

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING – **APPROVED**
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, FEBRUARY 17, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief
Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Manager/ Human Resources
Director Paul Brake, Attorney Andria Ditschman

1. CALL MEETING TO ORDER
Supervisor McGillicuddy called the meeting to order at 6:00 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.

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke concerning requested information on the Policy Governance Meeting, Board member information on the Township's website, requested roll call votes for ordinances and expenses, and spoke in support of stimulus money being used for water/sewer and roads.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES
Supervisor McGillicuddy announced that Manager Richards received the Michigan Local Government Management Association's Excellence Award on Thursday, February 5, 2009, at the Winter Institute in Ypsilanti, Michigan.

Supervisor McGillicuddy announced that at last week's LEAP Meeting the speaker stated that communities which have green infrastructure, high home values and the presence of water are communities which have sustained value and will draw residents into the area.

A. Treasurer's Report

Treasurer Brixie thanked taxpayers who paid their winter taxes which were due today at 5:00 P.M. She announced that late taxes may be paid at the Township until 5:00 P.M. on March 2, 2009. After that date, unpaid taxes will be turned over to Ingham County.

Treasurer Brixie gave an update on total collections and disbursements, as well as fixed investments and liquid investments as of February 5, 2009.

6. APPROVAL OF AGENDA — OR CHANGES
Treasurer Brixie moved to approve the agenda as submitted. Seconded by Trustee Ochberg.

Trustee Veenstra offered the following friendly amendments:

- **ReNUMBER Agenda Item #13. "Adjournment" to Agenda Item #15.**
- **Add Agenda Item #13. "Board Member Comment"**

- **Add Agenda Item #14. “Closed Session”**

The maker and seconder accepted the amendments.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

1). Board Information (BI)

BI-1 Treasurer Brixie; RE: News article from *The Christian Science Monitor* entitled “Sidewalk Stanzas”

BI-2 Clerk Helmbrecht; RE: Citiwire.net article entitled “Hoover’s Other Error: Making Sprawl the Law”

(2) Regional Linkage (RL)

RL-1 William M. Conklin, Managing Director, Ingham County Road Commission, PO Box 38, Mason; RE: Administrative Fee – Local Road Match Program

RL-2 Deborah L. Bellows, Secretary to the Ingham County Road Commission, PO Box 38, Mason; 2009 Schedule of Board of Ingham County Road Commissioners Regular Meeting

RL-3 Ingham County Board of Commissioners, PO Box 319, Mason; RE: Proclamation honoring the Preserve Lake Lansing Trails Committee and Volunteers

RL-4 Michael McDonald, Chair, Ingham County Parks & Recreation Commission, 121 E. Maple, Suite 102, Mason; RE: Resolution honoring the Preserve Lake Lansing Trails Committee and Volunteers

(3). Staff Communication/Referral (SC)

SC-1 E-mail from Gerald Richards; RE: Forward of e-mail from Michigan Municipal League entitled “The state’s best local leaders needed for the Capital Conference”

SC-2 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated February 6, 2009

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

Received at the February 3, 2009 Board Meeting

Kim Horwood, 4392 Oakwood Drive, Okemos; RE: Zoning Amendment #07050

Ronald Richards, Jr., 6275 W. Reynolds Road, Haslett; RE: Zoning Amendment #07050

Lynne Page, President, Briarwood Home Owners Association, 3912 Raleigh Drive, Okemos; RE: Zoning Amendment #07050

Lyle Marshall, President, Tacoma Hills Homeowners Association, 2134 Lagoon Drive, Okemos; RE: Zoning Amendment #07050

Cecilia Kramer, President Forest Hills Homeowners Association, 4560 Oakwood, Okemos; RE: Zoning Amendment #07050

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 Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the February 3, 2009 Regular Meeting amended as follows:

- **Amend Board discussion of Agenda Item #10A by including the names of the three appointments to the Planning Commission: Wayne Beyea, Adrienne Domas and David Reicosky**

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

C. Bills

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

Common Cash	\$ 924,582.30
Public Works	\$ 296,545.35
Total Checks	\$1,221,127.65
Credit Card Transactions	\$ 8,038.10
Total Purchases	<u>\$1,229,165.75</u>
ACH Payments	<u>\$ 336,572.72</u>

Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

[Bill list in Official Minute Book]

D. Amendments to POAM Labor Agreement

Treasurer Brixie moved approval of the amendments to the collective bargaining agreement for 2009-2012 as tentatively agreed to and approved by the Police Officers Association of Michigan as described in the February 13, 2009 staff memorandum and authorize the Supervisor and Clerk to sign the same. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

E. Amendments to AFSCME Clerical Labor Agreement

Treasurer Brixie moved approval of the amendments to the collective bargaining agreement for 2009-2011 as tentatively agreed to and further ratified by the AFSCME Office Clerical and Secretarial Employees as described in the February 13, 2009 staff memorandum and

authorize the Supervisor and Clerk to sign the same. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

F. Charitable Gaming License, Michigan Floral Foundation

Treasurer Brixie moved approval of a request from the Michigan Floral Foundation of Meridian Township, Ingham County, asking that they be recognized as a non-profit organization operating in the community for purposes of obtaining a gaming license or registration and be considered for approval. Further, that the Township Clerk be authorized to execute the resolution from the State of Michigan. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

G. Charitable Gaming License, Bennett Woods Elementary Family Council

Treasurer Brixie moved approval of a request from the Bennett Woods Elementary Family Council of Meridian Township, Ingham County, asking that they be recognized as a non-profit organization operating in the community for purposes of obtaining a gaming license or registration and be considered for approval. Further, that the Township Clerk be authorized to execute the resolution from the State of Michigan. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

H. Application for LWC Grant, North Meridian Road Park to Construct Restrooms

Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, hereby supports submission of a grant application to the Land and Water Conservation Fund for improvements to North Meridian Road Park that includes a universally accessible restroom facility and sidewalks, with a 50% local match (\$75,000) provided by the Township's Park Millage Fund. The total project cost is estimated at \$150,000. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

I. Heron Creek Special Assessment District #50, Resolution #4. Set Public Hearing Date (March 17)

Treasurer Brixie moved to approve Herron Creek Sanitary Sewer Special Assessment District #50, Resolution #4, which files the proposed final special assessment roll with the Township Clerk and sets the date for a public hearing on March 17, 2009. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

J. Purchase of Two Motorcycles

Treasurer Brixie moved that the 2009 Motor Pool budget be amended to increase the budgeted amount in account 661-000.000-981.000, from the Motor Pool fund balance, by

\$26,600 for the purchase of two new 2009 Harley-Davidson motorcycles for the Police Department. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY

9. HEARINGS

A. 2008 Order to Maintain Sidewalks Special Assessment District #10
Supervisor McGillicuddy opened the public hearing at 6:14 P.M.
Director Severy summarized the proposed 2008 special assessment district as outlined in staff memorandum dated February 12, 2009.

Supervisor McGillicuddy closed the public hearing at 6:15 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Board Policy Goals

Treasurer Brixie moved approval of amendments to the Board Policy Manual, discussed and developed at the Board Policy Governance Workshop held on January 13, 2009 as follows:

- **Policy 1.1.1 – Last Sentence - Remove “and” after “lands”, add “comma” after “areas”, and add “and land preservation parcels.”**
- **Policy 1.1.1 (c) – New - Add “Protected trees.”**
- **Policy 1.1.3.3 (ii) – Change “Encourage and create” to “Existence of” and add after “gardens”, “and/or community sustained farms.”**
- **Policy 1.1.6 (a) – New - “a. Unnecessary lighting minimized or eliminated.”**
- **Policy 1.2 4 (f) – New – “f. Gaps in pathways on major roads eliminated.”**
- **Policy 1.3.1 – Add before “Appreciating” the word “Maintaining or.”**
- **Policy 1.3.3 (d) – Delete “Encourage” and capitalize “Entrepreneurial” and add after “activities”, “of all types of life encouraged”**
- **Policy 1.3.3. (e) – New – “e. Redevelopment encouraged.”**
- **Policy 1.3.3 (f) - New – “f. Local business.”**
- **Policy 3.1 – First Sentence - After “(a)” add “openness and transparency.”**

Seconded by Trustee Ochberg.

Trustee Dreyfus offered the following friendly amendment:

- **Policy 1.3.3 (d) - delete “of life”**

The maker and seconder accepted the amendment.

Board members discussed the following:

- Community gardens as a priority over community sustained farms
- Board member request to incorporate changes by a strikethrough for deletions and additions in capital letters

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

B. 2009 Downtown Development Authority (DDA) Budget

Trustee Ochberg moved approval of the 2009 operating budget of the Meridian Township Downtown Development Authority (DDA) of Okemos, approved by the DDA Board of Directors on November 24, 2008. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Tax capture is a portion from winter and summer taxes
- Explanation of tax increment financing as net value
- Executive Director salary as part of administrative expenses
- Project design costs already incurred by engineering firm for the proposed Okemos/Hamilton Road roundabout

Trustee Veenstra offered the following amendment:

- **No money in the DDA budget will be spent on the design of the Okemos/Hamilton Road roundabout until such time as that expenditure has been approved by the Meridian Township Board.**

Seconded by Trustee Dreyfus.

Board members discussed the following:

- DDA Board will amend its own budget at the next meeting
- There is a cost to providing technical answers on the roundabout project

Supervisor McGillicuddy called the question.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, Veenstra
NAYS: Trustees LeGoff, Ochberg, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
Motion failed 2-5.

ROLL CALL VOTE ON THE MAIN MOTION: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 6-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in opposition to Zoning Amendment #07050.

Supervisor McGillicuddy closed public comment.

- A. 2008 Order to Maintain Sidewalks, Special Assessment District #10
The consensus of the Board was to place this item on the agenda for action at the March 3, 2009 Board Meeting.
- B. Zoning Amendment #07050 (Planning Commission), request to amend Section 86-2 Definitions, Section 86-368(b)(9) Outdoor Storage of a trailer or recreational vehicle, and Section 86-506 Outdoor Storage of commercial vehicles and trailers, to facilitate regulation of recreational and utility trailer storage in single-family residential districts
Manager Richards summarized the proposed zoning amendment as outlined in staff memorandum dated February 13, 2009.

Board members and staff discussed the following:

- Clarification of February 13, 2009 draft
- Current ordinance addresses limited temporary storage in another section
- Vehicle which leaks gas and/or oil can be deemed to indicate disrepair
- Use of the specific language to describe an inoperable motor vehicle is currently in the ordinance
- Inclusion of outdoor storage of inoperable vehicle or trailer
- Concern with language which allows special treatment for Lake Lansing residents
- Waterfront property should be treated differently than other residential properties
- Include language for residents who abut bodies of water other than Lake Lansing

Trustee Veenstra moved to focus discussion on the staff recommendation dated February 13, 2009.

The motion died for lack of a second.

Continued Board discussion:

- Possible deletion of references to licensing in draft dated February 13, 2009
- Possible deletion of references to disrepair in draft dated February 13, 2009
- Concern with unlimited number of vehicles and/or trailers which may be stored under the draft dated February 13, 2009
- Planning Commission recommendation did not change the number of allowed recreational vehicles to be stored outdoors dependent upon where a resident lived in the Township
- Draft dated February 13, 2009 would be additional language to the existing ordinance

It was the consensus of the Board to place the February 13, 2009 draft on the agenda for action at the March 3, 2009 Board meeting.

C. Board Policy Manual Amendments

Board members and staff discussed the following:

- Follow Robert's Rules of Order during Board meetings
- Allowance of a Board member to remove an item from the Consent Agenda
- Use of Robert's Rules of Order with Ms. Stratton's suggested recommendation regarding the consent agenda
- Official adoption of Robert's Rule of Order as the parliamentary authority
- Addition of 3.1.7 – appoint the Manager as the parliamentarian
- Addition of 3.4.5 – Township Manager shall prepare the agenda for the Board with input from the Board
- Addition in 3.1 – Addition of *(a) openness and transparency* and relettering the remaining subsections received Board consensus at a prior meeting
- Delineate to staff items which are not acceptable to be placed on the consent agenda
- Addition in 2.5 – Addition of *10. Accept grant match awards without going through new appropriations procedures* as an Executive Limitation received Board consensus
- Move Section 5 to Section 3.10 POLICY TITLE: COMMUNITY LINKAGE received Board consensus
- Suggestion for staff to place changes in italics within draft Policy Governance Manual for Board ease in viewing additions
- Addition of 2.10 POLICY TITLE: REGIONAL COOPERATION with suggested language received Board consensus

Trustee Veenstra moved to table Section 2. Seconded by Trustee LeGoff.

VOICE VOTE: Motion failed 1-6 (Dreyfus, LeGoff, Ochberg, McGillicuddy, Helmbrecht, Brixie).

Treasurer Brixie moved adoption of Robert's Rules of Order with the addition of 3.1.7: The Board shall follow Robert's Rules of Order with the Township Manager acting as the parliamentarian. Seconded by Trustee Veenstra.

VOICE VOTE: Motion carried 5-2 (Ochberg, McGillicuddy)

Continued Board member discussion:

- Lack of support for Board Self-Assessment
- Economic prosperity as the number one consideration for the Board's 2009 Annual Work Plan
- Tree protection as the number two consideration for the Board's 2009 Annual Work Plan
- Placement of pro-bicycle language and pro-bicycle parking in Township redevelopment ordinances

The consensus of the Board was to allow staff to incorporate agreed upon changes into the Board Policy Manual and place the item on for action at the March 3, 2009 Board Meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Marsha Madle, Chair, Economic Development Corporation (EDC), 1373 Sebewaing, Okemos, thanked Treasurer Brixie for bringing forward economic prosperity as the Board's highest priority. She added the EDC looks forward to working closely with the Township Board, the Downtown Development Authority (DDA) and the Meridian Area Business Association (MABA) to increase economic vitality in Meridian Township.

Leonard Provenchur, 5824 Buena Parkway, Haslett, noted North Okemos Road from Central Park to Haslett Road was closed for four (4) days due to flooding. He added the \$3.6 million project by the Road Commission will not address the gradient changes necessary to solve the flooding problem. Mr. Provenchur indicated William Conklin (Managing Director, Ingham County Road Commission) estimated it would take an additional \$6 million to make gradient changes on this part of Okemos Road. He also requested the public remarks form be updated to include space for an e-mail address.

Will White, Vice-Chair, DDA, 2142-1/2 Hamilton Road, Okemos, noted the \$20,000 budgeted for project design costs on the Okemos /Hamilton Road roundabout was retroactive as the work had already been completed.

Supervisor McGillicuddy closed Public Remarks.

13. BOARD MEMBER COMMENT

Trustee Ochberg requested the Supervisor place the Chapter 20 Drainage Districts on the next Board agenda as a discussion item. She believed it to be an economic prosperity issue which needed to be shared among the benefited residents for equity purposes.

Treasurer Brixie requested the Board discuss the disparity of road money to be received under the stimulus package as outlined in Managing Director Conklin's handout at the February 3, 2009 Board meeting.

14. POSSIBLE CLOSED SESSION

Trustee Ochberg moved that the Township Board go into closed session to discuss ongoing litigation. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy recessed the meeting at 7:49 P.M.

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

Trustee Ochberg moved to return to open session. Seconded by Trustee Dreyfus.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy reconvened the meeting at 8:04 P.M.

Trustee Ochberg moved to go forward as discussed in closed session. Seconded by Trustee Dreyfus.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht
NAYS: Treasurer Brixie
Motion carried 6-1.

15. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:05 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary