Trustees Sundland, Wisinski, Treasurer Deschaine, Supervisor Styka, Trustees Jackson, Opsommer

NAYS: Clerk Dreyfus

Motion carried: 6 - 1 (Clerk Dreyfus)

**Trustee Sundland left the meeting at 7:05pm.**

B. Rezoning #19100 (Durow) 1259 Grand River Avenue RR and RRA to C-2

Board member noted that he will not be making a motion to approve the resolution, but appreciates the applicant taking time to bring forth his proposal and applicant’s investment into the property. Concern regarding commerce realities and possibility of demolition of existing structures in future and conversion to cheap commercial buildings. Give applicant more time, suggestion regarding redevelopment – would have to occur through a Planned Unit Development (PUD) or a Mixed Use Planned Unit Development (MUPUD), concern about large retailer demolishing site and creating incompatible use for the area, Planning Commission and Township Board oversight to make prudent decisions, maintain rural character of site. If up-zoning approved, Township Board would lose control over the property.

Supervisor Styka noted that only the applicant can set conditions, not the Township Board. Discussion of ways applicant can offer conditions and what conditions would the Township approve.

**Clerk Dreyfus moved to Table Rezoning #19100. Seconded by Treasurer Deschaine.**

VOICE VOTE: Motion carried: 6 – 0

C. Community Resources Commission Appointment

**Trustee Wisinski moved to approve the appointment of Zachary Kreiger to the Community Resources Commission for a term ending 12/31/2020. Seconded by Trustee Jackson.**

Board discussion: has experience with the Meridian Township by working on Township rebranding, board consensus and support.

VOICE VOTE: Motion carried: 6 – 0

D. Winter 2020 Study Session-Set a Date

**Treasurer Deschaine moved to approve a Township Board study session on Tuesday, March 31, 2020 at 6:00 p.m. at the Township Municipal Building in the Town Hall Room. Seconded by Trustee Wisinski.**

Supervisor Styka suggested to have joint meetings with the Township Board and the Environmental Commission upon request from commission members in order to discuss the Township Board sustainability plans and new projects such as utilizing coal-tar sealants for pavements.

VOICE VOTE: Motion carried: 6 – 0

13. BOARD DISCUSSION ITEMS (ORCHID)

A. Form Based Code (FBC)

Community Planning Director Kieselbach presented the Form-Based Code (FBC) initiative discussed by the Planning Commission in 2019. It is an off-shoot of the Shaping the Avenue project administered by the Capital Area Transportation Authority (CATA), to allow for consistent design and planning in designated districts or streets based on criteria developed for that area. The area under consideration is from Park Lake

Road to Brookfield Drive. Discussion on expanding to include sites off Grand River to include Dawn Avenue, but not initially.

Board discussion: Concerns whether FBC will ensure commercial use – not just provide a façade for a MUPUD, suggestion to look at the type of structure, not just street frontage. Interior use importance questioned, buildings look and feel can be planned. Possibility that Board can set uses for buildings immediately and staff response it can be drafted.

Concerns about loss of Board input and direction over development projects, staff will have total decision-making authority within parameters set early on, control taken away from elected officials who are responsible to citizens and given to staff. Citizens rely on public officials to provide input and accountability, staff may approve projects/uses that neighborhoods would object to, examples provided of Plasma Centers, senior facilities, and dispensaries. Concern FBC might displace decades of work on ordinances, land-use planning, zoning and Future Land Use Map.

Board member inquiry about general theme – move buildings up closer to road, parking to side or rear yard, parking screened, active streetscape.

Staff comments that FBC districts would be developed according to community standards, would eliminate Special Use Permit requirements for buildings over 25,000 square feet, and allow taller buildings than what the zoning ordinance would currently allow. Area for FBC chosen because handful of property owners own most of the area, older building stock, and small geographic area. Use table in the current zoning ordinance lists allowable uses in the underlying zoning in the FBC district.

Lansing and E. Lansing Planning Commissions and governing bodies approve all site plans in their FBC districts, Meridian has different logistics than downtown area with multiple parcels owned by variety of property owners with variety of uses, Township has handful of developers who own large amounts of properties in potential FBC districts, concern that large property owner can control or plan FBC for their own advantage such as senior assisted living facility, East Lansing already has streetscape requirements without needing “true” FBC district.

Board member noted that it might double the work to have a FBC upfront and still have Township Board exercise control and that more discussion is needed. Suggestion there are degrees of FBC, initial FBC concepts did not involve the Board abdicating its role and responsibility to its citizens by taking away the decision-making accountability of the Board. FBC offers a way for Board to let developers know what the community likes and what direction it is going with various looks and development concepts. Current MUPUD ordinance is close to a FBC because Board has ability to adjust/modify anything that comes before us e.g., a goal since 2008 was to move parking behind buildings, and we use MUPUD to accomplish that.

Board member belief that there is no duplication of work to have Board oversight because it forces development to occur in a certain pattern with current ordinance/MUPUD, applicants have to get waivers, easier to solidify the vision in the site plan with an ordinance developed during a FBC process. Expectations helpful, but concern over development of extensive acreage of residential use.

**Board consensus for proposal to be brought up during a study session between the Planning Commission and the Township Board for further discussion.**

**B. Jolly Road Proposed Conversion from 4 to 3 Lanes from Hagadorn to Dobie Road**

Director Kieselbach noted that the Transportation Commission has recommended support of the project at the January 23, 2020 Public Hearing, and at its last meeting on February 06, 2020, has recommended the Township Board approve the conversion of Jolly Road from four lanes to three lanes for the east segment, Alaiedon Parkway to Dobie Road, and for the west segment, Kansas Street to Hagadorn Road. Director Conklin from the Ingham County Road Department (ICRD) presented the proposed conversion for summer 2020.

Left turn, rear-end, sideswipe crashes reduced, Jolly Road two traffic lanes are below capacity. Public concern that having all traffic move in one lane in each direction would make it a constant stream of traffic, thus making it difficult to get out of driveways, is unwarranted, studies show there are plenty of gaps in traffic. Mr. Conklin observed traffic on Haslett road with similar traffic volume as Jolly Road in section that had road diet, observed a lot of traffic gaps. Car dealership will develop left turns, Michigan State University football games impact on traffic, the outer westbound lane, right turn lane will be available, bike lanes discussion, no changes for Jolly Road and Okemos intersection, width of the road is not changing.

Traffic patterns discussed, expected 30 percent reduction in crashes, safer entry of traffic into Okemos HS on Hulett Road, citizen letter disputed safety claims of road diets, quoted research that rear end crashes increase. Road Dept statement that it's easy to convert back from road diet to 4 lanes with re-striping roads. Crash data comparison, different location logistics make comparisons difficult, Police Chief support, signs to warn traffic that right turn lane is approaching, striping to enforce right-turn only.

**Board consensus to place this item on the agenda for discussion at the next Board meeting.**

**C. Special Use Permit #19151 (Haslett Gallery)**

Director Kieselbach presented the proposal for a Special Use Permit (SUP) to establish a 1,510 square foot commercial medical marihuana provisioning center in an existing 16,729 square foot multi-tenant building located at 2119 Haslett Road. The 1.93 acre project site is zoned C-1 (Commercial). The Planning Commission held a public hearing on the proposal at its meeting on January 13, 2020 and on January 27, 2020 recommended approval.

Board discussion: board member support, board member and applicant question and response regarding operating hours, board member suggestion for a more medical-oriented sign in order to differentiate it as a medical marihuana facility v. recreational marihuana facility, no requirement for the name to be more descriptive, applicant is first to open a recreational marihuana facility in Ann Arbor, Michigan, most medical marihuana facilities will not survive in a marketplace with growing number of recreational marihuana, board member noted applicant efforts to mitigate odor, a major concern of citizens.

**Board consensus to place this item on the agenda for action at the next Board meeting.**

**14. COMMENTS FROM THE PUBLIC**

Supervisor Styka Opened Public Remarks at 8:48 pm.

Carl Vogt, 1861 Darling Road, Mason MI; spoke in opposition to Discussion Item 13C.

Supervisor Styka Closed Public Remarks at 8:50 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Treasurer Deschaine:

- 2020 Township Board Retreat on Saturday, February 22, 2020 at 9:00am at the Township Central Fire Station, and is open to the public.

16. ADJOURNMENT

**Trustee Opsommer moved to adjourn the meeting. Seconded by Trustee Wisinski.**

VOICE VOTE: Motion carried: 6 - 0

**Supervisor Styka adjourned the meeting at 8:51 pm.**

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RONALD J. STYKA,  
TOWNSHIP SUPERVISOR



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BRETT DREYFUS,  
TOWNSHIP CLERK