

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, MAY 18, 2010 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,  
LeGoff, Ochberg, Veenstra (6:07 P.M.)  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development  
Mark Kieselbach, Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Assistant  
Manager/ Human Resources Director Paul Brake, Director of Finance Diana Hasse,  
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/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.

Quenda Story, 4526 Marlborough, Okemos, spoke to the “compromise” reached between St. Martha Parish and the concerned nearby residents of a single user private force main in order for the church to be constructed.

Kristin Beltzer, 5945 Buttonwood Drive, Haslett, spoke in support of the appeal of the Planning Commission’s denial of Special Use Permit #09101.

Leonard Provencher, 5824 Buena Parkway, Haslett, announced the seventh annual Ride of Silence will be held tomorrow night to commemorate individuals who have been seriously injured or died because of auto/bicycle accidents. He announced bicyclists will assemble at Haslett Middle School at 6:30 P.M. Mr. Provencher spoke to the introduction of House Bills 6164 and 6165, bills which mandate that school zones can only exist near K-8 grade buildings and eliminate a township’s ability to request a change in speed limits from the Ingham County Road Commission.

Anne Woiwode, 5088 Powell Road, Okemos, spoke in opposition to Special Use Permit #09101, citing the fundamental premise that this is a good project in the wrong location.

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in support of the Planning Commission’s denial of Special Use Permit #09101, in opposition to Special Use Permit #10-88231, the Okemos/Hamilton Roads roundabout, DDA bonding to finance a streetlight project in downtown Okemos and in opposition to discussion of medical marijuana.

Richard Baumgartner, 1064 Cliffdale, Haslett, spoke in opposition to Special Use Permit #09101, stating it is the Township Board’s responsibility to keep the promise that St. Martha Parish would be the only user of the force main and that this project is a catalyst for further development.

Teri Banas, 5606 Creekwood Lane, Haslett, requested the Board consider shifting a portion of Land Preservation millage monies for capital improvements in the park system. She cited the inability of the Township to receive state grant money for park services in recent years as the rationale for this request.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Treasurer’s Quarterly Report

Treasurer Brixie gave an update on delinquent personal property tax collections for 2005-2009, total 2009 collections and distributions as of May 13, 2010 and fixed and non-fixed investments as of April 30, 2010.

Clerk Helmbrecht reminded residents to fill out and return the 2010 US Census form as every individual counted during the census equates to \$1,000 per year in revenue sharing for Meridian Township. The clerk announced she testified before the House Judiciary Committee last week considering a bill which would allow Townships to post legal notices on its website instead of the current newspaper publishing requirement in an effort to save significant money in publishing costs.

Trustee Dreyfus reported his attendance at a session hosted by Michigan State University students on new designs for downtown Okemos mixed use projects

Trustee Veenstra expressed his opposition to the House bill which would remove the requirement to publish legal notices in a newspaper as he believed it vital to the health of our democracy to have an informed public through the newspaper publishing requirement.

Trustee LeGoff also reported her attendance at the Meridian Town Center Redevelopment Project presented by MSU Geology Department students. She noted there were six groups of students who presented redevelopment ideas using mixed use development alternatives. She believed the entries showed exciting possible changes for the Okemos DDA area.

Supervisor McGillicuddy reminded residents the Dobie Road Bridge will be under construction from June 11<sup>th</sup> until sometime in November. She reported her attendance last week at the Lansing Economic Area Partnership (LEAP) meeting where one of their regional efforts is a day entitled “Be a Tourist in your own Town”, scheduled for June 5, 2010. She noted a booklet has been printed which lists different areas of interest and CATA will run its buses to each designation for 50 cents. Booklets are available by calling 487-6800.

Trustee Veenstra inquired if the “Be a Tourist in your own Town” booklets could be made available at the Township Hall.

6. APPROVAL OF AGENDA

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

- **Add Agenda Item #10G: Minutes – April 30, 2010 Special Meeting**

**Seconded by Trustee Ochberg.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as 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 Ochberg.**

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

B. Minutes

**Treasurer Brixie moved to approve and ratify the minutes of the May 6, 2010 Regular Meeting as submitted. Seconded by Trustee Ochberg.**

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

C. Bills

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

Common Cash	\$ 327,569.54
Public Works	\$ 382,879.09
Total Checks	\$ 710,448.63
Credit Card Transactions	\$ 6,332.24
Total Purchases	<u>\$ 716,780.87</u>
ACH Payments	<u>\$ 321,138.52</u>

**Seconded by Trustee Ochberg.**

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

[Bill list in Official Minute Book]

D. Amendment to Fireworks Ordinance

**Treasurer Brixie moved to introduce for publication and subsequent adoption Ordinance No. \_\_\_\_\_, entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 26, Article I, by amending Section 26-1.” 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 Trustee Ochberg.**

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

E. Reappointment to the Cable Communications Commission

**Treasurer Brixie moved that the Township Board approve the reappointment of Walter Benenson to the Cable Communications Commission for a term ending December 31, 2010. Seconded by Trustee Ochberg.**

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

- F. Fee Schedule for Enhanced Access to Information Technology  
**Treasurer Brixie moved that the Meridian Township Board hereby modifies the existing schedule of fees to include charges of \$150 per summer or winter tax roll, and \$300 per complete annual tax or assessment roll as outlined in the “Fee Schedule for Enhanced Access to Public Records”, attached to the cover memorandum to the Township Board from Stephen Gebes, the Director of Information Technology, dated May 14, 2010. Seconded by Trustee Ochberg.**

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10A)  
 9. HEARINGS (None)  
 10. ACTION ITEMS/ENDS  
 Supervisor McGillicuddy opened public comment.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of the Planning Commission’s denial of SUP #09101, in opposition to SUP #10-88231 and in opposition to planning for the Okemos/Hamilton Roundabout.

Vance Boyd, 88 West Sherwood, Okemos, spoke in opposition to SUP #09101 and SUP #10-88231.

Michael Leon, 4890 Chipping Camden Lane, Okemos, characterized the proposed development in SUP #09101 as “leapfrogging” the central core of the Township and urged the Board to uphold Planning Commission denial of SUP #09101. He also spoke in opposition to SUP #10-88231.

Dina Klemans, 4460 Oak Pointe Court, Okemos, urged the Board to uphold Planning Commission denial of SUP #09101. She indicated previously mentioned economic development and job creation were not considerations for approving a special use permit. She also spoke in opposition to SUP #10-88231.

David Pierson, 1305 S. Washington Avenue, Lansing, on behalf of Trilog Health Services, noted the Comprehensive Development Plan comp plan does not call for specific locations for institutional uses, but looks at compatibility of surrounding uses. Mr. Pierson refuted previous comment by indicating economics are a consideration as one special use permit criteria speaks to the benefit to the community. He addressed the issues of services; emergency medical services and sewer. Mr. Pierson indicated Trilog would contract for medical transport in an effort not to overtax existing Township services. He stated for the first time, St. Martha has requested that the sewer it built be permitted to have another entity use the same force main. Mr. Pierson pointed to the difference from all previous requests by other applicants to extend the sewer to create a public sewer which connects to St. Martha’s force main and thereby open up development.

Michael Powell, Powell Engineering, 4700 Cornerstone Drive, White Lake, identified changes the applicant would like to propose to the Board: 17 deferred parking spaces, ending the drive at Trilog’s entrance, add street trees on Grand River between the roadway and sidewalk and reducing the site lighting from 11:00 P.M. to 6:00 A.M.

Mark Clouse, Chief Financial Officer and Legal Counsel, Eyde Co., 4660 S. Hagadorn, East Lansing, clarified this special use permit request is consistent with the Master Plan as the only place this type of use (institutional) can be placed is in the residential district. He stated Grand River Avenue satisfies the requirement of a major road. Mr. Clouse noted the site has no impact on Cornell Road. He clarified public misunderstanding by stating there would be no extension of sewer for this project; but simply use the sewer which runs along the right-of-way for Grand River Avenue in front of the subject property. Mr. Clouse reminded the Board no wetlands are included in this nine-acre site. He added it is an appropriate use and a welcomed neighbor by the adjacent property owner, St. Martha Parish

Thomas Deits, 4045 Van Atta Road, Okemos, spoke in opposition to SUP #09101, stating it is a good development in the wrong location, as it extends development farther east than has been the case in the past. He indicated St. Martha Parish should not be used as a precedent for this type of development as churches have "special" rights. Mr. Deits believed this development would set a precedent for future development. He pointed to the fact that although the decision was made over twenty years ago, the Master Plan is only five (5) years old and the zoning decisions made in that area are done have been upheld every time since that decision twenty years ago.

Richard Harrington, 820 Piper Road, Haslett, spoke in opposition to SUP #09101, as he believed the force main is not sufficient to accommodate the proposed additional use. He believed Board approval would change the nature of the "drain" to a public drain. Mr. Harrington believed the Board itself should be a continuous body of law, regardless of its members. He suggested the applicant look at property the Township owns at the corner of Okemos Road and Central Park Drive.

Quenda Story, 4526 Marlborough, Okemos, stated development creates a demand for services and increases taxes.

Supervisor McGillicuddy closed public comment.

- A. Appeal of Planning Commission's denial of Special Use Permit #09101 (Design Services Co.), a request to construct a 94-bed, 57,464 square foot assisted living/skilled care facility, located north of Grand River Avenue and east of Cornell Road

**Trustee Ochberg moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies the appeal and affirms the Planning Commission's denial of Special Use Permit #09101 to allow the construction of an assisted living and skilled care facility, a non-residential use in a residential district. Seconded by Treasurer Brixie.**

Board members discussed the following:

- All but one communication from the citizenry Township wide received by one Board member were in opposition to this development
- SUP granted to St. Martha Parish was extraordinary and granted solely on the condition the sanitary sewer would be a single use system
- No additional hook-up was a promise in perpetuity by all involved parties
- Allowing the development to go to another community assists regionalism
- Changes offered by the applicant improves pedestrian and bicycle traffic along the Grand River corridor
- Assisted living facilities are only allowed in residential districts
- Assisted living facilities are not prohibited in rural residential districts
- Not in support of commercial zoning on the northeast corner of Cornell and Grand River Avenue
- The proposed use is consistent with the Comprehensive Development Plan and existing zoning
- Special use permit criteria #5 states the project will not be detrimental to the economic welfare of surrounding properties or the community
- Belief this project will have a positive economic impact on the community
- This project would generate a conservative estimated tax and ambulance revenue for Meridian Township of \$57,000
- This project would generate a conservative estimated total tax revenue of \$250,000 (SET, Okemos Schools, IISD, Ingham County, CADL, CATA, LLC and Meridian Township)
- Fire Chief believed this project would generate ambulance run revenue for Meridian Township
- According to the Township's citizen surveys, residents' opinions have changed significantly over the last twenty years

- Question whether the jobs created by this development would be filled by Township residents
- Planning Commission function to advise the Board
- Desire of the Township to keep the eastern third of the township rural
- Belief that development does not pay for itself
- All costs to the community cannot be measured
- Board members must base their decisions on the existing ordinance
- Current ordinance defines an assisted care facility as an institutional use
- In 1989, the Board stated St. Martha Parish was consistent with the Master Plan as an institutional use
- Public and some Board members stated this institutional use is not consistent with the Master Plan
- Our existing ordinance does not provide for an urban service boundary
- A rezoning effort in 1988 from commercial to rural residential permitted institutional use as an allowed use
- Quiet, unobtrusive use in rural residential
- Appreciation to the applicant for suggested modifications
- Belief of one Board member there is consensus to keep the eastern third of the township “semi-rural”
- Cost of “pushing” development out into the eastern third would exceed revenues and be economically unsustainable
- Development would not promote walkability, which is a Township goal and policy
- Other health care facilities in the Township, except the Ingham County Extended Care Facility, are either close to or on a bus line
- Other health care facilities in the Township are centrally located and within a two-minute emergency response time from a fire station
- Development could be placed in other residential districts located in the Township such as along M-78

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

**Trustee Ochberg moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN that the size of the proposed assisted living and skilled care facility is inconsistent with those review criteria and standards for the granting of a special use permit contained in Sections 86-126 (1), (2), (3) and (7). Accordingly, the Board hereby denies Special Use Permit #09101 pursuant to Section 86-658 and Section 86-126 of the Code of Ordinances to allow construction of a facility that results in a building with a gross floor area of 25,000 square feet or greater. Seconded by Supervisor McGillicuddy.**

Board handling of language provided in a resolution: (See Agenda Item #8 (Questions for the Attorney))

- Q. I would like to ask the attorney if there is any significance to leaving out part of this resolution.
- A. I can't answer that question because a resolution has to come from the Board; based on the Board's view and then it's either passed or not supported. Whether there's legal significance? Basically, resolutions are written by staff and the attorney based on what we hear at other meetings. If that's not a criteria that the Board feels is significant, then it can be left out. If there are other members who want to make a friendly amendment to add it, that can be done, too. I can't really speak to the legal significance of that at this meeting.

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

- B. Special Use Permit #10-88231 (Diocese of Lansing), a request to modify conditions of the original Special Use Permit to allow another user to connect to the Sanitary Sewer Force Main serving St. Martha's Catholic Church at 1096 Grand River Avenue  
**Trustee Dreyfus moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN for the above reasons hereby denies the Diocese of Lansing's request to modify conditions 2 and 3 of Special Use Permit #88231. Seconded by Trustee Veenstra.**

Board members discussed the following:

- Promise made to residents in the eastern third of the township when the church was originally developed in 1989 not to allow additional hook-ups

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

- C. 2010 Order to Maintain Sidewalks, Resolution #3  
**Trustee Ochberg moved to approve 2010 Order to Maintain Sidewalk Special Assessment District #11, Resolution #3 which approves repair and maintenance of sidewalk in portions of the following areas: Briarwood Subdivision, Briarwood Subdivision #2, Briarwood Subdivision #3, Briarwood Subdivision #4, Briarwood Subdivision #5, Heritage Hills Subdivision, Heritage Hills Subdivision #2, Heritage Hills Subdivision #3, Heritage Hills Subdivision #4, and to defray the cost by special assessment; approves the cost estimate of \$83,792.18; determines the special assessment district; directs the making of an assessment roll, including a certificate; and authorizes notices be sent to the property owners giving 20 days notice to replace defective sidewalk. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Staff assurance during the public hearing that each complaint would be investigated
- Assessments decreased from 13-20% due to a decrease in contract work costs
- Approximately 12 assessments decreased based on re-inspections
- Frost on the ground in some areas at the time of initial inspections showed cracks which have disappeared since the ground settled
- Several homeowners have contracted for improvements on the raised portions of sidewalk, using the technique of placing pressure and mud under the concrete to raise the slab

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

[Supervisor McGillicuddy recessed the meeting at 8:17 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:26 P.M.]

- D. August Primary Ballot  
 Township Manager Richards summarized the proposed ballot language as outlined in staff memorandum dated May 13, 2010.

Board members discussed the following:

- Amount of taxes collected is based on the taxable value and a millage rate
- Staff provided graphs reflect only the general fund
- Land Preservation is a special millage fund
- Numbers provided by staff based on actual sale prices of homes
- Taxable value and state equalized value (SEV) cannot rise unless there is a cost of living increase and then it is either five percent (5%) or the cost of living whichever is less
- Inflation currently running flat
- If voters approved a 5-mill Headlee override and a .375 mill Land Preservation renewal, property taxes would decrease 4.5%
- Need for public education regarding a vote on a Headlee override
- Rise in expenditures or decrease in other revenues will affect the information provided in the staff packet
- Less expense to place a ballot issue on either the August Primary or November General Ballot
- Tax bill would be lowered by 7% if there is no Headlee override or Land Preservation renewal
- Appreciation to staff for budget recommendations through cuts over the past few years
- Next budget will show residents significant necessary changes
- Possible preparation of two budgets: one with and one without the Headlee override in order for residents to see comparisons
- Recommendation to place the full Headlee override (.8 mill) on the November General ballot
- Too late to place a proposal on the August Primary ballot
- Possibility of looking at the 2011 budget in July to make more informative decisions
- Consensus of the Land Preservation Ad Hoc Committee to recommend Land Preservation millage renewal at .375 mills which will reduce current millage approximately .35 mills
- Suggestion to request voters shift a portion of the .75 mills of expiring Land Preservation millage to the Township's parks
- Suggest to request voters restore part of the Headlee override
- Necessity of the Board looking at the budget now in order to meet the deadline for language to be placed on the November ballot
- Suggestion for a formal presentation by Land Preservation Advisory Board on its accomplishments
- Rationale for the Land Preservation Ad Hoc Committee's suggestion for a .375 mill renewal
- Ceiling for assessed millage is set by voters
- Board has the ability to levy less millage than the amount voted upon if property values rise
- Areas in last year's budget where potential cuts were identified which the Board did not support
- Belief it is up to the voters to decide the amount of millage to levy
- Hesitancy to place any renewal or override on the ballot as it makes the Board look "greedy"
- Families value other things in life more than Township services
- Voters right to know where the next round of budget cuts will come from if the Headlee override is not placed on the ballot
- Request for deadline date to submit of millage language in order for a ballot proposal to be placed on the November ballot
- Board member request for the Manager to provide preliminary budget figures in order for the Board to make a decision on whether to ask voters for a total or partial Headlee override

**It was the consensus of the Board not to place a Headlee millage proposal on the August ballot. There was also consensus to place this item on future Board agendas for discussion.**

- E. Authorize Application for Okemos/Hamilton Roundabout; Congestion Mitigation Air Quality (CMAQ) Improvement Program

Assistant Township Manager/DDA Executive Director Brake summarized the request to submit the application for the Okemos/Hamilton Roundabout as outlined in staff memorandum dated May 14, 2010.

Board members discussed the following:

- Project on Tri-County Regional Planning Commission's Long Range Transportation Plan

- Application is to allow the project to be placed on the Transportation Improvement Plan (TIP) over the next several years
- Proposed roundabout is in an area where the Township wants to increase walkability
- Roundabout, as proposed, would decrease walkability
- Preference to spend the money linking the south end of Marsh with the east end of Mt. Hope extended in an effort to take the bulk of the traffic out of the Okemos/Hamilton intersection to increase walkability of that area
- No consensus that the Board wants to move in the direction of a roundabout at this location
- Board member belief that roundabouts improve the walkability of an area
- Okemos/Hamilton intersection is not pedestrian friendly
- Questions during the presentation will not be answered if this project is removed from the “queue”
- Need for further study of this proposed project
- Removing this project from Tri-County’s Transportation Improvement Program (TIP) would eliminate
- Reminder to the Board this roundabout is a concept plan
- Resubmission of a previous application reconfigured to include two lanes of traffic in each direction
- Preparation of the application will cost approximately \$1,500
- Request for presentation of how pedestrians would navigate the roundabout with a continuous flow of traffic

**Treasurer Brixie moved to authorize the Downtown Development Authority Executive Director, through the concurrence of the Ingham County Road Commission, to submit an application, as described in the May 18, 2010 staff memorandum, for the Congestion Mitigation Air Quality (CMAQ) grant application, in the amount of \$1,250,000 to Tri-County Regional Planning Commission for a roundabout at the Okemos Road/Hamilton Road intersection. Seconded by Supervisor McGillicuddy.**

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

- F. Resolution to Accept Terms of the Agreement as Received from the Michigan Department of Natural Resources and Environment for Central Park Fishing Dock  
**Trustee Veenstra moved to approve the “Resolution to Accept the Terms of the Agreement as Received from the Michigan Department of Natural resources and Environment for Central Park Fishing Dock” and Meridian Township agrees to provide \$10,000 in matching funds, taken from Park funds, that will be combined with \$30,000 of grant funding for a total project cost of \$40,000. Seconded by Supervisor McGillicuddy.**

Board members discussed the following:

- \$10,000 of matching funds will come from the park millage
- \$10,000 in matching funds have already been budgeted for 2010

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

- G. April 30, 2010 Special Meeting Minutes  
**Treasurer Brixie moved to approve and ratify the minutes of the April 30, 2010 Regular Meeting as submitted. Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- Indication by one Board member that he had not received notice of this meeting
- Statement by Supervisor that she had notified all Board members

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

#### 11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Will Tyler White, 2142-1/2 Hamilton Road, Okemos, expressed appreciation for Board support of the application for the Okemos/Hamilton Roundabout.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in opposition to Board approval for a DDA bond to finance the downtown Okemos Streetlight Project.

Supervisor McGillicuddy closed public comment.

#### B. Medical Marijuana

Attorney Andria Ditschman summarized facts regarding the Michigan Medical Marijuana Act (MMA).

Board members and the Township Attorney discussed the following:

- MMA provides protections in the use of marijuana to individuals who have disabling diseases or symptoms
- Even though it is a violation of federal law, the federal government has determined it will not use its resources to “go after” individuals who are acting consistent with laws regarding medical marijuana
- Several bills regarding medical marijuana use have been introduced in the Michigan Legislature
- Not the Board’s decision or determination whether the MMA is appropriate; it is law
- Board decision should be to discuss whether or not to respond to the issue through zoning, employment issues, FOIA, etc.
- Inherent liability for the Township depending on what happens
- Application must be made to the State Department of Health for a patient or caregiver to be able to use, sell, etc.
- Number of applications submitted far exceeded anticipated response and has created a backlog at the state level
- Medical use defined in state statute
- If the Township Board chooses to regulate through zoning or licensing, it needs to know what is expressly prohibited
- Commercial entities (e.g., dispensary, compassion club, smokehouse, etc.) not protected by the law
- Any person can assist in the use or administration of marijuana to a qualifying patient
- State law protects an employee from an employer bringing disciplinary action because of medical marijuana use
- State law does not protect an employee who is under the influence while working
- Township drug testing and policies should be reviewed for compliance with state law
- Board decision to determine whether it will have a proactive or reactive approach
- Proactive approach to regulate
- Decision would need to be made whether to regulate in residential or non-residential, by special use permit, conditional uses, use by right, etc.
- Option to prohibit entirely through Board decision to not approve any use inconsistent with federal law
- Effect of smoking ban on medical marijuana use in a commercial district
- Options when a law enforcement officer makes a traffic stop where someone in the automobile is using medical marijuana
- Request for Township Manager to work with the Police Chief to ensure police officers are properly trained to follow state law
- Standard Township process to review policies and training when a new law goes into effect
- Topic not considered a high priority

- No interest in making deliberate efforts to increase legal expenses

**The consensus of the Board was to allow staff to research the issue and report back to the Township Board.**

- A. Resolution for DDA Bond to Finance Street Light Project in Downtown Okemos  
Assistant Township Manager/DDA Executive Director summarized the request to approve the sale of bonds to fund the installation of LED streetlights in downtown Okemos as outlined in staff memorandum dated May 14, 2010.

Board members and staff discussed the following:

- Concern whether the plan for placement of lights will be in concert with the proposed roundabout
- Cost of roundabout will include relocation of the streetlights
- Biggest cost is the placement of underground wiring
- Overhead guy wire over Okemos/Clinton Road and the arm over Okemos/Hamilton Road will be removed
- Concern with each streetlight costing in excess of \$11,000
- Cost of servicing the loan each year
- Figures were calculated with projected decrease in revenues and property values
- First two years are interest only payments
- Concern the loan repayment becomes the Township's first obligation
- Board member belief there is insufficient money in the DDA budget to service the loan

**The consensus of the Board was to place this item on for action at the June 1, 2010 Board meeting.**

- C. Mixed Use Planned Unit Development (MUPUD) Ordinance Amendments  
**Due to the lateness of the hour, the consensus of the Board was to defer discussion on this issue to the June 1, 2010 Board meeting.**

## 12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed appreciation for Board discussion on the Land Preservation millage. He stated one measure of quality of a community is its parks, and is in support of deferring a portion of the Land Preservation millage renewal to the parks program. Mr. Provencher would like the Headlee override and the renewal of the Land Preservation millage at a rate to maintain the program to be placed on the ballot.

Supervisor McGillicuddy closed Public Remarks.

## 13. FINAL BOARD MEMBER COMMENT

Clerk Helmbrecht clarified there are no restrictions for public access to Land Preservation property.

Trustee Dreyfus noted the Michigan Townships Association newsletter reported an annexation reform bill is moving through the House of Representatives.

## 14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:50 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