

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, OCTOBER 21, 2008, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such, Veenstra, Woiwode
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Assistant Manager/ Personnel Director Paul Brake, Director of Finance Diana Hasse, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Lindsey and Kelsy, students from an Okemos High School government class, led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Ann Alchin, 2227 Hamilton Road, Okemos, spoke in support of the road millage proposal.

Elizabeth LeGoff, 5189 E. Brookfield Drive, East Lansing, expressed concern with projects funded through the General Fund, but do not show as line items in the budget. She requested a count as to the number of projects funded in this manner and their total cost.

Ganesh Reddy, 3614 Ponderosa Drive, Okemos, spoke in support of the Open Meetings Act relative to the Township Board agenda and expressed disappointment there is no written legal opinion on the purported violation by Supervisor McGillicuddy of the Campaign Finance Act and the Federal Hatch Act. He also addressed concern with expenses incurred for a consultant for the Okemos Road Enhancement Project and funds expended on a press release for the road millage.

Craig Ruff, 1849 Cimmaron Drive, Okemos, expressed appreciation for the time and hard work of the current Board.

Kevin Duff, 1418 Mt. Hope Road, Okemos, expressed concern with “bare bones” staffing in the Fire Department.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy reported the Friends of Ingham County Parks achieved their fundraising goal to purchase 120 acres adjacent to Lake Lansing Park North. She also expressed appreciation for the successful recycling event held on Saturday, October 11, 2008.

Trustee Woiwode reported discussion was held at the last meeting of the Economic Development Corporation regarding the needs of small business owners in Meridian Township. In an effort to foster better communication by relaying information to small business owners, the EDC is planning to host a workshop or event in Haslett to provide information on Township services.

Clerk Helmbrecht reminded citizens they can still apply for an absentee ballot. She announced the Clerk's office will be open on Saturday, November 1st from 8:00 A.M. to 2:00 P.M. Applications for absentee ballots can be picked up at the Clerk's office or printed from the Township's website, www.meridian.mi.us.

Trustee Brixie announced the Okemos Public Schools' Parent Council is hosting a seminar at the high school on October 22, 2008 at 7:00 P.M. entitled "How to talk to your kids about drinking and drug use."

Treasurer Hunting clarified that questions about the tax limitation proposal on the November 4, 2008 ballot should be directed to the Ingham County Treasurer's Office. He categorized the tax limitation, conceptually, as a Headlee override for the three (3) governmental taxing authorities; Ingham County, the Ingham Intermediate School District and general law townships. He noted the eight mill proposal does not apply to Meridian Township's operational millage.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Brixie moved to approve the agenda as submitted. Seconded by Trustee Such.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

BI-1 Patricia Killam, 2411 Burcham Drive, East Lansing; RE: Road repair on Burcham Drive

(2) Regional Linkage (RL)

RL-1 Ingham County Parks, 301 Bush, Mason; RE: Media Advisory that Friends of Ingham County Parks has met their \$150,000 goal for the acquisition of Lake Lansing North Park Land

(3). Staff Communication/Referral (SC)

SC-1 Memorandum from Director Kieselbach re: Commission Review #08093, Section 61 Review of Indiana Street water/sewer extension

SC-2 Memorandum from Director Kieselbach re: Commission Review #08103, Section 61 Review of sewage lift station and force main at 2100 Gaylord C. Smith Court

(4). On File in the Clerk's Office (OF)

Material received at the October 7, 2008 Board Meeting

Robert Hollenshead, 6068 Columbia Street, Haslett; RE: Proposed Amendment to Zoning Amendment #07050 (Outdoor storage of a trailer or recreational vehicle)

Ronald Richards, Jr., Foster, Swift, Collins & Smith PC, 313 South Washington Square, Lansing; RE: Support for Zoning Amendment #07050 (Outdoor storage of a trailer or recreational vehicle)

Trustee 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 Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of October 7, 2008 Regular Meeting as submitted. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

C. Bills

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

Common Cash	\$ 954,348.62
Public Works	\$ 675,940.17
Total Checks	\$1,630,288.79
Credit Card Transactions	\$ 7,851.80
Total Purchases	<u>\$1,638,140.59</u>
 ACH Payments	 <u>\$ 457,838.06</u>

Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

[Bill list in Official Minute Book]

D. Budget Amendment, PEG Litigation

Trustee Brixie moved approval of the transfer of up to \$25,000.00 from the Fund Balance of the General Fund (transferred through account number 101-965.966-999.000) to the Cable TV Fund (account number 230-000.000-699.000). Further, adjust the Cable TV Fund revenues (account number 230-000..000-675.150) in the amount of \$25,000.00 and the expenditures (account number 230-750.806-808.000) in the amount of \$50,000. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

E. Resolution to Designate Newton Road Property as Park Land

Trustee Brixie moved the Township Board approve the resolution designating Parcel #33-02-02-04-400-003 as park land. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting

NAYS: None
 Motion carried unanimously.

- F. Resolution Concurring with Proposed Amendments to the 2007 Land Bank Brownfield Plan Related to Property Located within Meridian Township to be approved by the Ingham County Brownfield Redevelopment Authority and the County Board of Commissioners

Trustee Brixie moved the Township Board approve the resolution concurring with proposed amendments to the 2007 Land Bank Brownfield Plan related to property located within Meridian Township. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None
 Motion carried unanimously.

- 8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10B)
- 9. HEARINGS (None)
- 10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Ganesh Reddy, 3614 Ponderosa Drive, Okemos, questioned why the Okemos Road Enhancement Project was not in the 2009 Budget. He believed the Board needed to budget for the worst case scenario.

Ann Alchin, 2227 Hamilton Road, Okemos, questioned whether it was appropriate for the projected funding of the Tax Increment Financing Authority not to be contained in the budget and that tax dollars are given to a small area of the Township in difficult economic times.

Supervisor McGillicuddy closed public comment.

- A. 2009 Budget

Trustee Woiwode moved that the Township Board approve the 2009 recommended budget resolution as presented with the memorandum to the Township Board dated October 17, 2008. Seconded by Trustee Such.

Board members and staff discussed the following:

- Downtown Development Authority (DDA) is a separate governmental unit created by state statute whose finances are not approved by the Township Board
- Public infrastructure improvements within the DDA area made through the use of captured funds improve the Township as a whole
- Some funds come from Meridian Township in terms of taxes paid
- Ingham County as another funding source
- Okemos Road Enhancement Project has to first go back to the granting agency (Michigan Department of Transportation) for formal approval of the grant amendments and then can be added to the Township's budget
- Appreciation to staff for their excellent work on the budget
- Calculation of future costs for funding post retirement health care benefits needs to be reported in the 2009 budget
- Number of firefighter personnel in the fire stations is the same for 2009 as 2008
- Concern with replacement of services for seven (7) eliminated positions
- Wage freeze for employees is a wage cut in real dollars
- Okemos Road Enhancement project a luxury the Township cannot afford

Treasurer Hunting called the question.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: Trustee Veenstra
 Motion carried 6-1.

B. Michigan Planning Enabling Act

Trustee Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED THAT 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 2, Article II, by adding Section 2-26; Article VI, Division 5, by amending Section 2-287, Section 2-288, and Section 2-289; Chapter 62, Article II, by amending Section 62-34(2)(e).”

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 Treasurer Hunting.

Board members discussed the following:

- Language taken directly from the state act
- Legislative intent contained in the language
- Definition of relative

Changing language contained in state statute: (See Agenda Item #8 (Questions for the Attorney))

Q. We are mirroring what the law states, correct? Is it appropriate for us to amend our reading of what the state law says?

A. I didn’t write this section, but Mr. Kieselbach says that this is verbatim from the state statute. It is appropriate to make the changes if they mean the same. In general, this section just talks about if you want to take specific people from the community, you want to get a wide variety and you want to get all parts of the community represented on the Planning Commission. It is really up to the Board to decide to use the exact language out of the statute if it’s clear, if it was written well, if you like it or if you want to change it.

The seconder offered the following friendly amendment:

- **Amend the second sentence in Section 2.287 (a) after “community” by deleting “, such as the economic, governmental, educational and social development of the local unit of government”**

The maker accepted the amendment.

The seconder offered the following friendly amendment:

- **Amend the third sentence in Section 2.287 (a) after “shall” by deleting “also be representative of the entire geography” and inserting “have geographical representation”**

The maker accepted the amendment.

The seconder offered the following friendly amendments:

- **Amend the fifth sentence in Section 2.287 (a) after “township” by deleting “except that” and inserting a “.”**
- **Amend the fifth sentence in Section 2.287 (a) after “township.” by creating a sixth sentence to read “One member may be a member of the zoning board of appeals.”**

The maker accepted the amendments.

The seconder offered the following friendly amendments:

- **Amend the first sentence in Section 2.287 (d) after “member or” by deleting “their” and inserting “the member’s”**
- **Amend the last sentence in Section 2.287 (d) after “disclose a” by inserting “known”**

The maker accepted the amendments.

Trustee Woiwode offered the following friendly amendments:

- Amend the second sentence in Section 2.287 (d) after “matter” by deleting “;”
- Amend the second sentence in Section 2.287 (d) after “section” by deleting “;”

The amendments were accepted by the maker and seconder.

Trustee Veenstra offered the following friendly amendment:

- Amend Section 2-289 (b) after “No. 33” by inserting “of 2008”

The amendment was accepted by the maker and seconder.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

- C. Resolution Objecting to the Transfer of All Unsold Tax Reverted Properties from the Ingham County Treasurer to Meridian Township

Trustee Such moved the Township Board approve the resolution objecting to the transfer of properties #33-02-02-17-476-023 and #33-02-02-28-426-003 from the County Treasurer to the Charter Township of Meridian. Seconded by Trustee Brixie.

Trustee Veenstra offered the following friendly amendment:

- Amend the BE IT FURTHER RESOLVED clause in the resolution after “requests” by inserting “will be”

The amendment was accepted by the maker and seconder.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Mixed Use Planned Unit Development # 08034 (Eyde Company), request to develop a Mixed Use Planned Unit Development on the east side of Central Park Drive
Director Kieselbach summarized the proposed mixed use planned unit development as outlined in staff memorandum dated October 17, 2008.

Board members, staff and the applicant discussed the following:

- Applicant’s willingness to incorporate changes to address concerns previously expressed by the Board
- Elimination of parking immediately adjacent to the outdoor seating area
- Need to have single drive-through window for site to be economically viable
- Possible inclusion of a contest to create “art” as an amenity
- Inclusion of landscaping as a “natural” form of art
- PUD includes the open space to the south
- Concern with amount of trees which will be removed on this development
- MUPUD ordinance requires a designation for loading and unloading commercial vehicles on the plan
- Redesign eliminates retaining wall on the north end
- In order to save more large trees, move entire building up to the sidewalks and have pass-through areas in the buildings to access parking in the rear
- Additional trees will be added to the site through landscaping
- Placement of permeable concrete not advisable in loading and unloading area used by heavy trucks

- Possible extension of Central Park Estates lighting into this development
- Lower streetlight poles create a pedestrian feel along the development

The consensus of the Board was to place this item on for action and discussion at the November 6, 2008 Board meeting.

- B. Special Use Permit #08101 (Eyde Company), request to develop a Mixed Use Planned Unit Development with total building size greater than 25,000 square feet on the east side of Central Park Drive

The consensus of the Board was to place this item on for action at the November 6, 2008 Board meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Leonard Provenchur, 5824 Buena Parkway, Haslett, expressed appreciation for the Board's willingness to work together for the betterment of the community. He spoke in support of the road millage proposal on the November 4, 2008 ballot.

Ganesh Reddy, 3614 Ponderosa Drive, Okemos, urged all residents to exercise their right to vote on November 4, 2008.

Supervisor McGillicuddy closed Public Remarks.

13. POSSIBLE CLOSED SESSION

Trustee Woiwode moved that the Township Board go into closed session to discuss: 1) collective bargaining strategy pursuant to MSA 4.1800(18)8c and 2) the personnel evaluation of the Township Manager pursuant to MSA 4.1800(18)a. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy recessed the meeting at 8:06 P.M.

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

Trustee Woiwode moved to return to open session. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy reconvened the meeting at 9:19 P.M.

Trustee Woiwode moved to go forward as discussed in closed session. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:20 P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary