

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
THURSDAY, NOVEMBER 8, 2018 **6:00 pm.**

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

ABSENT:

STAFF: Township Manager Walsh, Director of Public Works Perry, Police Chief Plaga, Information Technology Director Gebes, Principal Planner Menser, Community Planning Director Kieselbach, Economic Development Director Buck, Parks and Recreation Director Maisner

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. Okemos High School Boys Tennis Team State Champions

Chris Silker, Coach of the Okemos High School Boys Tennis Team, recognized the team for their Division II State Championship win.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:06 pm.

Ed Prybys, 2386 Emerald Forest Circle, East Lansing; spoke in opposition to the proposed Copper Creek/Creekwood Lane connection approved by the Planning Commission (Non-Agenda).

Micheal Casby, 5624 Creekwood Ln., Haslett; spoke in opposition to the Maybury/Copper Creek Planned Unit Development proposal.

Jerry Griffen, 9212 Coriander Way, Brighton; spoke in support of Medical Marihuana (Agenda Item 13A) and discussed over-lay districts.

Bill Collette, 2372 Barnsbury Rd., East Lansing; spoke on traffic light concerns on Park Lake.

Chris Collette, 2372 Barnsbury Rd., East Lansing; spoke in opposition to the Treasurer's replacement process (Agenda Item 12H) and stated all interested parties – including any Board members that may be applying for the Treasurer position – need to abstain from voting on the selection process before the Board.

Neil Bowlby, 6020 Beechwood, Haslett; spoke in opposition to Agenda Item 12H, concerned that process proposed is not transparent.

Travis Copenhaver 520 N. Main St., Royal Oak; spoke in support of Agenda item 13A (Medical Marijuana) and the proposed ordinance.

Supervisor Styka closed public remarks at 6:27 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager Frank Walsh attended Realtors breakfast, Michigan Professional Police Executive Seminar, Robin's Way meeting, Georgetown Sewer Payback District discussion, Copper Creek Rezoning discussion.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Clerk Dreyfus provided an election report:

- AV Counting Board high-speed tabulator worked well.
- Long precinct lines due to record turnout and slow precinct tabulator speed.
- 69% turnout for Gubernatorial Election, very high numbers.
- Four emergency ballot deliveries to hospitals.
- Malfunctioning machine issues addressed as they arose.
- Voter Assistance Terminal (VAT) problems and possible changes.
- Read an overview of the election results.

Treasurer Brixie reported:

- December 7th resignation request; to be submitted with the Clerk on December 7th.

Trustee Opsommer reported:

- Regional Taxing Authorities meetings to discuss the TIF amendments.
- Appointed Audit Committee Chair for CATA.

Trustee Jackson reported:

- Attended the Sexual Assault Commission, 3rd session to be scheduled for Nov. 15th.
- Attended MML sponsored workshop on recreational marijuana and "pavement warranties."
- Attended first Tri-County Regional Planning Board of Directors meeting as Commissioner.

Trustee Deschaine reported:

- Attended MTA conference.
- Transportation Commission meeting on Nov. 15th to discuss roads and Redi-Ride.

Supervisor Styka reported:

- Artwork provided by Cornell Elementary School.

8. APPROVAL OF AGENDA

Trustee Jackson moved to approve the amended Agenda. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 7-0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

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

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

NAYS:
Motion carried 7-0

A. Communications

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 Sundland.

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

NAYS:
Motion carried 7-0

B. Minutes – October 16, 2018 Regular Meeting

Treasurer Brixie moved to approve and ratify the minutes of the Regular Meeting of October 16, 2018 as submitted. Seconded by Trustee Sundland.

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

NAYS:
Motion carried 7-0

C. Bills

Treasurer Brixie moved to approve that the Township Board approve the Manager’s Bills as follows, seconded by Trustee Sundland:

Common Cash	\$	559,798.73
Public Works	\$	59,498.50
Trust & Agency	\$	289,857.34
Total Checks	\$	909,154.57

Credit Card Transactions	\$	14,078.68
Oct. 11 th to Oct 31 st		
	Total Purchases	\$ 923,233.25
ACH Payments	\$	<u>852,621.30</u>

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

NAYS:
Motion carried 7-0

D. Ratification of Police Officer Appointment

Treasurer Brixie moved to ratify the appointment of Antonio Trevino to the position of Police Officer contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Sundland.

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

NAYS:
Motion carried 7-0

E. 2019 Board Meeting Schedule Resolution

Treasurer Brixie moved to adopt the 2019 Township Board Meeting Schedule Resolution. Seconded by Trustee Sundland.

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

NAYS:
Motion carried 7-0

F. Additions to the Tax Roll

Treasurer Brixie moved to assess the charges identified in the staff memorandum with parcel identification available in the Treasurer’s Office dated November 2, 2018 for Delinquent Special Assessments, Utility Bills, False Alarms, Nuisance, Lot Mowing/Code Violation, and Misc. Fees as a tax lien against the subject properties as authorized by Michigan Compiled Laws (MCL) 41.727, 41.728 and Meridian Township Ordinance Code Sections 58-32, 58-33, 78-98, 78-155, 46-5, 82-27, 18-1 and 18-15. Seconded by Trustee Sundland.

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

NAYS:
Motion carried 7-0

10. QUESTIONS FOR THE ATTORNEY - NONE

11. HEARINGS - NONE

12. ACTION ITEMS

A. Rezoning #18090 (M & J Management) – **Final Adoption**

Trustee Jackson moved to adopt the resolution for final adoption of Ordinance No. 2018-11 pursuant to Rezoning #18090. Seconded by Trustee Deschaine.

Board discussion: Properties to be rezoned.

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

NAYS:
Motion carried 7-0

B. Rezoning #18100 (HOS Management) – **Final Adoption**

Trustee Deschaine moved to adopt the resolution for final adoption of Ordinance No. 2018-12 pursuant to Rezoning #18100. Seconded by Trustee Jackson.

Board discussion: Location in relation to Agenda Item 12A.

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

NAYS:
Motion carried 7-0

C. Rezoning #18110 (Buckley) – **Final Adoption**

Trustee Opsommer moved to adopt the resolution for final adoption of Ordinance No. 2018-13 pursuant to Rezoning #18110. Seconded by Treasurer Brixie.

Board discussion: Antiquated zoning, rezoning beneficial to community, objection to refunding rezoning fees to the applicant, refund appears to support favoritism, possibility of full rezoning in area, board member stated no relationship with applicant, benefits of the location.

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

NAYS:
Motion carried 7-0

D. Williamstown Township Police Agreement

Trustee Jackson moved to approve the agreement to continue providing law enforcement services to Williamstown Township beginning January 1, 2019 through December 31, 2021 for the amount of \$225,217 for calendar year 2019, \$229,721 for calendar year 2020, and \$234,316 for calendar year 2021 plus \$58.41 per hour for emergency and non-emergency responses outside the 80 hours of weekly patrol and to authorize the Supervisor and Clerk to sign the agreement. Seconded by Treasurer Brixie.

Board discussion: Nature of police activity in Williamstown, terms of contract, pricing increases, benefits of agreement.

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

NAYS:
Motion carried 7-0

E. CBL Property Transfer

Clerk Dreyfus moved to approve the attached resolution to approve the transfer of property with Milmar Mall, LLC. consisting of 4-acres of Township-owned land on parcel # 21-226-011 for 2.43-acres of land owned by Milmar Mall, LLC on parcel # 15-300-026 as depicted on the attached map, for the purpose of creating a new Farmers' Market facility. Seconded by Trustee Sundland.

Board discussion: Wording of agreement, details of delays, ground breaking schedule.

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

NAYS:
Motion carried 7-0

F. ZBA Appointment

Trustee Jackson moved to approve the appointment made by Supervisor Styka, effective January 1, 2019, of Alexia Mansour to the Zoning Board of Appeals for a 3-year term ending 12/31/2021. Seconded by Treasurer Brixie.

Board discussion: Recognition of service of former ZBA member Carol Ohlroggee.

VOICE VOTE: Motion carried 7-0

H. Township Treasurer Position

Trustee Deschaine moved to adopt the "Process for Appointing a New Township Treasurer," including appointment of Supervisor Styka and Trustees Jackson and Opsommer as the application review committee, and adopts the "Application for Meridian Township Treasurer; Candidate Questionnaire." Seconded by Trustee Jackson.

Board discussion: Appropriateness of waiting until after election, helpfulness of training and job shadowing, Treasurer gave reason for early resignation December 7th instead of Dec 31st, transparency problems with posting Treasurer replacement process 10pm Election night, Board member(s) applying for position and proposed process, false sense of urgency with only 5 day application period, 45 days are allowed by State law for appointment, no need for job training due to nature of position, most public offices benefit from fresh perspectives, possible political bias from resigning elected official is reason most public offices don't provide training, wide spread distribution of job posting needed, most companies and organizations require minimum 2 weeks to get pool of qualified candidates, background check of applicants needed, negative aspect of selection process being a political appointment, all Board members need full input on appointment, concerns with Saturday interview timing and structure, lack of transparency due to Special Meeting not televised, no citizen input on an elected position, overview of alternative selection process offered by Clerk (handed out at meeting), Treasurer is a political appointment and past precedence of appointing replacement officials, it is allowed and appropriate to make a timely choice, Treasurer position is not filled as other positions, inappropriateness of background checks, Treasurer position requires qualified elector of Meridian Township to serve, issues of outside recruitment due to residency requirement, ability for selected applicant to move to Township before being sworn in, benefits of distributing job notification to all current boards and commissions, candidates have expressed strong interest already, Board members don't always agree with appointments, importance of training for replacement, probability that Treasurer replacement has been known all along, citizen concerns with proposed process, benefit of Saturday interviews, more people available to interview on a weekend, concerns with lack of criminal background check, 30 day residency requirement to become a qualified elector.

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

ABSTAINED: Treasurer Brixie

NAYS: Clerk Dreyfus

Motion carried 5-1

13. BOARD DISCUSSION ITEMS

A. Medical Marihuana

Staff explained the current draft of the proposed Medical Marihuana Ordinance and outlined all changes since the previous Board discussion.

Board discussion: Including lottery system in the ordinance, permit limits per overlay district, organic market approach, wording of ordinance, LARA prequalification, application process requirement of location, overlay boundary expansion in various areas, possible neighborhood resistance to expansion, aroma mitigation plan, operational plan filing, requirement for notice of possible aromas, need for strong penalties to avoid violations, graduated fine system, draconian nature of steep fines, importance of not discouraging entrepreneurship with heavy fines, citizen concerns with smell and crime warrant steep penalties, anticipation for additional staff, details of lottery system, window approach for applicants, categorizing of lottery process, day by day lottery, Board's place in decision process, current permit appeal process, application review by Clerk – pros and cons, permit process, internet sales, rules on delivery.

Board consensus to place this item on for discussion at a future meeting.

B. Transportation Commission

Supervisor Styka expressed support for the Transportation Commission and suggested that the Commission be continued.

Board discussion: Future appointment process, success of the Transportation Commission.

Board consensus to place this item on for action at a future meeting.

C. Harkness Law Firm Contract

Board discussion: Service to the Township, successes of the firm, early renewal and/or extension of contract, relationship with the firm, inappropriateness of extending contract early, community benefits of possible competition, importance of bidding process, Harkness contract should go out to bid to determine market value of services currently provided, lowest bids don't always provide best results, good work of firm warrants renewal, process to go up for bid already established.

Board consensus to place this item on for action at a future meeting.

D. Rezoning of Township Transferred Property

Director Kieselbach explained the need to rezone the property being transferred to Mirmar Mall LLC in order to keep them compliant with their open space requirement.

Treasurer Brixie moved to suspend the rules and to initiate the rezoning of the property being transferred to Mirmar Mall LLC. Supported by Trustee Opsommer.

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

NAYS:
Motion carried 7-0

E. Sierra Ridge 2 & 3 Public Street Lighting Improvement SAD No. 426

Director Perry discussed a request by Sierra Ridge residents to add streetlights to their neighborhood and explained the processes needed for the Special Assessment.

Board discussion: Type of lights to be used.

Trustee Jackson moved to approve the Sierra Ridge #2 & #3 Public Streetlight Improvement Special Assessment District No. 426 Resolution #1 showing street lighting improvement location and estimate of cost and Resolution #2 filing the plan with the Clerk's Office, tentatively declaring intention to install and maintain 11 traditional w/cut-off streetlights and defray the cost of operation and maintenance by special assessment against the 35 benefiting units, and setting a public hearing for December 11, 2018.

Board discussion: Would be easier to allow item be placed for action at next meeting.

Trustee Jackson withdrew her motion.

Board consensus to place this item on the Consent Agenda at the next meeting.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 9:42 pm.

Rhonda Bueche, 4126 Leeward Dr., Okemos; spoke in opposition to Agenda Item 12H and the timeframe.

Travis Copenhaver, 520 N. Main St., Royal Oak; spoke in support of Agenda Item 13A and the lottery process.

Ryan Basore, 6228 Brooklin Ct., East Lansing; spoke in support of Agenda Item 13A and importance of patient access.

Supervisor Styka Closed Public Remarks at 9:50 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Treasurer Brixie reported:

- Request for the Clerk to place the election results in the Board packet.

Supervisor Styka reported:

- Stated the Treasurer abstained from the vote on Item 12H.

Clerk Dreyfus reported:

- Treasurer appointment process, passed by Board, limits ability for citizens to give input during the process, timeline is way too short for receiving applications and reviewing them.

Trustee Jackson reported:

- Addressed an entry of Board Communication on the efficiencies of HOMTV and explained the review process of the program.

Manager Walsh reported:

- Explained a credit card charge for \$107.23 that he incurred on 10-19-18 at monthly professional Manager meeting in Dewitt, stated he took 4 people to lunch, expense reimbursement limited to \$12.50 for lunch, he paid the difference for the 5 person lunch himself. Also stated the same thing occurred when he charged 4 lunches at MML Conference in Grand Rapids, he paid the difference between reimbursement limit and restaurant bill.

16. ADJOURNMENT

Trustee Opsommer moved to adjourn. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 7-0

Supervisor Styka adjourned the meeting at 9:59 pm.

17. POSTSCRIPT - NONE

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK