

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, MAY 21, 2013 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra, Wilson  
ABSENT: None  
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Fire Chief Fred Cowper, Director of Information Technology Stephen Gebes, Director of Parks and 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. A moment of silence was observed for the victims of the Oklahoma devastation.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Andrew Such, 1147 Woodwind Trail, Haslett, addressed the Haslett Kiwanis Club's project titled "Flags over Meridian." He indicated this service provide funds for various Kiwanis projects in Meridian Township geared toward children.

Neil Bowlby, 6020 Beechwood Drive, Haslett, offered comments regarding previous Board deliberations on the urban service boundary.

Vance L. Kincaid, 4530 Nakoma Drive, Okemos, spoke to frequent closings on Okemos Road due to flooding in relation to services to be provided by the new central fire station. He believed a better location for the new fire station to be on Gaylord C. Smith Court and urged the proposed location be revisited.

Supervisor LeGoff closed Public Remarks.

5. BOARD COMMENTS & REPORTS

Supervisor LeGoff reported her attendance at a recent Supervisor's Meeting where the topics of ethics and dealing with the media were discussed.

Clerk Dreyfus reported his attendance at the Lansing Chamber of Commerce's forum for elected officials, where regional economic development was discussed. He requested Board members, Department Directors, and staff modify the language contained in motions in order to bring clarity to the Board minutes.

Trustee Scales synopsised his interaction with residents on Cornell Road while witnessing the Ingham County Department of Transportation and Roads placing equipment to perform a traffic/speed study. He spoke to the excessive speed of cars traveling on the road since potholes have been filled. Trustee Scales attended grand openings for new businesses Sugarberry and Azi's Kabob. He also attended the Chamber of Commerce meeting where future projects were discussed. Trustee Scales asked the Board to place performance standards for the new Township Manager on the next agenda.

Trustee Veenstra announced Trustee Scales will be honored with Lansing Community College's 2013 Distinguished Alumni of the Year Award at the Meridian Asset Resource Center (MARC) on May 23, 2013 at 6:00 PM. He attended the May 15<sup>th</sup> Tri County Regional Planning Commission's (TCRPC) Transportation Review Committee where discussion took place regarding a \$596,000 grant for Michigan Flyer to help defray start-up costs to increase daily runs to Detroit Metro Airport. He noted this item failed to pass the Transportation Review Committee on a tie vote.

Trustee Styka attended the May 13<sup>th</sup> and 20<sup>th</sup> Planning Commission meetings and a May 16<sup>th</sup> webinar regarding cable franchise litigation with Comcast. He reported his attendance at the Lansing Regional Chamber of Commerce forum where the Michigan Flyer grant was also discussed. He believed the Michigan Flyer provides a valuable service to senior citizens, MSU students, etc. Trustee Styka noted the Haslett Public Schools are requesting a 1.25 mill building and site millage and Okemos Public Schools are considering a partial lease of Wardcliff Elementary School to Ingham County Community Mental Health for an autistic student educational program facility. He noted his attendance at the Future of Education Forum on May 16<sup>th</sup>. Trustee Styka reported on the success of the Meridian Recycling Event offering statistics on the amount of metal, books, etc. which were collected.

Trustee Wilson attended the Ingham County Future of Education Forum held at Chippewa Middle School on May 16<sup>th</sup> where there was significant regional and community participation.

Treasurer Brixie announced the Celebrate Downtown Okemos Event will be held on Saturday, June 1<sup>st</sup> from 3:00 PM until 9:00 PM near the intersection of Hamilton and Okemos Roads.

A. Treasurer's Quarterly Report

Treasurer Brixie summarized delinquent personal property tax collection totals for tax years 2008-2012, 2012 total tax year collections and distributions as of May 16, 2013, and current fixed maturity investments and non-fixed investments as of April 30, 2013.

6. **APPROVAL OF AGENDA**

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

VOICE VOTE: Motion carried unanimously.

7. **CONSENT AGENDA (SALMON)**

Supervisor LeGoff reviewed the consent agenda.

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

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

NAYS: None

Motion carried unanimously.

Board members discussed the following:

- Board process for discussion of a consent agenda item

A. Communications

(1) Board Deliberation (BD)

BD 7I-1 Gordon Mackay, President and Ody Norkin, Vice-President, Michigan Flyer, 333 Albert Street, Suite 110, East Lansing; RE: Public Comment on Lansing Airport opposition to more frequent Michigan Flyer Service

BD11C-1 Mark Jordan, 3995 Shoals Drive, Okemos; RE: Cornell Road

BD11C-2 Beth Hubbell, 1158 Woodside Drive, Haslett; RE: Cornell Road Project

BD11C-3 Bill Conklin, Managing Director, ICDTR, 301 Bush Street, Mason; RE: Response to letter from Cindy Greenleaf concerning the Cornell Road Improvement Project

- BD11C-4 William Conklin, Managing Director, ICDTR, 301 Bush Street, Mason; RE: Response to letter from Kay Duncan concerning Cornell Road
- BD11C-5 Elizabeth Boyce, 800 ½ E. Michigan Avenue, Lansing; RE: Cornell Road
- BD11C-6 Jim Linnemann, 1154 Teakwood Circle, Haslett; RE: Cornell Road Revisions
- BD11C-7 Rollie Harmes, 5120 Cornell Road, Okemos; RE: Cornell Natural Beauty Road

(2) Board Information (BI)

- BI-1 Robert Peterson, Director of Engineering, Ingham County Department of Transportation and Roads (ICDTR) , 301 Bush Street, Mason; RE: Marsh and Hamilton Roundabout
- BI-2 Ron Rivard, 3655 Ponderosa Drive, Okemos; RE: Expansion of the Deer Culling Program (staff response is also included)
- BI-3 David Rothstein, 1091 Woodwind Trail, Haslett; RE: Deer Control
- BI-4 Jay Murthy, 2483 Robins Way, Okemos; RE: Concerns regarding planned walkway adjoining property at 2483 Robins Way
- BI-5 Susan Masten, 1320 Ivywood Drive, Okemos; RE: Pubic Meetings and Hearings and the Democratic Process
- BI-6 Elaine Davis, 4611 Arrowhead Drive, Okemos; RE: Conduct of Cornell Road Hearing

(3) Commission Linkage (CL)

- CL-1 Will Tyler White, 4706 Okemos Road, Okemos; RE: Letter of resignation from the Economic Development Corporation
- CL-2 Marsha Madle, Chair, Economic Development Corporation; RE: EDB Board Vacancy

(4) On File in the Clerk's Office

Material handed out at the May 9, 2013 Regular Board Meeting

- Pam Fraker, 351 Newman Road, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- John Matuszak, 1684 N. Crystal Cove, Haslett; RE: Support for the Cornell Road Improvement Project
- Kenneth D. Rosenman, 1500 Sylvan Glen, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Brett DeGroff, 4224 Shoals Drive, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Leah Bauer, 4372 Greenwood Drive, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Brad Brogren, 5004 Cornell Road, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Carolyn Sherrill, 4443 Alderwood Drive, Okemos; Support for the Cornell Road Improvement Project
- Gene F. Turnwald, 2160 Hamilton Road, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Christina McAlvey, 986 Gulick Road, Haslett; RE: Cutting of trees on Cornell Road
- Doris Imshaug, 5280 Cornell Road, Haslett; RE: Cornell Road Improvement Project
- Joan Wierzba, 1268 Harbor Cut, Okemos; RE: Cornell Road Improvement Project
- Kathleen Gross, 2076 Belding Court, Okemos; RE: Opposition to the Cornell Road Improvement Project as proposed
- Beth Bechtel, 1165 Cliffdale Drive, Haslett; RE: Opposition to the Cornell Road Improvement Project as proposed

Eckhart Dersch, President, Liaison for Inter-Neighborhood Cooperation (LINC), PO Box 40, Okemos; RE: Proposed Cornell Road Widening  
Karen Fraser, 1576 Mojave Court, Okemos; RE: Cornell Road  
Robert and Elizabeth Wasserman, 2796 Buglers Way, East Lansing; RE: roads  
Sue Nieland, 2301 Kewanee Okemos; RE: Cornell Road  
Mary Ann Martin, 2504 Arrowhead Drive, Okemos; RE: Cornell Road  
Elizabeth Boyce, 800-1/2 E. Michigan Avenue, Apt. 6, Lansing; RE: Cornell Road  
Rollie Harmes, 5120 Cornell Road, Okemos; RE: Cornell Natural Beauty Road  
Holly Cordill, 1484 Forest Hills, Okemos; RE: Cornell Road Proposal  
Chuck Veverka, 5266 Cornell Road, Haslett; RE: Cornell Road Improvement Project  
Carol King, 1445 East Pond Drive, Okemos; RE: Support for One Capitol Region fairness and equality

**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 Veenstra.**

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

B. Minutes

**Treasurer Brixie moved to approve and ratify the minutes of the Regular Meeting as submitted. Seconded by Trustee Veenstra.**

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

C. Bills

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

Common Cash	\$ 506,534.42
Public Works	\$ 326,869.93
Total Checks	\$ 833,404.35
Credit Card Transactions	\$ 9,734.40
Total Purchases	<u>\$ 843,138.75</u>
ACH Payments	<u>\$ 55,530.11</u>

**Seconded by Trustee Veenstra.**

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

[Bill List in Official Minute Book]

D. Assessing Stipulations

**Treasurer Brixie moved that the Township Attorney be authorized to sign a stipulation with CCPL Real Estate Group, LLC in accordance with the revised assessed and taxable values as follows:**

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 435075  
CCPL REAL ESTATE GROUP, LLC  
PROPOSED STIPULATION FIGURES**

**Original Values**

<b>Parcel Number</b>	<b>Address</b>	<b>Year</b>	<b>Original Assessed Value</b>	<b>Original Taxable Value</b>
33-02-02-21-177-006	2243 Grand River	2012	\$445,500	\$432,611

**Proposed Revised Values**

<b>Parcel Number</b>	<b>Address</b>	<b>Year</b>	<b>Revised Assessed Value</b>	<b>Revised Taxable Value</b>
33-02-02-21-177-006	2243 Grand River	2012	\$412,500	\$412,500

Seconded by Trustee Veenstra.

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

**Treasurer Brixie moved that the Township Attorney be authorized to sign a stipulation with Viking Partners Lansing, LLC in accordance with the revised assessed and taxable values as follows:**

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 450223  
VIKING PARTNERS LANSING, LLC  
PROPOSED STIPULATION FIGURES**

**Original Values**

<b>Parcel Number</b>	<b>Address</b>	<b>Year</b>	<b>Original Assessed Value</b>	<b>Original Taxable Value</b>
33-02-02-22-126-024	4886 Marsh	2013	\$695,300	\$695,300

**Proposed Revised Values**

<b>Parcel Number</b>	<b>Address</b>	<b>Year</b>	<b>Revised Assessed Value</b>	<b>Revised Taxable Value</b>
33-02-02-22-126-024	4886 Marsh	2013	\$500,000	\$500,000

Seconded by Trustee Veenstra.

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

E. Appointment of Township Manager to the Economic Development Corporation Board

**Treasurer Brixie moved to appoint Township Manager Frank L. Walsh to the Economic Development Corporation Board for the term ending December 31, 2015. Seconded by Trustee Veenstra.**

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

- F. Outdoor Gathering Permit Approval – Celebrate Downtown Okemos  
**Treasurer Brixie moved to approve the Outdoor Assembly License for Meridian Township Downtown Development Authority’s Celebrate Downtown Okemos event on June 1, 2013, as described in the memorandum dated May 17, 2013. Seconded by Trustee Veenstra.**

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

- G. Bank Resolutions  
**Treasurer Brixie moved to adopt a resolution entitled “Authority to Open an Account” at: PNC. Seconded by Trustee Veenstra.**

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

**Treasurer Brixie moved to adopt a resolution entitled “Authority to Open an Account” at:**

**Flagstar  
Independent Bank  
Mason State Bank  
Mercantile Bank of Michigan  
Michigan Class Investment Pool-administered by Cutwater Asset Management  
MSU Federal Credit Union  
Multi Bank Securities  
Pershing LLC  
Group of Wells Fargo Advisors  
First Clearing LLC  
Summit Community Bank**

**Seconded by Trustee Veenstra.**

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

- H. Summer School Tax Collection Agreements  
**Treasurer Brixie moved that the Township Board approve the “2013 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: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None

Motion carried unanimously.

I. Resolution of Support for Michigan Flyer Grant

**Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED, THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby strongly supports the addition of the “12MI003 Michigan Flyer New I-96 Route” project to the Tri-County Regional Planning Commission’s Regional Transportation Improvement Plan.**

**Seconded by Trustee Veenstra.**

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

NAYS: None

Motion carried unanimously.

J. The Meadows Subdivision Public Streetlighting Improvement, Special Assessment District #324 – **Resolution #3**

**Treasurer Brixie moved to approve The Meadows Streetlighting Special Assessment District No. 324, Resolution #3, which approves the construction of the public improvement, the estimate of cost, and defraying the cost by special assessment; determines the special assessment district and directs the making of an assessment roll. Seconded by Trustee Veenstra.**

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

NAYS: None

Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of the Sewer Fund budget amendment, a lower speed limit on Cornell Road and the Department of Natural Resources (DNR) grant agreement regarding the Wonch Park Loop Trail. He apprised Board members that pending legislation changes the hours of allowable fireworks ignition and expressed interest that the Township’s Fireworks Ordinance be in compliance with state law.

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in support of the DNR Grant Agreement for the Wonch Park Loop Trail. He was concerned that any improvements made to the Wonch Park Loop Trail not disintegrate when flooding occurs and hoped appropriate construction will prevent that. He expressed appreciation to the ICDTR for blockade removal from the Nakoma Bridge.

Neil Bowlby, 6020 Beechwood Drive, Haslett, expressed several concerns with language contained in the Fireworks Ordinance.

Supervisor LeGoff closed Public Remarks.

A. Budget Amendment – Sewer Fund

**Treasurer Brixie moved that the 2013 Township budget be amended by increasing the budget in account 590-440.538-932.000, Sewer Line Repairs, by \$40,000, and increasing the budget in account 590-900.901-974.000, Construction/Improvements, by \$50,000, with all funds to come from the Sewer Fund fund balance. Seconded by Trustee Styka.**

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

NAYS: None

Motion carried unanimously.

- B. Resolution Requesting a Lower Speed Limit on Cornell Road  
**Trustee Veenstra moved to approve the resolution titled Cornell Road Speed Limit stating the Township Board's support for lowering the speed limit on Cornell Road north of Grand River Avenue from the existing 45 miles per hour to 35 miles per hour. Seconded by Trustee Scales.**

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

- C. DNR Grant Agreement – Wonch Park Loop Trail  
**Trustee Wilson moved to approve the attached resolution to authorize the acceptance of a Michigan Natural Resources Trust Fund Grant in the amount of \$45,000 with a required local match of \$15,000, to be paid by the General Fund for development of an accessible pathway in Wonch Park. Seconded by Trustee Scales.**

Board members discussed the following:

- Necessity of seizing opportunities to acquire funds from the state with a minimum Township match
- Appreciation for the work by the Parks and Recreation Director to obtain this grant

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

- D. Fireworks Ordinance – **Introduction**

**Treasurer Brixie 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. 2013-\_\_\_ entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 26, Article I by Repealing and Replacing Section 26-1.”**

**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 Wilson.**

Board members discussed the following:

- Previous lack of consensus on this issue, but need to find common ground for adoption

**Trustee Scales moved to table. Seconded by Trustee Veenstra.**

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

Board members discussed the following:

- The Fireworks Ordinance was tabled at the March 5, 2013 Board meeting
- Opinion of the previous Township Manager during discussion of parliamentary procedure regarding the necessity of removing this item from the table
- Resolution has substantially changed from the previous resolution which was tabled and does not need to be removed from the table

- Suggestion to withdraw the motion and start over with this issue
- Preference to declare the previous motion read as out of order and remove the original ordinance from the table

**Treasurer Brixie withdrew her previous motion and moved to remove the Fireworks Ordinance from the table. Seconded by Trustee Wilson.**

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

**Treasurer Brixie restated her motion as previously read. Seconded by Trustee Wilson.**

Continued Board discussion:

- Need for the Township to be in compliance with state law
- Interpretation whether “under the influence of” contained in Section 26-2(c) refers to a legal definition

**Clerk Dreyfus offered the following amendment:**

- **Amend Section 26-2 (c) to read: A person shall not ignite, discharge, or use Consumer Fireworks or Low-Impact Fireworks while under the influence of alcoholic liquor or a controlled substance.**

**Seconded by Trustee Veenstra.**

Board members discussed the following:

- Reminder that the language in the staff memorandum for Section 26-2 (c ) was taken verbatim from the state act
- Belief that the Board had previously reached consensus to institute a time of day limitation for the non-state unregulated days
- Vagueness of the language in state law which does not preclude the Board from including a definition of “under the influence”
- Deviation from state law can potentially create “competing” statements for the same offense and make enforcement by police officers problematic, since they have the ability to enforce state law or local ordinances
- Preference for law enforcement to enforce the local Fireworks Ordinance
- Legislature is currently considering amendments to the State Fireworks Act
- Preference to wait until the state acts on the amendments in the Legislature
- Belief the language in state law is poorly worded
- Proposed amendment clarifies Section 26-2 (c) and makes better sense
- National movement to reduce blood alcohol content (BAC) limit from .08 to .05

ROLL CALL VOTE YEAS: Trustee Veenstra, Supervisor LeGoff, Clerk Dreyfus  
ON THE DREYFUS NAYS: Trustees Scales, Styka, Wilson, Treasurer Brixie  
AMENDMENT: Motion failed 3-4.

**Trustee Wilson called the question. Seconded by Treasurer Brixie.**

ROLL CALL VOTE: YEAS: Trustee Wilson, Supervisor LeGoff, Treasurer Brixie  
NAYS: Trustees Scales, Styka, Veenstra, Clerk Dreyfus  
Motion failed 3-4.

**Trustee Scales moved to table the main motion. Seconded by Trustee Veenstra.**

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Clerk Dreyfus  
NAYS: Trustees Styka, Wilson, Treasurer Brixie, Supervisor LeGoff  
Motion failed 3-4.

Continued Board discussion:

- Current state law prohibits the Board from regulating ignition or discharging consumer fireworks thirty (30) days a year
- Board discretion to regulate fireworks the remaining 335 days of the year
- Concern with the total ban on consumer fireworks 335 days per year contained in Section 26-2 (a)
- Concern the proposed ordinance would prohibit discharge of consumer fireworks two days before the 4<sup>th</sup> of July
- Support to limit the hours for discharging fireworks
- Ban is only for the newly approved fireworks the remaining 335 days per year

**Trustee Styka offered the following amendment:**

- **Amend Section 26-2 (c) to add a subsection definition which adopts the definition from the State of Michigan Motor Vehicle Code for “under the influence.”**

**Seconded by Treasurer Brixie.**

Board members discussed the following:

- Board members are not at the level of consensus needed to properly address this issue
- Pending state legislation allows more leeway at the local level within the state’s 30 day regulated period
- Proposed language before the Board would not be affected by pending state legislation
- Consensus will not be reached if there is not Board discussion and debate

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

NAYS: None

Motion carried unanimously.

**Trustee Styka offered the following amendment:**

- **Add Section 26-2 (e): A person shall not ignite, discharge or use consumer fireworks or low impact fireworks between the hours of midnight and 10:00 AM.**

**Seconded by Treasurer Brixie.**

Continued Board and staff discussion:

- Board member support for a later timeframe during holiday periods and an earlier timeframe during non-holiday periods (10:00 PM to 10:00 AM)
- Michigan became a consumer fireworks state over the last two (2) years
- Current Township ordinance has no “teeth” relative to regulation of consumer fireworks
- Necessity of adopting a local ordinance prior to July 4<sup>th</sup> so the Township has authority over consumer fireworks
- The Township cannot alter anything during the 72 hours surrounding the ten (10) national holidays listed in the state act
- Two House Bills in the current legislative session: One changes the time during the ten (10) national holidays and changing the number of holidays from ten (10) to two (2) (i.e., New Year’s Eve and July 4<sup>th</sup>)
- No guarantee either bill will make it out of committee onto the House Floor for a vote
- Staff preference to have language in place for local enforcement which can be modified in the future if it is affected by changes in state law

**Trustee Veenstra moved to delete “or low impact fireworks” from the previous amendment.**

Board members and staff discussed the following:

- Regular fire crackers are consumer fireworks
- Low impact fireworks cannot leave the ground or make a noise

**Seconded by Clerk Dreyfus.**

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

**Clerk Dreyfus moved to change the starting time of the ban listed in the previous amendment from midnight to 11:00 P.M.**

**Seconded by Trustee Veenstra.**

**Trustee Scales called the question.**

**The motion died for lack of a second.**

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

ROLL CALL VOTE ON THE STYKA AMENDMENT: YEAS: Trustees Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: Trustee Scales  
Motion carried 6-1.

Continued Board discussion:

- Vote just taken is in advance of a potential change in state law allowing the board an opportunity to modify
- Original Styka amendment attempted to cover the other days as well if the Board is allowed regulate on those days

**Trustee Veenstra moved to delete Section 26-2 (a): A personal shall not ignite, discharge or use Consumer Fireworks, except on the day preceding, the day of, or the day after a National Holiday.**

**Seconded by Trustee Scales.**

Board members and staff discussed the following:

- Consumer fireworks were widely used by residents of Michigan, although not sold in Michigan prior to recent enactment of state law legalizing their sale
- Legislature banned local regulation of consumer fireworks 30 days a year on the day before, day of and day after ten (10) recognized holidays
- Total ban on the newly legalized consumer fireworks for the remaining 335 days per year is unreasonable
- Board member preference to allow staff to draft areas of agreement and bring back at the next meeting
- Concern the Veenstra amendment would allow low impact and consumer fireworks to be discharged throughout the year between the hours of 10:00 AM and 11:00 PM
- Inquiry of staff if neighboring communities are looking at a similar ban
- Staff researched ordinances throughout the state prior to bringing a draft to the Board
- Ordinance before the Board is for introduction and must come back for final adoption
- Significant safety difference between low impact and consumer fireworks
- State provided an opportunity last year for all municipalities to have the ability to oversee the sales of fireworks within their community and Meridian Township exercised that option
- State offered 80% of the permit fees to the community for providing that regulation
- Ordinance passed by the St. Joseph City Commission was very restrictive

ROLL CALL VOTE: YEAS: Trustee Veenstra  
NAYS: Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
Motion failed 1-6.

**Trustee Styka called the question on the main motion. Seconded by Treasurer Brixie.**

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

ROLL CALL VOTE ON THE MAIN MOTION: YEAS: Trustees Styka, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
NAYS: Trustees Scales, Veenstra  
Motion carried 5-2.

- E. Rezoning #13010 (Planning Commission), Rezone 5691 Babbitt Street from C-2 (Commercial) to RB (Single Family-Medium Density) – **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. 2013-03 entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #13010” from C-2 (Commercial) to RB (Single Family-High Density).**

**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 Scales.**

Board members discussed the following:

- Rezoning from commercial to residential use
- Residential use is in agreement with the Township’s Master Plan

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

- F. Preliminary Plat #03012 (Sierra Ridge), Plat Extension  
**Trustee Wilson moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #03012, Sierra Ridge Estates, for a period of two years, from July 1, 2013 to July 1, 2015, with the following condition:**

- 1. All previous conditions placed on the preliminary plat approval shall remain in effect.**

**Seconded by Treasurer Brixie.**

Board members discussed the following:

- Applicant paid an additional fee for the plat extension
- Seven (7) foot wide pedestrian/bicycle pathway was constructed along the subdivision frontage of Lake Lansing Road as required in condition #9 of the original plat approval

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

Supervisor LeGoff recessed the meeting at 8:05 P.M.

Supervisor LeGoff reconvened the meeting at 8:18 P.M.

11. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, addressed consultant fees paid to Bergmann Associates for the Cornell Road engineering design services. He inquired as to whose criteria was used by Bergmann Associates to make the recommended road improvement plans and analyzed costs for ICDTR alternatives.

Brian Dale, Chair, Okemos Downtown Development Authority (DDA), 4733 Okemos Road, Okemos, summarized the circumstances surrounding the DDA loan refinance request.

Will Tyler White, spoke to the DDA's responsibility for the streetscape in downtown Okemos and the importance of having a beautiful gateway to our community.

Doris Schwartz, 2209 Kent Street, Okemos, believed the Okemos Downtown Development Authority has not met its own goals, is a dysfunctional body and should be dissolved. She indicated the Township's money and reputation are at stake.

Ann Alchin, 5972 Cypress, Haslett, indicated the DDA serves a small area of the Township and has received \$244,000 of Township money. She requested the Board not waste any additional tax dollars on a body which does not meet its own goals.

Supervisor LeGoff closed Public Remarks.

A. Downtown Development Authority Loan Agreement

Board members and DDA board member discussed the following:

- DDA was formed in 2005 and overall property values increased since its inception
- Accumulations of those property tax increases constitute the "tax capture"
- Meijer still has a positive tax capture for the DDA
- Other development projects within the DDA are in the works
- 60% of the revenues the DDA captures come from Ingham County and 40% from the Township
- Refinance of the streetlight plan allows the DDA to continue capturing both county and Township revenues to complete the project and pay off the debt in a reasonable fashion
- Option 2 allows a longer time for the DDA to begin making principal payments while providing the Township with a better yield on its return
- Debt restructure allows the DDA to continue operation for a number of years paying interest only on the streetlight debt
- DDA made a principal and interest payment in 2012
- DDA made \$35,000 in total principal and interest payments in 2012
- Request for itemization of debt payments on the original loan
- Board member opposition to lend the DDA an additional \$60,000
- Board member suggestion to have the DDA cut its budget to "bare essentials" to provide more of the \$86,000 owed to Meijer without borrowing from the Township
- DDA has implemented \$10,000 in budget cuts for its 2013 budget (elimination of art work, reduction in funds spent on the Celebrate Downtown Okemos event, flowers, etc.)
- Further reductions would eliminate watering of flowers and powering of streetlights
- DDA Board members donated funds to support this year's Celebrate Downtown Okemos

- Budget cuts have provided revenues in excess of expenditures
- DDA has decreased its 2013 budget by approximately \$10,000
- Cash on hand includes the surplus
- Increase in property values despite the loss of businesses
- DDA should receive a net revenue from Meijer in 2013
- Dissolution of the DDA would require the Township to repay its debts
- Reminder that the Douglas J development will provide significant funds for the DDA when the brownfield is paid back
- Preference for Meijer repayment from cash on hand and budget reduction
- Fiscally prudent for the Board to approve the refinancing plan so that the DDA can continue capturing county dollars to help fund its operations, which includes repayment to the Township
- DDA built its budgets around the projected dollars received, and the reduction of tax capture from Meijer has placed the DDA in financial jeopardy
- List of DDA goals accomplished
- Request for an increase in the amount owed to \$200,000 and lengthening the time of repayment will result in more interest paid
- Request for a copy of the DDA's strategic plan to achieve its goals
- DDA's strategic plan does not include deadlines and timelines due to funding restrictions
- Reminder of the economic recession which began in 2008 and the resulting plummet of property values
- If the DDA is dissolved, the Township's General Fund will lose \$236,000
- Board loses control of funding when a tax captured mechanism is involved and a crisis occurs
- Request for up-to-date information, budget numbers and proposed cuts from the DDA
- DDA has not amended its budget as it is unsure of Board action on the loan refinancing request

B. Master Plan Goals and Objectives

Director Kieselbach summarized the 2005 Master Plan Goals and Objectives as outlined in staff memorandum dated May 16, 2013.

**It was the consensus of the Board to defer discussion of this issue until the June 4<sup>th</sup> Board meeting.**

C. Cornell Road Improvements

Board members discussed the following:

- Preference for the formation of a stakeholder workgroup which would include consideration of some type of shoulder/pathway for non-motorized travel
- Proposed task force will consist of two (2) Board members, two (2) County Commissioners, representative from the ICDTR, one (1) Environmental Commission member, one (1) Park Commissioner, Chief of Police, Director of Public Works and Engineering, and one Cornell Road resident
- Pavement of this road needs to happen this year
- Consensus at the last meeting for a workgroup to be formed which would take into consideration comments offered at the Meridian Township Board and County Board of Commissioners' public hearings
- Workgroup would make a recommendation to the County Board of Commissioners and the Meridian Township Board
- Concern that the posted speed limit has almost no effect on how fast cars travel, but traffic speed is determined by the design of the road
- Traffic calming features include narrow lane striping, landscape shrubs close to the road and narrow shoulders
- Concern that the previous proposal came from an internal workgroup from the Township and now the Board wants to create a different group of individuals to address the situation
- Board will still have the ability to change/amend the recommendation of the proposed task force

- Need for Board recognition that Cornell Road is different from any other road within the Township

**It was the consensus of the Board to form a Cornell Road Task Force.**

12. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Vance Kincaid, 4530 Nakoma Drive, Okemos, addressed the noise component of the Fireworks Ordinance. He addressed the Board's financial responsibility for the DDA's streetlight loan. Speaking as the Board Chair of the Okemos Community Church, he stated no alcohol will be allowed on the property nor will there be use of the restrooms at Okemos Community Church for the June 1<sup>st</sup> Downtown Celebrate Okemos.

Will White, 4695 Okemos Road, Okemos, reminded Board members the DDA was the creation of the Board in office in 2005, and the Township Board appointed DDA members and approves its budget. He indicated members of the DDA have each donated \$500 towards the Downtown Celebrate Okemos Event. Mr. White believed the Township Board has handicapped the DDA from its inception by making it so small that it is difficult to accomplish any goals with its budget. He pointed out that since the Executive Director left Township employment two (2) years ago, there has not been a replacement. Mr. White urged the Board to approve the refinancing request.

Leonard Provencher, 5824 Buena Parkway, Haslett, announced Liaison for Inter-Neighborhood Cooperation (LINC) will hold its monthly meeting on May 23, 2013 at 6:45 PM at the Haslett Library Community Room.

Doris Schwartz, 2209 Kent Street, Okemos, believed the DDA has functioned more as a merchants association, not as a DDA. She expressed continued concern that the Township Board does not have oversight of the DDA. Ms. Schwartz spoke to staff support that is spent on DDA matters and noted the Township pays for that staffing.

Supervisor LeGoff closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Styka indicated word needs to be relayed that people traveling Cornell Road need to slow down to effectuate a recommendation from the Michigan State Police to lower the speed limit. He indicated there are other options available than those presented for Cornell Road and suggested a highway engineer other than one employed by Ingham County be a member of the task force. Trustee Styka believed if there is a problem with the Okemos DDA, it is up to the Board to "fix" it.

Trustee Scales expressed appreciation for the Board deliberation this evening. He indicated Haslett residents have approached him regarding Township money going to an Okemos focus (the DDA).

14. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:52 P.M.

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ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS  
TOWNSHIP CLERK

Sandra K. Otto, Secretary