

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY JUNE 5, 2012 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,  
LeGoff, Ochberg, Veenstra (6:03 P.M.)  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Engineering & Public Works Ray  
Severy, Police Chief Dave Hall, Fire Chief Fred Cowper, Principal Planner Gail  
Oranchak

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Shane Goodale, 1223 Tihart, Okemos, announced his candidacy for Meridian Township Treasurer.

Kathleen Pavona, 4726 Arapaho Trail, Okemos, expressed concern with the Capstone Development.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested the Board packet be available online on the Friday before a Board meeting.

Neil Bowlby, 6020 Beechwood Lane, Haslett, expressed concern with the Capstone project.

Jill Garnett, 4805 Mohican Lane, Okemos, expressed opposition to MUPUD #12014 (Capstone), Special Use Permit #12011 (Capstone) and Wetland Use Permit #12-01 (Capstone).

Vance Kincaid, 4530 Nakoma Drive, Okemos, expressed concern with issues surrounding a new central fire station and requested full disclosure to the public on this matter.

Sam Singh, 1625 Ann Street, East Lansing, announced his candidacy for the 69<sup>th</sup> District seat in the Michigan House of Representatives. He stated he will be hosting an educational forum on June 20, 2012 at Haslett High School from 5:00 P.M. to 7:00 P.M.

Nancy Hanson, 4100 Leeward Drive, Okemos, expressed concern with lack of regulations for above ground fire pits.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy reported the Downtown Development Authority purchased the "little" blue bench at the corner. She noted her attendance at the Tri-County Regional Planning Commission's (TCRPC) Steering Committee where the Mid-MEAC was discussed.

Treasurer Brixie participated in the Memorial Day celebration where it had the best attendance in the last decade. She announced a Chinese Corner will be held at Wonch Park on Saturday June 9, 2012 from 11:00 A.M. until 2:00 P.M. She explained this monthly program will teach interested persons the Chinese language, taught by Meridian Township residents. Treasurer Brixie reported that Meridian Township will participate in Smart Commute 2012.

Trustee Dreyfus reported his attendance at the Fishing Dock dedication held at the Central Park Pond last week. He noted the Communications Department has completed its studio renovations and will be holding an open house in the near future. Trustee Dreyfus announced he attended his first Economic Development Corporation (EDC) meeting as the Board’s liaison. He indicated the EDC Chair, Marsha Madle, suggested the Township construct an outdoor gym circuit, an innovative way to build community.

Trustee Veenstra spoke in support of earlier public comment requesting the Board packet be available online on the Friday before a Board meeting. He reported his attendance at the regular meeting of the TCRPC on May 23<sup>rd</sup>, where a presentation was given on the Governor’s proposal to increase fuel taxes to 28.3 cents per gallon.

Clerk Helmbrecht expressed appreciation to residents who attended the 18<sup>th</sup> annual Memorial Service. She spoke to the large number of residents who are military retirees and active military personnel and noted the general age of those attendees is becoming increasingly younger. Clerk Helmbrecht announced the August 7<sup>th</sup> Primary Election, stating the Clerk’s office sent out approximately 4,000 dual absentee voter applications yesterday. She indicated it is anticipated ballots will be mailed to those who have requested them on or about July 9, 2012. Any qualified registered voter wishing to vote absentee may contact the Clerk’s office for an application

Trustee Ochberg thanked residents who contacted her regarding items on tonight’s agenda. She indicated she welcomes e-mails which should be sent to her at nlv33@comcast.net.

6. APPROVAL OF AGENDA

**Treasurer Brixie moved to approve the agenda as submitted. Seconded by Clerk Helmbrecht.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Clerk Helmbrecht.**

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 follows:

A. Communications

(1) Board Deliberations (BD)

BD10A-1 Patricia Lamm and Sheldon Newhouse, 2590 Saranac Lane, Okemos; RE: Opposition to Phase II of the Lodges of East Lansing

BD10A-2 Robert Stecker, 4538 Comanche, Okemos; RE: Concern with Phase II of the Lodges of East Lansing

BD10A-3 Bill Lee, President, Indian Lakes Home Owners Association, 4795 Arapaho Trail, Okemos; RE: Capstone requests

BD10A-4 Marybeth Atwell and Philip Reed, 2588 Tekonsha Trail, Okemos; RE: Opposition to Capstone Development’s request

(2) Board Information (BI)

- BI-1 Pam Fraker, 351 Newman Road, Okemos; RE: Opposition to Millage Requests
- BI-2 Robert J. Phipps, 3200 West Road, East Lansing; RE: Support for Wetland Use Permit #12-03 (Trilogy)

(3) Staff Communications (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 15, 2012

**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 Clerk Helmbrecht.**

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 Regular Meeting as submitted. Seconded by Clerk Helmbrecht.**

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		\$	274,477.86
Public Works		\$	51,507.54
Retainage			
Check #1049-Oak Construction	\$4,014.63		
Concrete Repair			
Check #1047-Scarlett Excavating	\$2,500.00	\$	6,514.63
Water Main			
Total Checks		\$	332,500.03
Credit Card Transactions		\$	11,946.84
Total Purchases		<u>\$</u>	<u>334,446.87</u>
ACH Payments		<u>\$</u>	<u>392,385.66</u>

**Seconded by Clerk Helmbrecht.**

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. Assessing Stipulation

**Treasurer Brixie moved that the Township Attorney be authorized to sign stipulations with Home Depot USA, Inc. in accordance with the revised assessed and taxable values stated as follows:**

**MICHIGAN TAX TRIBUNAL DOCKET NUMBERS 365223 AND 433841  
HOME DEPOT USA, INC.  
PROPOSED STIPULATION FIGURES**

**Original Values**

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-22-177-011	1749 Newman	2009	\$4,401,500	\$4,401,500
33-02-02-22-177-011	1749 Newman	2010	\$4,043,500	\$4,043,500
33-02-02-22-177-011	1749 Newman	2011	\$3,830,700	\$3,830,700
33-02-02-22-177-011	1749 Newman	2012	\$3,034,900	\$3,034,900

**Proposed Revised Values**

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-22-177-011	1749 Newman	2009	\$2,650,000	\$2,650,000
33-02-02-22-177-011	1749 Newman	2010	\$2,400,000	\$2,400,000
33-02-02-22-177-011	1749 Newman	2011	\$2,300,000	\$2,300,000
33-02-02-22-177-011	1749 Newman	2012	\$2,200,000	\$2,200,000

**Seconded by Clerk Helmbrecht.**

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

**E. Liquor License Transfers**

1) 3 F, Inc.

**Treasurer Brixie moved to approve 3 F, Inc.’s application to transfer ownership of a 1995 Class C licensed business issued under MCL 436.1531(2), from Gourmet Village to Liu & Li, LLC, located at 4790 S. Hagadorn Road, Suite 102, E, Lansing, MI 48823, Ingham County, and further authorize the Township Clerk to executive the resolution for local government approval of this transfer. Seconded by Clerk Helmbrecht.**

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

2) BCS, Inc.

**Treasurer Brixie moved to approve BCS, Inc.’s application to transfer ownership and location of a 2010 Class C licensed business with Dance-Entertainment Permit at 1545 Lake Lansing Road, Haslett, Michigan, Ingham County, Michigan to Pure F2T, LLC located at 4480 Hagadorn Road, Suite 104, (The Hamptons of Meridian), Okemos, Michigan, Meridian Township, Ingham County and further authorizes the Township Clerk to execute the resolution for local approval of this transfer. Seconded by Clerk Helmbrecht.**

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

- F. Licensee Stock Transfer, Leo’s Spirits & Grub  
**Treasurer Brixie moved to approve Leomay, Inc.’s application to transfer interest in a 2010 Class C Resort and SDM liquor license, located at 2085 W. Grand River Avenue, Okemos, MI 48864, Meridian Township, Ingham County, Michigan from Matthew K. Elliott of a portion of his shares of stock to new stockholder, Daniel E. Baker – 9,010 shares, and further authorize the Township Clerk to execute the resolution for local approval of this transfer. Seconded by Clerk Helmbrecht.**

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

- G. Gaming License, HNC Foundation Raffle  
**Treasurer Brixie moved approval of a request from the Harris Nature Center Foundation of Meridian Township, Ingham County, asking that they be recognized as a non-profit organization operating in the community for the purposes of obtaining a gaming license or registration and be considered for approval; and, further, that the Township Clerk be authorized to execute the resolution from the State of Michigan. Seconded by Clerk Helmbrecht.**

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

- H. Part-Time Fire Fighter/Paramedic Appointment  
**Treasurer Brixie moved ratification of the appointment of Daniel Bennett to the position of part-time paramedic/firefighter pending completion of a successful background investigation and physical examination. Seconded by Clerk Helmbrecht.**

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

- I. 2012 Ingham County Tanker Task Force Grant Application  
**Treasurer Brixie moved to authorize the Fire Department to participate in and accept the Ingham County Task Force Grant through the Department of Homeland Security in the amount of \$5,370.20 with the Township’s 20% share of \$1,074.20 coming from the Fire Department’s Training Budget. Seconded by Clerk Helmbrecht.**

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 (None)
- 9. HEARINGS (None)
- 10. ACTIONS ITEMS/ENDS  
 Supervisor McGillicuddy opened Public Remarks.

Patrick Lindemann, Ingham County Drain Commissioner (ICDC), gave a recap of information from the last meeting, noting that .06 percent of the total water at the bottleneck in the Red Cedar watershed near Indian Lakes subdivision is attributed to Hannah Farms. He reported on field investigations in the Red Cedar River, where seven (7) different locations creating water problems were identified. Mr. Lindemann indicated a hydraulic study was conducted and plans for logjam removals have been set in place, pending anticipated approval by the Michigan Department of Environmental Quality (MDEQ). He added it is his intention to let the four major logjams out for bid first and then request permits for the remaining three (3) logjams. Mr. Lindemann added a water budget plan has been created for the proper way to have the water enter the river and go away after its floods.

Carrie Hiser, 6020 Beechwood Drive, Haslett, expressed appreciation for the amendment to the sewer hookup ordinance and urged Board support for its passage.

Mark Clouse, General Counsel and Chief Financial Officer, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing, spoke in support of MUPUD #12014, SUP #12011 and WUP #12-01, all relative to Phase II of the Lodges of East Lansing. He emphasized ICDC Lindemann stated at the last Board meeting that Phase I of the Lodges of East Lansing did not cause the flooding in Indian Lake estates or cause trees to fall within one season of being waterlogged. Mr. Clouse stated that Phase II will not contribute to or cause additional flooding in this area and urged the Board not to deny the project on the basis of the drainage issue.

Kurt Mulder, Vice President, Wolverine Building Group, 5651 Montcalm Avenue NE, Belding, indicated his company was a contractor for Phase I of the Lodges of East Lansing. He pointed out that Michigan has lost 50% of its construction workforce in the last six years. Mr. Mulder believed Phase II will have a total effect of \$5 million or more in wages, creating nearly 100 jobs over a period of one year. He urged the Board to support this proposal for Phase II of the project.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in opposition to MUPUD #12014.

Deb Nolan, 4329 Heartwood Road, Okemos, urged the Board to vote against the Capstone project tonight in order to allow more time for the logjams to be removed, water levels analyzed and to obtain the resulting feedback from the Indian Lakes subdivision.

John Acken, Capstone Collegiate Communities, 431 Office Park Drive, Birmingham, Alabama stated the density and use for Phase II are both allowed in a MUPUD. He pointed to a number of letters submitted from several nearby business owners in support of the project. Mr. Acken indicated this is a good location from a size and scale standpoint and is meant to also attract graduate students. He presented the Board with an update on changes to the project; i.e., increased bicycle parking spaces, better activation of the street through better covered bicycle parking and removal of the shared two bedroom units. Mr. Acken addressed the Township's Greenspace Plan, indicating the point of the plan is to create green linkages throughout the community, which Phase II accomplishes

Joe Pavona, 4726 Arapaho Trail, Okemos, offered his synopsis of the Lodges of East Lansing development and presented several reasons for the Board to vote no on the Capstone project.

Ron Behl, 4717 Mohican Lane, Okemos, expressed concern with water issues relative to MUPUD #12014 (Capstone).

Angela Wilson, 4767 Mohican Lane, Okemos, spoke in opposition to MUPUD #12014, expressing concern with increased student population in such a small area. She believed this project does not maximize the preservation of the natural features in this area and suggested the developer construct high quality professional town homes to attract younger professionals who will remain in Meridian Township.

Greg Hammond, 6275 Royal Oak, Okemos, expressed concern that property owners need to be able to exercise their property rights.

Sarah Wohlford, 4568 Comanche Drive, Okemos, expressed concern with noise and traffic which would be generated by Phase II of the Lodges of East Lansing. She urged the Board to ensure that future plans be compatible with land utilization, the Township's Greenspace Plan and provide for an acceptable surface water management approach.

Supervisor McGillicuddy closed Public Remarks.

- A. Mixed Use Planned Unit Development #12014 (Capstone), Lodges of East Lansing Phase II, request for 153 multiple-family (student) apartments on approximately nine acres south of Hannah Boulevard

**Trustee Dreyfus moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies Mixed Use Planned Unit Development #12014. Seconded by Supervisor McGillicuddy.** Board members and the ICDC discussed the following:

- MUPUD ordinance gives the Board the ultimate tool to control land use decisions and density
- MUPUD decision rests with the Board
- Voting no does not mean the land will not be developed or property rights are being abridged
- Board member desire for Capstone to return to Meridian Township with a better proposal which will foster good will among community residents
- Board member belief the spirit and intent of the MUPUD was not to incorporate existing uses but to create a new village type concept
- Need for the developer to present a more diverse plan as originally shown in 2008
- Concern the Board is being presented with a "bait and shift" and is getting a "bill of goods" as the overall scope shown in 2008 is not happening
- Indian Lakes water issues go far beyond the Capstone project
- Students live differently than families and older residents
- Preference for the plan to include upscale town homes, patio homes and small single family homes to assure a diverse age group
- Logjams in the Red Cedar River should be removed before new construction is considered
- Preference for more trees to be saved by reconfiguring the buildings
- The Township attorney's previous advice was to propose resolutions to approve which can then fail to pass
- Concern that neither the remaining Board members nor the Township attorney have had an opportunity to review the language of the resolution
- Continued Board member request for the applicant to look for a balance between the impact of the waivers given and the benefits to the Township
- There currently is 3.4 feet of rise in water behind the logjams
- Water table will drop at least two (2) feet around the Indian Lakes subdivision
- ICDC will perform an after study once the logjams are removed
- ICDC is the office to allocate the amount of benefit to each property owner when creating a benefit district
- Board member concern with a single property owner's offer of a specific dollar amount to assist in clearing the logjams
- Seven (7) county drains have outlets which discharge into the "heart" of the problem and all will benefit greatly from clearing the logjams
- Additional three (3) or four (4) drains upstream which are also affected so additional properties will be added to the benefit roll and the assessment will be relatively small
- Ideal location for student housing
- Board member belief the reasons read to deny the development cannot be "backed" by the Township's ordinances
- Preference for the project to be delayed until the water issue is resolved

[Supervisor McGillicuddy recessed the meeting at 8:23 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:32 P.M.]

Continued Board member and ICDC discussion:

- Pictures shown earlier by one resident showed water from the entire Hannah Farms Drainage District
- ICDC preference for this water to go north directly into the river, but the MDEQ ordered the water to go to the south
- ICDC working with the MDEQ to reverse its previous order
- Extreme flooding in Indian Lakes is not a direct cause of the Capstone project
- All the areas which contribute water are part of the problem, including Capstone (.06 percent of the total water)

**Treasurer Brixie moved to table the motion. Seconded by Trustee LeGoff.**

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

**Trustee Dreyfus called the question. Seconded by Supervisor McGillicuddy.**

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

Continued Board member discussion:

- Logjams are the main cause of flooding in Indian Lakes
- Removal of logjams will substantially drop the water table
- Appreciation to the ICDC for his efforts to remove the logjams
- Appreciation to Capstone for additional bicycle parking
- Appreciation to Capstone for LED lighting, slight reduction in the number of beds
- Suggestion to reach a compromise where the number of beds would be substantially reduced
- Drainage assessments for fixing the logjams
- Normal procedure for drainage assessments is that those properties which benefit the greatest pay the most
- Ten (10) points given as reasons to deny

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

- B. Special Use Permit #12011 (Capstone), Lodges of East Lansing Phase II, request to construct a group of buildings greater than 25,000 square feet in size

**Trustee Dreyfus moved to deny this special use permit for the construction of the buildings. Seconded by Trustee Ochberg.**

Board members discussed the following:

- Previous question moots this issue

**Trustee Veenstra moved to table this issue. Seconded by Treasurer Brixie.**

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

- C. Wetland Use Permit #12-01 (Capstone), request to direct storm water from Lodges of East Lansing Phase II, to a regulated wetland

**Trustee Dreyfus moved to deny Wetland Use Permit #12-01. Seconded by Trustee Ochberg.**

Board member and staff discussion:

- Wetland use permit (WUP) must be acted upon within a specific time frame
- WUP has a June 23<sup>rd</sup> deadline
- Unique nature of how residents have historically viewed wetland protection
- Meridian Township is a leader in the State of Michigan in regulating wetlands under five (5) acres not regulated under state law
- Need to deny while more information is obtained by the ICDC on wetlands and storm water retention
- Request is moot as the building was denied

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

D. Red Cedar Preserve

Township Manager Richards summarized the Red Cedar Preserve update as outlined in staff memorandum dated June 1, 2012.

**Treasurer Brixie moved that the Township hire an engineering firm to design the erosion mitigation and correction and oversee the construction of the improvements. Seconded by Clerk Helmbrecht.**

Board members, staff, the ICDC and ICDC's legal representation and engineer discussed the following:

- Two engineering proposals which include costs (just over \$20,000) have been received to engineer and design the "fix" to the Land Preservation property
- Environmental impact concerns expressed by the Land Preservation Board will be adequately addressed through Township hire of an engineering firm
- Easement document proposed by the ICDC and his attorney offer the same guarantees of respect for natural resources and the preservation of those resources as the proposal to be supervised by Meridian Township
- Supervision by Meridian Township excludes the Township's capacity to assess costs in an equitable manner similar to the ability of the ICDC
- Board member statement that the property is a "delightful place" as is
- Uncertainty the Township will recoup costs incurred by the Ember Oaks subdivision to the south of the site
- Land Preservation Chair has not seen the draft containing the crossed out language
- Rate of flow was determined four (4) years ago, and has been tracked since then
- Concern with removal of the language which does not allow water to exceed the predevelopment rate of flow
- Concern with removal of language which states "In the event the parcel's scenic and natural features and characteristics are adversely affected as a result of the predevelopment rate of flow, the ICDC, on behalf of the drainage district, shall promptly mitigate and repair any such adverse damages"
- Concern with removal of language which states "All construction, operation, maintenance repair and improvement within the drainage easements shall be done with minimal impact to the scenic and natural features and characteristics of the parcel, the ICDC, on behalf of the drainage district, shall promptly mitigate and repair any disturbance and will restore the easements to the condition prior to the work in accordance with the stewardship plan"
- Inability to ascertain the predevelopment rate of flow, but the parties collectively agreed to identify specific flow rates for various events
- Erosion occurred through lower intensity, but more frequent, storms
- It is imperative to stabilize the bank as quickly as possible
- Agreement was reached between interested parties and their legal counsel through several long meetings
- Agreement in the Board packet does not incorporate the guidance document
- The developer is working with the Michigan Department of Environmental Quality (MDEQ) regarding the rate of flow on the south side of the railroad tracks

- ICDC does not have the property rights to control the rate of flow on the south side of the railroad tracks
- ICDC suggestion to table this item until the proper documents are before the Board
- Concern further delays allow for continued erosion on the property
- Concern with the length of time for the bidding process and establishing assessment districts
- Since bids for the design have already been received by the Township, the quickest and least expensive way to correct the problem would be for the Township to go forward
- Township would have knowledge of a specific cost prior to approval
- Township would have the opportunity to recover the design and construction costs from the property owner to the south if the Township performs the work
- Land Preservation maintenance funds could be utilized to oversee the design
- Next step for the Board would be a budget amendment

[Supervisor McGillicuddy recessed the meeting at 9:29 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 9:33 P.M.]

Continued Board member discussion:

- Reaction of the water due to the development of Ember Oaks is handled through an outlet that is “waters of the state”
- Concern with an ICDC statement made at the last meeting that when the Township came up with an agreement acceptable to him, he would sign it, but now being told there was a new agreement
- Township would pay for the engineering costs to start the project
- Comparable costs are unknown whether the Township or the ICDC performs the work
- Charges incurred if the ICDC performed the work would be assessed across the district and the Drain Commissioner intends to make the district larger
- ICDC does not assess public property held in public trust for a public purpose
- ICDC has the ability to assess the cost to the property to the south where the runoff is coming from
- Township should not bear the cost of performing this work when the problem was caused by the property owner to the south
- Request for ICDC explanation of the \$450,000 yearly drain assessments
- Preference to allow the ICDC to perform the work and pass the agreement at the next meeting

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

**Trustee Ochberg moved to take the issue of the drainage easement off the table. Seconded by Supervisor McGillicuddy.**

Continued Board member discussion:

- Request for the Board to be provided with the most recent easement language for the next Board meeting
- Request for staff to also provide the actual agreement
- Attorney for the ICDC will forward the latest version of the agreement which incorporates the guidance document to the Township’s attorney
- ICDC’s attorney will also provide the exhibits

**Trustee Ochberg withdrew her motion until the next Board meeting.**

E. Sewer Ordinance Amendment, **Final Adoption**

**Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, the Township Board hereby FINALLY ADOPTS Ordinance No. 2012-03, entitled “Ordinance Amending the Code of Ordinances of the Charter Township of Meridian, Michigan, Chapter 78, by amending Section 78-152(c)(1).**

**BE IT FURTHER RESOLVED the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is finally adopted at least once prior to the next regular meeting of the Township Board.**

**Seconded by Trustee Veenstra.**

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

F. Amendments to the Code of Ordinances, Chapters 50 and 74 – Introduction

**Trustee Ochberg moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, that it hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. \_\_\_\_\_ entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 50, Article V by Amending Sections 50-115(a)(1-3) and 50-116.”**

**BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance at least once prior to the next regular meeting of the Township Board. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Concern the contracted attorney does not have case-by-case supervision by elected officials
- Board member preference to leave the prosecution with the elected county prosecutor

**Trustee Veenstra offered the following amendment:**

- Amend Section 50-115(a) by deleting section (3)

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

Continued Board discussion:

- Township Board annually renews its contracted service with the attorney
- Use of a contracted attorney allows for more Board control over the lives and safety of Township residents
- Rationale for prosecutions under Township ordinance by a contracted attorney is for the Township to obtain the revenue

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

**Clerk Helmbrecht moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN that it hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. \_\_\_\_\_ entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 74, Article I, by Amending Section 74-2.”**

**BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance at least once prior to the next regular meeting of the Township Board. Seconded by Treasurer Brixie.**

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

**Without objection, the Board removed Agenda Item #11B from the agenda.**

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened Public Remarks.

Daria Schlega, 2446 Burcham Drive, East Lansing, inquired as to the genesis for a new central fire station. She spoke to the fiduciary duty of the Board not to waste Township assets and expressed concern that repairs were not made to the central fire station to keep it from deteriorating.

Vance Kincaid, 4530 Nakoma Drive, Okemos, believed it premature to place a question on the ballot for replacement of the central fire station.

Supervisor McGillicuddy closed Public Remarks.

A. Replacement of the Central Fire Station, Ballot Question

Township Manager Richards summarized the proposed ballot language for replacement of the central fire station as outlined in staff memorandum dated June 1, 2012.

Board members and staff discussed the following

- Feasibility study conducted in March, 2012 determined the current building is not suitable for renovation and is not conducive to current operations
- Building can be placed on the property at the southeast corner of Okemos Road and Central Park Drive in a number of locations with room for future expansion of the building and parking if needed
- The bonding amount is based on previous Board discussion
- LEED certification, administrative office space and four (4) bays would be included
- Recommendation to include the proposed location in the ballot language
- Empty commercial space could be used for training
- Preference to maintain and fully utilize only two stations
- Two remaining stations could be expanded if the need arises
- Existing central fire station does not have separate accommodations for female firefighters
- Serious safety and access issues with the current central fire station site
- Significant community feedback when the idea of operating with only two fire stations was discussed
- Proposed location is a sensible compromise as it places the new station closer to the northern portion of the Township where the largest percentage of calls are generated
- Preference to let the voters decide if they wish to have a third fire station
- A community room would help offset the cost of a new central fire station
- Need for four (4) bays with sufficient room for training
- The cost of this new central fire station to taxpayers would be approximately the same amount as for the Senior Center
- 90% of the Fire Department's services are EMS runs
- A community room attached to the fire station would be a asset to Township residents and would tie the station to the community
- Request for staff to ascertain the feasibility of other Township owned properties as mentioned during public comment
- Municipal bond debt service schedule shows a range of interest rates from 0.78% to 3.3%
- Request for a sketched layout of how the building would be placed on the property and the location of the drives

- The fourth bay would allow for more straight through traffic
- If there are less than four (4) bays, some of the equipment would need to be “piggybacked” so that you cannot go straight through in all bays
- Need for a third station to address the increasing population in the western border of the Township
- Board member belief the data does not support the necessity of a third station
- More economical to add a fourth bay to either the north or south fire station
- Board member belief the data suggests two fire stations with modifications are sufficient
- Request for a total interest amount on a \$3.5 million bond
- Community room would need to be an option as this ballot proposal would not pay for it, but costs would come from other Township funds
- Complicated issue as there are many “mixed” variables
- Data indicates that most of the Township would be well served by two fire stations with revisions on the north and south stations
- Balance between the present need and the need when the population continues to increase on the western border of the Township
- Responsibility of the fire service post 9-11 has dramatically increased with commensurate equipment
- Fire training has increased ten fold since 9-11
- Region 1 Homeland Security selected Meridian Township to house a mass casualty trailer which carries sufficient medical equipment to care for 50-100 individuals in the event of an incident
- Homeland Security pays the Township \$750 each time the trailer is taken out, even to place the trailer on display
- The Township owns a trailer for hazardous material responses
- The Township owns trailers which transport air supply to the scene of a fire
- The Township’s specialty rescue truck, full of equipment, is currently housed outside
- Township currently has millions of dollars of fire equipment which has been provided by the federal government
- Several pieces of fire equipment are stored outside in inclement weather
- Although the area serviced by the south station generates the least amount of calls, it is as busy as the other two stations since 60% of the time, there are back-to-back calls
- To house all fire equipment and still be able to have the fire engine “pull through” requires four (4) bays
- Training room could also serve as a community room

**It was the consensus of the Board for the Township Manager to contact bond counsel to obtain ballot language for a bond proposal and present a resolution at the next meeting.**

#### 12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Vance Kincaid, 4530 Nakoma Drive, Okemos, urged the Board not to rush into placing the central fire station issue on the ballot.

Greg Hammond, 6275 Royal Oak, Haslett, spoke in support of placing the replacement of the central fire station on the November 6<sup>th</sup> ballot. He also questioned earlier Board actions where resolution language was read without the benefit of others, including the remaining Board members, having advance copy of the language. Mr. Hammond believed such action is contrary to established Board policy.

Supervisor McGillicuddy closed Public Remarks.

#### 13. FINAL BOARD MEMBER COMMENT

Trustee Ochberg expressed gratitude to Trustee Dreyfus for taking the time to formulate the resolution to deny on MUPUD #12014 (Capstone).

Trustee Veenstra announced the Okemos DDA will be hosting a community event on Thursday, June 7, 2012, from 6:00 P.M. until 9:00 P.M. in the vicinity of Okemos and Hamilton Roads. He announced Ingham County has applied for federal funds to repave Central Park Drive from Okemos Road to Grand River Avenue.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 11:16 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