

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD WORK SESSION MINUTES - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, JUNE 5, 2001, **6:00 P.M. — 7:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, EMS/Fire Chief Fred Cowper, Attorney Mike Woodworth

1. CALL WORK SESSION TO ORDER

Supervisor McGillicuddy called the Work Session to order at 6:05 p.m.

2. QUESTIONS FOR THE ATTORNEY (None)

3. COMMITTEE OF THE WHOLE

A. Street Light Policy

Supervisor McGillicuddy opened discussion on the formulation of a “worry list.”

The Board discussed the following concerns/issues related to streetlighting:

- “Dark Sky Policy” to control light pollution
- Maximize energy conservation
- Maximize cost savings benefit of competition among area electric utilities
- Consideration of availability of styles and types of lighting
- Evaluation of costs to install, maintain and operate
- Maximizing public safety
- Consistency of lighting types and styles
- Full notification of all interested parties
- Delineation of appropriate and inappropriate places for street lights
- Providing fully for the public lighting needs
- Cooperation with neighboring communities, schools and the Ingham County Road Commission
- Inclusion of all lights in a comprehensive policy
- Permitting differing styles of lighting appropriate to distinct areas of the Township
- Consideration of maximum lumen ratings and wattage usage for types of lighting
- Recognition of types of streetlighting areas: residential, right-of-way safety, commercial and office, and Industrial
- Consideration of overall aesthetic needs
- Ability to change the type or wattage of bulbs in existing light fixtures

The Board asked Manager Richards to do the following:

- Review comparable municipalities’ attempts to address these issues
- Extend invitations to lighting experts to a future Board meeting to discuss lighting needs and recommended lighting parameters.
- Trustee Such updated the Board on the status of the Library Task Force. He reported the drafting of a mission statement and the need to replace a member who needed to resign.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened public remarks.

Charles Louis Willems, 1387 Hickory Island, Haslett, spoke regarding the need to establish an address for his homestead in the 9-1-1 system.

Supervisor McGillicuddy closed public remarks.

5. ADJOURNMENT

Supervisor McGillicuddy adjourned the Work Session at 7:03 p.m.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Paul J. Cassidy, Secretary

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, JUNE 5, 2001, **7:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, EMS/Fire Chief Fred Cowper, EMS Coordinator Greg Hammond, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 7:14 p.m.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the pledge of allegiance

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS\*

Supervisor McGillicuddy opened Public Remarks.

Frank Webster, 3845 Roxbury Ave, Okemos, spoke regarding the his objections to the conduct of Planning Commissioners at the Commission's March 18, 2001 meeting, and the weaknesses of the Township website.

Charles Louis Willems, 1387 Hickory Island, Haslett, spoke in support of the removal of the fence obstructing access to his homestead.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT

Trustee Woiwode reported the Briarwood/Van Atta Task Force would be scheduling a time to walk a possible route for a pedestrian/bicycle pathway.

Clerk Helmbrecht reminded the public that the Okemos and Haslett Schools elections would be held Monday, June 11, 2001; and that the Clerk's Office would be open from 8:00 a.m. to 2:00 p.m. Saturday, June 9, 2001 for Absentee Voting.

Clerk Helmbrecht reported the Secretary of State's recommendation for election reform does not include provisions for the continued use of punch card voting. She reported the automatic readers for punch card ballots budgeted for 2001 would not be purchased.

Clerk Helmbrecht reported that there are two (2) special elections added to this year's schedule. She reported the first was called by Ingham County to be held on August 7, 2001 for two (2) ballot issues. She reported the second special election has been tentatively scheduled by Haslett Schools for September 24 or 25, 2001

Clerk Helmbrecht reported next meeting of the Land Preservation Advisory Board would be June 20, 2001 to continue work on the draft Land Preservation Ordinance.

Clerk Helmbrecht asked if the Board needed to act on Mr. Willems' request to change the address in the 9-1-1 system. Manager Richards stated he would need to confirm whether any action was needed.

Trustee Brixie announced the next meeting of the Van Atta Task Force would be held Saturday, June 23, 2001 at 9:30 a.m. at the Harris Nature Center for a question and answer session with the Chief Engineer.

Treasurer Hunting reported the collection of delinquent personal property taxes now totals about \$90,000, with an office goal of \$100,000.

6. APPROVAL OF AGENDA — OR CHANGES

Board Members discussed the following items:

- Need for discussion of item #7D (Replacement of Heart Monitor)
- Consideration of whether to act on item #9.A. (Request to Install Telecommunications Lines - Blink Inc.) following the public hearing
- Need to move back hearing dates from June 19 to July 10, 2001 for items #9.C. (2001 Sidewalk Order to Maintain) & #9.D. (2001 Order to Construct Sidewalk - Shoals)
- Need for discussion of item #7.L. (2001 Testing Services Contract Award)

Supervisor McGillicuddy asked Manager Richards to use his discretion in paying the GCC Technologies bill once repairs to the cable sound system are complete.

**Trustee Such moved to approve the agenda amended as follows: Move #7.D. (Replacement of Heart Monitor) to Item 10.I.; Move #7.L. (2001 Testing Services Contract Award) to #9.H.; Move #9.C. ( 2001 Sidewalk Order to Maintain - Resolution #1 & 2) to #9.P.; Delete #10.G. (Zoning Amendment - Grading Permits). Seconded by Clerk Helmbrecht.**

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

NAYS: None

Motion carried unanimously.

7. CONSENT AGENDA

**Trustee Woiwode moved to adopt the Consent Agenda as amended (See item #6). Seconded by Trustee Brixie.**

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

NAYS: None

Motion carried unanimously.

Therefore, the above actions taken with the votes are as follow:

A. Communications

(1). Board Deliberation (BD)

9F-1 Eleanor V. Luecke, President, L.I.N.C.; RE: Rezoning #01030 (Planning Commission)

10D-1 David E. Pierson, McClelland & Anderson, L.L.P., 1305 South Washington Avenue, Suite 102, Lansing; RE: Zoning Ordinance #98150 (Planning Commission)

(2). Board Information (BI)

BI-1 Joyce Van Coevering, 5530 Strawberry Lane, Haslett; RE: New Planning Commission Appointees

BI-2 Richard J. Mc Carius Jr., Tom's Party Store, 2778 E. Grand River Ave, East Lansing; RE: Appeal of Farmer Jack Grocery Store Site Plan

BI-3 Robert Regan, Superintendent of Schools, Haslett Public Schools; RE: Recommendation to Not Pursue the Federal "Cops in School" Grant

BI-4 Mike Bryanton, Ingham County Clerk; RE: Challenge of Suspect Counts of the 2000 Census of the Census Bureau

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 5, 2001 \*APPROVED\*

- BI-5 Cathleen Buell, 3830 Pine Knoll Drive, Okemos; RE: Firing of Roger Buell, Director of Engineering
  - BI-6 Michigan Townships Association Legislative Fax, May 11, 2001 edition
  - BI-7 Penny Kay Haney, Finance Officer, Michigan Townships Association; RE: Membership Renewal
  - BI-8 Michigan Townships Association May 2001 Capitol Currents
  - BI-9 Charles Louis Willems, 1387 Hickory Island, Haslett; RE: Address of Homestead Parcel
  - BI-10 Charles Louis Willems, 1387 Hickory Island, Haslett; RE: Access to 1387 Hickory Island from Public Rights-of-Way
  - BI-11 Michigan Townships Association Legislative Fax, May 18, 2001 Edition
  - BI-12 Michigan Townships Association Legislative Fax, May 25, 2001 Edition
- (3). Freedom of Information (FOI) [On file in Clerk's Office]
- FOI-2001-19 Jason T. Hanselman, Dykema Gossett P.L.L.C., 800 Michigan National Tower, Lansing; RE: ZBA Cases #00-07-12-1 (Poblocki & Sons) and #01-04-15-1 (Poblocki & Sons)
  - FOI-2001-20 Irvin E. Kebler, Eyde Company, 4660 S. Hagadorn, Ste 660, East Lansing; RE: Documents Related to Discussions of a Possible Conflict of Interest in His Membership to the Planning Commission
  - FOI-2001-21 Irvin E. Kebler, Eyde Company, 4660 S. Hagadorn, Ste 660, East Lansing; RE: Supervisor McGillicuddy invocation of Ordinance Section 119-2 With Respect to Planning Commissioner Kebler's Continued Service
  - FOI-2001-22 Marybeth Hart, Lansing State Journal; RE: Resignation of Township Assessor Bruce Little
- (4). On File in Clerk's Office (OF)
- OF-1 State of Michigan, Department of Consumer & Industry Services; RE: Notice to Clerks of the Promulgated Building, Mechanical, and Plumbing Code Rules to Take Effect July 31, 2001
  - OF-2 State of Michigan, Department of Consumer & Industry Services; RE: Notice of Closing of File to Richard Steadman, KEBS Inc., for Proposed Braemoor Subdivision Plat, Meridian Township, Ingham County, Michigan, Section 25, T4N R1W
  - OF-3 Ingham County Road Commission April 24, 2001 Approved Board Meeting Minutes
  - OF-4 Ingham County Board of Commissioners May 22, 2001 Regular Meeting Agenda and Packet
  - OF-5 Okemos Board of Education April 23, 2001 Approved Minutes
  - OF-6 Okemos Board of Education May 21, 2001 Meeting Agenda
  - OF-7 Michael B. Shapiro, Honigman, Miller, Schwartz, & Cohn L.L.P., 660 Woodward Ave, Detroit; RE: Filing of Appeal to the Michigan Tax Tribunal for Hudsons Store #1026 (Target Corporation)
  - OF-8 Deborah L. Bellows, Ingham County Road Commission; RE: 2001 Local Road Agreement - Various Locations
  - OF-9 East Lansing-Meridian Water & Sewer Authority April 19, 2001 Draft Minutes
  - OF-10 Board of Water & Light May 22, 2001 Meeting Agenda
- (5). Staff Communication (SC)
- SC-1 Press Release RE: Moonlight Stroll at the Harris Nature Center
  - SC-2 Press Release RE: Insect Safari with Dad at the Harris Nature Center
  - SC-3 Press Release RE: Discovery Day Camp for Children at the Harris Nature Center
  - SC-4 Press Release RE: Summer Day Camp for Preschoolers at the Harris Nature Center

SC-5 Press Release RE: Fun in the Garden Day Camp at the Harris Nature Center

**Trustee Woiwode 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 Brixie.**

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

B. Minutes

- (1) April 24, 2001 Special Joint Meeting
- (2) May 15, 2001 Work Session
- (3) May 15, 2001 Regular Meeting

**Trustee Woiwode moved to approve and ratify the minutes of the April 24, 2001 Special Joint Meeting, May 15, 2001 Work Session and Regular Meeting as submitted. Seconded by Trustee Brixie.**

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

C. Volunteers in Policing Program Proposal

**Trustee Woiwode moved to approve the Police Department's implementation of the Volunteers in Policing Program; and to authorize the Manager and/or Chief to enter into the necessary agreements. Seconded by Trustee Brixie.**

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

E. Bills

**Trustee Woiwode moved that the Township Board approve the Manager's Bills as follows:**

General Fund/Special Revenue	\$ 401,708.83
Public Works	\$ 322,413.25
<u>Total Checks</u>	<u>\$ 724,122.08</u>
<u>Credit Card Transactions</u>	<u>\$ 23,769.02</u>
Total Purchases	<u>\$ 747,891.10</u>

**Seconded by Trustee Brixie.**

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

[Bill list in Official Minute Book]

F. Assessing Stipulations (2)

- (1) Michael C. Levine

**Trustee Woiwode moved that the Township Assessor be authorized to sign a Tax Tribunal stipulation with Michael C. Levine on the following residential property:**

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
1999/2000/2001	272706	2073 Birch Bluff
<u>Assessment/Taxable</u>	1999	\$250,100/250,100
	2000	\$252,600/252,600
	2001	\$221,700/221,700
<u>Proposed Asmt/Taxable</u>	1999	\$224,000/224,000
	2000	\$228,256/228,256
	2001	\$235,560/235,560

Seconded by Trustee Brixie.

**\*\*RATIONALE:** This Stipulation is recommended to correct the 1999, 2000 and 2001 Assessed and Taxable Values. After extensive research, it has been determined that our Assessment exceeds fifty percent (50%) of the property's True Case Value. Therefore, the proposed assessment is recommended.

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

(2) Robert & Frieda Tenner

Trustee Woiwode moved that the Township Assessor be authorized to sign a Tax Tribunal stipulation with Robert & Frieda Tenner on the following residential property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2001		1948 Danbury West
<u>Assessment/Taxable</u>	2001	\$82,700/82,700
<u>Proposed Asmt/Taxable</u>	2001	\$77,500/77,500

Seconded by Trustee Brixie.

**\*\*RATIONALE:** This Stipulation is recommended to correct the 2001 Assessed and Taxable Values. After extensive research, it has been determined that our Assessment exceeds fifty percent (50%) of the property's True Case Value. Therefore, the proposed assessment is recommended.

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

G. Temporary Road Closure - Whispering Oaks

Trustee Woiwode moved the following:

**WHEREAS**, Section 247.323 of the Michigan Road Laws provides that highways may be temporarily closed on a request of an official authorized by the governing body of a city, village or township; and  
**WHEREAS**, Whispering Oaks Subdivision Association has requested Mistywood Drive between S. Spicewood and N. Spicewood be temporarily closed on June 15, 2001 from 5:00 p.m. until 10:00 p.m.

**Therefore, I move the following:**

**The Township Manager's Office is authorized to request the Ingham County Road Commission to temporarily close Mistywood Drive between S. Spicewood and N. Spicewood be temporarily closed on June 15, 2001 from 5:00 p.m. until 10:00 p.m.**

**Seconded by Trustee Brixie.**

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

H. Road Closure Permit - Fourth of July Celebration

**Trustee Woiwode moved the following:**

**WHEREAS, Section 247.323 of the Michigan Road Laws provides that highways may be temporarily closed on a request of an official authorized by the governing body of a city, village or township; and**

**WHEREAS, Meridian Charter Township requests Central Park Drive between Meridian Mall entrances, that is within Marsh and Okemos Roads, be closed on Wednesday, July 4, 2001 from 5:30 p.m. until 10:30 p.m.**

**Therefore, I move the following:**

**The Township Manager's Office is authorized to request the Ingham County Road Commission to temporarily close requested Central Park Drive between Meridian Mall entrances, that is within Marsh and Okemos Roads, be closed on Wednesday, July 4, 2001 from 5:30 p.m. until 10:30 p.m. for the Independence Fireworks celebration.**

**Seconded by Trustee Brixie.**

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

I. Outdoor Gathering Permit - Fourth of July Celebration

**Trustee Woiwode moved approval of the Outdoor Assembly License for the Independence Fireworks Celebration. Seconded by Trustee Brixie.**

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

J. Outdoor Gathering Permit - Midway Carnival & Games

**Trustee Woiwode moved that the Township Board approve the Outdoor Assembly License for the Lansing Christian School and the Burcham Hills Retirement Community for Children's Carnival rides and games on June 6 to June 10, 2001. Seconded by Trustee Brixie.**

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

- K. Outdoor Gathering Permit - Towar Community Days  
**Trustee Woiwode moved that the Township Board approve the Outdoor Assembly License for the Towar Community Day. Seconded by Trustee Brixie.**

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

- M. Northport Street Lighting District - Resolution #1  
**Trustee Woiwode moved to approve Northport of Meridian Condominiums Streetlighting District - Resolution #1 tentatively declaring its intention to install and maintain nine (9) streetlights and defray the cost by special assessment against the benefiting parcels and setting a public hearing for July 10, 2001. Seconded by Trustee Brixie.**

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

- O. Lake Lansing Road Sanitary Sewer Special Assessment District #45 - Resolution #1 & 2  
**Trustee Woiwode moved to approve the Lake Lansing Road Sanitary Sewer District #45 Resolution #1, accepting the request and petition; and move to approve 2001 Lake Lansing Road Sanitary Sewer District #45 Resolution #2, tentatively declaring the Township Board's intention to make the public sanitary sewer system improvements: 730 L.F. of 8" sanitary sewer along Lake Lansing Road, and to defray part of the cost thereof by special assessment against the properties specially benefited thereby; and sets a Public Hearing for June 19, 2001 for the purpose of hearing objections to the sanitary sewer improvements and the special assessment district. Seconded by Trustee Brixie.**

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

[Signed and Sealed Resolutions in Official Minute Book]

- P. 2001 Sidewalk Order to Maintain - Resolution #1 & 2  
**Trustee Woiwode moved to approve Order to Maintain Sidewalk 2001 Program - Resolution #1 and Resolution #2 which tentatively approves the improvements, and sets the date for a public hearing on July 10, 2001. Seconded by Trustee Brixie.**

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

[Signed and Sealed Resolutions in Official Minute Book]

8. HEARINGS (CANARY)

- A. Request to Install Telecommunications Lines - Blink Inc.  
Director Kieselbach introduced the request from Blink Inc. to install telecommunications lines.

Supervisor McGillicuddy opened the public hearing.

David Marshall, Partner, Blink Inc., stated the reasons for the request as follow:

- This segment completes a loop around the Greater Lansing area
- The optical fibers will be leased to up to twelve customers for telecommunications services

Trustee Woiwode asked if there are additional Township permits or requirements beyond the current one before the Board.

Manager Richards stated there are no additional requirements. He stated the telecommunications permitting process is mid-ground between regulation of the cable systems and electric utilities. He stated the Township regulates and oversees the operation of cable franchises, but only approves the location of substations for electric utilities. He stated in the case of a telecommunications permit, the Township regulates the placing of lines in exercising its authority in regulating the impact of such lines on the Township's utility infrastructure.

Trustee Woiwode asked how individual users hook into the loop.

Mr. Marshall stated customers of his customers would hook into the loop through connections to the "central offices" of local phone carriers.

Trustee Woiwode stated the path of the line along Kinawa Drive runs on the north side of the road, which runs contrary to the basic assumption that the line would run on the same side of the road as its potential residential users. She asked if the line parallels other utility lines.

Mr. Marshall stated the proposed line runs along existing utility rights-of-way.

Trustee Woiwode asked if this is the case for the proposed underground lines along Kinawa Drive.

Mr. Marshall stated the underground portion runs independent of the utility rights-of-way.

Manager Richards stated the original proposal was along the Consumers Energy right-of-way, but given the limitations on how close wires can be placed an alternate route was required. He stated Planning Staff recommended the north side of Kinawa Drive to avoid wetland areas.

Treasurer Hunting commented that Mr. Marshall is a Township resident and asked for confirmation that the applicant is Blink Inc.

Mr. Marshall stated he is one of the Partners of Blink Inc.

Treasurer Hunting stated according to the permit application, there are no other owners holding more than a five-percent (5%) interest.

Mr. Marshall stated this is correct.

Treasurer Hunting asked why Blink Inc. is an Indiana Corporation if he is a Township resident.

Mr. Marshall stated he has a long-term business relationship with his accountant, who operates in Indiana.

Treasurer Hunting asked who his accountant is.

Mr. Marshall stated his accountant is Greg Haney.

Treasurer Hunting asked for confirmation that this accountant performed the incorporation work for Blink Inc.

Mr. Marshall stated that is correct.

Treasurer Hunting asked if the applicant has been in business for the full eleven (11) years as a Michigan resident.

Mr. Marshall stated this is correct. He stated he has owned Okemos based companies, which have

been contracted for work internationally. He stated his companies have been contracted by AT&T, TCI, MCI and Sprint. He stated he has been building fiber-optic networks and cable TV systems all over the world for the past eleven (11) years. He stated in the past he would build a system and hand it over to the customer upon completion. He stated he decided he wanted to build and maintain his own network, which led to the creation of Blink Inc.

Treasurer Hunting asked why item #5 on the application was left blank.

Mr. Marshall stated Blink Inc. only owns the hard asset of the fiber, while the facilities are owned by the customers.

Treasurer Hunting asked what the term “facilities” is taken to mean in this context.

Mr. Marshall stated he believed the term to relate only to physical structures and/or the electronic components to make the system work.

Treasurer Hunting asked for confirmation that there are no “facilities” per this definition at this time.

Mr. Marshall stated that is correct.

Treasurer Hunting asked what is the nature of the relationship between Blink Inc. and International Cable & Telephone.

Mr. Marshall stated he is the owner of International Cable & Telephone (ICT), which is the corporation he has been operating for the past eleven (11) years building cable systems and fiber-optic networks. He stated Blink Inc. is a spin-off of ICT to bring in local investors.

Treasurer Hunting asked for confirmation that he holds the major interest of both Blink Inc. and ICT.

Mr. Marshall stated that is correct.

Treasurer Hunting asked for confirmation that no other persons from ICT own a greater than five-percent (5%) interest in Blink Inc, or if this is not applicable given the business relationship.

Mr. Marshall stated no, that he is the owner of both corporations.

Trustee Woiwode asked whether or not the Township Attorney has reviewed the contract as required by condition #5 of the approving resolution.

Manager Richards stated the proposed agreement is essentially the same as a previous agreement with a different company, approved before the adoption of the telecommunications ordinance.

Trustee Woiwode asked for confirmation that the agreement presented in the packet is in fact the proposed agreement.

Manager Richards stated the agreement in the packet is the proposed agreement from Blink Inc. submitted with the original request to the Township, and is not to be used in any form. He stated the Act authorizing municipal telecommunications permitting requires a consistent procedure in handling applications and required terms and conditions. He stated the compensation to the Township based on per foot of line installed is consistent with the previous agreement. He stated he would rely on the Township attorney’s evaluation of an agreement’s consistency with the law. He stated the telecommunications ordinance was drafted such that the Township would regulate telecommunications companies to the fullest extent permitted by law.

Trustee Brixie noted her two (2) concerns related to the issue of handling telecommunications requests consistently. She stated she is concerned that the attorney has not reviewed the agreement

and presented his recommendations to the Board. She stated she is also concerned that should the Board act on this request on the same night as the hearing, it would be inconsistent with the process for handling applications.

Supervisor McGillicuddy asked for confirmation that the plan for installation is to place the lines on existing poles, or underground where there are no poles.

Mr. Marshall stated this is correct. He stated for the statewide project, approximately eighty-five percent (85%) would use overhead lines and fifteen percent (15%) would use underground lines.

Supervisor McGillicuddy asked for confirmation that Blink Inc. would be contracting the pole space from Consumers Energy.

Mr. Marshall stated this is correct.

Supervisor McGillicuddy asked why the planned route travels up Kinawa Drive rather than straight down Hagadorn Road.

Mr. Marshall stated the primary concern for the route design was to run to particular points in the most cost-effective route providing pole access.

Supervisor McGillicuddy asked if there are no poles on Hagadorn Road between Bennett and Mt. Hope Roads.

Mr. Marshall deferred to his Construction Manager to answer the question who stated there is an Ameritech central office on the corner of Dobie and Hamilton Roads. The Construction Manager stated the original design was to travel Jolly Road to Dobie Road to the intersection with Hamilton Road, but Consumers Energy would not permit pole space along this route.

Supervisor McGillicuddy asked for confirmation that the proposed line does use Consumers Energy poles elsewhere.

Blink Inc.'s Construction Manager stated this is correct. He stated in some instances poles need to be replaced at additional cost, or there is insufficient room available for additional lines.

Supervisor McGillicuddy asked for confirmation that Blink Inc.'s lines feed into a central office, and individual customers would access Blink Inc.'s lines through the local phone carrier through the central office.

Blink Inc.'s Construction Manager stated this is correct.

Supervisor McGillicuddy asked if there are other central offices in the area to substitute for the Dobie-Hamilton box.

Blink Inc.'s Construction Manager stated this is the one serving Okemos.

Supervisor McGillicuddy asked for confirmation this is only Ameritech.

Blink Inc.'s Construction Manager stated this is correct.

Supervisor McGillicuddy stated the information provided includes the statement "no information has been provided on when services would become available to citizens of the Township, or even if they ever will become available to citizens of the Township.

Mr. Marshall stated he does not know how soon a customer would provide services. He stated the sooner the lines go up, the sooner customers will provide services. He stated Blink Inc. has four (4) customers to date interested in leasing lines as soon as construction is complete. He stated the capacity of the proposed lines would provide for twelve to fourteen (12-14) customers. He stated

an advantage to the Township in having this line available, is that he can service multiple customers, rather than each one running a separate line. He stated most companies install fiber optic lines for their own use. He stated Blink Inc.'s approach is to provide a line of multiple fibers selling lots of twelve (12) lines to individual customers. He stated this approach should minimize the number of lines running through the Township and the impact of installation work.

Supervisor McGillicuddy asked if the cable is protected in a casing of some sort to protect the line.

Mr. Marshall stated the underground lines would run through conduit, and the overhead lines would be coated with a heavy metal or "armor" to protect the lines.

Supervisor McGillicuddy stated the contract is for a fifteen-(15) year period and asked if a bond is included in the provisions of the contract to remove the lines in case of business failure.

Mr. Marshall stated he believes the lines would have sufficient value such that no one would want to have the lines removed. He stated this is the technology to provide schools the opportunity to connect to MSU. He stated the lines provide significant bandwidth to the community, which is in increasing demand.

Supervisor McGillicuddy asked for confirmation that there are twelve (12) fibers per line.

Mr. Marshall stated there would be 144 total fibers.

Supervisor McGillicuddy asked if the applicant could sell lines to 144 different providers.

Mr. Marshall stated most providers prefer twelve (12) lines in total including six (6) lines in reserve.

Treasurer Hunting stated he had many questions related to the agreement provided in the packet, but would hold them until the attorney reviewed the actual proposed agreement. He stated business bankruptcies could prevent the collection of any delinquent personal property taxes. He asked how a bond might protect the Township against obsolete or inoperable lines, or lapsed insurance.

Mr. Marshall stated he is unsure of the harm for which the Township would need to be protected.

Treasurer Hunting stated the Township would need to be protected from obsolete equipment remaining on utility poles.

Mr. Marshall stated ICT would be performing maintenance on the lines, as it currently does for companies similar to Blink Inc. He stated the lines run on Consumers Energy poles and the associated equipment would need to be upgraded as needed to continue use of the lines.

Treasurer Hunting asked for confirmation that the applicant believes it to be impossible for circumstances to arise requiring the need for the removal of the lines.

Mr. Marshall stated the removal of the lines would not need to happen, unless technology increased at a significantly faster rate than is currently projected.

Treasurer Hunting asked what would happen should the necessity arise, to place overhead lines underground.

Mr. Marshall stated if overhead lines are to be reinstalled underground, it would be done by a "joint-trench procedure." He stated if Blink Inc.'s lines are required to go underground, so then for all the lines on the pole at shared expense.

Trustee Woiwode asked if the applicant has reviewed the approving resolution submitted to the Board.

Mr. Marshall stated he has not.

Trustee Woiwode stated condition #4 of the resolution requires the posting of a bond. She acknowledged that the reason this item is on the agenda for a hearing and for action is a Township staff error, and the applicant's timing concerns. She asked the applicant to discuss the implications of withholding action until the next Board Meeting.

Mr. Marshall stated he has made commitments to customers on a date to provide service that delays could cause a failure to meet with subsequent financial repercussions. He stated the application was submitted in February to the Township. He stated all the permits requested through other municipalities involved including the Cities of Lansing and East Lansing, and Townships of Lansing, Delta and Delhi have been approved. He stated many years of planning have gone into this project and he would appreciate anything that could be done to expedite this request.

Trustee Stier asked the applicant what the benefit is to the Township in approving this request.

Mr. Marshall stated telecommunications services require bandwidth. He stated the proposed line would loop the City of Lansing and run to Grand Rapids and eventually throughout the State of Michigan. He stated school systems rely on optical fiber for interconnections. He stated the City of East Lansing connects their Police & Fire Departments through optical fiber. He stated the benefit to the residents of the community is that other telecommunications providers could purchase service from Blink Inc. to offer varied services at competitive rates to the community. He stated such services offered could include Internet service and local and long-distance telephone services.

Trustee Stier stated the applicant could not tell the Board when or if this would happen and the benefit is no more than speculation.

Mr. Marshall stated this is not speculation.

Trustee Stier asked the applicant to say when services would be offered and who would be connected.

Mr. Marshall asked for clarification on the word "who".

Trustee Stier stated the applicant referred to the potential benefit to schools and that there are customers waiting for service. He asked if the schools would be reserved a certain number of lines out of the 144 to be installed.

Mr. Marshall stated there are government grants schools can apply for to purchase optical fibers. He stated Blink Inc.'s customers would be telephone companies and Internet Service Providers. He stated that once the line connects into Ameritech's central offices around the city, the customers install their equipment in the central office. He stated once the equipment is installed, Blink Inc.'s customer could provide competitive telephony services.

Trustee Woiwode asked permission to direct some questions to the attorney.

Supervisor McGillicuddy granted the request.

Trustee Woiwode asked Attorney Woodworth whether there is the risk of setting precedence by taking action on this request tonight in violation of the established Board practice to withhold action on a hearing item until at least the next regular meeting.

Attorney Woodworth stated he is concerned that there are issues needing clarification. He stated he has not reviewed a proposed agreement and does not know how it addresses some apparent loose ends. He stated it may be appropriate to schedule a second hearing to provide an opportunity to address the unresolved issues.

Trustee Woiwode stated one of the questions is whether there should be a hearing or even delaying action until staff can respond to the Board's concerns and the public has the opportunity to provide

feedback.

Attorney Woodworth stated there is little question the Board's concerns raised tonight should be answered to ensure an informed decision.

Trustee Stier stated Blink Inc. has been planning this project for several years, several municipalities are on Board, Meridian Township is the last municipality to consider this proposal, the Board received its information in its packets last Friday, and the Board received additional information before the Board Meeting. He stated he can not in clear conscience approve the proposal until he understands it better.

Mr. Marshall stated once the loop is hooked into the central offices, there will be competitive phone, internet and long-distance on this network provided by a local company. He asked what additional information or clarification he can provide regarding the services provided by the network.

Trustee Stier asked for confirmation that the benefit to the Township is that phone customers and internet users would have the option of using other carriers.

Mr. Marshall stated he would not say this is the only benefit. He stated this is one of the benefits. He stated bandwidth is a tool to keep companies in and attract companies to a community. He stated companies have left other townships for lack of adequate bandwidth. He stated bandwidth is what companies need to conduct business.

Treasurer Hunting stated his primary discomfort is that the Board has just received the company's financial statements, pole attachment agreements and the resolution itself at this meeting. He stated he would probably support the project, but is not comfortable taking action at this time.

Supervisor McGillicuddy opened the floor to any interested residents.

Mr. Marshall stated for clarification, that he was just informed that other townships have required Blink Inc. to post a bond of some type.

Supervisor McGillicuddy closed the public hearing.

9. ACTION ITEMS (PINK)

A. Request to Install Telecommunications Lines - Blink Inc.

**Trustee Woiwode moved to postpone the matter until the next regular meeting. Seconded by Trustee Brixie.**

Board members discussed the following items:

- The importance of proceeding carefully in the exercise of new regulating authority
- The need for complete legal review of the proposed agreement
- The need for additional consideration of the proposal
- The finalized agreement will be the basis for future telecommunications proposals
- The need to revise the proposed resolution to reflect the completion of the review of the Township attorney before adoption of the approving resolution.
- The need for a copy of the proposed agreement submitted in the next Board packet

**Trustee Woiwode amended the motion to submit the proposed agreement to the Township attorney for review. Amendment accepted by Seconder.**

Board members discussed the following items:

- The need for a copy of the proposed agreement submitted in the next Board packet
- The need for timely submission of materials to the Board for full consideration

VOICE VOTE: Motion carried 6-1 (Such)

D. 2001 Order to Construct Sidewalk (Shoals) - Resolution #1 & 2

**Treasurer Hunting moved to approve Order to Construct Sidewalk for lots 205 and 281 in Shoals Subdivision #3 - Resolution #1 and Resolution #2 which tentatively approves the improvements and sets the date for a public hearing on June 19, 2001. Seconded by Trustee Woiwode.**

Board members discussed the following items:

- Objection to ordering the construction of a sidewalk not originally required upon construction on one of the parcels
- The need for the Township to subsidize the construction of sidewalks on corner lots

**Clerk Helmbrecht offered an amendment to the motion to set the hearing on July 10, 2001 instead of June 19, 2001. Amendment accepted by the Maker and Seconder.**

VOICE VOTE: Motion carried 5-2 (Helmbrecht, Such)

- Board Members discussed whether there were any issues to address before releasing the attorney.

**Without objection, the Board amended the agenda to consider item #9.H. (2001 Testing Services Contract Award) at this point in the meeting.**

- 2001 Testing Services Contract Award (Agenda Item #9.H.)

**Treasurer Hunting moved that the Township accept the proposal from SME Inc. to provide testing services for construction projects and that Township officials be authorized to sign the acceptance agreement. Seconded by Trustee Such.**

Board Members discussed the following items:

- The proposed agreement is one supplied by SME Inc.
- Need to eliminate condition #3 under "General Conditions" for the assessment of a finance charge.
- Clarification of condition #4 under "General Conditions" relates to original engineering field notes retained by the service company, and all contracted reports are the property of the Township.
- The need for liability insurance greater than \$50,000
- Adequacy of Errors and Omissions Insurance Coverage
- The need for the addition of a termination clause based on the substantial failure of SME Inc. to perform, and a provision for the reimbursement to the Township for any expenses incurred as a result of that failure.

**Treasurer Hunting amended the motion such that "...Township officials be authorized to sign the acceptance agreement as amended by the Township attorney." Accepted by Seconder.**

VOICE VOTE: Motion carried unanimously.

E. Rezoning #01050 (Alpine)

Director Kieselbach introduced the request to rezone approximately 2.5 acres located east of Okemos Road and north of Jolly Road in Section 33 from CS (Community Service) to PO (Professional Office).

**Trustee Such moved that the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_\_\_\_, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #01050 from CS (Community Service) to PO (Professional Office). Seconded by Clerk Helmbrecht.**

Board Members discussed the following items:

- Proposed rezoning is a downzoning in line with resident interests.
- Planning Commission requested rezoning

VOICE VOTE: Motion carried unanimously.

F. Rezoning #01030 (Planning Commission)

Director Kieselbach introduced the request to rezone properties located at the northwest and northeast corners of the Haslett Road-Okemos Road intersection from NS (Neighborhood Service Commercial) to PO (Professional Office).

**Trustee Such moved that the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_\_\_\_\_, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #01030 from NS (Neighborhood Service) to PO (Professional Office). Seconded by Clerk Helmbrecht.**

Board Members discussed the following items:

- The proposed rezoning maintains the status quo of the area.
- The rezoning protects the residents if the fire station is ever abandoned.
- Existing residential structure is non-conforming.
- Residential zoning provides for rebuild rights for residential home.
- Current zoning prohibits the granting of variances, as they would be “use variances.”
- A fire station is permitted by Special Use Permit in any zoning district
- Potential use of the fire station parcel as a residential lot.
- Preference for residential zoning for the non-conforming residential lot.
- Need to revise the legal description for the adoption resolution to remove the non-conforming property from the rezoning.
- Calculation of buildable area and the impact of the well on the northeast corner lot and rear property.

**Trustee Such moved to postpone the matter until the next regular meeting of the Township Board. Seconded by Trustee Brixie.**

VOICE VOTE: Motion carried unanimously.

G. Zoning Ordinance Amendment to Section 83-1.11(c-10)

Director Kieselbach introduced the request from the Zoning Board of Appeals to amend Section 83-1.11 of the Code of Ordinances.

Board Members discussed the following items:

- Potential for missing important cases in regulating to avoid variances.

**Trustee Brixie moved to initiate an amendment of Section 83-1.11(c-10) of the Code of Ordinances. Seconded by Trustee Such.**

Board Members discussed the following items:

- Process for a Board initiated zoning amendment
- Adoption of 83-1.11(c-10) in 2000
- The proposed amendment would eliminate the exemption for driveways and sidewalks

VOICE VOTE: Motion carried unanimously.

H. 2001 Testing Services Contract Award (See Item #9.D.)

10. DISCUSSION ITEMS (ORCHID)

Supervisor McGillicuddy opened public comment.

David E. Pierson, McClelland & Anderson, L.L.P., 1305 South Washington Avenue, Suite 102, Lansing, discussed his belief that there was insufficient notice to the property owners effected by the amendments to the commercial zoning districts.

Supervisor McGillicuddy closed public comment.

A. Policy Governance

Supervisor McGillicuddy reported the draft policy is posted on the Township's website. She summarized the Board's intent in moving forward with adoption of the proposed policy.

Board Members discussed the following items:

- The proposed policy focuses the Board's efforts away from day-to-day functions of the Township to establishing ends and operational parameters.
- The draft policy is available for review in hard copy at the Clerk's Office.

B. RFP for Communications Services

Manager Richards reviewed the proposed policy and Request for Proposals (RFP).

Board Members discussed the following items:

- Recommend Item B.1. include a statement to make recommendations to the Township Manager regarding any changes.
- Recommend the term "Earned Media" be defined as "news media outlets."
- Recommend Item B.5. read as "[p]rovide suggestions and recommendations for reaching all the Township Residents, property owners and other interested parties with relevant information."
- Recommend Item B.6. read as "Review information developed by Township staff and make recommendations with regard to internal..."
- Recommend Item B.7. include a number range of articles from two (2) to six (6) per month based on the amount of information needed to disseminate.
- Recommend adding Item B.9. to "assist in the development of material for information provided on the Township website."
- Recommend Item B.7. use the term "press releases" rather than "article."
- Proposed policy fills a gap rather than replacing an older existing policy.
- Consideration of replacing negative language with positive language.
- Correction to the reference in A.1.(a) to Section D rather than C.
- Consideration of the RFP as an action item at the June 19 meeting separate from the adoption of policy governance.
- Public input for policy governance available through public remarks rather than a specific public hearing.

C. MDOT Grand River Widening Project

Supervisor McGillicuddy introduced the project for discussion.

Manager Richards summarized discussions between MDOT and Township Staff on the design of the project. He introduced Terry L. Anderson, P.E., Manager, MDOT Lansing Transportation Service Center to answer questions from the Board.

Mr. Anderson outlined the proposed project and considerations in its design.

Board Members discussed the following items:

- Federal Highway Works & Administration (FHWA) Region Headquarters coordinate federal involvement in project.
- Stages of plan development.
- Staff participation in plan review meetings.
- MDOT primary project coordinator
- Consideration of a three-(3) lane road instead of a full five (5) lane road.
- Could resident support for the proposal be more accurately considered acquiescence.
- Twenty-five (25) year traffic projections from the Tri-County Regional Planning Commission.
- Need for consideration of 2000 census figures in recalculating projections.
- Road paving as a possible cause of increasing traffic.
- Inherent unreliability of long-term statistical projections
- Resident action as impetus for installation at the intersection of Cornell Road and Grand River Ave

- Primary Township traffic issues exist on roads under the jurisdiction of MDOT.
- The potential that the proposed project may exacerbate current problems on Grand River Ave.
- MDOT Level of Service statistics.
- Need to determine whether traffic samples and estimates used by MDOT planners are based on a period during a significant growth spurt of the Township.
- The need for cooperation between the Township and MDOT to address significant quality of life issues related to vehicle, pedestrian and bicycle traffic.
- Implementation of an Access Management Ordinance
- The proposal is all-or-nothing and modifications would require a fresh start to the planning process.

- D. ZA #98150 (Planning Commission), Section 82-11 Commercial, Retail and Business Districts C-1, C-2, C-3

Director Kieselbach introduced the proposed amendment to Chapter 82 of the Zoning Ordinance to amend the effective date.

Board Members discussed the following items:

- The original zoning amendment amends the zoning district and not the zoning map.
- Existing SUP's would still be valid.
- Potential for current non-conforming businesses becoming conforming.
- Inability to partially enact by zoning district.
- The need to introduce the amendment at this meeting.
- Possible rescission of ordinance rather than postponement
- Delineation of proposed C-3 zoning district

**Trustee Woiwode moved that the Township Board hereby Introduces for Publication and Subsequent Adoption the amendment to the effective date of Ordinance No. 2000-17 from July 2, 2001 to November 5, 2001. Seconded by Supervisor McGillicuddy.**

**Trustee Such offered an amendment to the motion formally request the Township attorney review the concerns expressed in communication 10D-1 (Pierson) related to the original adoption of ZA #98150 (Planning Commission). Amendment accepted by Maker and Secunder.**

VOICE VOTE: Motion carried unanimously.

[Signed and Sealed Resolution in Official Minute Book]

**Trustee Such invoked the 10:30 rule.**

Board Members discussed whether there were any urgent items remaining on the agenda. Seeing none, there were no objections to postponing discussion on the remaining discussion items (Agenda Items #9.E. through 9.I.).

Supervisor McGillicuddy moved to public remarks.

- E. Rezoning #01020 (Planning Commission), request to rezone Lots 186-192 of the Oak Grove Park Subdivision located on the southwest corner of the Lake Lansing and Marsh Roads intersection from CS (Community Service) to NS (Neighborhood Service)
- F. SUP Approval Authority for Buildings Greater Than 25,000 Square Feet
- H. Summer Tax Collection Administration Fees
- I. Replacement of Heart Monitor

11. PUBLIC COMMENT

Supervisor McGillicuddy opened public comment.

David E. Pierson, McClelland & Anderson, L.L.P., 1305 South Washington Avenue, Suite 102, Lansing, offered to provide information related to concerns in the new commercial districts to clarify these issues before enactment.

Supervisor McGillicuddy closed public comment.

12. FINAL BOARD MEMBER COMMENT (None)

13. ADJOURNMENT

**Trustee Brixie moved to adjourn the meeting. Seconded by Trustee Such.**

Supervisor McGillicuddy adjourned the meeting at 11:18 p.m.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Paul J. Cassidy, Secretary