

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, SEPTEMBER 16, 2014 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra
(6:01 P.M.), Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development
Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Township
Assessor David Lee, Communications Director Deborah Guthrie

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. PRESENTATION

David Lee, Township Assessor, gave a presentation on Truth-in-Taxation. He indicated proposed millage rates relative to the 2015 budget are the same millage rates as those levied by the Township for 2013, with the exception of the park millage rate approved by the voters in August, 2014.

5. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Rx Harrington, 820 Piper Road, Haslett, spoke to alleged unlawful seizure of property by the Township's Police Department using the forfeiture process. He also addressed alleged improper notice regarding forfeited property.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported the following:

- Completion of the Bennett Road paving project
- Kinawa paving project underway
- Franklin Street paving project nearly complete
- Several other small paving projects through the Local Roads Program to be completed within three (3) weeks
- Wonch Park riverfront pathway has commenced as well as Legg Park driveway entrance underway
- Work on the parking lot at Newman Park has commenced
- Progress on the issues associated with the new central fire station
- Receipt today of a nearly \$77,000 reimbursement from the state for the Township's brush pickup program
- Renewal of contract for police services to Williamstown Township

7. BOARD COMMENTS & REPORTS

Treasurer Brixie reported a 94.9% collection rate for summer taxes which were due September 15, 2014. She clarified an earlier public comment by stating the police forfeiture items mentioned have not navigated through the entire forfeiture process. Treasurer Brixie ~~addressed correspondence regarding a Township legal matter and the process used in the Clerk's office of including communications to the Board in the Board packet~~ INQUIRED WHY A COMMUNICATION FROM TONI HARRIS TO THE CLERK AND THE BOARD WAS NOT INCLUDED IN THE BOARD PACKET.

Clerk Dreyfus reported his attendance at the Innovate Michigan Summit at Michigan State University, where workshop themes included tax increment financing (creating more transparency) and pop ups, which allow entrepreneurs to "test the waters" within a community. He reported his attendance, as the board liaison, to the Economic Development Corporation (EDC) meeting where pop ups were discussed, noting the Township has ordinances in place which may prohibit or restrict pop ups. Clerk Dreyfus noted the EDC donated \$1,000 to the Haslett Beautification Committee which was then used for the installation of two (2) benches on Haslett Road in front of the Rite Aid. He indicated the EDC also weighed in on Rezoning #14020 and believed the applicant's request to rezone property on Okemos Road from RR to PO was the correct one while the Board chose to rezone to RD.

Clerk Dreyfus suggested the Township make a small investment in updating its website, as it is not searchable and frustrates residents attempting to use the website to locate items of interest. He reported nine (9) criminal incidents in the month of August at Hannah Lofts.

Trustee Scales announced October 6th is the last date to register to vote for the November 4th general election.

Trustee Veenstra reported his attendance at the September 10th Transportation Review Committee Meeting of Tri-County Regional Planning Commission (TCRPC) where various bridge projects were recommended. He noted one of the projects mentioned for 2015 was the bridge on Marsh Road over the Canadian National or Grand Trunk Railroad in Haslett at a cost of \$1,250,000. Trustee Veenstra believed people should be offered the opportunity to "ransom" their vehicles when forfeiture is involved, but should receive the money back if acquitted. He addressed the Township's alleged violation of state law in the seizure of a vehicle owned by someone other than the driver when the owner had no knowledge of the vehicle's use in the commission of a crime.

Trustee Styka reported the Meridian Heritage Festival will be held on Saturday, September 20, 2014 at the Meridian Historical Village from 10:00 AM until 3:00 PM. He announced a Meridian Township Blood Drive to be held on October 2nd in the Town Hall Room and the October 4th Paul Petersen Memorial Softball Tournament hosted by Parks and Recreation. Trustee Styka reminded residents of the Semi-Annual Recycling Event on Saturday, October 4th from 9:00 AM until 2:00 PM at the Chippewa Middle School.

8. APPROVAL OF AGENDA

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

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

- A. Communications (None)
- B. Minutes

(1) Treasurer Brixie moved to approve and ratify the minutes of the September 2, 2014 Regular Meeting as submitted. Seconded by Trustee Scales.

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

(2) Treasurer Brixie moved to approve and ratify the minutes of the September 9, 2014 Budget Deliberations Meeting as submitted. Seconded by Trustee Scales.

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

C. Bills

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

Common Cash	\$ 167,317.88
Public Works	\$ 302,162.03
Total Checks	\$ 469,479.91
Credit Card Transactions	\$ 7,993.13
Total Purchases	<u>\$477,473.04</u>
 ACH Payments	 <u>\$ 562,454.51</u>

Seconded by Trustee Scales.

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

(Bill list in Official Minute Book)

D. Resolution Establishing Proposed Additional Millage Rate Prior to Truth-In-Taxation Public Hearing

Treasurer Brixie moved that the Resolution Establishing Proposed Additional Millage Rate Prior to Truth-in-Taxation Public Hearing be approved. Seconded by Trustee Scales.

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

10. QUESTIONS FOR THE ATTORNEY (See Agenda Item #15)

11. HEARINGS

A. Truth-in-Taxation Public Hearing

Supervisor LeGoff opened the public hearing at 6:23 P.M.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed concern with the state required verbiage contained in the public notice printed in the Tuesday September 9th edition of the Lansing State Journal. He stated the public notice did not mention the parks and recreation millage approved in August, 2014 was a part of the Truth-in-Taxation.

Trustee Veenstra spoke to the operating millage of 7.6 mills and another .2 mills for debt service on the bonds for the fire station for a total of 7.8 mills. He asked for delineation in the resolution for Redi-Ride, not CATA.

Supervisor LeGoff closed the public hearing at 6:28 P.M.

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, voiced objection to the characterization of Agenda Item #12B as the Okemos Road Pedestrian Bridge, believing it should have been listed as the Okemos Road Pathway Bridge. He expressed appreciation there will be a concrete deck for this arched bridge, and asked that the arch for this bridge be complimentary to the arch of the roadway bridge. Mr. Provencher inquired whether the deck will have a minimal amount of rise and not follow the same line as the illustrated arch.

Supervisor LeGoff closed Public Remarks.

A. Zoning Amendment #14040 (Planning Commission), Amend Section 86-368 to Allow More than One Residence on an RR (Rural Residential) Zoned Site 50 Acres or More in Size – **Introduction**

Trustee Styka 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, Ingham County, Michigan, Chapter 86, Article VI by amending Section 86-368(b)(1) and by adding Section 86-368(b)(17).”

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 Veenstra.

Board discussion:

- Concept, while limited in its application, makes sense for such a large parcel

Trustee Veenstra moved to amend the first WHEREAS clause by deleting “50” and inserting “30”.

The motion died for lack of a second.

Continued Board discussion:

- Concern with one of the homes becoming a rental
- Concern with this zoning amendment addressing the request of one (1) resident
- Access to the parcel of land which is the impetus of this zoning amendment is the reason for this ordinance request

- The larger the divided lots the more sprawling type development pattern is created
- If one of the homes is a rental, rental registration would be required whether there was one or two lots on the parcel
- Benefit of this zoning amendment v. land division

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson
 NAYS: Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
 Motion carried 4-3.

B. Okemos Road Pedestrian Bridge Contract

Treasurer Brixie moved to authorize the Township Manager to sign a contract with Toebe Construction in the amount of \$655,377.50 for construction of an arched non-motorized bridge across the Red Cedar River west of Okemos Road. Seconded by Trustee Styka.

Board discussion:

- Township has applied for grants to construct this bridge for many years
- Many residents use this bridge and it is a major safety concern in its present state
- Use of non-motorized verbiage will not preclude the use of scooters
- Licensed vehicles should not use the Township’s pathways

Trustee Veenstra offered the following friendly amendment:

- **Delete the word “non-motorized” and insert “pathway”**

The friendly amendment was accepted by the maker of the main motion.

Continued Board and staff discussion:

- Total of ten (10) bids received by the Township
- Option A was a flat bridge
- Option B was a more “arched” bridge which complemented the hump backed bridge on northbound Okemos Road
- Range between the highest and lowest bid was \$160,000
- Toebe Construction has previously built this type of bridge
- Project has been budgeted for a few years and there is money in the pathway fund to complete the bridge
- Inquiry as to the type of temporary traffic control device which costs \$20,000
- Most of the bridge will be built offsite and will require blocking off at least one lane of Okemos Road when set in place
- Pathway bridge is badly needed for safety reasons
- Walkway has had to be closed several times throughout the winter months

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

C. Resolution Approving the Levy of Additional Millage Rate and Adopting 2014 Millage Rates
Treasurer Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED that the Township Board of Meridian Charter Township, Ingham County, Michigan hereby approves an additional millage rate of 0.6863 mills, resulting in an aggregate operating millage rate of 7.6398 mills, for 2014.

BE IT FURTHER RESOLVED that the Township Board of Meridian Charter Township, Ingham County, Michigan hereby adopts the following 2014 millage rates for various Township operations and debt service and orders that these millage rates be levied on December 1, 2014 for the purpose of funding the 2015 Township Budget, with the monies raised to be paid into the appropriate funds:

PURPOSE

2014 MILLAGE

CHARTER OPERATING	4.2002
VOTED OPERATING	
Parks/Recreation (approved in 2004)	0.3170
Pathways	0.2774
CATA Redi-Ride	0.2000
Fire Protection	0.6405
Police Protection	0.6080
Land Preservation	0.3300
Community Services	0.1500
Local Roads	0.2500
Parks/Recreation (approved in 2014)	<u>0.6667</u>
TOTAL VOTED OPERATING	<u>3.4396</u>
SUB-TOTAL ALL OPERATING	<u>7.6398</u>
VOTED DEBT SERVICE	
Fire Station Building Debt	<u>0.2000</u>
TOTAL ALL MILLAGES	<u>7.8398</u>

Seconded by Trustee Wilson.

Board and staff discussion:

- If the Township wishes to levy more in operating millage rates than the base tax rate (BTR), there is a process to do that through either the Truth-in-Taxation hearing or, the Truth-in-Taxation requirement can be met with proper notice through the budget hearing
- Millage rates must be approved by September 30th and final adoption of the budget this year will not take place until after that date
- Township must obtain voter approval to levy more than the operating millage rate, which it has done in this instance with the parks millage
- Proposed millage rates are the same as last year with the exception of increasing the parks millage
- If the Board wishes to avoid the cumbersome language associated with Truth-in-Taxation next year, it can back up its current budget schedule approximately two (2) weeks
- Language in the model notice provided by the state to comply with state statute is confusing
- Almost all of the millage increase is the voter approved .6667 park millage increase
- Board member belief the basic cause of the truth in taxation requirement is that property tax values increased 1.62% this year
- Law requires a base tax rate (BTR) slightly lower to make up for the increase in valuation
- If the Township wishes to continue to levy the same millage plus the additional revenue due to the increase in valuation, then the Truth-in-Taxation process must take place

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened and closed Public Remarks.

A. Township Branding Plan

Township Manager Walsh addressed the timing of forward movement on the Township branding concept. He noted the communications team will be leading the Board requested branding initiative, acknowledging the current focus of that team must be the franchise and PEG fees associated with Comcast used to fund the Communications Department.

Board and staff discussion:

- Meridian is undertaking several audits as part of the refranchising process
- Comcast merger and split off to another entity is putting PEG fees at risk
- Transfer of control requires consideration of technical and financial capabilities of the new cable provider to the Township
- Refranchising requires the Township to protect franchise and PEG fees
- Reminder that Comcast XFINITY is a proprietary product
- Inquiry has been made if the cable equipment in subscribers' homes will transfer to the new company
- Inquiry has been made as to the rates to be charged to Meridian Township subscribers
- Ability of the new company to manage a system in Meridian Township
- Newly formed entity will be managed by Charter, but the franchise agreement will remain with Comcast
- Reminder that the topic under Board discussion is branding
- Clarification of a Communication Needs Assessment
- Communication Needs Assessment relates to refranchising and is included in the 2015 budget for the Communication Department
- Possible inclusion of questions regarding branding in the needs assessment
- Decision on who will be polled has not yet been decided

It was the consensus of the Board to allow staff to work on the branding plan and bring it back to the Board in January, 2015.

B. 2015 Recommended Township Budget

Board and staff discussion:

- Actual cost savings through the use of on-demand hot water heaters
- Availability of hot water in the Municipal Building is more than a financial consideration
- Prioritization of Capital Improvement Projects (CIP) will be vetted when the Board discusses its goal setting
- Board member request for the website revision to be added to the CIP list for future discussion
- Board member request for the Township Manager to look into the situation surrounding availability of hot water in the Municipal Building
- Board member request for the Manager to provide a recommendation to the Township Board whether an amendment for on-demand hot water heaters should be included as an amendment to the 2015 budget
- Need for a process when the entire budget is addressed
- Questions tonight should be limited to the recommended budget as proposed
- Support for bringing the payroll process back in house
- Gravel drive to the Recycling Center on Lake Drive has holes which need to be filled
- Suggestion for the Township to develop a schedule for grading the gravel drive to the Recycling Center
- Township has no equipment to grade the gravel drive to the Recycling Center; it is graded by the Ingham County Road Department
- Township needs to bring in gravel and should raise the drive to the Recycling Center
- Wetlands exists on both sides of the drive to the Recycling Center
- Soils underneath the road to the Recycling Center are not firm
- Vehicle insurance costs the Township \$60,000 per year
- Inquiry regarding self-insurance of the Township's motor pool fleet

- Township does not have sufficient budget to protect itself against lawsuits in the event of accident and/or death
- Appreciation for the quality of the 2015 Recommended Budget
- Township's ability to address several maintenance issues which have been placed on hold due to the previous bleak revenue "picture"

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested transparency be provided to the public by announcing a Board action will be required to comply with state law when a millage issue is passed.

Rx Harrington, 820 Piper Road, Haslett, continued to express his concern with alleged non-compliance of seizure or forfeiture noticing requirements.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Styka announced the second budget deliberations meeting scheduled for September 23rd will not be necessary.

Without objection, the Board declared the September 23, 2014 Budget Deliberations Meeting cancelled.

Trustee Veenstra stated the Account Description column titled Vehicles within the Motor Pool on Page 120 of the budget should reflect the number of Ford Police Interceptors as three (3) and one ambulance. He spoke to the basic problem the township has with the cable industry is that it is an unregulated monopoly. Trustee Veenstra requested the township attorney look into whether the Township is obeying state law in its seizure and forfeiture program.

Township's forfeiture process: Questions for the Attorney (See Agenda Item #10)

Q. Since there is already legal counsel looking into this, is it necessary? It seems as if one law firm is enough; am I right in thinking that?

A. I don't think I'm the appropriate person to tell you whether one law firm is enough. I think that is a Manager's decision. We can talk this week about forfeiture and go forward from there.

There is already a law firm handling it so, if at some point you want us to review if it is being handled correctly, we can do that. That has to come from the Manager.

Trustee Scales, once again, announced October 6th as the last date to register to vote for the November 4th General Election. He encouraged everyone qualified to register by that date at either the Clerk's Office or the Secretary of State.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 7:44 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary