

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MAY 3, 2016 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie (6:08 P.M.), Trustees Scales, Styka, Veenstra, Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Assistant Township Manager/Director of Public Works and Engineering Derek Perry, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Finance Director Miriam Mattison, Director of Parks & Recreation LuAnn Maisner

1. CALL MEETING TO ORDER
Supervisor LeGoff called the meeting to order at 6:00 P.M.
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
Supervisor LeGoff led the Pledge of Allegiance.
3. ROLL CALL
The secretary called the roll of the Board.
4. PRESENTATION (None)
5. PUBLIC REMARKS
Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested the paved shoulder for the Tentative Preliminary Plat #16012 meets American Association of State Highway and Transportation Officials (AASHTO) standards. He spoke in support of the Ingham County Trails Millage grant application and the pathway millage renewal. Mr. Provencher supported the request for a four (4) foot shoulder on Park Lake Road.

Tim Potter, 4632 Van Atta Road, Okemos, spoke to narrower lane widths being safer. He stated Lake Lansing Road was too wide and encouraged speeding. Mr. Potter requested the Township take the position of narrower lane widths whenever resurfacing takes place. He alleged that since there are no markings or signage when bicycle lanes are installed, they are technically illegal. Mr. Potter stated it was his understanding the pathway millage renewal can be used for marking bicycle lanes.

Julie Powers, 224 N. Magnolia, Lansing, Executive Director of the Greater Lansing Housing Coalition, spoke in support of the agenda items #13A, B and C relative to the Okemos Pointe project. She noted there is currently a deficit of 20,000 housing units for senior citizens through 2020. Ms. Powers believed the units proposed for the Okemos Pointe project would meet the needs of both young families and senior citizens who wish to downsize.

Keith Lambert, 313 N. Cedar Street, Lansing, Lansing Economic Area Partnership (LEAP) Tri-County Development Manager and administrator for The Brownfield Coalition, spoke in support of the Okemos Pointe project.

Billie Jo O'Berry, 1195 Clayton Court, Mason, announced her candidacy in the race for Ingham County Prosecutor. She stated she is the only candidate that is a prosecuting official, working on contract for the City of Lansing.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported on the following:

- Staff is reviewing investment in a comprehensive solar power project and will provide a cost benefit analysis
- Park Commission hosting of its annual BBQ to recognize park volunteers will be held on May 10th
- 2015 Audit is anticipated to be completed within the next two (2) weeks and presented to the Board at its May 17th meeting
- He is scheduled to speak to members of the Whitehills Lake Homeowners Association and Indian Lakes Homeowners Association in May
- Costs for the Central Fire Station came in \$22,000 under budget
- Construction cost analysis of a pole barn at the Central Fire Station is being finalized and will be presented to the Board within the next month

Board discussion:

- Possible discussion with the Ingham County Road Department (ICRD) regarding options to address vehicular congestion at Haslett High School
- Remaining \$22,000 of bond money for the Central Fire Station will be kept in reserve for one (1) year
- Township is in the process of locating a viable site for a Consumers Energy solar project in Meridian Township

7. BOARD COMMENTS & REPORTS

Treasurer Brixie reported her attendance at the American Public Transit Association Conference where the topics of transit accessibility and preparing for future needs were vetted. She welcomed a new business titled Hot Yoga in Haslett.

Trustee Veenstra addressed a letter in the packet from Mildred Crothers regarding parking issues on Sirhal Drive and at the Meridian Stratford Place Senior Complex by Whole Foods employees and customers.

Trustee Scales reported his involvement in the final selection of Steven Cook as the new Haslett Public Schools Superintendent. He congratulated Jim Coast on being selected as the 2016 Lansing Community College Distinguished Alumni.

Trustee Styka reported the New York Times published an article where students from Okemos Public Schools are 1.9 grades ahead of the national average, Haslett Public Schools students are 1.7 grades ahead of the national average and East Lansing Public Schools are .9 grades ahead of the national average. He announced May is Older Americans Month and by 2029, 20% of residents in Michigan will be at retirement age. Trustee Styka also reported the results from the recent Meridian Township Recycling Event. He reminded citizens the Environmental Stewardship Awards will be presented Wednesday evening.

8. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda as submitted. Seconded by Clerk Dreyfus.

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

A. Communications

(1) Board Information (BI)

- BI-1 Karla Hudson, 6009 Skyline Drive, East Lansing; RE: Meridian Meri-Ride Efficiency Issues
- BI-2 Christine G. Beavers, 5125 Brookfield Drive, East Lansing; RE: Provision Living Development
- BI-3 Clerk Brett Dreyfus; RE: Pending legislation to allow public libraries to opt out of Tax Increment Financing (TIFs)
- BI-4 Mildred Crothers, 2790 Sirhal Drive, #120, East Lansing; RE: Wholefoods and Meridian Stratford Place Senior Complex
- BI-5 Shirley and Brandon Decker, Mert's Meats, 1870 Grand River, Okemos; RE: Bridge on Okemos Road Detour

(2) Regional Linkage

- RL-1 Rebecca Jones-Henry 6039 Hardy Avenue, East Lansing; RE: Resignation from Community Resources Commission
- RL-2 Henry Kwok, 2643 Melville Drive, East Lansing; RE: Resignation from the Zoning Board of Appeals Alternate position

Material handed out at the April 26, 2016 Board Meeting

Christine Beavers, 5125 Brookfield Drive, East Lansing; RE: E-mail correspondence concerning medical marihuana

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

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

B. Bills

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

Common Cash	\$ 84,907.61
Public Works	\$ 418,430.03
Total Checks	\$ 503,337.64
Credit Card Transactions	\$ 2,326.11
Total Purchases	<u>\$ 505,663.75</u>
ACH Payments	<u>\$ 516,514.52</u>

Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

[Bill list in Official Minute Book]

- C. Lake Lansing Watershed Advisory Committee Reappointments
Trustee Veenstra moved that the following property owners be reappointed to the Lake Lansing Watershed Advisory Committee for terms expiring April 30, 2018: Timothy McCarthy, 6076 Columbia; Curtis Armbruster, 6411 E. Reynolds; Steven Culling, 6193 Columbia. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- D. 2015 Order to Maintain Sidewalks, Special Assessment District No. 16 - Resolution No. 5
Trustee Veenstra moved to approve the 2015 Order to Maintain Sidewalk Special Assessment District No. 16 - Resolution No. 5, which approves the special assessment roll; designates the project as “2015 Order to Maintain Sidewalk Special Assessment District No. 16”, the assessment roll as the “2015 Order to Maintain Sidewalk Special Assessment District No. 16 Special Assessment Roll”, and the district as the “2015 Order to Maintain Sidewalk Special Assessment District No. 16”; adopts the amount of \$5,221.42 as the final amount for the assessment roll; and orders and directs the assessment roll to be paid and collected. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS

A. MUPUD #15024 (Okemos Pointe)

Supervisor LeGoff opened the public hearing at 6:33 P.M.

Director Kieselbach summarized the proposed mixed use planned unit development as outlined in staff memorandum dated April 27, 2016.

- Applicant
Brent Forsberg, TA Forsberg, Inc., 2422 Jolly Road, Okemos, addressed the following components of the project:
 - Neighborhood theme with community gathering space
 - Proposed market was designed by the same engineer who designed the Flint Market
 - Accommodation for temporary food trucks
 - Township trails system entrance is a trailhead hub and tool station
 - Rendering of the market concept, is a step up from a farmer’s market with fixed location open several days a week through the rehab of the existing industrial building; working with the MSU Food Innovation District vendors
 - Potential brewery/brew pub/restaurant as anchor business
 - Mixed use building will contain a commercial component
 - Design will be finalized during the site plan review process

Will Randle, WestPac Michigan, 4409 Dobie Road, Okemos, addressed parking issues which are the key driving component of the project. To that end, he indicated WestPac has signed a purchase agreement with the nearby tire store for one (1) acre of property. Mr. Randle stated the building on the southern part of the site was moved, the northern part of the site was redesigned and the number of buildings was reduced from four (4) to three (3). He added the applicant is currently going through the brownfield process, Phases I and II have been completed and work continues on the environmental assessment. Mr. Randle indicated the application will formalize the brownfield plan and bring it to the Board for approval.

- Public
Bill McConnell, 4376 Manitou, Okemos and Chair of the Environmental Commission, pointed to the recommendations from the Environmental Commission on Wetland Use Permit #16-02 for Okemos Pointe. He noted the progressive amenities proposed for the project and stressed the need for a connection to the regional trail system.

Joell Ackerman, 3521 Indiana Road, Okemos, asked how the project will affect flooding and storm drainage and the amount of green space. She spoke in support of investment in solar energy and connection to the trail and transit systems.

Jim Halm, 3535 Kansas, Okemos, stated the buffer zone between Kansas Road and the subject property is not wide enough and is concerned about the change to setbacks.

Supervisor LeGoff closed the public hearing at 6:59 P.M.

- B. WUP #16-02 (Okemos Pointe)
Supervisor LeGoff opened the public hearing at 6:59 P.M.

Director Kieselbach summarized the proposed wetland use permit as outlined in staff memorandum dated April 27, 2016.

- Applicant
Brent Forsberg, 2422 Jolly Road, Okemos, availed his wetland consultant to answer any Board questions relative to the proposed wetland use permit.

Supervisor LeGoff closed the public hearing at 7:10 P.M.

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Scott Fairmont, 4429 Apache Drive, Okemos, representative for Mayberry Homes, suggested a modification to condition #8 in Tentative Preliminary Plat #16012 regarding Mayberry's financial obligation for paving Powell Road.

Supervisor LeGoff closed Public Remarks.

- A. Rezoning #16-14060 (Meridian Hospitality, LLC) – Final Adoption
Trustee Veenstra moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS Ordinance No. 2016-06, entitled “Ordinance Amending the Zoning District Map of Meridian Township pursuant to Rezoning Petition #16-14060” (Meridian Hospitality, LLC) to amend the voluntarily offered condition of Rezoning #14060 to read: “conditioned on limiting development on the site to a hotel with no more than 135 rooms, subject to the standards applying to hotels in the C-2 district and all requirements of Chapter 86 of the Code of Ordinances for special use permit, site plan review, or variance, if any; commencement of construction within three years from the effective date of the rezoning; and, reversion to PO (Professional and Office) zoning if construction of a hotel has not commenced.”

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Trustee Styka.

Board discussion:

- Simple Board action to remove the term “all suites” from the condition contained in the rezoning

ROLL CALL VOTE: YEAS: Trustee Veenstra, Scales, Styka, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

B. Tentative Preliminary Plat #16012 (Mayberry)

Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants tentative preliminary plat approval (Tentative Preliminary Plat #16012 Mayberry Homes) for a twenty-five lot single family subdivision, commonly known as Silverstone Estates, located on the east side of Powell Road, north of Grand River Avenue, with the following conditions:

1. **Approval is granted based on the revised Tentative Preliminary Plat dated April 6, 2016, prepared by Enger Surveying and Engineering, indicating 25 single family lots, subject to revisions as required.**
2. **Approval is granted for a waiver from Section 62-61(c) of the Code of Ordinances to permit Lot #1, Lot #24 and Lot #25 to face Powell Road, a collector street.**
3. **The applicant shall obtain all necessary permits and approvals from the Ingham County Drain Commissioner, Ingham County Road Department, Michigan Department of Environmental Quality (MDEQ), and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development. Should a permit be required from the Michigan Department of Environmental Quality, no grading or construction work shall be conducted until the permit is final and unappealable at the MDEQ.**
4. **Final utility plans shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with Township Engineering Design and Construction Standards.**
5. **Storm sewer leads shall be provided to each lot in the subdivision. The final location of the leads shall be subject to the approval of the Director of Public Works and Engineering. All residences constructed in the subdivision shall be connected to an approved outlet.**
6. **An overall grading plan for the subdivision shall be required with detailed construction plans, prior to issuance of any building permits.**
7. **Prior to any construction or grading on the site, the applicant shall install silt fencing at the upland edge of water feature setbacks. The silt fencing shall be removed after construction once the area is stabilized and vegetation has been established.**
8. **Powell Road shall be paved from the northern extent of the plat southward to Grand River Avenue in accordance with the requirements of the Ingham County Road Department. Consultation with Ingham County Road Department and Township shall occur regarding trees prior to construction on Powell Road.**

9. A paved shoulder shall be constructed along Powell Road as shown on the Pedestrian-Bicycle Master Plan. The final location of the shoulder shall be subject to the approval of the Director of Public Works and Engineering and the Ingham County Road Department.
10. A five foot wide concrete sidewalk shall be constructed along the both sides of Silverstone Way and the stub street. The final location of the sidewalk shall be subject to the approval of the Director of Public Works and Engineering. The design and construction of the sidewalk shall be in accordance with Township Engineering Design and Construction Standards.
11. A landscape strip, a minimum of 20 feet wide, shall be planted along the Powell Road frontage of Lots, #1, #24, and #25. The planting plan shall be subject to the approval of the Director of Community Planning and Development.
12. The natural vegetation strip associated with wetlands and open county drains shall be clearly identified with permanent markers. The size, number, and location of the markers, and the language on the markers, shall be subject to the approval of the Director of Community Planning and Development.
13. As applicable, healthy, mature trees measuring 12” dbh (diameter at breast height) or greater shall be preserved. No trees shall be removed from the site until Final Preliminary Plat approval has been granted.
14. Street trees shall be required along the east side of Powell Road and along both sides of Silverstone Way within the subdivision. Species and location of the trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Department.
15. Any wellhead(s) located on the site shall be properly closed and abandoned per the requirements of the Ingham County Health Department and the Township, prior to the issuance of any permit for construction activity, including grading permits.
16. A copy of the information that exists on computer for the plat and construction plans shall be provided to the Township Engineering staff in an Auto Cad compatible format.

Seconded by Trustee Styka.

Board discussion:

- Language added in condition #8 addresses the trees on Powell Road which will affect the paved shoulder
- Condition #8 was written in a general tone which does not state how the paving would be paid for
- Conditions are tentative and will come back before the Board prior to final preliminary plat approval
- Condition #8 shows clear intent to have Powell Road paved
- Staff still has to have a conversation with the ICRD regarding the paving of Powell Road
- Concern what happens if the business owners at the southern boundary of Powell Road do not want the road paved
- Objection by the business owners at the southern boundary of Powell Road could result in a section of Powell Road not being paved

- Township will meet with both sides to facilitate a discussion regarding complete pavement of Powell Road
- Concern with a lack of complete pavement on Powell Road stopping the project
- Township Board will have the ability to review this project again as it moves through the plat process
- Received status report on the paving of Newton Road
- Concern with the amount of potential traffic and need for paving Powell Road
- Board member desire for the paved shoulder to be four (4) feet in width
- Buffer strip at the entrance and landscape strip in front of Lots 1, 24 and 25 are already required
- Continued Board member concern with the original rezoning from RR to RAA
- Board member belief 18 homes allowed for this property under the RR zoning would have made the project viable
- Inquiry if the Township has reached out to the current residents on Powell Road to see if they have a desire to have the road paved
- Board member preference for a process to be established for outreach on any paving project
- Board member request for staff to reach out to the current residents on Powell Road regarding potential paving of the road
- Single family homes within 300 feet were noticed for the public hearing on this project
- Next step is for the applicant to go before the reviewing agencies
- If the temporary preliminary plat is approved, the Township will meet with the reviewing agencies to obtain specifics before the final preliminary plat
- Board member suggestion for the Township to request ten (10) foot lanes on Powell Road from the ICRD

ROLL CALL VOTE: YEAS: Trustee Wilson, Styka, Veenstra, Supervisor LeGoff,
Treasurer Brixie
NAYS: Trustee Scales, Clerk Dreyfus
Motion carried 5-2.

C. MNRTF Grant Acceptance

Trustee Veenstra moved [and read into the record] NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, as follows:

The Charter Township of Meridian, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources Michigan Natural Resources Trust Fund, and that the Township Board does hereby specifically agree, as follows:

- 1. To appropriate all funds necessary from the Park Millage Park Development Fund 208-750-759-974-000 to complete the project during the project period and to provide \$50,000 dollars (50% of the project cost) to match the grant authorized by the Department of Natural Resources for improvements to North Meridian Road Park including construction of an accessible pavilion, grill, and picnic table.**
- 2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department of Natural Resources for auditing at reasonable times.**
- 3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement.**
- 4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.**

5. To comply with any and all terms of said Agreement.

Seconded by Trustee Scales.

Board discussion:

- Addition of a picnic pavilion will be a desirable improvement to the park
- Project was initially included in the park millage renewal plan

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

D. Ingham County Trails Millage Grant Application

Trustee Wilson moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF INGHAM COUNTY, MICHIGAN, as follows:

That the Township Board hereby supports the application for the Ingham County Trails & Parks Program, for the repair and rehabilitation of approximately three (3) miles of trails in Meridian Township, with an estimated total cost of \$88,000, to be funded by the Township Pedestrian/Bicycle Pathway Millage and the Park Millage.

Seconded by Trustee Scales.

Trustee Scales offered the following amendment:

- **Delete the language “to be funded by the Township Pedestrian/Bicycle Pathway Millage and the Park Millage.”**

Seconded by Treasurer Brixie.

Board discussion:

- Since the application does not require a funding match, the amendment to the resolution was proposed

Trustee Veenstra moved to table the Scales amendment.

The motion died for lack of support.

ROLL CALL VOTE YEAS: Trustee Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
 ON AMENDMENT: Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried unanimously.

Trustee Veenstra move to amend the resolve to read:

- **That the Township Board hereby approves the application for the Ingham County Trails & Park Program, for \$88,000, for the repair and rehabilitation of approximately three (3) miles of trails in Meridian Township,**

The motion died for lack of a second.

Board discussion:

- Applications for Phase I are for maintenance funds; Phase II applications will be for bridge repairs, and Phase III applications will be for the trail from Hagadorn Road to Lake Lansing South

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- E. Pathway Millage Renewal
Treasurer Brixie moved to adopt the Resolution to adopt the Pedestrian Bicycle Pathway Millage Renewal Proposal.

Seconded by Trustee Scales.

At the request of Trustee Veenstra and supported by Clerk Dreyfus to have the language for the millage renewal read into the record, Treasurer Brixie read the millage renewal proposal for the pedestrian and bicycle pathway millage language as follows:

MILLAGE RENEWAL PROPOSAL FOR PEDESTRIAN AND BICYCLE PATHWAYS

Proposal to allow the Charter Township of Meridian to renew and increase the levied millage for pedestrian and bicycle pathways purposes on all taxable property within the Charter Township of Meridian.

Shall the previous voted increase in the tax limitation imposed under Article IX, Sec. 6 of the Michigan Constitution in the Charter Township of Meridian of 0.3333 mill (33.33¢ per \$1,000 of taxable value) initially approved in 1974, reduced to 0.2765 mill (27.65¢ per \$1,000 of taxable value) by the required millage rollbacks, and expiring after 2016, be renewed and increased to 0.3333 mill (33.33¢ per \$1,000 of taxable value) for twelve (12) years commencing in 2017 and continuing through 2028, inclusive, for the purpose of providing supplemental funding to be used for the construction, maintenance, and improvement of pedestrian and bicycle pathways, raising an estimated \$546,622.00 in 2017?

Board discussion:

- History of the pedestrian and bicycle pathways millage
- There are 76 miles of pathway to date in Meridian Township
- Renewal question would be placed on the August 2nd ballot for a period of 12 years
- Original 1/3 mill in 1974 was reduced due to the Headlee Amendment
- Proposed language requests the millage be returned to the original 1/3 mill
- Pedestrian bicycle pathway is an identified asset by stakeholders participating in the branding campaign
- Courts have placed a permanent stay on the gag order which means Meridian Township can provide factual information on the millage proposal without taking a stand on information provided to residents on the millage renewal
- Board member statement a prevailing legal opinion offered at a Michigan Municipal League conference revealed the expression of elected officials' personal views regarding a millage proposal was legal
- Board member preference for the millage question to be placed on the November, 2016 ballot as many more residents will vote in that election as opposed to the August Primary

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

F. Medical Marihuana – Introduction

Trustee Styka moved to remove the item from the table. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustee Styka, Wilson, Supervisor LeGoff, Clerk Dreyfus
NAYS: Trustee Veenstra, Treasurer Brixie
Motion carried 5-2.

At the behest of the body, Clerk Dreyfus reread the resolution to approve as follows:

NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Ingham County, Michigan, Chapter 86, Article I by amending Section 86-2 and Section 86-5, Chapter 86, Article IV, Division 2 by adding Section 86-368 (b)(2) a.5 and amending Section 86-368 (b)(2) b.4, Chapter 86, Article IV, Division 3 by adding Section 86-403 (d)(5) and Section 86-404 (c)(15), and Chapter 86, Article IV, Division 4, by adding Section 86-435 (b)(4).

BE IT FURTHER RESOLVED the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to the next regular meeting of the Township Board.

Board discussion:

- Subcommittee offered a compromise proposal by limiting the amount of restrictions while addressing safety concerns
- Importance of remembering the Township currently has no regulations regarding medical marihuana
- Zoning amendment is a starting point to deal with the medical marihuana issue

Treasurer Brixie offered the following amendment:

- **Delete subsections E and F from the Ordinance**

Seconded by Trustee Scales.

Board discussion:

- Continued concern with strong odors which can be emitted from grow operations
- Appropriateness of limiting these type of operations in only industrially zoned districts
- Michigan Medical Marihuana Act (MMMA) has been in place for eight (8) years and Meridian Township has had no complaints
- Board member belief commercial areas are appropriate locations for medical marihuana grow operations
- Board member belief grow operations should not be located in neighborhoods
- Subcommittee was formed in an attempt to reach consensus with compromises
- Proposed language is not perfect but will be beneficial to the residents of the Township
- Effect of removing subsection E and F would prohibit grow operations in the C-1 and C-2 districts, leaving only industrially zoned properties
- Township has taken a position that if a use is not specifically stated in the ordinance it is not allowed
- C-1 and C-2 districts often abut residential properties
- Board member belief it is reasonable to allow medical marihuana caregivers to operate in the C-1 and C-2 districts

ROLL CALL VOTE: YEAS: Trustee Scales, Treasurer Brixie
ON AMENDMENT NAYS: Styka, Veenstra, Wilson, Supervisor LeGoff, Clerk Dreyfus
Motion failed 2-5.

Treasurer Brixie moved to limit the number of plants to 144 per residence. Seconded by Trustee Scales.

Board discussion:

- Effects of a grow operation on a home and its value
- Total of 144 plants would require seven (7) adults living in the household
- Rental Ordinance restricts the number of unrelated individuals to only two in a household and caregivers are required to be certified and over 21 years of age
- Board member belief the proposed amendment is unnecessary because the proposed ordinance is self-regulating
- Board member preference not to allow large medical marihuana grow operations in inappropriate areas
- Board member preference to allow medical marihuana users to use in their own home and home occupation is our safety net for regulating medical marihuana use and growth
- Board member preference to have strict regulations on medical marihuana particularly since the voters put on ballot through petition to reverse the Board's zoning decision to allow for medical marihuana dispensing

ROLL CALL VOTE YEAS: Trustee Scales, Treasurer Brixie
ON AMENDMENT: NAYS: Trustee Styka, Veenstra, Wilson, Supervisor LeGoff,
Clerk Dreyfus
Motion failed 2-5.

ROLL CALL VOTE YEAS: Trustee Styka, Wilson, Supervisor LeGoff, Clerk Dreyfus
ON THE MAIN NAYS: Trustee Scales, Veenstra, Treasurer Brixie
MOTION: Motion carried 4-3.

G. Summer Tax Collection Agreements

Treasurer Brixie moved that the Township Board approve the 2016 Summer School Tax Collection Requests and Agreements for East Lansing, Okemos, Williamston, Haslett and Ingham Intermediate School Districts. Seconded by Trustee Veenstra.

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

H. Annual Township Manager Performance & Employment Agreement

Trustee Scales moved to approve the Annual Performance Review and Employment Agreement with the Township Manager through November 1, 2018. Seconded by Trustee Veenstra.

Board discussion:

- Overall performance review resulted in an outstanding evaluation of the Manager
- Appreciation to the Manager for his excellent communication skills with residents, staff, the Board and regional elected officials
- Manager's presentation of information is engaging
- Appreciation for the Manager's selflessness in the execution of his position
- Appreciation for the Manager's leadership in all areas of the Township

ROLL CALL VOTE: YEAS: Trustee Styka, Veenstra, Wilson, Scales, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened and closed Public Remarks.

A. MUPUD #15024 (Okemos Pointe)

Board discussion:

- Applicant will use a geoprobe and drilling to uncover contamination on the site
- Depths of the geoprobe at 15/20 feet and drilling to 50 feet will uncover the type and extent of contamination
- Request for the applicant to provide the depth of the water table
- More details will be provided by the applicant at the next meeting where the MUPUD is on the agenda
- Land increased to 37.3 acres because of the addition of existing commercial building that fronts on Jolly Road and property from the Value Tire site
- Maximum density of multiple family would be eight (8) dwelling units per acre
- Previous density changes in the project equated to an additional 100 people
- Revised plan provides for a commercial component in the market, there is more walkability, well-thought out connection to the Township's trail system, and has slightly more than 30% pervious surface
- Market place is a private/public collaboration with Michigan State University (MSU) and the applicant with the Food Innovation District along Jolly Road
- Market place is a significant amenity not previously proposed to the Township
- Original proposal consisted of six (6) buildings
- New plan is much less intrusive on the Kansas Street residential neighborhood
- Board asked and the applicant provided more commercial, included lower income housing, connectivity to trails and sidewalks and pathways throughout the development
- Appreciation for the applicant's early disclosure of on-site contamination
- Status of the Ingham County Drain Commissioner's (ICDC) Smith Drain project is the ICDC held its scope of work hearing where the focus is to repair the pipe under Jolly Road prior to the return of MSU students in late August, and then work on storm water retention north of the property
- Board member inquiry if the properties on Kansas Street are within the drainage district
- ICDC intent for consolidation of all the drainage districts in the area
- Preliminary plans for the drainage to be retained in the central part of the project until the ICDC completes its project and the retention is completed downstream
- Applicant is working with a landscape company to make the area along the property line feel like a park and trees will be planted to supplement the existing trees along the property line to buffer the residences on Kansas Street
- MUPUD ordinance allows the Township 90 days to make a determination on the project's approval and the Township may need to ask for extension to allow for more time before making a decision
- Project amenities proposed allow for a density bonus of up to 18 dwelling units per acre
- Applicant proposes to have information to Board members within the next 10-12 days, including an approximate dollar amount on the proposed brownfield
- Applicant will be seeking a decision on the scope of the project by mid-June to proceed with construction drawings and acknowledged there will be additional specific meetings relative to the brownfield
- Proposed market is a bi-level building from the front
- Applicant is proposing two (2) anchor tenants such as a brewery and several small businesses in food-based or food related industries in conjunction with the Food Innovation District

- Applicant's proposed plan for handicap accessibility to the market building

B. WUP #16-02 (Okemos Pointe) **and**

C. SUP #15101 (Okemos Pointe)

Gary Marx, Marx Wetlands, LLC, 2990 Lake Lansing Road, Suite 201, East Lansing, availed himself for Board questions as the applicant's wetland consultant.

Board and wetland consultant discussion:

- Ordinance states if a wetland is equal to or greater than two (2) acres in size, there must be a 40 foot setback
- The on-site wetland is 1.99 acres and that size was confirmed by the Township's wetland consultant
- The anticipated mitigation may call for an increased setback to 40 feet
- Project plans were designed for 20 foot setback which was on the wetland permit
- Applicant believes the 40 foot requirement should be placed on future improvements and not on this construction request
- Applicant will discuss the 40 foot requirement further with staff

D. Essential Wetland Determination Towner Road Park

Director Kieselbach summarized the request as outlined in staff memorandum dated April 27, 2016.

Board discussion:

- Towner Road Park wetland meets five (5) of the ten (10) criteria to be declared an essential wetland
- Effect of declaring this an essential wetland is a wetland use permit would be needed if any activities impacted the wetland
- Water began ponding after work was performed on BL-69
- Declaration as an essential wetland will not affect the development plan for Towner Road Park
- Plans include improving the wetland to be a feature of the park

14. FINAL PUBLIC REMARKS

Supervisor LeGoff opened and closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT (None)

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:49 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS, CMMC
TOWNSHIP CLERK

Robin J. Faust, Secretary