

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, DECEMBER 11, 2012 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra, Wilson  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Fire Chief Fred Cowper, Human Resources Director Amy Holda

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor LeGoff led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, expressed concern with the name on one of the bills and requested a correction. He addressed the raise passed by the previous Board where a majority of members favored an equal dollar amount for all employees and inquired who made the decision for a 2% increase for non-union personnel. Mr. Bowlby requested this item be removed from the consent agenda and placed as an action item to allow for Board discussion. He also addressed the fact Agenda Item #7E (Amendments to Professional Supervisory Association Labor Agreement) did not have an accompanying packet piece for the public.

Supervisor LeGoff closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Treasurer Brixie announced tax bills were mailed December 1<sup>st</sup> and for those residents who wish to make a year-end tax payment, the Treasurer's office will be open on December 31<sup>st</sup> from 8:00 A.M. until 5:00 P.M. She added the Township will be closed December 25 and 26<sup>th</sup> as well as January 1<sup>st</sup> and 2<sup>nd</sup>. Treasurer Brixie reported Township Fireworks will be held at 8:30 P.M. on New Year's Eve with a launch from Central Park South. She reported her attendance at the soft opening of Studio C and encouraged residents to take advantage of this unique movie viewing experience.

Supervisor LeGoff expressed appreciation to Township voters for electing her as Township Supervisor. She encouraged residents to contact her with any problems or concerns. Supervisor LeGoff explained her absence over the last month due to a trip out of the country that had been planned over a year ago.

Clerk Dreyfus attended the Cable Communications Commission meeting where the recurring issue of HOMTV not being listed with call letters on Comcast's channel lineup was discussed. He stated consensus was to have a resolution come before the Board to request Comcast change their corporate policy regarding call letters for local governmental units. He announced Deborah Guthrie was nominated to the National Association of Telecommunications Officers and Advisors (NATOA) Board of Directors, and this organization will also be looking into this issue on a national basis.

Trustee Veenstra welcomed the Supervisor back to the meetings and clarified the questioned posed during earlier public comment regarding the name on one of the bills.

Trustee Styka reported his anticipated attendance at the Michigan Townships Association’s training provided for new Board members on Monday, December 17, 2012.

6. APPROVAL OF AGENDA

**Treasurer Brixie moved to approve the agenda amended as follows:**

- **Move Agenda Items #7D & #7E to Action Items #10C and #10D respectively.**

**Seconded by Trustee Styka.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

Board members and staff discussed the following:

- Township authority to monitor fireworks sales allows fire officials to have knowledge of fireworks locations through an inspection process
- In the Township’s best interest from a safety standpoint to oversee the permitting process
- Township will have the ability to retain 80% of the permit cost

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie,  
 NAYS: None  
 Motion carried unanimously.

The adopted Consent Agenda items are as follows:

A. Communications

**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 Wilson.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie,  
 NAYS: None  
 Motion carried unanimously.

B. Bills

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

Common Cash		\$	152,499.25
Public Works		\$	337,957.67
Retainage			
Ck #1061 – Parish Corp/N. Meridian Park	\$5,000.00		
Ck #10160 – J Rank/Wood Valley LS	\$1,491.01		
Ck \$1059 – MCT-PW/Wood Valley LS	<u>\$8,402.15</u>	\$	<u>14,893.16</u>
Total Checks		\$	505,350.08
Credit Card Transactions		\$	5,175.76
Total Purchases		\$	<u>510,525.84</u>
ACH Payments		\$	<u>466,205.84</u>

**Seconded by Trustee Wilson.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Clerk Dreyfus, Treasurer Brixie,  
NAYS: None  
Motion carried unanimously.

[Bill list in Official Minute Book]

**C. Resolution Granting Fire Department Authority to Monitor Fireworks Sales**

**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, that the Meridian Township Fire Department is hereby authorized to accept any delegation of authority and responsibility from the Department of Licensing and Regulatory Affairs, Bureau of Fire Services, to carry out inspections and other duties under the Michigan Fireworks Safety Act PA 256 of 2011, on such terms and conditions as the Meridian Township Fire Department deems reasonable. Seconded by Trustee Wilson.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Clerk Dreyfus, Treasurer Brixie,  
NAYS: None  
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTIONS ITEMS/ENDS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to the issue of percentage v. lump sum employee raises, and questioned whether the 2% cost-of-living increase across the Board was the best way to promote equity. He offered several statistics on the cost of living and rate of inflation over the last two (2) years.

Supervisor LeGoff closed Public Remarks.

A. Michigan Municipal League Proposal for Executive Search Services

**Clerk Dreyfus moved that the Michigan Municipal League be engaged to provide executive search services for the recruitment and hiring of the next Township Manager at a base professional fee of 10% of starting salary plus project expenses. Seconded by Trustee Veenstra.**

VOICE VOTE: Motion carried unanimously.

B. Fourth Quarter Budget Amendments

**Trustee Veenstra moved that the Township Board approve the 2012 amended budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated December 7, 2012. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Some amendments due to a decrease in expenses
- Rationale of quarterly budget amendments

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried unanimously.

C. 2013 Proposed Non-Union Wage Schedule

**Trustee Styka moved to approve the 2013 non-union wage schedule as proposed by the Township Manager in a memorandum to the Board dated December 7, 2012. Seconded by Trustee Scales.**

**Trustee Veenstra offered the following amendment:**

**All full time employees shall receive a \$1,000 increase and part time employees be pro rated. Seconded by Trustee Dreyfus.**

Board members and staff discussed the following:

- Fairness and equity are fundamental values and giving all employees the same dollar amount is the most equitable way
- Two percent increase (2%) increase allows employees at the high end of the wage scale to receive more in a pay increase than those at the bottom of the wage scale
- Employees at the lower end of the pay scale need the pay increase the most
- Over the last several years, those at the lower end of the pay scale have taken a pay cut in terms of “real dollars”
- Creating parity through giving all employees an equal amount would produce a high level of staff morale
- When revenues stabilize, an across the board percentage increase would be appropriate for future raises
- Board only has direct control over setting salaries for non-union employees
- Wage study conducted approximately ten (10) years ago placed Meridian Township in the middle of most salary ranges
- Non-union employees were the only group to receive zero percent with no other form of compensation
- Eight (8) collective bargaining units received various forms of additional compensation since 2008, including a percentage, lump sum payments and additional time off
- Percentage increases in the “early years” were a result of contract negotiations prior to 2009
- Lump sum payments did not increase the hourly wage of the bargaining unit members
- Approximately 20 employees are in the non-union category
- Preference to have all employees receive a \$1,000 lump sum payment this year and then continue with various percentages based on levels of responsibility in 2014

**Trustee Scales called the question. Supported by Treasurer Brixie.**

ROLL CALL VOTE YEAS: Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer  
ON CALLING THE Brixie  
QUESTION: NAYS: Trustee Veenstra, Clerk Dreyfus  
Motion carried 5-2.

ROLL CALL VOTE YEAS: Trustee Veenstra, Supervisor LeGoff, Clerk Dreyfus  
ON THE NAYS: Trustees Scales, Styka, Wilson, Treasurer Brixie  
AMENDMENT: Motion failed 3-4.

Continued Board and staff discussion:

- Eight (8) cent difference in the salary for the Director of Parks and Recreation is a “rounding error” and will be corrected to make it consistent with other directors’ salaries in that same range

**Trustee Veenstra moved that Township vehicles for personal use be furnished only to the Fire and Police Chiefs. The motion died for lack of a second.**

ROLL CALL VOTE YEAS: Trustee Scales, Styka, Wilson, Supervisor LeGoff, Treasurer  
ON THE MAIN Brixie  
MOTION: NAYS: Trustee Veenstra, Clerk Dreyfus  
Motion carried 5-2.

D. Amendments to Professional Supervisory Association Labor Agreement

**Treasurer Brixie moved to approve the amendments to the Professional Supervisory Association (PSA) Collective Bargaining Agreement as tentatively agreed to by the PSA as described in the December 6, 2012 staff memorandum and authorize the Supervisor and Clerk to sign the same. Seconded by Trustee Styka.**

Board members discussed the following:

- Appreciation for the fact the Township has sufficient resources to offer employees a wage increase
- Duties of approximately 25 positions eliminated over the last five (5) years have been assumed by the remaining employees of the Township
- Annual wages stated in the previous agreement v. hourly wages noted in the proposed agreement
- To reflect the fact that the ADP payroll system is set up for hourly wages only and all employees in this bargaining unit are eligible for overtime, conversion was made to an hourly wage so the payroll system more closely matches the language in the labor agreement
- Personal leave was rolled into vacation time accrual so there is one leave bank
- Professional Supervisory Association is the second or third bargaining unit to roll personal leave and vacation time into one leave bank
- Other bargaining units may wish to negotiate to have personal leave and vacation time as one leave bank

**Trustee Veenstra moved to have all full time employees receive a \$1,000 pay increase and the amount be prorated for part-time employees. Seconded by Clerk Dreyfus.**

Continued Board and staff discussion:

- Collective bargaining agreements come before the Board after ratification and any change would first have to be negotiated prior to Board approval
- Proper Board procedure would be to reject the labor agreement and send it back to the bargaining table with the Board's position
- This motion is an attempt to bargain in public, which is illegal
- Objection to the memo on this topic being confidential as it omits the information from being available to the public and a violation of the Open Meetings Act
- Board has the right to set policy and staff has a duty to take a Board approved policy back to the unions
- Board should be about equity and give all employees the same raise
- Duly elected representation of the employee union has spoken through the negotiation process
- Possibility of setting policy in the future for the Township Manager and/or Human Resources Director to work toward
- Equal vs. equitable
- Concern there is no language in the agreement which reflects the dollar figures in the step increase table are hourly rates
- Staff will insert appropriate designation regarding the hourly rates for clarity

**The seconder withdrew his support for the amendment.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer Brixie  
NAYS: Trustee Veenstra, Clerk Dreyfus  
Motion carried 5-2.

11. DISCUSSION ITEMS/ENDS

Supervisor LeGoff opened and closed Public Remarks.

- A. Zoning Amendment #12020 (Township Board) Modification to the C-1 Zoning District to Allow Physical Fitness Facilities

Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated December 7, 2012.

Board members and staff discussed the following:

- 24 hour operation adjacent to a residential district is allowed only by special use permit
- Existing special use permit criteria would apply
- Reading of the special use permit review criteria indicates adequate protection for the adjacent residential neighborhood
- The Township's noticing requirements allows nearby neighbors to raise concerns with the proposed waiver for 24-hour operation
- In this particular neighborhood, most of the nearby neighbors are offices
- Appreciation to the Planning Commission for its work on this zoning amendment
- Zoning amendment is business friendly, especially for small businesses
- Subject business is near a Seven Eleven, which operates 24 hours per day
- Subject business was erroneously allowed by the Township to operate 24 hours per day
- There have been no complaints received by the Township with this business operating 24 hours per day
- The subject business is a franchise which operates 24 hours per day
- Five small areas throughout the Township are zoned for C-1
- C-1, C-2 and C-3 zoning categories were established in 2001
- Prior to that, there were no limitations on hours of operation for the commercial districts
- When C-1 was adopted, any use in existence was allowed to continue its 24 hour operation
- After 2001, any new uses in the C-1 district were subject to restrictions in terms of hours of operation
- Three (3) Seven Eleven stores in the Township were grandfathered in and allowed to continue operating 24 hours per day
- C-1 was created for neighborhood businesses (e.g., neighborhood grocery stores)
- Snap Fitness on the northwest corner of Marsh and Haslett Roads is in a C-2 zoning district
- New fitness facilities use advanced equipment which is quieter than what exercise facilities have used in the past
- Suggestion to waive the fee when this fitness center applies for a special use permit to operate 24 hours per day
- Any business in the C-1 district desiring to operate between midnight and 6:00 A.M. must apply for a special use permit
- Non-conforming v. being grandfathered in

**It was the consensus of the Board to place this item on for action at the next Board meeting and waive the special use permit application fee for this Anytime Fitness franchise if finally adopted.**

#### 12. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, expressed appreciation for the Board's willingness to waive the special use permit fee for Anytime Fitness. He spoke to transparency in government relative to labor agreements. Mr. Bowlby addressed the urban services management district passed by the Planning Commission, and suggested Tri-County Regional Planning Commission give a presentation to the new Board. Mr. Bowlby also suggested Board members review previous Board meetings online when the urban services management district was discussed and acted upon.

Supervisor LeGoff closed Public Remarks.

#### 13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra addressed a comment in the October 2, 2012 Board minutes.

Township Manager Richards requested Board members apprise him of their availability relative to suggested dates in January for discussion on the Township Manager Search Process.

He reported on the Okemos Library private fundraising campaign, stating a press conference kick-off event will be held at the Okemos Library, December 13<sup>th</sup> at 10:00 A.M. Manager Richards noted the committee's theme is titled "Renew Okemos Library, It's Overdue."

14. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 7:27 P.M.

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ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS  
TOWNSHIP CLERK

Sandra K. Otto, Secretary