

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, APRIL 9, 2019 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine, Trustees Jackson, Opsommer, Wisinski

ABSENT: Trustee Sundland

STAFF: Township Manager Walsh, Public Works and Engineering Director Perry, Police Chief Plaga, Fire Chief Hamel, Information Technology Director Gebes, Community Planning and Development Director Kieselbach, Principal Planner Menser, Parks and Recreation Director Maisner, Economic Developer Director Buck

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:01 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. Recognition of Parks and Recreation Director LuAnn Maisner

Trustee Opsommer presented a tribute to Director Maisner on behalf of State Rep. Brixie.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:08 pm.

Brenda Rose, 16106 Fresno Ln., East Lansing; spoke in opposition to MUPUD #18044 (Newton Pointe LLC) Newton Park (Agenda Item 12C).

George Tesseris, 2840 E. Grand River Ave., East Lansing; spoke in support to Rezoning #19010 - Woda Cooper (Agenda Item 13D).

Mike Samuels, Arlington Heights, IL, on behalf of AnDev Group; spoke in support of Zoning Amendment #19040 (Township Board) Senior Living Communities (Agenda Item 13C).

Fred Wertzell, 1212 N. Foster, Lansing; spoke about concerns of citizens when interacting with the Township Board and being labelled a "troublemaker" by some Board members.

Karla Hudson, 6009 Skyline Dr., East Lansing; spoke in opposition of the actions taken by the Board on the Redi-Ride millage.

Supervisor Styka closed public remarks at 6:26 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported: Farmer's Market property swap with Meridian Mall, Special Meeting of Township Board to discuss roads and Camelback Bridge, CATA Redi-Ride agreement.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Treasurer Deschaine reported:

- Attended Downtown Development Authority subcommittee meeting; discussed the TIF application process.
- Attended Brianne Randall-Gay Investigative Report press conference.
- Attended Planning Commission meeting with discussion on Medical Marihuana Ordinance.
- Attended Transportation Commission; discussed road projects and Camelback Bridge.
- Attended Lansing Chamber summit; discussed government and business affairs.

Clerk Dreyfus reported:

- Addressed Board member concerns from March 19th Board Meeting and clarified that all Public Communications were uploaded with the Public Packet the Friday before the mtg.

Trustee Jackson reported:

- Attended Tri-County Regional Planning Commission meeting; discussed collective lobbying and amendments made to Transportation Improvement Program.
- Attended Michigan Township Association conference; discussed board leadership, assessing, lobbying, and website development.

Trustee Opsommer reported:

- Attended Capital Area Transportation Authority meeting; established MSU and Ingham County as voting members.

Trustee Wisinski reported:

- Attended Michigan Department of Environmental Quality meeting; discussed medical marihuana and impacts of it.

Supervisor Styka reported:

- Attended Corridor Improvement Authority and Downtown Development Authority mtgs.
- Attended a joint meeting with East Lansing City Council; joint-jurisdiction zoning issue.
- Okemos Public School bond upcoming in May 7th 2019 Election.
- Harris Nature Center upcoming events available on Township website.

8. APPROVAL OF AGENDA

Trustee Opsommer moved to approve the Agenda as presented. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 6-0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Treasurer Deschaine moved to adopt the Consent Agenda as amended.

Treasurer Deschaine requested to move the Minutes from March 19, 2019 Regular Meeting (Consent Agenda Item 9.B [2]) to a new Action Item 12J.

VOICE VOTE: Motion carried 6-0

A. Communications

Treasurer Deschaine 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.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Opsommer, Jackson, Wisinski

NAYS:
Motion carried 6-0

B. Minutes

(1) Special Meeting of March 12, 2019

Treasurer Deschaine moved to approve and ratify the minutes of the Special Meeting of March 12, 2019 as submitted.

~~(2) Regular Meeting of March 19, 2019 - Moved to New Agenda Item 12J~~

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Opsommer, Jackson, Wisinski

NAYS:
Motion carried 6-0

C. Bills

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

Common Cash	\$	256,599.52
Public Works	\$	587,793.15
Trust & Agency	\$	8,615.69
Total Checks	\$	853,008.36

Credit Card Transactions	\$	21,717.70
Mar 14 to April 3		
	Total Purchases	\$ 874,726.06
ACH Payments	\$	<u>584,695.34</u>

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus,
Trustees Opsommer, Jackson, Wisinski

NAYS:
Motion carried 6-0

D. Motor Pool Equipment Purchases

Treasurer Deschaine moved to authorize the purchase of a new dump truck and large width mower for Parks and Grounds and amend the 2019 Motor Pool Budget to reflect the approval of the purchases, and authorize the disposal of equipment #65 (2000 Ford dump truck), #83 (2001 Toro mower), and #86 (2003 Toro mower) by public auction, internet auction, or by sealed bid.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus,
Trustees Opsommer, Jackson, Wisinski

NAYS:
Motion carried 6-0

10. QUESTIONS FOR THE ATTORNEY

NONE

11. HEARINGS

A. MUPUD #18034 (Meridian Investment) Red Cedar Manor

Director Kieselbach provided an overview on the current proposed Mixed-Use Planned Unit Development (MUPUD) project and all requested waivers.

Supervisor Styka opened the hearing at 6:47 pm.

Ronald Calhoun, 2875 North Wind Dr., East Lansing; on behalf of Meridian Investment, discussed suggestions that have been adopted since last time in front of the Board. Illustrated the current site and explained the proposed development.

Supervisor Styka closed the hearing at 6:56 pm.

12. ACTION ITEMS

A. Ethics Conflict of Interest Report #1 – Complaint against Steve Vagnozzi

Manager Walsh outlined the submitted complaint and presented the findings from his report that determined no conflict of interest exists.

Ode Norkin, 3803 Sandlewood Dr., Okemos; noted his reasoning for submitting the complaint and outlined what he believed should have been disclosed by Commissioner Vagnozzi before the Transportation Commission took part in discussions about Redi-Ride.

Steve Vagnozzi, 2114 Woodfield Rd., Okemos; stated that the conflict of interest complaint was baseless and provided specific responses to all claims made against him and his wife’s position with the Okemos Public Schools.

Darlene Vagnozzi, 2144 Woodfield Rd., Okemos; wife of Steve Vagnozzi, currently retired from the Okemos Public Schools (as of April 1st, 2019) noted ethical record of family and her role in the Okemos School District.

Trustee Jackson moved to approve the Township Manager’s recommendation that the ethics complaint lodged by Mr. Ody Norkin against Commissioner Vagnozzi to be without merit. Seconded by Treasurer Deschaine.

Board discussion: public officials are in the position to get disparaged, lack of financial gain by either side, claim is baseless and should be dismissed, school children have no impact on capacity of Redi-Ride, ethical history of Commissioner Vagnozzi.

ROLL CALL VOTE: YEAS: Trustees Opsommer, Jackson Wisinski, Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus

NAYS:

Motion carried 6-0

B. Ethics Conflict of Interest Report #2 – Complaint against Meridian Trustee Dan Opsommer

Manager Walsh outlined the submitted complaint and presented the findings from his report that determined no conflict of interest exists.

Ode Norkin, 3803 Sandlewood Dr., Okemos; refuted the conclusions of the Township Attorney and noted the perceived improper use of a specific Attorney General decision rather than a case-by-case determination and the impact of considering if a contract was being negotiated for CATA and Meridian Township by the same individual.

The Township Attorney explained intergovernmental cooperation between municipal councils and authority boards exists and is not the basis for conflict of interest.

Treasurer Deschaine moved to approve the Township Manager’s recommendation that the ethics complaint lodged by Mr. Ody Norkin against Trustee Opsommer to be without merit. Seconded by Trustee Wisinski.

Board discussion: Clarification on Redi-Ride rates, importance of representing specific individual roles, political issue vs confliction of interest issue, political question is if Board member places CATA interests above Township, Trustees and CATA Board Members don’t specifically sign for decisions, elected officials are not present to negotiate contracts, other municipalities on the CATA

Board, party bringing complaint operates a private busing company, determination considered general compatibility between the two boards.

ROLL CALL VOTE: YEAS: Trustees Wisinski, Opsommer, Jackson, Clerk Dreyfus, Treasurer Deschaine, Supervisor Styka

NAYS:

Motion carried 6-0

C. Mixed Use Planned Unit Development #18044 (Newton Pointe LLC) Newton Park

Trustee Opsommer moved to adopt the resolution approving Mixed Use Planned Unit Development #18044 with conditions. Seconded by Trustee Jackson.

Board discussion: Existing issues with MUPUD set-back limits, plat details, belief that history of zoning reflects poorly-planned land use and zoning, almost no commercial business at property even though commercial is underlying zoning, buffer zone issues, property to the south (Sierra Ridge) placed high number of homes in the northern section of their property, rezoning to commercial allowed MUPUD loophole which greatly increases density, current proposal at near maximum density, density ranges always result in proposals with highest density on range, appreciation of developers' adjustments to proposal due to Planning Commission comments, 2-story homes now 1-story, public spaces good, commercial space can't be forced, other projects from developer are positive and build community, additional amenities help.

ROLL CALL VOTE: YEAS: Trustees Jackson, Wisinski, Opsommer, Treasurer Deschaine, Supervisor Styka

NAYS: Clerk Dreyfus

Motion carried 5-1

D. Wetland Use Permit #18-03 (Newton Pointe LLC) Newton Park

Treasurer Deschaine moved to adopt the resolution approving Wetland Use Permit #18-03 with conditions. Seconded by Trustee Jackson.

Board discussion: could promote wetland health, increases land usability.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Trustees Wisinski, Jackson, Opsommer

NAYS: Clerk Dreyfus

Motion carried 5-1

E. Special Use Permit #18091 (Newton Pointe LLC) Newton Park

Trustee Opsommer moved to adopt the resolution approve Special Use Permit #18091 with conditions. Seconded by Trustee Wisinski.

ROLL CALL VOTE: YEAS: Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Wisinski, Jackson

NAYS: Clerk Dreyfus

Motion carried 5-1

F. Time Limitations for Vending – **Introduction**

Trustee Opsommer moved to approve the resolution for the introduction of the amendment to Chapter 38 of the Code of Ordinances to amend Article IV, Vendors. Seconded by Treasurer Deschaine.

Board discussion: Hour limit adjustments, reasoning behind amendment, permitting process.

ROLL CALL VOTE: YEAS: Trustees Opsommer, Jackson, Wisinski, Clerk Dreyfus Supervisor Styka, Treasurer Deschaine

NAYS:

Motion carried 6-0

G. Fireworks Ordinance – **Introduction**

Trustee Jackson moved to approve the resolution for the introduction of the amendment to Chapter 26 of the Code of Ordinances to amend Article I, Fireworks. Seconded by Trustee Opsommer.

Board discussion: Compliance and consistency with State law, adjustments to times of day permitted, special event permits.

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine, Trustees Opsommer, Jackson, Wisinski

NAYS:

Motion carried 6-0

H. Grand River Avenue Public Water Main Improvement SAD #49

Treasurer Deschaine moved to approve Grand River Avenue Public Water Main Improvement Special Assessment District #49 Resolution #5, which approves the special assessment roll; designates the project as "Grand River Avenue Public Water Main Improvement Special Assessment District #49; the assessment roll as the "Grand River Avenue Water Main Special Assessment District #49 Special Assessment Roll "; and the district as the "Grand River Avenue Public Water Main Improvement Special Assessment District #49"; adopts the amount of \$311,498.30 as the final amount for the assessment roll; and orders and directs the assessment roll to be paid and collected." Seconded by Trustee Jackson.

Board discussion: Details of service extension.

ROLL CALL VOTE: YEAS: Trustees Jackson, Wisinski, Opsommer, Clerk Dreyfus, Treasurer Deschaine, Supervisor Styka

NAYS:

Motion carried 6-0

I. Kansas Road Sewer SAD #52 Reapportionment

Trustee Opsommer moved to Move to approve Kansas Road Sanitary Sewer Main Special Assessment District #49 Reapportionment Resolution, which files the proposed re-apportionment of the final special assessment roll with the Township Clerk and sets the date for a public hearing on April 23, 2019." Seconded by Trustee Jackson.

Board discussion: Details of public hearing, pricing.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus, Trustees Jackson, Wisinski, Opsommer

NAYS:

Motion carried 6-0

J. Minutes – Regular Meeting of March 19, 2019

Clerk Dreyfus moved to adopt the minutes of the Regular Meeting of March 19th 2019 as submitted. Seconded by Trustee Opsommer.

Treasurer Deschaine moved to amend the minutes of the Regular Meeting of March 19th, 2019. Seconded by Trustee Opsommer.

Board discussion: minutes should be concise, Treasurer belief his proposed language reduces unnecessary statements; Clerk concerns with Treasurer continuously proposing amendments to minutes and Board always approving changes; law states Clerk responsible for production of minutes; discussion of need for balance in minutes and need to avoid bias in minutes and in any proposed amendments.

VOICE VOTE ON AMMENDMENTS: Motion carried 5-1 (Dreyfus)

ROLL CALL VOTE ON ORIGINAL MOTION: Motion carried 6-0

13. BOARD DISCUSSION ITEMS

A. MUPUD #18034 (Meridian Investment Group LLC) Red Cedar Manor

Director Kieselbach provided an overview of the proposed Mixed Use Planned Unit Development.

Board discussion: differences between flood plain and flood way, details of flood insurance, differences between detention and retention ponds, concerns of parking in flood plain, unique nature of river front property, amount of current parking, need for reduction of project size, efforts to reduce parking, mitigation of runoff, target market and renters, river trail amenity, details of set-back and parking waivers, increase in pervious land, concern with size of development, project should be reduced to help reduce parking and waivers, Township bike path project addition, increased height vs surface area coverage, appropriateness of density in this area.

Board consensus to put this item up again for discussion at a future meeting.

B. SUP #18031 (Meridian Investment Group LLC) Red Cedar Manor

Board consensus to postpone discussion until a future meeting.

Supervisor Styka called for a ten-minute recess at 9:05 pm

Supervisor Styka called the meeting back to order at 9:15 pm

C. Zoning Amendment #19040 (Township Board) Senior Living Communities

Director Kieselbach provided an overview of the proposed Zoning Amendment and gave details on the developments it would allow.

Board discussion: ten-acre minimum, comparisons to other communities, possibility of using five-acre minimum, automatic allowance of four-stories, could lead to unfavorable redevelopment throughout Township, larger ten-acre minimum would limit redevelopment and set precedent for future developments, details of set-back limits, current senior housing development zoning, 25 units per acre, brand new ordinance, lack of industry standard for zoning, density expectations, health-care services inherent in this type of development, age restrictions on health care, smaller acre minimum would allow flexibility, benefits of a Board Work Session.

Board consensus to schedule a Work Session to further discuss the topic.

D. Rezoning #19010 (Woda Cooper)

Director Kieselbach provided an overview of the proposed rezoning request and gave details on the proposed development.

Board discussion: conditions of applications, low-income housing tax-credit focus, property owner should consider possibility of micro-housing/ tiny housing community, focus needs to be on rezoning – cannot consider development proposal because zoning goes with property, current RX zoning is appropriate for Wardcliff neighborhood, different possibilities of land use, rezoning lack of compatibility with surrounding area, cut-through traffic concerns, comparisons to Stratford Place, smaller houses could lead to rentals, concerns with 400% increase in proposed density (from

3.5 dwelling units/acre to 14/acre), developers interest in not paying property taxes and pursuing PILOT instead, low-income housing should be distributed around Township and not concentrated in East Lansing section of Meridian, where several low-income projects are located.

Board consensus to put this item up for further discussion at a future meeting.

Clerk Dreyfus moved to take up Agenda Item 13.E after 10:00 pm. Seconded by Trustee Jackson

VOICE VOTE: Motion carried 6-0

E. ELMWSA Contract Amendment

Director Perry provided overview of a plan to amend the East Lansing – Meridian Water Sewer Agreement Contract.

Board discussion: Contract review process.

Clerk Dreyfus moved to suspend the rules and take action on Agenda Item 13E. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

Clerk Dreyfus moved to approve the Resolution to approve a Capital Projects Contract with the East Lansing-Meridian Water and Sewer Authority and its associated Capital Projects Contract Seconded by Trustee Opsommer.

ROLL CALL VOTE: YEAS: Trustees Opsommer, Wisinski, Jackson, Clerk Dreyfus, Treasurer Deschaine, Supervisor Styka

NAYS:

Motion carried 6-0

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 10:21 pm.

Mike Samuels, Arlington Heights, IL, on behalf of AnDev Group; offered assistance in answering questions on Agenda Item 13C.

Supervisor Styka Closed Public Remarks at 10:22 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

NONE

16. ADJOURNMENT

Clerk Dreyfus moved to adjourn. Seconded by Trustee Wisinski

VOICE VOTE: Motion carried 6-0

Supervisor Styka adjourned the meeting at 10:22 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK