

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED**-
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Town Hall Room
TUESDAY, APRIL 17, 2018 **6:00 P.M.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie (7:48pm), Trustees Deschaine, Jackson, Opsommer
ABSENT: Trustee Sundland
STAFF: Township Manager Frank Walsh, Director of Public Works Derek Perry, Finance Director Mariam Mattison, Director of Community Planning Mark Kieselbach, Economic Development Director Chris Buck, Police Chief Dave Hall, Police Captain Greg Frenger, Fire Chief Lori Schafer, Principal Planner Peter Menser.

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:01 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Secretary called the roll of the Board.

4. PRESENTATION

A. 2018 1st Quarter Report

Manager Walsh presented the highlights of the 2018 Action Plan, and the 2018 1st Quarter Report.

B. MEDC Presentation

EDC Director Buck discussed participation in the Redevelopment Ready Communities program through the Michigan Economic Development Corporation (MEDC). Elizabeth King and Michelle Parkkonen of the MEDC compiled a status update regarding the Township's progress to date. Elizabeth King discussed best practices, which consist of 41 objective measurable criteria used to certify a community.

Board Discussion:

- Percentage needed to meet the criteria for certification, 100% must be met,
- 3 target sites, Downtown Okemos, Downtown Haslett and Carriage Hills, specific properties, parcels or buildings need to be identified in the target areas
- Questions about Meridian Redevelopment Fund and Brownfield Redevelopment Fund

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:29 P.M.

Karla Hudson 6009 Skyline Drive, East Lansing; Discussed the draft CATA contract, concerned about no pricing, no accountability, no fares and CATA can change fares, conflict with Township Board member serving on the CATA Board and may violate Public Act 566 of 1978, children 12 and under should be accompanied by an adult. Problems with 4 hours in advance for rides provision, cancelled rides aren't being made available to those who need rides same day, Redi-Ride vehicles sometimes sit vacant with people needing rides. Agreement needs revising, Board should not make a decision on this right now.

Michael Hudson, 6009 Skyline Drive, East Lansing; enjoyed the MEDC presentation, moved to the area for walkability, pathways and bus service. Cannot call Redi-Ride within 4 hours of a needed ride, cancellations happen and busses are sitting there. Kids 12 and under should be accompanied by an adult. Township needs a good relationship with CATA, discussed how complaints are handled, getting data from CATA regarding complaints.

Brian Dyke, 486 Haslett Road, Haslett; opposed to rezoning at 580 Haslett Road from RR (Rural Residential) to RA (Single Family-Medium Density). His home is adjacent to the zoning request, traffic patterns are a concern, the area is well developed. Drain runs behind the property, concerns about drainage disruptions and wetland preservation.

Dave Ledebuhr, 4767 Cornell Road, Okemos; Real estate broker with Mussleman Realty Company, currently the Vice Chair of the Meridian EDC, which supports the rezoning. Discussed relaxed standards, and let the development move with the markets. Encourage development of blighted areas.

Don Romain, 5420 Jo Pass, Okemos; Chief Operating Officer of Douglas J. Supports amendment to remove height and density restrictions. Guests comment on the blighted area of Downtown Okemos. Douglas J's building is aging, looking at a substantial capital investment. Business investors are "put off" by the restrictions in place.

Kellie Johnson, 6425 W. Reynolds Rd., Haslett; owns Kellie's Consignment's, discussed Okemos and Haslett downtowns. Travels around the state and sees beautiful communities with various building heights and outdoor landscaping in the corridors, she has a hard time inviting people to this community because they have to drive through these blighted areas. Wants developers and Township to work together.

Supervisor Styka closed public remarks at 6:45 P.M

6. TOWNSHIP MANAGER REPORT

- Full-time Fire Chief selection process is underway, posted position
- Police Chief Hall retirement, search committee being formulated
- Robins Way rezoning redevelopment, Giguere wants to bring in property owner to discuss with the Board, will notify neighborhood of item being on agenda at May 15, 2018 meeting

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Trustee Deschaine Reported:

- EDC meeting last week, Fahey Schultz rep there to discuss redevelopment fund
- Attended April Lansing Regional Chamber of Commerce monthly luncheon, Consumers Energy CEO stated commitment to the Paris Climate Accord, renewable energy, and options for solar energy for residents

- Recycling Coordinator Leroy Harvey hosted a “Solarize Your Home” event at the Meridian Senior Center

Trustee Opsommer Reported:

- CATA Board of Directors meets 4/18/2018 at Delhi Township Hall at 4:00 P.M.

Supervisor Styka Reported:

- Ingham County Schools report from the State of Michigan – Williamston, Okemos, Haslett and East Lansing schools are the top 4 school districts in the county
- Spring recycling event April 21, 2018 from 9 A.M. -2 P.M. at Chippewa Middle School
- Township tree planting event at Towar Woods Land Preserve April 28, 2018
- Attended Consumers Power annual meeting aimed at economic development
- Attended Corridor Improvement Authority meeting
- Haslett Library new meeting room opening
- Annual County Road Advisory Board meeting, discussed plans for Township roads for the coming construction year
- Discussed expenditures to the Greater Lansing Chinese Association from the EDC
- EDC funds come from an agreement with Burcham Hills, and money spent comes out of those funds, he believes these expenditures were used for a public purpose and do not violate any laws
- Clerk voted for supporting the Chinese New Year while he served on the EDC

Clerk Dreyfus Reported:

- EDC is a public body, the funds provided were a donation because there was no description of what the Township was getting in exchange for the money given to Meridian Mall
- Goodwill and promotion towards diversity are not measurable and tangible things
- While on the EDC he was not aware that the expenditure could be unlawful, only learned that recently, but he did speak out against sponsoring the event during when the issue came up to vote, voted for it because he lacked support among other EDC members, and a small issue, so no need to vote against it

8. APPROVAL OF AGENDA

Trustee Opsommer moved to approve the agenda. Seconded by Clerk Dreyfus.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Trustees
Deschaine, Jackson, Opsommer,

NAYS:

Motion carried 5-0

9. CONSENT AGENDA (SALMON)

Supervisor Styka reviewed the consent agenda.

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

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

NAYS:

Motion carried 5-0

A. Communications

Trustee Opsommer 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 Clerk Dreyfus.

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

NAYS:

Motion carried 5-0

B. Minutes – March 20, 2018 Regular Meeting & March 27, 2018 Study Session

Trustee Opsommer moved to approve and ratify that the minutes of the Regular Meeting and Study Session as submitted. Seconded by Clerk Dreyfus.

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

NAYS:

Motion carried 5-0

C. Bills

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

Common Cash	\$498,198.03
Public Works	\$487380.11
Trust & Agency	\$15,099.09
Total Checks	\$1,000,677.23

Credit Card Transactions **\$17,482.15**
March 15 to April 11, 2018

Total Purchases **\$1,018,159.38**

ACH Payments **\$2,242,899.82**

Seconded by Clerk Dreyfus.

Board and Staff Discussion:

- Clerk Dreyfus discussed March invoice for \$9,100 from the former Fire Chief, concerned about no details on the invoices
- Clerk asked what exact services are being delivered to the Township under the consulting contract, the hours and days being worked and the costs for the billable periods
- Detailed invoices from all consultants should be the standard

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

NAYS:

Motion carried 5-0

D. Lake Lansing Advisory Board Appointments

Moved that the following property owners be re-appointed to the Lake Lansing Watershed Advisory Committee for terms expiring April 30, 2020: Timothy McCarthy of 6076 Columbia, Curtis Armbruster of 6411 E. Reynolds and Steven Culling of 6193 Columbia. Seconded by Clerk Dreyfus.

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

NAYS:

Motion carried 5-0

10. QUESTIONS FOR THE ATTORNEY (NONE)

Bill Fahey Township Attorney discussed:

- Lawful and unlawful expenditures – has to serve a public interest, has to be an exchange of value, especially when third parties involved
- Should be a written contract that states what services are being provided for the benefit of the residents, what deliverables, and some accounting for deliverables
- Can't spend money on anything, need to follow statutes, everything that is done has to fall under an authorizing statute, and money has to be in the budget

- Employee awards can be seen as an employee benefit, but these need to be documented in Township policies
- Example of catered dinner at a Township Board meeting, if it is after hours and is available to the public, is a lawful expense
- EDC statute has contained within it specific authority for spending on community events similar to the Chinese New Year, but still should have a letter of agreement that states the services provided for the Township
- Advertising and promotions for the Township are permissible
- Celebration statutes for holidays and particular days – Township is allowed to spend money on a celebration, DDA’s are allowed to contribute funds to local businesses and residents to develop and spruce up the community: Art and Jazz festivals in East Lansing, Celebrate Meridian, Gus Macker Tournament
- Donations to Boy Scouts for gear would be unlawful, but if Boy Scouts hosted a recycling event it would benefit the community so the Township can sponsor the event
- Discussed biddable work and contracts for third parties. No state statute requires the Township to bid out services, some projects funded by state or federal grants may require the Township to bid it out, purchasing policies can require bidding.
- Townships bidding policy is actually a recommendation to bid, the Township Manager uses his discretion when hiring contractors, or when sole sourcing
- 501 C (3) organizations discussed in regards to assisting in community events
- Recusal from votes on multiple boards that may affect both board decisions, crafting contracts between entities and the Township that Board members may have an interest in, be upfront during conflict issues, don’t vote on both sides of an issue

11. HEARINGS (NONE)

12. ACTION ITEMS

A. Amendment to Rental Registration Ordinance

Trustee Jackson moved to approve the resolution for the introduction of the amendment to Chapter 14, Article III, Rental Dwelling Unit Registration, of the Code of Ordinances to be in compliance with Public Act 169 of 2017. Seconded by Trustee Deschaine.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Trustees Deschaine, Jackson, Opsommer,

NAYS:

Motion carried 5-0

A. ZBA Appointments

Trustee Deschaine moved to approve the appointments made by Supervisor Styka of Monique Field- Foster and Alexia Mansour to the Zoning Board of Appeals for a 3 year term ending 12/31/2020. Seconded by Trustee Opsommer.

VOICE VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Trustees Deschaine, Jackson, Opsommer,

NAYS:

Motion carried 5-0

C. Interim Police Chief Agreement

Trustee Jackson moved to approve the Interim Police Chief Agreement and Authorize manager Walsh to sign the agreement on behalf of the Township. Seconded by Clerk Dreyfus.

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

NAYS:

Motion carried 5-0

13. DISCUSSION ITEMS

A. Zoning Amendment #18020 (Downtown Okemos and Downtown Haslett)

Director of Economic Development Chris Buck presented a zoning amendment to Section 86-440 of the Code of Ordinances to establish new standards for residential density and building height in Mixed Use Planned Unit Development (MUPUD) projects.

Treasurer Brixie arrived at 7:48 P.M.

Staff and Board Member Discussion:

- Development needs in the target areas, attracting developers, pros and cons of density and height restrictions, issues with permissions applied throughout PICA areas
- Concerns of residents vs businesses – citizens historically have not supported removal of density and height limits, citizen communications currently do not support removing height and density limits
- Past development projects that matched community wants, but were not developed
- Current MUPUD needs to be better utilized, variances available, money for developers is in the density, green plans, solar energy and sustainability
- Areas targeted with height and density limitations removed, MUPUD options for height and density, need for legal opinion on issue, Board discretion on MUPUD projects, blight concerns, need for change
- Amendments for story limitations and setback requirements, reducing street level impact, increasing outdoor space and walkability, 5th floor may be allowed, setbacks, ceiling heights requirements, density issues in PICAs, height concerns

Consensus of the board to put this on the agenda for future discussion.

B. Rezoning #18030 (Haslett Holding LLC)

Director Kieselbach presented a rezoning of approximately 5.03 acres located at 580 Haslett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

Staff and Board Member Discussion:

- RR zoning currently, value of rezoning to community, Future Land Use Map designates lower density, spot zoning definition, single-family residential area, urban services boundary concerns
- Divergent views on Township growth, pro and con need for higher density, schools and development, land is available for homes for Township schools outside of Township,
- Less land impact, relevant to the future land use map, population size of Meridian in future, vision-based planning to avoid density creep, proposed rezoning in relation to adjacent sites, open space buffering neighborhoods, Master Plan

Trustee Opsommer moved to amend the subsection (2) Uses. E. 2. as follows:

2. The building height is no more than four stories, **AND NO MORE THAN 60 FEET**, above the street grade. A fifth story is allowed where there is a minimum of ten foot setback for such fifth story from the predominant street elevation. First floor-to-ceiling height is a minimum of 14 feet and a minimum of **9** feet for all upper floors.

Seconded by Trustee Deschaine.

VOICE VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Supervisor Styka,
Treasurer Brixie

NAYS: Clerk Dreyfus

Motion carried 5-1.

Consensus of the board to place this item on the agenda for action at the next Board meeting.

C. Legal Services

Township Manager Frank L. Walsh presented a memorandum in regard to the Township's current agreement for legal representation through Fahey Schultz Burzych Rhodes PLC., which will expire on June 23, 2018. Fahey Schultz Burzych Rhodes PLC., is interested in continuing the existing agreement for another three years, with the current hourly rate cap (\$200) and retainer amount (\$5,000/month) continuing in the first year, and a 5% fee increases in the second year and a 5% increase in year three.

Staff and Board Member Discussion:

- Support for staying with Fahey Schultz, local firm, billable travel time if another firm is selected, no need to change services
- Opportunity to obtain excellent legal representation from local firms at potential costs savings, opportunity to bid for the best value to the community, Request For Proposal (RFP) process assures that market conditions have not changed, RFP provides best services at lowest price, past firms bid for contract
- Heavy demand for legal needs, nearly \$60,000 in legal bills in past two months, existing contract does not fit the current situation

- Preference for Township money to go to a local firm, changing firms requires a lot of hours, learning curve for firms in regard to Townships procedures, significant contract, alternative proposal: reduce the extension to 2 years
- Written clause in new agreement that the Township Manager’s future son-in-law, a new employee at Fahey Schultz, will not be involved in anything that has to do with Meridian Township

Consensus of the board to put this item on the agenda for action at a future meeting.

D. CATA Contract-Redi-Ride Service Agreement

Director of Public Works Perry presented the Board with a prepared contract that incorporates the current Redi-Ride program into a formal Redi-Ride agreement as a model. The proposed agreement encompasses the original 2000 agreement, the updated service plan agreement of 2004, and the boundary adjustments that were altered in February of 2018 by the Township Board. The most recent Township Board action to raise ridership fares, and to pursue Federal grants to offset operational costs were not included in this draft.

Staff and Board Member Discussion:

- Details of draft Redi-Ride Service Agreement, Township millage, grants, and fares, amending changes to the Agreement, school riders in contract, mechanisms to pay for service, Township contributions, quarterly reporting from CATA minimum standard, types of reports, key needs in contract include special destinations and reporting mechanisms, logistical issues
- CATA presentation to the Meridian Transportation Commission, lack of mobile app, four hour request time, wait time on phones, 30-minute booking window, online booking and on-demand service, school district transportation, cost of bus service, union service, \$25/hour for CATA drivers, CATA termination rights, millage support levels, Board acted on a proposal which required double the cost to the riders, alternatives to fare increases

Consensus of the Board to place this item on the agenda for action at the next Board meeting.

E. Towner Road/ I-69BL Water Main Capital Charges

Director of Public Works Derek Perry presented the Board with a proposed resolution to recoup costs of a new water main. The capital charge is to be paid by the owner of the premises at the time they connect to the new Township water mains.

Staff and Board Member Discussion:

- Board discussed the costs to the residents
- Capital charges, 5% annual increase
- Residents pay when they connect to the service

Consensus of the Board to place this item on the agenda for action at the next Board meeting.

14. COMMENTS FROM THE PUBLIC (NONE)

Supervisor Styka Opened Public Remarks.

Supervisor Styka Closed Public Remarks.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

A. Treasurer’s Report on Collections, Distributions and Investments.

Treasurer Brixie presented the quarterly Treasurer’s report on collections, distribution’s, fixed and non-fixed investments.

Treasurer Reported:

- Lynn and Ponderosa Land Preservation purchases
- Attended the meeting about Great Lake and inland lake invasive species, and relaxed proposed regulations
- Attended Tri-County Regional Planning Commission meeting, Clinton County wanting to add more voting seats, search committee for a new director, interviewing search firms.

Trustee Opsommer Reported:

- Asked attorney about school using Redi-Ride services, using tax funds

16. ADJOURNMENT

Trustee Deschaine moved to adjourn. Seconded by Treasurer Brixie.

VOICE VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:

Motion carried unanimously 6-0.

Supervisor Styka adjourned the meeting at 10:32 P.M.

RONALD J. STYKA
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK

Maggie Rodgers-Sanders, Secretary