

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MARCH 1, 2011 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Treasurer Brixie, Trustees Dreyfus, LeGoff, Ochberg,
Veenstra
ABSENT: Clerk Helmbrecht
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 P.M.

Without objection, Supervisor McGillicuddy appointed Trustee Dreyfus to serve as Clerk Pro Tem.

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.

Deb Canja, Chair, Lansing Community College (LCC) Board of Trustees, 3920 Sheldrake, Okemos, spoke to the Early College program being offered at LCC, where 10th grade students may sign up to earn both their high school diploma and an associate's degree simultaneously beginning their junior year. She noted more information on the three year program is available on LCC's website.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Manager Richards indicated all property owners were mailed a notice of property assessment. He added that included with the notice was information on the Township's watershed, recycling and notice of wetland inventory map. Manager Richards noted that as a whole, residential properties decreased by 2 to 2-1/2 percent, although some properties experienced an increase. He encouraged residents to contact the Assessing Department with any questions they may have and to request an appointment with the Board of Review if necessary.

Supervisor McGillicuddy added the Board of Review will meeting the week of March 14th, and the Assessing Department is currently scheduling appointments. She announced she spoke to the Haslett Kiwanis last week, Meridian Asset Resource Center (MARC) awards were held February 24th, and she attended the Michigan Municipal League (MML) meeting on February 28th where the legislative committee reviewed proposals before the Legislature, including a rewrite of the ability for municipalities to restrict liquor sales on Sunday morning.

Trustee Veenstra noted the passing of Geri Snell, a long time Meridian Township resident and citizen activist in the Towar Garden area. He reported his attendance at the regular Tri-County Regional Planning Commission (TCRPC) meeting on February 23rd where the transportation enhancement grant application for the pathway along the east side of Okemos Road from Central Park Drive to Gaylord C. Smith Court was approved. Trustee Veenstra noted in order to receive federal funding, American Association of State Highway and Transportation Officials (AASHTO) standards require the pathway to be 14 feet wide, an unrealistically wide width given the current economic climate.

He indicated the Township is also applying for a second grant through the Department of Natural Resources and Energy (DNRE) Trust Fund and the Park Commission will hold a public hearing on this issue at its March 8, 2011 meeting. TCRPC is hosting an Association of Pedestrian and Bicycle Professionals Training Course on Public Access Right-of-Way Accessibility Guidelines workshop on Wednesday, April 20th at the East Lansing Hannah Center.

Treasurer Brixie noted today, March 1st, is the day required by state law for Meridian Township to turn over all delinquent 2010 real property taxes to Ingham County for collection. She announced the Okemos Music Patrons annual spaghetti dinner will be held on Friday, March 4, 2011 from 4:00 until 7:00 P.M. at Okemos High School. Treasurer Brixie also announced the Meridian Area Business Association (MABA) Expo will be held on Saturday, March 12th from 10:00 to 3:00 P.M at Haslett High School.

Trustee Dreyfus reported the third Meridian Time Bank meeting was held on Saturday, February 26, 2011. He reported the next phase will take place in late March/early April where the network will be launched. Trustee Dreyfus noted he met with Bill Conklin, Managing Director of the Ingham County Road Commission (ICRC) regarding progressive traffic light signaling, particularly along Okemos Road between Jolly and Mt. Hope Roads and Lake Lansing between Coolidge Road and Eastwood Town Center. He expressed appreciation to the Parks Department for distributing copies of the 2011-2015 Parks & Recreation Master Plan to Board members.

Trustee Ochberg noted distribution of her written concerns with specific ordinance “problems” to fellow Board members at their seats.

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda amended as follows:

- **Move Agenda Item #10F to Agenda Item #10A**
- **Reletter the subsequent action items**

Seconded by Trustee Ochberg.

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follows:

A. Communications

(1). Board Information (BI)

- BI-1 Bethel M. Skinker, Engineer, Environmental Resource Management Division, Department of Natural Resources and Environment, 525 Allegan Street; RE: Water System Evaluation for the Meridian Township Water Supply
- BI-2 Jeff Kruse, Vice-President, Belle Tire, 3500 Enterprise Drive, Allen Park; RE: Size of flag at its location in Meridian Township
- BI-3 Jon Chester, 383 Shoemsmith Road, Haslett; RE: Amendment to allow the keeping and raising of chickens and rabbits in one and two family zoning districts

(2). Staff Communication (SC)

SC-1 LuAnn Maisner, Director of Parks and Recreation; Transmittal to the Board of the Draft 5-Year Parks and Recreation Master Plan: 2011-2015

Treasurer Brixie 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 Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the February 15, 2011 Regular Meeting as submitted. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

C. Bills

Treasurer Brixie moved that the Township Board approve the Manager's Bills as follows:

Common Cash	\$ 154,375.01
Public Works	\$ 23,045.45
Total Checks	\$ 177,420.46
Credit Card Transactions	\$ 6,893.88
Total Purchases	<u>\$ 184,314.34</u>
ACH Payments	<u>\$ 488,278.25</u>

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

[Bill list in Official Minute Book]

D. Assessing Stipulations

Treasurer Brixie moved that Peter A. Teholiz be authorized to sign a stipulation with The Becky, LLC for the following property:

<u>PARCEL NUMBER</u>	<u>ADDRESS OF PROPERTY</u>
33-02-02-06-351-001	3499 Lake Lansing Road, East Lansing
<u>Original Values:</u>	2009 \$387,300 AV and \$387,300 TV
	2010 \$348,700 AV and \$348,700 TV
<u>Proposed Revised Values:</u>	2009 \$275,000 AV and \$275,000 TV
	2010 \$262,500 AV and \$262,500 TV

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

Treasurer Brixie moved that Peter A. Teholiz and David C. Lee be authorized to sign a stipulation with Peninsula Hotel Group, LLC for the following property:

<u>PARCEL NUMBER</u>		<u>ADDRESS OF PROPERTY</u>
33-02-02-33-378-004		3553 Meridian Crossing, Okemos
<u>Original Values:</u>	2009	\$3,562,500 AV and \$3,562,500 TV
	2010	\$3,166,400 AV and \$3,166,400 TV
<u>Proposed Revised Values:</u>	2009	\$2,876,600 AV and \$2,876,600 TV
	2010	\$2,732,800 AV and \$2,732,800 TV

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

Treasurer Brixie moved that David C. Lee be authorized to sign a stipulation with George and Judith M. Nastas, III for the following property:

<u>PARCEL NUMBER</u>		<u>ADDRESS OF PROPERTY</u>
33-02-02-12-126-008		5943 Summerfield, Haslett
<u>Original Values:</u>	2010	\$158,900 AV and \$158,900 TV
<u>Proposed Revised Values:</u>	2010	\$142,500 AV and \$142,500 TV

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

Treasurer Brixie moved that David C. Lee be authorized to sign a stipulation with Accord Properties, LLC in accordance with the revised assessed and taxable values as stated below:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 398612
ACCORD PROPERTIES, LLC
PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-17-459-003	5042 Wardcliff	2010	\$24,200	\$24,127
33-02-02-17-460-002	2722 Grand River	2010	\$390,700	\$390,700

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-17-459-003	5042 Wardcliff	2010	\$13,500	\$13,500
33-02-02-17-460-002	2722 Grand River	2010	\$271,800	\$271,800

Seconded by Trustee Ochberg.

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

NAYS: None
Motion carried 6-0.

E. Appointment to the Cable Communications Commission

Treasurer Brixie moved that the Township Board approve the reappointment of Patrick Crowley to the Cable Communications Commission for a term ending December 31, 2013. Seconded by Trustee Ochberg.

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

NAYS: None
Motion carried 6-0.

F. 2011 Order to Maintain Sidewalks, Special Assessment District No. 12, **Resolution #3**

Treasurer Brixie moved to approve 2011 Order to Maintain Sidewalk Special Assessment District #12, Resolution #3 which approves repair and maintenance of sidewalk in portions of the following areas: Briarwood Subdivision #4, #5, #6, #8, #9, #11, and #12, Cahill Gardens #2, Heritage Hills, Hidden Meadows, Hidden Valley, Hidden Valley #2, #3, and #4, Kinawa View, Kinawa View #2, #3, and #4, Lildor, Okemos Square, Shoals, Timber Lane #1, #2, #3, and #4, and Village of Nemoka; and East Meadows Condos, Shaw Place Condos; and four metes and bounds parcels, and to defray the cost by special assessment; approves the cost estimate of \$36,615.15; determines the special assessment district; directs the making of an assessment roll, including a certificate; and authorizes notices be sent to the property owners giving 20 days notice to replace defective sidewalk. Seconded by Trustee Ochberg.

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

NAYS: None
Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Tim Allard, Williamston City Manager, and Curt Zaleski, President, Red Cedar Recreation Association Advisory Board, 161 E. Grand River Avenue, offered background information and rationale for their support of the Recreation Services Agreement with the City of Williamston.

Steve Schultz, President, Fahey, Schultz, Burzych and Rhodes, 730 Knightsford Lane, Okemos, spoke in opposition to Rezoning #10070, as he believed this property can be economically used under its current zoning. He offered several comments regarding use of this property as a medical marihuana clinic.

Dr. Shannon Wiggins, 2310 East Michigan Avenue, Lansing, owner of the property at 4133 Okemos Road, responded to previous public comment by stating that, legally, she cannot dispense marihuana. She added that what she does (certification) can be done in any medical office within the State of Michigan.

Mohammed Abdul Jabbar, 2310 East Michigan Avenue, Lansing, identified himself as Dr. Wiggins husband and explained the need for this RA property to be rezoned to PO in order to be consistent with the surrounding PO properties. He spoke to the type of patients which will be seen at the proposed medical office, noting a portion of the practice provides a community service to some 4,000 patients on the Ingham Health Plan. Mr. Jabbar added there will be no signage related to medical marihuana on the premises.

Supervisor McGillicuddy closed public comment.

A. Recreation Services Agreement with City of Williamston

Treasurer Brixie moved to enter into a one-year agreement with the City of Williamston to provide administrative services for the operation of youth baseball, softball, tackle football and basketball for a fee of \$16,000 and to authorize the Township Manager to sign the agreement. Seconded by Trustee Veenstra.

Board members discussed the following:

- Example of regional cooperation
- Precludes duplication of services within the area
- Provision for waiver of fees and scholarships for disadvantaged youth

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

NAYS: None

Motion carried 6-0.

B. Rezoning #10070 (Wiggins), request to rezone 4133 Okemos Road from RA (Single Family-Residential) to PO (Professional Office) **Final Adoption**

Trustee Ochberg 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. 2011-01 entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning #10070” from RA (Single Family-Medium Density) to PO (Professional and Office).

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 finally adopted at least once prior to the next regular meeting of the Township Board. Seconded by Trustee Veenstra.

Board members discussed the following:

- Rezoning should be addressed as a land use issue
- Rezoning will fulfill the design of the Future Land Use Map in the Master Plan for this parcel
- Statements regarding medical marihuana are irrelevant to the land use issue before the Board

Supervisor McGillicuddy offered the following friendly amendment:

- **Place a condition on the rezoning that no signage referencing medical marihuana shall be displayed**

The maker did not accept the amendment.

Continued Board member and staff discussion:

- Applicant's husband stated he would agree to a condition stating there would be no reference to marihuana in signage for this location
- Concern the proposed condition applies a law unequally and violates the 14th amendment to the Constitution
- No proven community need for additional office zoning at this time
- Ample office space is currently available for sale or rent in Meridian Township
- Master Plan is a guide for the future, not a zoning map
- Owner purchased this property zoned as RA
- Continued concern with sufficient parking on the site
- Existing site has 20 parking spaces
- Criteria for parking spaces for medical offices based on 5 parking spaces for every 1,000 square feet of floor area
- In the event there is not sufficient parking for patients, the Township is authorized under the ordinance to require additional parking
- RA zoning is no longer appropriate at this site
- PO zoning on this site was recommended by the Planning Commission
- Ideal site for a medical office building
- Reuse of an existing building
- Concern with legal ramifications of not approving the rezoning
- Physicians offices are allowed in office and commercial districts
- Property not economically viable zoned RA as it has been vacant for two (2) years
- Any illegal activity, once documented, can be dealt with under existing Township ordinances and state law
- There are a finite number of residents in the greater Lansing area who will make application for a medical marihuana card
- Medical marihuana is safer, less toxic and not addictive like pharmaceuticals
- Reminder that a doctor gives a recommendation for medical marihuana, not a prescription
- There is a seventy (70) year bias to overcome relative to marihuana
- Concern with the loss of significant trees which were cut down by the applicant without a permit
- Two year vacancy of property on a major thoroughfare decreases property values, but a medical clinic will increase property values and have a positive impact on the community
- Future Land Use Map is not a guide, but the desire of the Township to move in that direction
- Medical offices are allowed by right in PO
- Medical clinics are allowed by SUP in residential districts
- Medical marihuana dispensaries in Meridian Township are allowed only in commercial districts
- Decision cannot be made on the merits of the type of physician to occupy the building
- Rezoning needs four (4) votes for passage

ROLL CALL VOTE: YEAS: Trustees Dreyfus, Ochberg, Veenstra, Supervisor McGillicuddy
NAYS: Trustee LeGoff, Treasurer Brixie
Motion carried 4-2.

- C. 2009 State of Michigan Construction Codes Update, **Final Adoption**
Trustee LeGoff 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. 2011-02, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 14, Article III, Division 2, by amending Section 14-81."

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 finally adopted at least once prior to the next regular meeting of the Township Board. Seconded by Treasurer Brixie.

Board members discussed the following:

- Ordinance applies only to the rental dwelling section as all other sections of the Code of Ordinances have been amended to allow for automatic updates of the most recent edition of the State Construction Code

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

NAYS: None

Motion carried 6-0.

D. Zoning Amendment #10010 (Township Board), a request to amend Section 86-368 (b) (2) Home Occupations to update the allowed uses and standards for home occupations, **Introduction**

Board members and staff discussed the following:

- Support of the previous request for the EDC to provide input on the home occupation ordinance
- Concern with prohibition on selling merchandise or supplies on the premises
- Support for broadening home occupations to allow for more businesses while specifying how the residential neighborhood should be protected
- Amend condition #9 to state: Ancillary sales associated with an appointment only personal service would be allowed on the premises
- Support for written comment by one Board member that this ordinance is too restrictive
- Governing principle of regulating home occupations should be the statement that no home occupation shall adversely impact the surrounding neighborhood
- Concern that the Director of Community Planning and Development has the power to determine if an occupation, even one listed as allowed, should be prohibited
- Restriction on internal combustion engines would preclude repair of home lawn mowers
- Placing a limit on the use of 25% of the dwelling's floor area or 500 square feet, whichever is less for a home occupation is an arbitrary limit
- Concern with the restriction that all activities related to a home occupation must take place indoors
- Outside entry could be added as long as it did not change the residential character appearance of the home
- Two foot sign regulation is adequate for a home occupation
- Signage could hang from a mailbox
- Section 86-368 (b) (2) a. 4: delete "including" and insert "limited to" and add "nutritionist" after dietitians
- Possible inclusion of language to allow a temporary A frame sign
- Current ordinance restriction for the location of A frame signs within five (5) feet of a door
- Suggestion to also send the proposed language to the Downtown Development Authority (DDA) and Meridian Area Business Association (MABA)
- Concern with redundancy listed in Section 86-368 (b) (2) b. 7 as the Township's current code of ordinances covers the items contained in the proposed zoning amendment
- Belief that the code enforcement process is adequate to address concerns contained in this proposed zoning amendment
- Inclination is to repeal the current home occupation ordinance
- Number of yearly complaints relative to the current home occupation ordinance is approximately 10-12
- Majority of complaints are relative to contract businesses with accompanying equipment run out of a home
- Section 86-368 (b) (2) b. 9 was written to address retail businesses out of the home
- Board member request for copies of photographs which were submitted as examples of types of violations
- When an appearance ticket is written by the Township, the magistrate or district judge is looking for specific references in the code as the enforcement authority

- Staff comment that specificity in the ordinance aids in the judicial component of the enforcement process

Trustee Ochberg moved to refer this ordinance amendment proposition to the EDC and DDA and make a written request to MABA for comments on what amendments, if any, should be made to our home occupation ordinance. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

- E. Amendment to the Wetland Protection Ordinance for compliance with state law, **Introduction**
Trustee Dreyfus moved [and read into the record] 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, Michigan, Chapter 22, by Amending Article IV, Wetland Protection.”

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. Seconded by Treasurer Brixie.

Board members discussed the following:

- Strong desire for the Township to protect its wetlands
- Resolution brings the Township into conformity with changes in state law

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Treasurer Brixie
NAYS: None
Motion carried 6-0.

- F. Ordinance to Regulate Utility Structures, **Final Adoption**
Treasurer Brixie 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. 2011-03, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 78, by Adding Article IV, Utility Structures.”

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 finally adopted at least once prior to the next regular meeting of the Township Board. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Issue surfaced as a result of complaints by residents
- The proposed ordinance was discussed at three (3) previous Board meetings
- Introduction of this ordinance amendment in the Fall of 2010 brought all parties together to create a regulatory procedure
- Requirement that the utility companies meet with residents and staff will allow for a location satisfactory to all parties prior to installation
- Detailed engineering standards will be placed in the engineering code under the Director of Public Works and Engineering
- Department of Public Works and Engineering design and construction standards are essentially the same as in the introduction of the proposed ordinance

- Department of Public Works and Engineering design and construction standards speak primarily to site distance and location of the boxes as well as location in relation to existing utilities

Trustee Veenstra offered the following friendly amendments:

- Delete “&” and insert “and” in Section 78-405
- Delete “this” and insert “them” in Section 78-401. Definitions.

The maker of the motion accepted the amendments.

Trustee Veenstra offered the following friendly amendment:

- Delete “five days” and insert “ten days” in Section 78-407 (3)

The maker of the motion did not accept the amendment.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy,
Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Commission Review #10133 (Grand Petro Mart), Section 61 review of character, location and extent for a water main extension within the road right-of-way of Grand River Avenue, from Wellington Drive, eastward to 743 Grand River Avenue
Director Kieselbach summarized the commission review as outlined in staff memorandum dated February 25, 2011.

Board members and staff discussed the following:

- 2007 settlement agreement contained in the staff materials allowed for a water main extension out to this property
- Allowing for the water main extension as recommended by the Township’s Fire Department would provide better fire protection for this property and the trailer park across the street
- Property in this area of the Township is already developed
- 2007 settlement agreement was for 743 Grand River Avenue
- 2007 settlement agreement was for a piece of property further to the east
- Agreement with Planning Commission rationale that the site can be adequately served by well water
- Agreement with Planning Commission rationale that the proposed fire suppression system for the gas station is adequate
- Support for an urban service boundary to protect the eastern third of the township and maintain its rural character
- Business located on this site was in existence prior to TCRPC’s proposed urban service boundary
- Equity issue in allowing a water main to Wellington Estates but not a business which has been in existence for 20 years or the existing trailer park
- Zoning and a future land use map are in place to protect this area from growth patterns which are not consistent with existing Township policies
- Real question before the Board is what is best for the environment on this site
- Business owner has the ability to expand his business by installing additional wells
- Contamination on site has already been registered and is being monitored
- Leaking of underground storage tanks is a threat to the Township’s drinking water supply
- Wells are a primary source of groundwater contamination in the tri-county area
- Reminder to the Board that the Township’s zoning, master plan and future land use map are adequate protection for nearby rural residences
- Placement of new wells require a lining to protect infiltration of pollutants
- Drilling of a second well would allow for additional fire suppression capacity

- Concern with statement that the fire department has no way to connect any pumping device to a well
- More cost effective to find a way to extract water from the well for fire suppression than to extend the water main
- Planning Commission voted 6-0 to not extend the water main
- According to TCRPC, each mile of extension of public services costs over \$1 million
- Concern granting this extension will jeopardize our rural area
- No less than two-thirds of the entire membership of our Board is required to overrule the decision of Planning Commission to deny the water main extension
- There are not five (5) Board votes to overturn the Planning Commission decision
- Cost of the water main extension will be paid by the property owner, not Meridian Township
- Any "looping", etc. after this extension was paid for by the applicant would require Township Board approval
- Concept of an urban service boundary is for protection of the environment
- Importance of groundwater protection
- Danger in drilling wells where petroleum products, underground storage tanks and existing contamination are present on a site
- Key aspect of an urban service boundary as presented by TCRPC was control of urban services is what leads to the "ultimate" protection of the environment and the main way to accomplish that is to control water and sewer
- Control of water and sewer stops an endless encroachment which affects the impact upon water and the consumption of natural resources
- Urban service boundary protects the groundwater by limiting future high level development in the area
- Extension of sewer has more control over development than water extension
- Information contained in the December 10th staff report to the Planning Commission states that the existing well does not meet current Ingham County Health Department (ICHD) standards for a public water supply as the well is located too close to the underground storage tanks
- Information contained in the December 10th staff report to the Planning Commission also states that both the Township Fire Department and the ICHD would prefer the site be served by a public water main for health and safety concerns
- Urban service boundaries encourage redevelopment where water, sewer, police and fire response routes, school bus routes and parks already exist
- Wells have limited ability over a sustained period of time to pump sufficient amounts of water to contain a fire situation

Without objection, Supervisor McGillicuddy placed this item on for action at the March 15, 2011 Board meeting.

B. Update to Board Priorities

Director Kieselbach summarized updates to Board Priorities as outlined in staff memorandum dated February 24, 2011.

Board members discussed the following:

- Staff is preparing to send the conservancy district to the Planning Commission now that a pending lawsuit has been settled
- Begin discussion on use of native vegetation for residential lawns
- Current vegetation ordinance states residents can grow "anything" if it is considered ornamental
- Belief a resident could grow native vegetation for residential lawns under the current vegetation ordinance
- Concern with departmental interpretation placed on the current vegetation ordinance
- Belief the Board should not regulate the content of murals
- Current ordinance is written such that murals are not allowed and the interpretation by staff should be "adjusted" to have a broader interpretation of home décor and a less restrictive interpretation of what constitutes a sign
- Suggestion for Board discussion relative to the policies code enforcement should pursue and how they should interpret ordinances

- Responsibility of the Township Manager to redirect code enforcement officers in their method of handling complaints
- Previous Board member request for the expensive requirements contained in the proposed wind energy ordinance to be omitted as one purpose is to save money on energy
- Amendment to allow the keeping and raising of chickens and rabbits in one and two family zoning districts discussed at the Planning Commission last evening
- Concern the draft ordinance regarding chickens and rabbits will be overly restrictive
- Changes need to be made at the state level relative to mobile homes
- Board member preference to discuss bed and breakfast
- Definition of a sign contained in Section 86 of the Code of Ordinances
- Regulation on flags restricts the size and height and was placed in the commercial district as a result of an issue which occurred in 1992-93 along Okemos Road
- Highest priority of one Board member to enact a tree protection ordinance
- Concern with Board comments regarding staff's interpretation of ordinances when the Board has the ability to instruct staff in its interpretation, but lacks consensus to do so

It was the consensus of the Board to begin discussion on amending the Township's vegetation, murals, mobile homes and bed and breakfast ordinances.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

14. POSSIBLE CLOSED SESSION

Trustee Ochberg moved that the Township Board go into closed session to discuss the personnel evaluation of the Township Manager pursuant to MSA 4.1800(18) a. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0.

Supervisor McGillicuddy recessed the meeting at 9:37 P.M.

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

Treasurer Brixie moved to return to open session. Seconded by Trustee Ochberg.

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

NAYS: None

Motion carried 6-0.

Supervisor McGillicuddy reconvened the meeting at 10:45 P.M.

Treasurer Brixie moved to extend the current contract of the Township Manager for an additional year (through December 31, 2012) and to announce the extension at the beginning of the next Board Meeting. Seconded by Trustee Ochberg.

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

NAYS: Trustee Veenstra

Motion carried 5-1.

15. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:50 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

BRETT DREYFUS
CLERK PRO TEM

Sandra K. Otto, Secretary