

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, MAY 19, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus, LeGoff, Ochberg, Veenstra (6:01 P.M.)  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Assistant Manager/ Human Resources Director Paul Brake

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.

Cathy Baird, 3720 Hulett Road, Okemos, spoke in opposition to the completion of the pathway on the east side of Hulett Road from the Consumers Power right-of-way to Loon Lane and requested that portion be deleted from the Pathway Master Plan.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES
  - A. Treasurer's Quarterly Report  
Treasurer Brixie gave an update on total collections and distributions as well as fixed investments, non-fixed investments, and liquid investments as of April 30, 2009.

Trustee Ochberg reported that she and Trustee LeGoff attended the Okemos School Board meeting on Monday, May 18, 2009 and stated the School Board's intent is to have Hiawatha, Bennett Woods and Cornell Elementary Schools remain open and the students currently attending Wardcliff and Central Elementary Schools will be sent to the three open schools. She expressed concern the children attending the two schools which will be closed are more vulnerable and will encounter greater stress with the transition.

Trustee Veenstra attended Tri-County Regional Planning Commission's Transportation Review Committee on May 13<sup>th</sup> and spoke with Councilmember Kevin Beard, asking him to make a monetary contribution from East Lansing to Meridian Township's PEG channel lawsuit against Comcast. Mr. Beard indicated there was not Council support for the contribution and Trustee Veenstra urged Board members to garner East Lansing City Council's monetary support for the lawsuit.

Trustee Veenstra requested staff to develop an ordinance which would require all new buildings and major retrofits in Meridian Township to be LEED certified. He urged staff to amend the MUPUD ordinance to require a 175 foot setback from railroad tracks for all residences regardless of zoning.

Treasurer Brixie participated in the National Ride Your Bike to Work last week through commuting by bicycle for four (4) days.

Supervisor McGillicuddy reported she attended the EDC, MABA and DDA meetings over the last week. She stated she attended a two-day workshop on the second phase of form based codes.

6. APPROVAL OF AGENDA — OR CHANGES

**Treasurer Brixie moved to approve the agenda as submitted. Seconded by Trustee Ochberg.**

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). Regional Linkage (RL)

RL-1 Patrick Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason;  
RE: Scheduled Treatment of Briarwood Pond for Algae and Weeds

(2). Staff Communication/Referral (SC)

SC-1 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 May 4, 2009

**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 May 7, 2009 Regular Meeting as submitted. 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. Help America Vote Act Grant Request

**Treasurer Brixie moved to ratify the submission of a HAVA (Help America Vote Act) Grant to provide handicapped accessibility to the Haslett Middle School outside gymnasium and to accept funding of up to \$2,500, requiring no local match, if approved. Seconded by Trustee Ochberg.**

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

D. Bills

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

Common Cash	\$ 283,529.66
Public Works	\$ 344,064.90
Total Checks	\$ 627,594.56
Credit Card Transactions	\$ 6,943.35
Total Purchases	<u>\$ 634,537.91</u>
 ACH Payments	 <u>\$ 336,254.58</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]

E. Assessing Stipulation

**Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Vance J. Boyd on the following property:**

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2007	0331500	88 W. Sherwood, Okemos, MI 48864
2008		
2009		
<u>Assessment</u>	2007	<u>AV/TV</u> \$112,000/76,405
<u>Proposed Assessment</u>	2007	<u>AV/TV</u> \$105,000/76,405

**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. Outdoor Gathering Permit, Celebrate Downtown Okemos Art Walk, June 20, 2009

**Treasurer Brixie moved approval of the Outdoor Assembly License for Meridian Township Downtown Development Authority’s “Celebrate Downtown Okemos – Art Walk” on June 20, 2009, as detailed in the staff memorandum dated May 14, 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.

8. QUESTIONS FOR THE ATTORNEY

Trustee Ochberg asked for a response from our attorney at a later time to the following question:  
“Is the code enforcement in the Township in violation of the 14<sup>th</sup> amendment to the US Constitution in that investigation and enforcement is only initiated when there is an angry neighbor?”

Township Manager Richards responded the question was asked as if that is the case, but it is actually only one of the cases. He added the Township is attempting to enforce the ordinance on a Township-wide basis so there is less reliance on neighbors with “selective” enforcement, but with uniform enforcement across the Township.

9. HEARINGS

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Mindy Rudolph, 2060 Shagbark Lane, Okemos, a frequent rider, spoke in support of the Capital Area Transportation Authority (CATA) Redi-Ride Program.

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in support of the ICRC’s long range plan for roads within Meridian Township, while expressing concern with the long range plan for roundabouts on Marsh Road at Central Park Drive, Times Square Drive, Tihart Road and at the Okemos/Hamilton Road intersection.

Tom Anderson, 1767 Chamberlain Way, Haslett, spoke in support of the CATA Redi-Ride Program.

Patrick Cannon, Meridian Township representative to the CATA Board, 1769 Pine Creek Drive, Haslett, spoke in support of placing the CATA Redi-Ride millage renewal before the voters this fall.

Supervisor McGillicuddy closed public comment.

A. Ballot Language Resolution for CATA Redi-Ride Service Millage

**Clerk Helmbrecht moved to approve placing the following Proposal on the November 3, 2009 Ballot:**

**CHARTER TOWNSHIP OF MERIDIAN BALLOT PROPOSAL**

**Proposal A**

**Proposal to Renew and Restore**

**Expanded CATA Service to Increase Frequency of Current Routes and Provide Redi Ride Service**

**Shall the limitation on the amount of taxes which may be assessed against all property in the Charter Township of Meridian, Ingham County, Michigan, be increased by .2 (2/10) mills (\$ .20 on each \$1000 of taxable valuation) for a period of 10 years, 2009 thru 2018 inclusive to renew and restore the previously approved .2 mills for Expanded CATA Service to Increase Frequency of Current Routes and Provide Redi Ride Service for Meridian residents, which has been reduced by required millage rollbacks in recent years to .194 mills, with the estimate of revenue to be disbursed to Meridian Township, if approved and levied in the 2009 calendar year, to be approximately \$343,905?**

**YES**

**NO**

**Seconded by Treasurer Brixie.**

Board members discussed the following:

- Importance of allowing voters the opportunity to decide whether or not to support the millage renewal
- Concern with actual cost of Redi-Ride
- Possibility of expanding hours from 8:00 a.m. until 5:00 p.m. Monday through Friday with elimination of Saturday service to contain costs
- Explore increase in Redi-Ride fares
- Increase in fares to cover expense of expanding hours
- Input from riders on optimal service within financial constraints
- Real need for this service within the Township
- Ballot language identical to verbiage used ten (10) years ago
- Cost per rider for the CATA system as a whole v. cost per rider for Redi-Ride

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

NAYS: None

Motion carried unanimously.

B. Ingham County Road Commission 2010 Through 2035 Long Range Plan – Options for Alternate Analysis Projects

Manager Richards summarized Ingham County Road Commission (ICRC) projects to be included in the proposed 2010-2035 Long Range Plan for Meridian Township as outlined in staff memorandum dated May 15, 2009.

**Trustee Veenstra moved to endorse proposed project #3 as described on the long range plan.**

**The motion died for lack of a second.**

**Treasurer Brixie moved that the Township Manager be authorized to send a letter to the Ingham County Road Commission indicating the Township Board's recommendations for projects listed on the proposed 2010-2035 Long Range Plan-Options for Alternatives Analysis projects. Seconded by Supervisor McGillicuddy.**

Board members discussed the following:

- Project #3 (College Road to Farm Lane and Forest Road to Mt. Hope Road ) – Consensus as stated in the long range plan
- Project #4 (Hagadorn Road from Bennett Road to Mt. Hope Road) – Suggestion to amend option to widen to three (3) lanes instead of four (4)
- Project #4 - MSU farms on one side of the road so there would be few left turn movements if widened only to three (3) lanes
- Form based code workshops emphasize walkability and ridability
- Project #4 – Expansion to four lanes would ruin objective of walkability and ridability
- Project #4 – Concern with cutting trees on Hagadorn Road to widen the road
- Project #4 – Traffic heavy on Hagadorn Road so there is need for four (4) lanes
- Project #4 – Consensus as stated in the long range plan
- Project #7 (Jolly Road from Collins to Hagadorn Road) – Consensus as stated in the long range plan
- Project #8 (Lake Lansing Road from BR I-69 to Marsh Road)– Section of Lake Lansing not heavily traveled and should be designated as a lower priority
- Project #8 – Support for widening section from BR-69 to Lac DuMont from two (2) to three (3) lanes
- Project #8 – Support for roundabout at the north end of Okemos Road
- Project #8 – Unsure of reducing section from Lac Du Mont to Marsh Road down from four (4) lanes to three (3) lanes

- Project #8 – Dollars better utilized for current road deterioration
- Project #8 – Support reduction for section from Lac Du Mont to Marsh Road from four (4) to three (3) lanes with bike lanes due to significant wetlands in the area
- “Varying” pots of money for which roads qualify
- Project #8 – Consensus as stated in the long range plan
- Project #9 (Marsh Road from Central Park Drive to Tihart Road) – only section of Marsh Road which does not have five (5) lanes; roundabouts at the three intersections listed so each could be studied for feasibility
- Project #9 – Suggestion to add a narrow boulevard, bike lanes and pedestrian crossings to keep the look “residential”
- Project #9 – American Association of State Highway and Transportation Officials (AASHTO) guidelines require specific width of the median dependent upon speed of the traffic
- Project #9 – Need for a fifth lane
- Project #9 – Intersecting roads for a roundabout need to have approximately the same amount of traffic
- Project #9 – Consensus as stated in the long range plan
- Project #9 - Roundabouts reduce idling at intersections and promotes clear air
- Project #11 – Consensus for option of building a larger bridge with sufficient width for bike lanes
- Project #12 – Consensus for a full a two-lane roundabout

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

#### 11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Bob Lovell, 6185 Graebear Trail, East Lansing, expressed support for biking opportunities within Meridian Township. He requested extension of the sidewalk along Marsh Road all the way to Saginaw Road (Bath Township), a parallel bike path along Newton Road from Saginaw to Lake Lansing Road and an easement to allow a bike connection from the area behind the Haslett Road L & L to the Marsh Road overpass. Mr. Lovell commented on the need for merchants to provide bicycle rack space for their customers.

Tim Potter, 4632 Van Atta Road, Okemos, spoke in support of the third option for bicycle parking which includes providing incentives for businesses which intend to have bicycle parking on their site and creating a mandatory based ordinance.

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in support of a Township ordinance which encompasses a combination of a minimum number of bicycle parking spaces and provides incentives for businesses to install additional bicycle parking spaces while reducing the number of required vehicle off-street parking spaces. He spoke in support of developing the segment of the Old Interurban Pathway from Okemos Road to Marsh Road. Mr. Provenchur suggested an inventory on the condition of the Township’s current pathway system prior to further expansion.

Supervisor McGillicuddy closed public comment.

**By unanimous consent, the Board reordered the agenda as follows:**

- **Reletter Agenda Item #11B to #11A**
- **Reletter Agenda Item #11D to #11B**
- **Reletter Agenda Item #11A to #11C**
- **Reletter Agenda Item #11C to #11D**

#### A. Bicycle Parking

Director Kieselbach summarized proposed bicycle guidelines as outlined in staff memorandum dated May 15 2009.

Board members discussed the following:

- Standards should include where bicycle parking spaces would be located
- Preferred option for a combination of a mandatory and incentive based ordinance
- Staff to check for possible updates on the Association of Pedestrian and Bicycle Professional's Bicycle Parking Guidelines since 2002
- Preference for use of the inverted "U" bicycle rack

**The consensus of the Board was to direct staff to draft an ordinance with a preference for a combination of both a mandatory and incentive based program.**

B. Pathway Master Plan

Director Severy summarized the status of the Pedestrian/Bicycle Master Plan implementation.

[Treasurer Brixie left the room at 7:58 P.M.]

**Trustee Ochberg moved to postpone the South Hulett Road pathway connection until the Board reexamines the Pathway Master Plan and resets priorities.**

**Seconded by Trustee LeGoff.**

Board members and staff discussed the following:

- Many changes within the Township since the adoption of the Pathway Master Plan
- Most of the pathways contained in the plan show a pathway on both sides of a road
- Most of the pathways are on primary roads within the Township
- Hulett Road a local road from Bennett to Okemos Road
- Hulett Road a primary road from Bennett to Jolly Road
- Concern with removing a pathway from the Master Plan without proper notification and a public hearing
- Connection from Hulett Road to Dobie Road by using the pathway on the south side of Bennett Road from Hulett Road to Okemos and then use the pathway on the north side of Kinawa from Okemos to Dobie
- Effect of passage of the motion on construction plans for the summer
- North section just south of Bennett Road currently under construction
- Schedule a public hearing on the Pathway Master Plan for the July 21, 2009 Board meeting

**Upon request, Trustee Ochberg restated her motion as follows:**

**Trustee Ochberg moved to suspend plans to finish the southern segment of the pathway on Hulett Road until the necessary public hearing or amendment to the Pathway Master Plan.**

Continued Board discussion:

- South boundary of the Preserve to the north boundary of the Sanctuary will provide pathway from Bennett Road to the south side of Sanctuary
- Facilitator during the charette on this topic offered several options for crossing the road to get to the west side
- More economical to use one of the options presented at the charette for crossing the road to get to the west side than to have the pathway on both sides of Hulett Road
- Alleged near unanimity of participants who attended the charette for keeping the east side of Hulett Road as natural as possible
- Section on the south side of Mt. Hope between where the pavement ends and Okemos Road has sufficient room for a pathway without impeding the lifestyle of its residents

**Trustee Dreyfus called the question.**

[Treasurer Brixie reentered the room at 8:26 P.M.]

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

ROLL CALL VOTE YEAS: Trustees Dreyfus, LeGoff, Ochberg  
ON THE MAIN MOTION: NAYS: Trustee Veenstra, Supervisor McGillicuddy, Clerk  
Helmbrecht, Treasurer Brixie  
Motion failed 3-4.

Continued Board discussion:

- Township design of the pathway from the southern boundary of the Preserve to the north boundary of the Sanctuary
- Schedule a public hearing on the Pathway Master Plan for the July 21, 2009 Board meeting
- Explore possible curb expansion during Ingham County Road Commission's (ICRC) repaving of Mt. Hope Road next year to allow for a bicycle lane
- Staff to follow ICRC drainage issues on Mt. Hope Road and plan pathway and possible bicycle lane construction accordingly
- Construct pathway connections along Grand River Avenue and then require developers to pay for the pathway when property is developed
- Legal advice on Township construction of a pathway next to an electric fence along the property located at 3720 Hulett Road

- C. Zoning Amendment #09091 (Planning Commission), an amendment to Sections 86-129, 86-187, 86-188, and 86-189 to update appeal procedures and add an appeal procedure for minor amendments to Special Use Permits  
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated May 14, 2009.

**The consensus of the Board was to place this item on for action at the June 2, 2009 Board meeting.**

- D. Home Occupations  
Director Kieselbach summarized the issue of home occupations as outlined in staff memorandum dated May 14, 2009.

Board members discussed the following:

- Existing ordinance was created prior to use of personal computers which allow individuals to work from their home
- Many home based businesses do not have business signs
- Include types of occupations which may be pursued at home
- Need to provide parking for employees who are not family members
- Listing of types of home occupations to be more inclusive
- Regulation should be broad and permitted occupations should not be listed

**The consensus of the Board was to have staff draft revisions to the current Home Occupation Ordinance as directed and bring the issue back for discussion at a future meeting.**

- E. Payback District, Georgetown Sewer Main  
Director Severy summarized the Georgetown Sewer Main Payback District as outlined in staff memorandum dated May 15, 2009.

Board members and staff discussed the following:

- Fixed five percent (5%) annual increase was set by the Board several years ago
- Tie annual increase to the rate of inflation or lower fee
- Payback district does not impact the Township's connection fees
- Customary length of a payback district is ten years
- If development occurs after the ten year period, the pay-back fee would not be paid

- St. Martha's Church has an existing private lift station
- St. Martha's Church will likely be required to connect after work is completed, but may not be required to pay this benefit since they paid for a benefit several years ago
- District needs to be described to establish the payback district boundaries
- Limiting the lifetime of the payback district is in the Township's fiscal interest
- Portion of Section 24 left out of the service area
- Design for the Mud Lake Pump Station used the population of the 1993 Comprehensive Development Plan to determine capacity
- Calculations using the 2005 Master Plan would decrease the population and increase the cost of payback per residential equivalent unit (REU)

**The consensus of the Board was to place this item on for continued discussion at the June 2, 2009 Board Meeting.**

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Cathy Baird, 3720 Hulett Road, Okemos, spoke in opposition to the completion of the South Hulett Road pathway.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT (None)

14. POSSIBLE CLOSED SESSION

**Treasurer Brixie moved that the Township Board go into a closed session to consider the purchase of real property. Seconded by Trustee Ochberg.**

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 9:28 P.M.

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

**Treasurer Brixie moved to return to open session. Seconded by Trustee Ochberg.**

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 10:12 P.M.

**Treasurer Brixie moved to go forward as discussed in closed session. Seconded by Trustee Ochberg.**

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

15. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:13 P.M.

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SUSAN MCGILlicUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT, CMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary