

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, DECEMBER 10, 2013 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka (6:02 P.M.), Veenstra (6:04 P.M.), Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Police Chief David Hall, Fire Chief Fred Cowper, Director of Finance Gretchen Gomolka

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.
4. PUBLIC REMARKS
Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, requested site plans be included for both the Township Board and Planning Commission public packets. He addressed the page layout of the non-union wage schedule steps and offered a suggestion. Mr. Bowlby expressed support for the Contract Ratification Incentive Program (CRIP). He suggested the Township Board offer a resolution which recognized the accomplishment of the Michigan State University football team.

Leonard Provencher, 5824 Buena Parkway, Haslett, believed the Consumers Energy Streetlight Contract is too open ended and monopolistic.

Christine Tenaglia, 2551 Bruin, East Lansing, and representative of the Economic Development Corporation, spoke in support of the Whole Foods project. She requested the Board approve the signage size proposed by the applicant for this commercial planned unit development (C-PUD.)

David DeLind, 2188 Hamilton Road, Okemos, expressed his desire to be considered for appointment to the Planning Commission.

Supervisor LeGoff closed Public Remarks.

5. SPECIAL RECOGNITION – Introduction of Police Officer Michael Hagbom
Chief Hall introduced Meridian Township's newest police officer, Michael Hagbom.
6. TOWNSHIP MANAGER REPORT
Township Manager Walsh reported on the following:
 - Hope Borbas Okemos Library reopening on January 2, 2014
 - Settlement has been reached with Laurie Blosser to avoid litigation
 - Memo regarding the Urban Services Management Area (USMA) from the Board subcommittee will be available to the Planning Commission
 - Continued meetings with Douglas J on its proposed mixed use planned unit development (MUPUD) project
 - Interest expressed to the Okemos Board of Education regarding the Wardcliff School property
 - Public hearing held last night for a Flagstar Bank project
 - MUPUD project which includes Aldi to come before the Board later this month and into January
 - Michigan State University Federal Credit Union (MSUFCU) project proposed on Jolly Road to come before the Board within the next 90 days

7. BOARD COMMENTS & REPORTS

Trustee Styka attended the December 9th Okemos School Board meeting where discussion took place on developer interest in purchasing eight (8) acres of the Wardcliff School property closest to Park Lake Road. He noted the current zoning is residential (single family) and would require and rezoning. As the Board liaison, he attended last week's Cable Commission meeting where it was learned that as a result of an audit, AT&T owes the Township \$5,700 and the Township is moving forward on the issue. Trustee Styka reported both a franchise fee audit and technical audit will be conducted in 2014, as well as the continuation of a community needs assessment.

Trustee Veenstra addressed the community importance of the soccer fields on the eight acres of Wardcliff property under consideration to be sold by the Okemos Board of Education. He also stated a bill to legalize the use of medical marihuana in edible form was reported out of committee to the full Michigan House of Representatives.

Clerk Dreyfus met last week with the Superintendent of Okemos Public Schools to discuss student voter registration and civic involvement.

8. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda amended as follows:

- **Move Agenda Item #12E to 12A and reletter the remaining action items**
- **Move Agenda Item #9E to Agenda Item #12G**

Seconded by Trustee Wilson.

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

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.

A. Communications

(1) Board Information (BI)

BI-1 Joyce Davenport, 2790 Sirhal Drive, Apt. 317, East Lansing; RE: Central fire station proposed to be constructed on Central Park Drive

(2) Commission Linkage (CL)

CL-1 Brian G. Dale, Chair, Downtown Development Authority (DDA); RE: DDA endorsement of Board appointment renewals to the DDA

CL-2 Cable Communications Commission (CCC); RE: Recommendations for appointment and reappointment to the CCC

CL-3 Jeralyn Moran, Environmental Commission; RE: Interest in reappointment to the Environmental Commission

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.

Treasurer Brixie moved to approve the 2013 Fourth Quarter Budget Amendments with an increase in fund balance for the General Fund in the amount of \$318,635 which projects a use of Fund Balance of \$53,035. The projected Fund Balance at December 31, 2013 is \$5,903,304. Seconded by Trustee Wilson.

Board members and staff discussed the following:

- Numerous carry-overs from various projects make it difficult to ascertain a definitive fund balance
- Appreciation for the improvement to the budget
- Significant changes are contained in the Sewer Fund
- Sewer Fund does not impact General Fund
- Decrease in grant revenue and grant expenditure is one of timing
- Grant money will become available once the Township spends it, but the preference is to mirror current year expenditures and revenues
- Grant is for a study of the existing sewer system to identify sources of inflow and infiltration to reduce the amount of rain and storm water getting into the Township’s sanitary system
- Part of the process will be to perform an assessment of the condition of those sections of the sewer and manholes being inspected
- Quarterly estimate is paid to the East Lansing Meridian Water and Sewer Authority (ELMWSA) for water usage and then actualized at year’s end
- Appreciation to staff for pursuing grant monies to improve the Township’s infrastructure
- Plans to implement a better procedure in the next budget season for displaying fund balance

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

B. Commercial Planned Unit Development #13044 (Wolverine Building Group) – Whole Foods Store, 2758 Grand River Avenue

Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Commercial Planned Unit Development #13044, subject to the following conditions:

1. Approval is based on the revised Site Plan, prepared by Paradigm Design, dated November 13, 2013 and received by the Township on November 26, 2013, and building elevations prepared by Paradigm Design, received by the Township on November 18, 2013, subject to revisions as required.
2. Approval is subject to one or more amenities. The applicant proposes the following amenities: rehabilitation of a degraded site; fenced outdoor patio; and two (2) sidewalk planters in the outdoor patio.
3. The requested waiver for building perimeter landscaping is hereby granted as site constraints and location of the building entrances limit the areas for landscaping around the building, and sidewalk planter boxes are proposed in the outdoor patio as an amenity.
4. The requested waiver for the side setback from the parking area and access drive on the east and west sides of the subject site is hereby granted as landscaping is proposed to provide screening, including a five (5) foot high berm with a double row of coniferous trees along the majority of the east property line.
5. The requested waiver to exceed the maximum number of parking spaces is hereby granted as the additional parking spaces will benefit customers both at the Whole Foods store and existing retail stores west of the subject site. Granting the waiver is subject to cross-parking agreements being secured between the Township and the appropriate property owners, in a format acceptable to the Township.

6. The requested waiver for the proposed ten (10) foot wide landscape buffer along Grand River Avenue (southwest corner of site) is hereby granted as additional right-of-way is required by the Michigan Department of Transportation in this area.
7. The requested waiver for the proposed five (5) foot wide landscape buffer on the west side of the subject site, adjacent to Tom's Party Store, is hereby granted as the existing buffer is approximately five (5) feet wide and new landscape screening is being provided to improve the area.
8. The requested waiver for the size of the proposed freestanding sign at 48 square feet is hereby granted as similarly-sized freestanding signs are located on commercial sites along Grand River Avenue. Granting of the waiver is subject to a monument-style sign being provided in place of the proposed pole-style sign. Brick or masonry materials that match the building should be incorporated into the sign base.
9. Street trees shall be installed where appropriate within the Grand River Avenue right-of-way, subject to the approval of the Michigan Department of Transportation.
10. The existing mobile homes and other structures associated with the entire Mobile Home Manor site, or other materials and debris found on the subject site, and debris resulting from clearing, grading, or construction activities related to the proposed project shall be removed from the site and be properly disposed. Existing utilities including water, sanitary sewer, cable, natural gas, and electric utility lines shall be properly abandoned.
11. All utility service distribution lines shall be installed underground.
12. Truck deliveries to the site shall be limited to the hours between 7:00 a.m. and 9:00 p.m.
13. A future ingress-egress connection to the adjacent commercial property east of the subject site (Super 8 Motel) shall be shown on the final site plan.
14. Appropriate pavement improvements shall be made to the existing service drive located west of the subject site (next to Advanced Auto Parts) as part of the proposed project.
15. Shopping carts shall be stored inside the building or in an enclosed area.
16. If the existing fence remains along the east property line of the subject site, the fence shall be repaired or upgraded as deemed appropriate by the Director of Community Planning and Development.
17. Site accessories such as benches, trash and recycling receptacles, exterior lighting fixtures, and bicycle racks shall be of commercial quality, and shall complement the building design and style.
18. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and are subject to the approval of the Director of Community Planning and Development. LED lighting should be used where feasible.

19. All mechanical, heating, ventilation, air conditioning, and similar systems shall be screened from view by an opaque structure or landscape material selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.
20. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.
21. The utility, grading, and storm drainage plans for the site are subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.
22. The applicant shall apply to the Township for a land division; once approved, documents shall be recorded with the Ingham County Register of Deeds and proof of recording shall be submitted to the Township prior to the issuance of an occupancy permit.
23. The applicant shall work with staff to provide an internal sidewalk that connects to the pedestrian/bicycle pathway along Grand River Avenue where appropriate and feasible.
24. A copy of the site plan information and construction plans for the project that exist in a computer format shall be provided to the Township Engineering staff in an Autocad compatible format.
25. Any future building addition or expansion will require a modification to Commercial Planned Unit Development #13044.

Seconded by Trustee Scales.

Board members discussed the following:

- Project has taken a long time to come to fruition
- Project will change the interior traffic flow of the commercial area on the north side of Grand River with a driveway at the light where Northwind Drive is located
- Disbursement of bicycle racks near the main entrance and the employee entrance is an issue to be considered during site plan review
- Project investment will be approximately \$4-5 million

Trustee Styka offered the following friendly amendment:

- Amend condition #8 by deleting the word “should” and inserting “shall”

The friendly amendment was accepted by the maker of the motion.

Trustee Veenstra offered the following amendment:

- Amend condition #18 by deleting the word “should” and inserting “shall”
- Amend condition #18 by deleting the words “where feasible” in the last sentence.

Seconded by Clerk Dreyfus.

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

Continued Board discussion:

- Indoor LED lighting for stores is not yet commercially available

Trustee Veenstra offered the following amendment:

- **Amend condition #18 by deleting the word “should” and inserting “shall”**

Seconded by Trustee Styka.

Continued Board discussion:

- Waste of the Board’s time to discuss verbiage which does not make substantive changes
- Word “should” means nothing
- Use of the word “feasible” means flexibility
- Staff determines the feasibility of use

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

Trustee Scales called the question. Seconded by Treasurer Brixie.

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

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

- C. Rezoning #13050 (Planning Commission) – Haslett Road, C-2 (Commercial) and PO (Professional Office) to RB (Single Family-High Density), **Introduction**
Trustee Scales 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 Zoning District Map of the Charter Township of Meridian Pursuant to Rezoning Petition #13050” PO (Professional and Office) and 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 introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Trustee Veenstra.

Board members discussed the following:

- Properties have always been residential houses
- Hardship on owners to have the properties be non-conforming
- Rezoning will be consistent with usage
- Properties have the ability to repair structural problems
- Properties lack the ability to change their footprints without rezoning

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

NAYS: None
 Motion carried unanimously.

D. Contract Ratification Incentive Program

Trustee Wilson moved to approve the Township Manager’s request to institute the 2013 Contract Ratification Incentive Program (CRIP) which will provide \$85,000 of unanticipated General Fund Revenue to be split on a per capita basis between the Township’s 150 team members. Seconded by Trustee Scales.

Board members discuss the following:

- Appreciation that all eight contracts were ratified without going to arbitration
- Support for sharing the Township’s success with its team members
- Importance of retaining employees by having trust between management and employees
- Money is available, in part, due to good management
- Appreciation that all employees will receive an equal share

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

NAYS: None
 Motion carried unanimously.

E. Appointments to Boards and Commissions

Trustee Scales moved the entire list of appointments submitted by the Supervisor as stated below with the following amendment:

- **Replace the name of the Planning Commission appointment of Gene Turnwald with David DeLind**

| PUBLIC BODY | POSITION | LAST NAME | FIRST NAME | MI | EXPIRES |
|---|----------|-----------|------------|----|------------|
| Board of Review (2 year term) | | Galbraith | Diane | | 12/31/2015 |
| Cable Communications Commission (3 year term) | | Seipel | Brian | | 12/31/2014 |
| Cable Communications Commission (3 year term) | | Benenson | Walter | J | 12/31/2016 |
| Cable Communications Commission (3 year term) | | Crowley | Patrick | | 12/31/2016 |
| Community Resources Commission (2 year term) | | Brouse | Suzanne | H | 12/31/2015 |
| Community Resources Commission (2 year term) | | Friedland | Arlene | L | 12/31/2015 |
| Community Resources Commission (2 year term) | | Lincoln | Katherine | N | 12/31/2015 |

| | | | |
|---|-----------------|------------------|------------|
| term) Community Resources Commission (2 year term) | Hanna | Christian | 12/31/2015 |
| Community Resources Commission (2 year term) | Langhals | Kathleen | 12/31/2015 |
| Community Resources Commission (2 year term) | Vacant | | 12/31/2014 |
| Downtown Development Authority (4 year term) | Dale | Brian | 12/31/2017 |
| Downtown Development Authority (4 year term) | Kissman | Kathleen | 12/31/2017 |
| Downtown Development Authority (4 year term) | Cawood | Bill | 12/31/2017 |
| Downtown Development Authority (4 year term) | Vacant | | 12/31/2014 |
| Downtown Development Authority (4 year term) | Vacant | | 12/31/2017 |
| Economic Development Corporation (6 year term) | Carlson | Adam | 12/31/2019 |
| Economic Development Corporation (1 year term) | Vacant | | 12/31/2014 |
| Economic Development Corporation (6 year term) | Vacant | | 12/31/2017 |
| Elected Officials Compensation Comm. (5 year term) | Doyle | James | 12/31/2018 |
| Environmental Commission (3 year | Sarver | John | 12/31/2014 |

| | | | | |
|---|--------------|-----------------|--------------|--------------|
| term) | | | | |
| Environmental Commission (3 year term) | | Anderson | Shari | 12/31/2016 |
| Environmental Commission (3 year term) | | Kielbaso | James | 12/31/2016 |
| Environmental Commission (3 year term) | | Moran | Jeralyn | L 12/31/2016 |
| Environmental Commission (1 year term) | Youth Member | Vacant | | 12/31/2014 |
| Environmental Commission (1 year term) | Youth Member | Vacant | | 12/31/2014 |
| Lansing Economic Area Partnership (1 year term) | | Wilson | Angela | 12/31/2014 |
| Pension Trustees (3 year term) | | Elder | Susan | 12/31/2016 |
| Planning Commission (3 year term) | | Honicky | Richard | 12/31/2016 |
| Planning Commission (3 year term) | | Salehi | James | 12/31/2016 |
| Planning Commission (3 year term) | | Turnwald | Gene | 12/31/2016 |
| Zoning Board of Appeals (3 year term) | Alternate #1 | DeLind | David | 12/31/2014 |

Seconded by Treasurer Brixie.

Board members discussed the following:

- Appreciation the list prepared by the Supervisor was given to Board members in advance for review and input
- Mr. DeLind is a licensed engineer from Okemos
- Preference to divide the question to vote on each board and commission individually
- Appreciation for the Supervisor’s willingness to receive Board input on the various appointments
- Transparency in government: Board members need to address concerns with specific appointments and ask questions
- Concern Michael Thomas, a scientist at Michigan State University, was not reappointed after serving 12 years on the Environmental Commission and was replaced with someone who has no environmental experience or education
- Mr. Thomas was not reappointed and no reasons were provided for his replacement

Treasurer Brixie called the question. Seconded by Trustee Scales.

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

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

Continued Board discussion:

- Need for total transparency in government

F. 2014 Proposed Non-Union Wage Schedule

Treasurer Brixie moved to approve the 2014 Non-Union Wage Schedule and HSA deposits to be made twice per year as proposed by the Township Manager. Seconded by Trustee Wilson.

Board members and staff discussed the following:

- Addition of a sixth step for the Executive Assistant
- Position of Director of Community Planning and Development is \$10,000-\$12,000 less than some other directors but the individual director attends several evening meetings each week and has worked for the Township for 32 years
- Board member recommendation to create a process for classification review, benchmark the position and adjust the salary accordingly
- Preference to allow the Township Manager to utilize his experience in this area and propose a plan to the Board
- Possibility that more than one position could be reviewed

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

G. Resolution Approving the Consumers Energy Streetlight Contract

Treasurer Brixie moved to adopt the attached Streetlighting resolution, which authorizes the Township Manager and the Township Clerk to execute the Consumers Energy Streetlight Contract. Seconded by Trustee Wilson.

Board members and staff discussed the following:

- Review of the contract language with the Director of Engineering and the Township attorney gives credence to Trustee Veenstra’s concern that the language is written in such a manner that it would cost the Township millions to remove Consumers equipment if the agreement is terminated for any reason
- Staff suggestion to have a discussion of the concerns this evening and revisit the issue after Board input

Treasurer Brixie withdrew her motion.

Continued Board discussion:

- Contract language was written by Consumers and slanted completely in their favor
- All concerns should be directed to the Township Manager for future discussion by the Board

13. BOARD DISCUSSION ITEMS (None)

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, wished the Board happy holidays.

Leonard Provencher, 5824 Buena Parkway, Haslett, believed signage is less important than it has been in the past, especially given the demographic that will be frequenting Whole Foods. He did not believe a standard size sign would be a problem for customers attempting to locate the new Whole Foods store due to smartphone technology.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Veenstra pointed out the sign size for Whole Foods has been reduced to 48 square feet from its original request. He believed shopping carts should always be stored within the building. Trustee Veenstra noted the internal sidewalk from Grand River to the building could be a pedestrian lane across the parking lot.

Relative to the Consumers Streetlighting Contract, Trustee Veenstra expressed concern with the following:

- Cost of relocating Consumers facilities to be borne by the Township
- Removal of equipment upon termination of the contract at the Township’s expense
- Inquiry if the subdivision streetlights are owned by the Township given they are paid for through special assessment

Treasurer Brixie noted there are two vacancies on the Downtown Development Authority (DDA) Board and suggested reducing the number of board members back to its original membership. She suggested the Board consider a zoning amendment to allow plasma centers in industrially zoned districts.

Trustee Wilson inquired if the Board would consider having selected Board members meet with Autumn Park Condominium owners representatives to air their concerns/differences.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 7:28 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary