

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING – **APPROVED** - -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MARCH 18, 2008, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Veenstra
ABSENT: Trustees Such, Woiwode
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Police Chief Dave Hall, Assistant Manager/ Personnel Director Paul Brake, Director of Parks & Recreation LuAnn Maisner, 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.

Christine Beavers, 5125 Brookfield Avenue, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Tom Ellis, 2695 Roseland Avenue, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Michael Karagoulis, owner of duplex at 5057 Wardcliff, East Lansing, read from a prepared statement in opposition to Rezoning #06090 (Meridian Four Seasons).

[Prepared statement in Official Minute Book]

Gil White, 6005 E. Lake Drive, Haslett, read several excerpts regarding smart growth from Michigan State University's Citizen Planner on-line modules relative to Shaw's Landing SUP and MUPUD.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 5-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda amended as follows:

- **Move Agenda Item #7D to Agenda Item #10D**
- **Move Agenda Item #7E to Agenda Item #10E**
- **Move Agenda Item #7J to Agenda Item #10F**
- **Move Agenda Item #7N to Agenda Item #10G**

Seconded by Treasurer Hunting.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, MARCH 18, 2008 *APPROVED*
ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Determination (BD)

- BD 7M-1 Michael S. and Amy S. Bristor, 649 Earliglow Lane, Haslett; RE: Protest of Canoga/ Strawberry Amended Streetlighting Special Assessment District
- BD 10A-1 Barney Fenn, 2767 Brentwood Avenue, East Lansing; RE: Opposition to Rezoning #06090 (Meridian Four Seasons LDHA LP)
- BD 10A-2 Jeanne Anderson, 2692 Greencliff Drive, East Lansing; RE: Opposition to Rezoning #06090 (Meridian Four Seasons LDHA LP)
- BD 10A-3 Louis M. Shelburg, 2825 Roseland, East Lansing; RE: Opposition to Rezoning #06090 (Meridian Four Seasons LDHA LP)
- BD 10A-4 Christine G. Beavers, 5125 Brookfield, East Lansing; RE: Opposition to Rezoning #06090 (Meridian Four Seasons LDHA LP)
- BD 10A-5 Molly Wingrove, 2649 Melville Drive, East Lansing; RE: Opposition to Rezoning #06090 (Meridian Four Seasons LDHA LP)
- BD 11D-1 Richard P. Luke, 2126 White Owl Way, Okemos; RE: Support for SUP #08041 (Delta Dental of Michigan)

(2). Board Information (BI)

- BI-1 John P. Gardner, Government Affairs Manager, Comcast Michigan Region, 1070 Trowbridge Road, East Lansing; RE: Letter to Cable Coordinator Deborah Guthrie concerning changes in Comcast's Channel Lineup effective March 31, 2008
- BI-2 Leslie Helwig, Community Relations Director, Bloomfield Township, 4200 Telegraph Road, Bloomfield Hills; RE: E-mail to Cable Coordinator Deborah Guthrie noting Bloomfield Township's commitment to contribute \$5,000 for legal expenses relative to Meridian Township's lawsuit against Comcast to keep PEG channels from being segregated to the 900 tier in its lineup
- BI-3 John P. Gardner, Government Affairs Manager, Comcast Michigan Region, 1070 Trowbridge Road, East Lansing; RE: Changes to Comcast's Lansing Area Service Centers
- BI-4 Christina DeJong Schwitzer, 6603 White Clover Drive, East Lansing; RE: Support for proposed commercial projects in Meridian Township
- BI-5 Frederick L. and Julie A. Hull, 6415 East Reynolds Road, Haslett; RE: Zoning Amendment #07050 (Outdoor storage of commercial vehicles and trailers)
- BI-6 Curtis Armbruster, 6411 E. Reynolds Road, Haslett; RE: Zoning Amendment #07050 (Outdoor storage of commercial vehicles and trailers)
- BI-7 Tim McCarthy and Richard Kerbawy, Representative, Lake Lansing Property Owners Association, 6076 Columbia, Haslett; RE: Zoning Amendment #07050 (Outdoor storage of commercial vehicles and trailers)
- BI-8 Michele Glinn, 1913 Atherton Way, Okemos; RE: Opposition to Development Possibility at the NE Corner of Cornell Road and Grand River Avenue

(3). Regional Linkage (RL)

- RL-1 Mark Grebner, Chairperson, Ingham County Finance Committee, Ingham County Board of Commissioners, PO Box 319, Mason; RE: Establishment of County Advisory Tax Limitation Committee

(4). Staff Communication/Referral (SC)

SC-1 Letter from Director Kieselbach to Donna D' Angelo, 1259 Hatch Road, Okemos; RE: Consumers Energy Utility Cabinet

(5). On File in the Clerk's Office (OF)

Materials received at the March 4, 2008 Board Meeting

Anne Rausher, The Garden Project, 5303 S. Cedar, Lansing; RE: Community Gardens PowerPoint Presentation

Joseph W. Sheahan, President, Lake Lansing Property Owners Association (LLPOA), 6150 Columbia, Haslett; RE: LLPOA resolution to exempt Lake Lansing Overlay District property owners from Zoning Amendment #07050, outdoor storage of trailer or recreational vehicle(s)

Ronald Rowe, 6247 E. Lake Drive, Haslett; RE: Exemption for Lake Lansing Overlay District property owners from Zoning Amendment #07050, outdoor storage of trailer or recreational vehicle(s)

Trustee 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 Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the March 4, 2008 Regular Meeting as submitted. Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

C. Bills

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

Common Cash	\$ 921,990.80
Public Works	\$ 279,006.88
Total Checks	\$1,200,997.68
Credit Card Transactions	\$ 10,748.32
Total Purchases	<u>\$1,211,746.00</u>
ACH Payments	<u>\$ 346,562.06</u>

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

[Bill list in Official Minute Book]

F. Employee Computer Purchase Plan

Trustee Brixie moved to reopen the Employee Computer Purchase Program until December 31, 2009. Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

G. Towner Road Park Grant Application

Trustee 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, as follows:

To support the submission of the grant application to the Michigan Natural Resources Trust Fund for development of Towner Road Park, including a universally accessible walking path, pavilion, restroom/maintenance building, athletic fields, playground, parking and landscaping with a project cost of \$1,100,000, Meridian Township is requesting the maximum grant amount of \$500,000 and will provide the local match through Park Millage funds.

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

H. 2008 F.I.R.E Act Grant Application

Trustee Brixie moved to authorize the Fire Department to apply for and accept a Fire Investment and Response Enhancement Act (F.I.R.E.) Grant through the Department of Homeland Security in the amount of \$431,000.00 with the Township's share coming from the Township's Fund Balance. Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

I. Lake Lansing Watershed Management Agreement

Trustee Brixie moved that the Township Supervisor and Clerk be authorized to sign an agreement with the County of Ingham for ongoing maintenance of the Lake Lansing Watershed Assessment District to fund the implementation of the Lake Lansing Watershed Management Plan for ten years at a cost not to exceed an annual sum of ten thousand dollars (\$10,000.00). Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

K. Budget Amendment - TIRF Fund

Trustee Brixie moved that the 2008 T.I.R.F. budget be amended to add \$60,000 from T.I.R.F. fund balance to T.I.R.F. Account #246-000.000-974.070 for the installation of new 3-phase electrical power lines from Hulett Road west to the new sanitary sewage lift station that will serve Champion Woods and the undeveloped property to the west of Champion Woods. Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

L. Disposal of Equipment

Trustee Brixie moved to approve the sale of surplus Township equipment listed below at public auction or by sealed bid, or if no bids are received, to dispose of the equipment appropriately:

Copiers
Canon NP 6330
Canon NP 6412F

Printer
Epson LQ 2550

Desk Chairs

Brown, made by Nightengale (no visible number)
Yellow, made by Steelcase #441312
Blue made by HON KC 487A 304th
Blue/green made by Zhejang Himax OM 105-G

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

M. Canoga/Strawberry Amended Streetlighting SAD, **Resolution #2**

Trustee Brixie moved to approve Canoga/Strawberry Amended Streetlighting Special Assessment District Resolution #2, which confirms the plans and estimate of costs for the Canoga/Strawberry Amended Streetlighting Special Assessment District; directs the Supervisor to make a special assessment according to the roll submitted and confirms the assessment amount of \$1,630.20 for the first year, and \$789.25 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the streetlight, with a traditional cut-off fixture; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract.

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Items #10B, #10C)

Q. Do we need simple majority or a super majority for any of our items that are up for action tonight?

A. All of the zoning modifications to the zoning ordinance would require four positive votes in order to make a change.

9. HEARINGS

A. 2008 Order to Maintain Sidewalks, SAD #10
Supervisor McGillicuddy opened the public hearing at 6:15P.M.

Director Kieselbach summarized the special assessment district as outlined in staff memorandum dated March 14, 2008.

Manager Richards offered additional information that the Township started a program several years ago where it addressed each area of the Township and over time, yearly maintenance will become significantly smaller, taking the issue of liability into consideration.

Chih Chieh Wen, 1526 Downing Street, Haslett, appreciated the Township's initiative for safety concerns, but believed each property owner in the subdivision should share in the cost of the assessments.

Supervisor McGillicuddy closed the public hearing at 6:18 P.M.

B. Shaw's Landing Wetland Use Permit

Supervisor McGillicuddy opened the public hearing at 6:18 P.M.

Director Kieselbach summarized the wetland use permit as outlined in staff memorandum dated March 14, 2008.

Gil White, 6005 E. Lake Drive, Haslett introduced Doug Longpre, KEBS, Inc., his wetland consultant, who addressed four (4) areas of concern expressed by the Township's wetland consultant: 1) underdrainage system beneath the porous concrete in place of a conventional detention pond as it has more surface area for contaminant attachment and increased treatment time; 2) expansion of bio-swales to handle appropriate amount of discharge; 3) existing sheet flow to equal sheet flow after development, and 4) possibility of wetlands on the south side.

Trustee Brixie inquired of Mr. Longpre if they would have the redesign which addressed the concerns ready for the next Board meeting.

Mr. Longpre responded that he believed so, given that the concerns are fairly simple to remediate.

Supervisor McGillicuddy asked the applicant to address the MDOT pipe which would traverse down to the mitigated area.

Mr. Longpre responded there is a pipe in the swale area to take the overflow when the water rises in the existing wetland and travels south along the median of Saginaw and then crosses over to the third mitigation area. He indicated there will be a 6" to 8" riser pipe placed in it to maintain existing water levels, not only in the wetland but also the mitigation area to the north.

Supervisor McGillicuddy requested assurance that the water not travel so fast that it was not properly cleaned.

Supervisor McGillicuddy asked the applicant's representative to address the issue of berms.

Mr. Longpre responded that the original mitigation design had a berm along the east side of the property and the concern was that there would not be enough water which would stay in the existing wetland and in the mitigation area. The applicant felt a 6-8" high berm would allow for the growth of wetland vegetation. The placement of the riser pipe would eliminate the need for the entire berm so the trees and saplings would not be affected.

Supervisor McGillicuddy asked about retention of the hickory trees along the roadway.

Mr. White answered that he did not believe the mature hickory trees along the roadway could be saved. In the wetland portion of the roadway, minimization of reed canary grass over time in order to allow more desirable types of wetland vegetation to establish themselves is best treated through shade.

Trustee Veenstra inquired if plans could be modified to leave more existing wetland on the western edge of wetland #4-15.

Mr. White responded that Trustee Veenstra's inquiry would require significant redesign of the plans, and greatly reduce the flexibility for the adjacent building.

Supervisor McGillicuddy closed the public hearing at 6:44 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Mark Goldammer, 5404 Amber, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Gengen Chang, 437 Rosewood Avenue, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

John Scott-Craig, 5244 Wardcliff Drive, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Louis Shelburg, 2025 Roseland Avenue, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Molly Wingrove, 2649 Melville Drive, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Michael Hupp, 5177 Wardcliff Drive, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Timothy Stoepker, Dickinson, Wright PLLC, 200 Ottawa Ave., NW, Suite 900, Grand Rapids, and Attorney for Meridian Four Seasons, LDHA LP, addressed the eight (8) proposed conditions which would be subject to a restrictive covenant under the conditional zoning statute of the Michigan Zoning Enabling Act.

Hannah Al-Kabour, 5093 Wardcliff Drive, East Lansing, spoke in opposition to Rezoning #06090 (Meridian Four Seasons).

Supervisor McGillicuddy closed public comment.

- A. Rezoning #06090 (Meridian Four Seasons LDHA LP), request to rezone approximately 8.54 acres located at 2756 E. Grand River Avenue from C-2 (Commercial and Office) and RX (Duplex) to RC (Multiple Family-Medium Density)
Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated March 14, 2008.

Clerk Helmbrecht moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #06090” from C-2 (Commercial) and RX (Duplex) to RC (Multiple Family-Medium Density) conditioned on the southern 1.4 acres of the subject site continue to be zoned C-2 (Commercial), construction of 98 multiple-family rental units, the developer installing at its sole cost a sidewalk over the public right-of-way connecting the subject site to Wardcliff School, the developer engineering and constructing on-site stormwater retention/detention facilities as are reasonably necessary to accommodate surface water draining over the unimproved portion of Greencliff Drive contiguous to the subject site according to a permit issued by the Ingham County Drain Commissioner, the developer executing a restrictive covenant which prohibits residency by full-time college students, ensuring the supervision of all resident minors (while not attending school) by an adult member of the resident family or a staff member of an on-site “latch-key” program, the Michigan Department of Transportation’s final and unconditional approval of an access road connecting the proposed Meridian Four Seasons apartments to Grand River Avenue, and rental housing on the property will comply with Michigan State Housing Development

Authority's green building guidelines for site development and building construction (i.e. site development, water conservation, energy efficiency, materials, and healthy living environment) to the maximum extent possible and in compliance with Township building and zoning regulations.

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 introduced at least once prior to the next regular meeting of the Township Board. Seconded by Trustee Brixie.

Board members discussed the following:

- Current zoning of RX and C-2 is appropriate and consistent with recent rezonings in the Wardcliff area
- Concern with enforceability of language which states all resident minors (under the age of 18) will be in a latchkey program when not in school
- Concern with enforceability of language which states all resident minors will be supervised by an adult family member when not in school or in a latchkey program
- Repeated Planning Commission recommendation for denial
- Inconsistent with the Township's Future Land Use Map
- No written evidence of applicant's assertion there is agreement with the commercial property owners to the south
- Previous testimony by the commercial property owners to the south that there is no agreement
- Letter from Michigan Department of Transportation that there will be no access to Grand River without agreements between the applicant and commercial property owners
- Lack of access to Grand River will put traffic through Wardcliff neighborhood adjacent to Wardcliff School
- Concern with safety of children walking in the Wardcliff neighborhood as it has no sidewalks
- Proposed project has more units than Capstone on fewer acres
- Proposed project has less open space than Capstone proposal
- Concern with apartment reviews for project in Dewitt
- Belief that the Master Plan designation is accurate or realistic for this site
- Current zoning not the best zoning for this site
- Necessity of weighing the needs of different parties in a controversial decision
- Master Plan contains a fundamental statement of community and personal values
- One personal value in the Master Plan is cultural diversity which includes economic differences
- Proposed rezoning does not meet the Township's goal of increasing the ratio of single family owner occupied homes to rentals and does not match the map of the Master Plan
- Proposed rezoning is a redevelopment of a previously developed site
- Site is highly walkable site
- Proposed project would place the density on the main transportation corridor in the entire Lansing area, the #1 bus line
- Proposed project would provide affordable housing for residents of Meridian Township
- Proposed project would provide additional students to a Meridian Township school system
- Proposal inconsistent with the Master Plan
- Need for a redevelopment on this site which would be supported by the citizens
- Topic of traffic has not adequately been addressed
- Need for a direct access point such as a roadway to facilitate the amount of traffic
- Concern with traffic which goes through the neighborhood because of the difficulty with vehicles attempting to turn onto Grand River
- Need for a "better" comprehensive plan for the entire area
- Belief there will be no redevelopment on the site in the foreseeable future until there is resolution to the road problem

ROLL CALL VOTE: YEAS: Trustee Brixie
NAYS: Trustee Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
Motion failed 1-4.

- B. Zoning Amendment #07170 (Township Board), request to allow appropriate uses by SUP in PO (Professional and Office) zoned MUPUD (Mixed Use Planned Unit Development), **Introduction** Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated March 14, 2008.

Trustee Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____ entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 4 by amending Section 86-440(c)(2).”

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 introduced at least once prior to the next regular meeting of the Township Board. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Proposed amendment allows for flexibility within a MUPUD

Trustee Veenstra offered the following amendment:

- Amend subsection 1.a. by striking “, and self-service laundries.”

Seconded by Treasurer Hunting.

Board members and staff discussed the following:

- Excepted uses came from C-1 zoning which has neighborhood oriented businesses
- Excepted uses were based on size and type of use to keep them more neighborhood oriented
- Upstairs apartments in a MUPUD should contain laundry services
- Need for consistency of exceptions with the C-1 uses

ROLL CALL VOTE: YEAS: Trustee Veenstra, Clerk Helmbrecht
NAYS: Trustee Brixie, Supervisor McGillicuddy, Treasurer Hunting
Motion failed 2-3.

Trustee Veenstra offered the following amendment:

- Strike subsection 1.g : “Drive-through or drive-in uses, subject to the approval of the Township Board”

Seconded by Supervisor McGillicuddy.

Inclusion of attorney’s recommended changes: (See Agenda Item #8 (Questions for the Attorney))

- Q. I am looking on page 1 of the attorney’s recommended changes. Did the attorney recommend to add this back in?
- A. I made recommended changes to staff and, based on a conversation with staff, it was determined that the way it was written before today wasn’t clear if the drive-through or drive-in uses were being allowed or not being allowed. There was some consensus that we read from the minutes this was where the Board was moving in its direction.

Board members discussed the following:

- Foreseeable situations where a drive-through may be appropriate

ROLL CALL VOTE: YEAS: Trustee Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht
NAYS: Trustee Brixie, Treasurer Hunting
Motion carried 3-2.

Trustee Veenstra offered the following amendment:

- Amend 3.b. by adding after the word “use” the language “not to exceed 50%.”

Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Alternative #3 was selected to allow each project to be looked at individually

ROLL CALL VOTE: YEAS: Trustee Veenstra
NAYS: Trustee Brixie, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
Motion failed 1-4.

ROLL CALL VOTE: YEAS: Trustee Brixie, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 4-1.

C. Proposed Zoning Amendment to Allow 2" Caliper Trees

Trustee Veenstra moved to initiate a zoning amendment to the Code of Ordinances for Section 86-473(2), street tree size, and Section 86-758(1)c.1., canopy tree size, to amend the minimum size required at the time of planting to a two (2) inch caliper tree and to refer the proposed amendment to the Planning Commission for a public hearing and recommendation. Seconded by Clerk Helmbrecht.

Board members discussed the following:

- Wait for Planning Commission recommendation on amendment to street tree size and take both ordinance amendments up at the same time

Treasurer Hunting offered the following amendment:

- **Amend minimum caliper size to 2-½ inches**

Seconded by Trustee Brixie.

Board members continued discussion:

- Township's arborist does not agree with testimony from nursery owner
- Concern with visual impact of two (2) inch caliper tree throughout the Township

ROLL CALL VOTE: YEAS: Trustee Brixie, Treasurer Hunting
NAYS: Trustee Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht
Motion failed 2-3.

Number of votes required for passage: (See Agenda Item #8 (Questions for the Attorney))

Q. How many votes are required for our next anticipated action?

A. Three. You are not deciding on a zoning amendment; you are voting to refer it to the Planning Commission.

ROLL CALL VOTE: YEAS: Trustee Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht
NAYS: Trustee Brixie, Treasurer Hunting
Motion carried 3-2.

D. Amendment to AFSCME DPW Bargaining Agreement

Treasurer Hunting moved that the Township Board approve the amendments as specified in the memorandum dated March 12, 2008, and the attached settlement agreement to the AFSCME Public Works Collective Bargaining Agreement for 2008-2010 and authorize the Supervisor and Clerk to sign the revised agreement. Seconded by Supervisor McGillicuddy.

Board members and staff discussed the following:

- Concern whether anticipated revenues would cover three-year increase
- One-year contract negotiation not good use of staff and bargaining unit's time
- Township in good financial condition for 2008

- Present information from the state anticipates a four (4) percent increase to state shared revenues for local governments
- Wage increase in line with contract settlements of other local units of government

Treasurer Hunting called the question.

ROLL CALL VOTE: YEAS: Trustee Brixie, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 4-1.

E. Amendment to AFSCME Non-Supervisory Bargaining Agreement

Treasurer Hunting moved approval of the amendments as specified in the memorandum dated March 12, 2008, and the attached settlement agreement to the AFSCME Professional Non-Supervisory Employees Collective Bargaining Agreement for 2008-2010 and authorize the Supervisor and Clerk to sign the same. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustee Brixie, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 4-1.

F. Publication of Zoning and Non-Zoning Ordinances

Trustee Brixie moved that the Township Clerk publish Zoning and Non-Zoning Ordinances in the following manner:

Publication for Introduction of a Zoning Ordinance shall be accomplished through (a) posting the full text in the Clerk's Office; (b) posting the full text in five other places {Haslett Library, Okemos Library, Municipal Building, Service Center, Towar Recreation Center and Harris Nature Center}; (c) printing a notice in the newspaper including date introduced, nature of notice, nature of ordinance and locations where full text may be read, and (d) placing on the Township Website.

Publication for Final Adoption of a Zoning Ordinance shall be accomplished through (a) publishing a summary in the newspaper and identify places where full text may be read, and (b) placing on the Township Website.

Publication for Introduction of a Non-Zoning Ordinance shall be accomplished through (a) posting the full text in the Clerk's Office; (b) posting the full text in five other places {Haslett Library, Okemos Library, Municipal Building, Service Center, Towar Recreation Center and Harris Nature Center}; (c) printing a notice in the newspaper including date introduced; nature of notice, nature of ordinance and locations where full text may be read, and (d) placing on the Township Website.

Publication for Final Adoption of a Non-Zoning Ordinance shall be accomplished through (a) posting the full text in the Clerk's Office; (b) posting the full text in five other places {Haslett Library, Okemos Library, Municipal Building, Service Center, Towar Recreation Center and Harris Nature Center}; (c) printing a notice in the newspaper including date passed, nature of notice, nature of ordinance and locations where full text may be read, and (d) placing on the Township Website.

Seconded by Treasurer Hunting.

Trustee Veenstra offered the following friendly amendment:

- Add Meridian Senior Center to the list of places where full text is posted

The maker did not accept the amendment.

Trustee Veenstra moved to amend the publication for introduction of a zoning ordinance, publication for introduction of a non-zoning ordinance and publication for final adoption of a non-zoning ordinance sections as follows:

- **Amend subsection (b) by inserting “Meridian Senior Center,” after “Service Center,”**
- **Amend subsection (b) by deleting the word “five” and inserting the word “seven”**

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustee Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: Trustee Brixie

Motion carried 4-1.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried 5-0.

G. Keystone Woods Streetlighting SAD, Resolution #2

Trustee Brixie moved to approve Keystone Woods Streetlighting Special Assessment District Resolution #2, which confirms the plans and estimate of costs for the Keystone Woods Streetlighting Special Assessment District; directs the Supervisor to make a special assessment according to the roll submitted to the public hearing and confirms the assessment amount of \$1,785.65 for the first year, and \$500.00 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the four streetlights, with cut-off fixtures; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract.

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustee Brixie, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: Trustee Veenstra

Motion carried 4-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. 2008 Order to Maintain Sidewalks, SAD #10

It was the consensus of the Board to place this item on the consent agenda for the April 1, 2008 Board meeting.

B. Shaw’s Landing Wetland Use Permit

It was the consensus of the Board to place this item on for action at the April 1, 2008 Board meeting.

C. Adams Outdoor Advertising

Director Kieselbach summarized the new technology for outdoor advertising structures as outlined in staff memorandum dated March 14, 2008.

Bill Jackson, Adams Outdoor Advertising, 3801 Capital City Boulevard, Lansing stated that of the 14,000 billboards in Michigan, twenty three (23) currently have digital technology. He spoke to photocell technology and the ability to override that technology. He added these billboards are measured in terms the brightness of produced light and explained how that measurement is gauged.

Mr. Jackson stated that Adams Outdoor Advertising has reached an agreement to be included in the National Amber Alert system, and it has already been utilized within the Lansing area. He added that Adams has recently partnered with the Federal Bureau of Investigation to assist with its Crime Stopper Program as well as aiding the Department of Transportation with implementation of its traffic cameras. Mr. Jackson handed out photographs of completed billboards in Portage, Michigan.

Board members, staff and Mr. Jackson discussed the following:

- Flexibility to change messages
- Possible distraction for drivers
- Two studies showed no traffic accident cause/effect relationship for drivers looking at digital billboards
- Data from neighboring communities regarding traffic accidents since installation of digital billboards
- Distraction as a public safety concern
- Billboards are controlled by state law which has set specific criteria requiring a six (6) second static message although Adams now believes it should be longer
- Brightness levels are also set in state law
- Highway Act does not cover on-premise running and moving lights on signage
- Federal Highway Administration in the process of commissioning a study to be completed by end of 2008
- Contact with the local Traffic Safety Council for information regarding any statistics on the potential traffic hazard of digital billboards
- Amount of energy digital billboards consume
- Digital billboards shut off from 2:00 AM until 6:00 AM
- State billboard act amended in 2006 to regulate digital billboards
- Practicality of use of digital billboard technology only for instant messages such as Amber Alert, etc.
- \$800,000 investment in a two-sided sign

Effect of amendments to our current code relative to moving signs/lights: (See Agenda Item #8 (Questions for the Attorney))

- Q. Currently, the way our ordinance is written, it is clear that moving lights, etc. are not allowed. My concern is that if we were to allow this type of sign, can we control how often the face is changed? How do we control that and do we begin to enter a slippery slope of enforceability?
- A. I don't have the language in front of me as it is currently in effect, but my guess is that there's probably a norm of how many seconds there is between changes on these signs. I think if we found something to support a decision that we wanted to change only so often, because there is a decrease in traffic accidents or somehow related to safety, we could add that in. I don't know if that exists; if it is even out there.
- Q. If we were to amend our code to allow this for billboards, would it also set precedent for the remainder of our commercial signs in the area? If they came in wanting to do the bright HD style light signs for their businesses, would we be hard pressed not to change our code for that, too?

- A. I would have to look at the ordinance on that. I don't know if the regulations on the moving and the specifics on those types of issues that we are dealing with are specific to billboards in the code or if it runs with all signs. I would want to look at that and see how it is written at this time. It doesn't necessarily mean that all signs need to be changed, but if it is a general rule that applies to all signs that they will not be moving or moving lights, I don't see how we can change it just for billboards.

It was the consensus of the Board not to move forward on this issue at this time.

[Supervisor McGillicuddy recessed the meeting at 8:44 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:54 P.M.]

- D. SUP #08041 (Delta Dental of Michigan), request to permit multiple buildings exceeding 25,000 sq. feet in floor area at 4100 Okemos Road
Director Kieselbach summarized the special use permit request as outlined in staff memorandum dated March 14, 2008.

Brian McCarthy, Facilities Management Manager, Delta Dental of Michigan, 4100 Okemos Road, Okemos, introduced the architect for this project.

Julie Sinnott, Project Manager, Albert Kahn Associates, 7430 Second Avenue, Detroit, and architect for the site, explained Delta Dental's need to construct a remote data center. She stated 5,000 square feet is for the housing of data equipment, with the remaining 16,290 square footage as accessories for the computer equipment, including diesel powered generator backup. She indicated no staff will be housed at the center.

It was the consensus of the Board to place this item on for action at the April 1, 2008 Board meeting.

- E. Rezoning #08070 (API Park Lake Properties, LLC), request to rezone approximately 1.8 acres addressed at 5900 Park Lake Road from RR (Rural Residential) to C-2 (Commercial)
Director Kieselbach summarized the proposed rezoning request as outlined in staff memorandum dated March 14, 2008

Board members discussed the following:

- Rezoning request would bring the use into compliance
- Planning Commission recommendation for approval
- Possible redevelopment of the site in the future
- Current site is non-conforming

It was the consensus of the Board to place this item on for action at the April 1, 2008 Board meeting.

- F. Community Farms/Gardens

Director Kieselbach summarized community farms and gardens as outlined in staff memorandum dated March 13, 2008.

Board members and staff discussed the following:

- Current ordinance is silent on gardening uses
- Temporary greenhouses could be classed as an accessory structure
- Legality of using Township property for community gardening
- Joint discussion with Park Commission and Land Preservation Advisory Board regarding potential use of Park and Land Preservation property
- Focus of community farming discussions
- Use of publicly owned land for a desirable community activity
- Implication of how the Right to Farm Act interacts with Township ordinances
- Possible collaborative effort with a non-profit organization
- School and church involvement in the discussion
- Cost to Township of staffing this program

- Concern with aesthetics of hoop houses on Land Preservation property
- Possible partnering with MSU to offer educational programming model on gardening
- Need to narrow the discussion before additional groups are invited to participate in discussion

It was the consensus of the Board to place this item on for discussion at the April 1, 2008 Board Meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:37 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary