

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, SEPTEMBER 6, 2005, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Veenstra, Woiwode
ABSENT: Trustee Such
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Township Manager/Personnel Director Paul Brake, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Molly Wingrove, 2649 Melville Drive, East Lansing, spoke in opposition to Rezoning #05010 (Capstone Development).

Leonard Provenchur, 5824 Buena Parkway, Haslett, expressed concern over the condition of the pathway which adjoins the Hillbrook neighborhood with Benson Hills as it relates to the students who are required to walk to school. He indicated the situation has not yet been rectified. He also reiterated the uncompleted park work where wood chips have not been distributed on the pathway.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Ingham County Road Commission Presentation

Jean McDonald, Chair of the Ingham County Road Commission, introduced Road Commissioners Joseph Guenther, Larry Smith, and Construction Engineer Rick Phillips. Mr. Phillips gave a brief synopsis of the progress of Phase I, commencement of Phase II on September 8th and a schedule for future construction work on the Okemos Road widening project.

Trustee Brixie inquired if the pathway segments currently missing would be replaced.

Mr. Phillips indicated the pathway in Phase I (Jolly Road to Kinawa) should be completed by end of next week. The pathway from Kinawa to Mt. Hope would be installed while the road was closed and should be completed by the end of the month.

Manager Richards asked when the Kinawa/Bennett Road intersection work would be completed.

Mr. Phillips responded that most of the concrete work has already been done in the intersection. The right turn lane onto Okemos Road from Kinawa and paving work are scheduled to be completed by the end of the month. Signal work is scheduled to begin September 12th, and may take the entire week. As soon as the signal work is complete, the intersection will return to normal signal operation. During the week, there will be four (4) way stops in place during the interim.

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Supervisor McGillicuddy inquired if there was a way to extend the light at Dobie and Grand River to help facilitate the traffic rerouted from Okemos Road onto Dobie/Central Park Drive.

Mr. Phillips indicated it is a state signal, but he would be willing to speak with the state to see if it was feasible.

Trustee Woiwode inquired if there was a date set to have a joint discussion with the ICRC and citizens regarding the Okemos Road median project.

Supervisor McGillicuddy indicated the Ingham County Board of Commissioners was scheduling the date for the charette. The date of October 5th at the Meridian Senior Center had been selected as the first meeting date and a possible second meeting may be held on October 12, 2005. Supervisor McGillicuddy requested this information be placed on the Township website.

ICRC Chair McDonald announced the exit at Jolly/Okemos Road will remain open to traffic during MSU football weekends and traffic will be able to travel west on Jolly Road. She indicated a desire to return in a month or so for another update.

Supervisor McGillicuddy stated she, Treasurer Hunting and Directory Severy attended a meeting at Michigan Department of Transportation (MDOT) regarding Capstone. MDOT considers a change of ownership as a change of use and requires individuals to go through the permitting process. Her impression at the meeting was that MDOT would not commit to a new easement for Capstone and wanted a traffic study in order to look at numbers. MDOT and the Ingham County Road Commission (ICRC) both advocated the opening of Greycliff Drive and a Capstone representative reiterated its commitment to Wardcliff residents not to open Greycliff Drive. Capstone indicated a traffic study will be conducted. Supervisor McGillicuddy noted the Capstone issue will be placed on the Board's agenda for October 4, 2005.

Manager Richards commented on the semi-annual monitoring report provided to Board members. He noted the proposed 2006 budget has been supplied to Board members and the budget session will be held September 13, 2005 and, subsequently, September 27, 2005 if needed. A public hearing on the budget has also been scheduled for the October 4, 2005 Board meeting.

Manager Richards noted that, in response to a call for aid, two (2) firefighters and two (2) police officers have volunteered and been sent to assist in the aftermath of Hurricane Katrina. There will be reimbursement for wages and costs associated with this volunteer effort. The township is currently evaluating a request for equipment to be sent as well.

Supervisor McGillicuddy stated the Governor has requested communities look at housing some of the people who have been airlifted and brought to Michigan. She inquired if there was a way to work with Red Cross or if our Human Services Specialist had information on available housing.

Mr. Richards stated the Township will be working within the community to see if there are properties available for housing.

Trustee Veenstra inquired as to the communication from Mr. Goff, President of the Sapphire Lakes Homeowners Association, requesting that the inspection reports on the plantings in the buffer area around the ponds be made available to the homeowners association and the Township.

Manager Richards stated staff is pursuing the requested information. He indicated the Township's wetland consultant is performing the work for the developer at the Township's request, due to a provision within the approval. Staff is in the process of contacting both the consultant and the developer to clarify the situation and reports are expected to be received and made part of the public record.

Trustee Veenstra requested that a confidential legal opinion received in the Board's packet regarding Board policies and procedures be made available to the public.

Supervisor McGillicuddy indicated that release of a confidential legal opinion is a decision made by the Board.

Treasurer Hunting added while there is nothing secretive about Board policies and procedures, there is the attorney-client privilege which should remain confidential.

Supervisor McGillicuddy polled the Board and the majority wished to have the legal opinion remain confidential.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Supervisor McGillicuddy asked Director Severy if the new streetlighting districts would come under the new lighting ordinance.

Director Severy stated our lighting ordinance specifically excludes residential lighting. A revision to the ordinance would be necessary in order to include residential lighting. He indicated he did have information from Consumers Energy regarding dark sky lighting, what was available at this time and lighting levels for their design.

Mr. Severy displayed a sketch of the six available fixtures, noting the traditional black style was most often used at a price of \$100 each. The more decorative the fixture, the more the cost increases. The two (2) dark sky fixtures available cost \$680 and \$770 each. The acorn light has a dark sky feature which increases the cost from \$770 to \$860.

Supervisor McGillicuddy stated the purpose of the Township's lighting ordinance was to prevent the rural area from having an aura of light shining into home windows. She would like to see the Township's current lighting ordinance amended to include the residential district. She inquired if it would be better to pull Bird Strawberry Farm Estates #3 Streetlighting District off the consent agenda.

Clerk Helmbrecht stated she felt it was not appropriate, after Resolution #1 of Strawberry Farm Estates #3 was passed, to decide that an ordinance needs to be changed before a vote is taken on Resolution #2. She felt the homeowners who requested streetlights had applied under the current criteria.

Legality of changing the light ordinance during the process of establishing streetlighting districts:

(Questions for the Attorney (See Agenda Item #8))

Q. I realize that we are caught in a bind as far as the ordinance and this request. Would we need to have a second hearing because it would be a different cost if we made them comply with our lighting ordinance? The cost would be greater than what is currently going to be assessed.

A. I would think to allow everyone to speak to the assessment you are establishing that you should know the amount that you are talking about and you are going to apply against them. I think I would move it until you had better information to decide how you wanted to go forward.

Q. Legally, is it a problem at this point in the process to mention our lighting ordinance in relationship to the request? We have already had the hearing.

A. You can have another hearing and you can address it again if you are going to make a significant change. I think what I understand is that you are waiting to see what the cost difference is. If you are going to make a significant change, then I would have a public hearing to make sure everybody knows what you are talking about and what you are requiring them to pay.

Trustee Brixie suggested the Board proceed with Bird Strawberry Farm Estate #3 and move the consent agenda, but have further discussion on this issue.

Trustee Veenstra noted light pollution concerns were raised at the public hearing held on Strawberry Farms Estates #3 where he learned that the ordinance on light pollution did not cover residential areas. He felt rural residential was the area where protection against light pollution was most needed. Trustee Veenstra was agreeable to this item being removed from the consent agenda and felt that cost effective alternatives to the light fixtures should be pursued, even if that meant going to another vendor.

- Q. Is it appropriate once something has had Resolution #1 and a public hearing, for us to pull it off the agenda because we want to change the ordinance under which it is being handled? Can we pull something off because we don't like our ordinance and we want to change it before we take a vote on it?
- A. In this case, it is an assessment district. Yes, it is appropriate. It is not the same as having a rezoning request in front of you and changing the ordinance while you are addressing an applicant's zoning request. In this case, it is different. My understanding is that you are at Resolution #2 and #3 and you haven't confirmed yet; that is what the vote is about. If the amount of the assessment would be changed because the lighting isn't appropriate that's being suggested, I don't think it is unauthorized to make that suggestion now. You should make that change before you establish the assessment district in an amount that's not reflective of what you want to do. It is appropriate to make the change now; whether you want to wait until you go through the entire process is up to the Board. It isn't too late to do that or unauthorized to do that.

Treasurer Hunting moved to adopt the Consent Agenda amended as follows:

- **Move Agenda Item #7J to Agenda Item #10B**

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

The adopted Consent Agenda items are as follow:

- A. Communications
- (1). Board Deliberation (BD)
- 11D Margaret Riddle, 5510 Earliglow, Haslett; RE: Piper Road Paving Reassessment to include Blueberry/Strawberry Farms
- (2). Board Information (BI)
- BI-1 Richard Harrington, 820 Piper Road, Haslett; RE: ZBA Case 05-06-08-1
- BI-2 Walter P. Goff, President, Sapphire Lake Homeowners Association, 2347 Sapphire Lane, East Lansing; RE: Inspection Reports from Wetland and Coastal Resources on Sapphire Lakes
- BI-3 Diane Saghy, 6140 Hardy, #5, East Lansing; RE: Support for Rezoning #05010 (Capstone)
- BI-4 Kiera Saghy, 6140 Hardy, #5, East Lansing; RE: Support for Rezoning #05010 (Capstone)
- BI-5 Elizabeth and Eugene LeGoff, 5189 E. Brookfield Drive, East Lansing; RE: Opposition to Rezoning #05010 (Capstone)
- BI-6 Jeanne Anderson, 2692 Greencliff Drive, East Lansing; RE: Rezoning #05010 (Capstone)
- BI-7 Ruth Pecic, 5099 Wardcliff Drive, East Lansing; RE: Support for Rezoning #05010 (Capstone)
- BI-8 Arlena Hines, 2672 Mansfield Drive, East Lansing; RE: Support for Rezoning #05010 (Capstone)
- BI-9 Louis M. Shelburg, 2825 Roseland, East Lansing; RE: Opposition to Rezoning #05010 (Capstone)

(3) Regional Linkage (RL)

RL-1 Timothy A. Benton, Field Operations Division, Water Bureau, Michigan Department of Environmental Quality, 5215 West Allegan Street, Lansing; RE: NPDES Illicit Discharge Elimination Plan

(4). Staff Communication/Referral (SC)

SC-1 Mark Kieselbach, Director of Community Planning and Development; RE: Letter to Ingham County Drain Commissioner Pat Lindemann on Wetland Use Permit #05-02 (ICDC)

SC-2 Michigan Townships Association Legislative E-Report August 19, 2005 Edition

SC-3 Michigan Townships Association Legislative E-Report August 26, 2005 Edition

SC-4 Michigan Townships Association Legislative E-Report September 2, 2005 Edition

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

Materials received at the August 16, 2005 Meeting

Ora Henslee, 1289 Hatch Road, Okemos; RE: Petition with twelve (12) signatures from residents on Hatch Road requesting restoration of the property at 1289 and 1295 Hatch Road due to a dig of the sewer connection last winter

Jeanne M. Anderson, 2692 Greencliff Drive, East Lansing; RE: Concern with Rezoning #05010 (Capstone Development)

Robert McDonough, President, Okemos Board of Education, 4406 N. Okemos Road, Okemos; Withdrawal of objection to Rezoning #05010 and PUD #05034 (Capstone Development)

Michael A. Zakhem, 2645 Greencliff Drive, East Lansing; RE: Opposition to Rezoning #05010 (Capstone Development)

Michelle Kopcha and Susan Wright, 460 Piper Road, Haslett; RE: Bird Strawberry Farm Estates Streetlighting District

Michael Karagoulis, 2177 Heritage Avenue, Okemos; RE: Support for Rezoning #05010 (Capstone Development)

David E. Pierson, McClelland & Anderson, 1305 South Washington Avenue, Suite 102, Lansing; RE: Request for postponement of action on Rezoning #05010 (Capstone Development) and PUD #05034 (Capstone Development)

Bud Nilson, 3695 Okemos Road, Okemos; RE: Request to amend proposed Rezoning #05040 (Hooker/Haynes)

Treasurer Hunting 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 Brixie.

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

NAYS: None

Motion carried 6-0.

B. Minutes

Treasurer Hunting moved to approve and ratify the minutes of the August 16, 2005 Regular Meeting as submitted. Seconded by Trustee Brixie.

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

NAYS: None

Motion carried 6-0.

C. Bills

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

Common Cash	\$ 299,366.24
Public Works	\$ 139,423.88
Total Checks	\$ 438,790.12
Credit Card Transactions	\$ 19,999.86
Total Purchases	<u>\$ 458,789.98</u>
 ACH Payments	 <u>\$ 417,751.60</u>

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

[Bill list in Official Minute Book]

D. Liquor License Transfer, Outback Steakhouse

Treasurer Hunting moved to approve OS Realty, Inc.'s (a Florida Corporation) application to transfer ownership of escrowed 2004 resort Class C licensed business, issued under MCL 436.1531(3), non-transferable, located at 4880 Marsh, Okemos, Michigan, Meridian Township, Ingham County, Michigan from Chi Chi's, Inc.

Further, move to approve Outback/Detroit-I, Limited partnership's (a Florida Limited Partnership) application to transfer ownership of escrowed 2004 resort Class C licensed business, issued under MCL 436.1531(3), non-transferable, located at 4880 Marsh, Okemos, Michigan, 48864, Meridian Township, Ingham County, Michigan from OS Realty, Inc.

Be it further resolved that the Township Clerk is authorized to execute the resolution for local approval of the above described transfer.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

E. Liquor License Transfer, Ruby Tuesday

Treasurer Hunting moved to approve Ruby Tuesday, Inc.'s application to transfer interest in 2005 Class C license, located at 1982 Grand River, Suite 157, Okemos, MI 48864, Meridian Township Ingham County, from RT Michiana Franchise, LLC (a Delaware Limited Liability Company), by transferring Jerry Smith's 99% interest to Ruby Tuesday, Inc. and by transferring Ruby Tuesday, Inc.'s 1 % interest to RT, and authorize the Township Clerk to execute the resolution for locals approval of the above described transfer.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

- F. Department of Community Planning and Development Promotions
Treasurer Hunting moved approval of the reorganization plan for the Community Planning & Development Department as proposed by the Township Manager and as stated in a memorandum dated August 31, 2005 to the Township Board. Seconded by Trustee Brixie.

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

NAYS: None

Motion carried 6-0.

- G. Assessing Stipulation

Treasurer Hunting moved that the Township Assessor be authorized to sign a stipulation with Wynwood of Meridian on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
2004	0310016	5346 Marsh Road
Assessment	2004	AV/TV \$220,000/220,000
Proposed Assessment	2004	AV/TV \$ 79,000/ 79,000

Seconded by Trustee Brixie.

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

NAYS: None

Motion carried 6-0.

- H. Remove Drain Easement from Lot 18 Ember Oaks

Treasurer Hunting moved to adopt the following resolution:

WHEREAS, Keith Schroeder, the proprietor of the Ember Oaks subdivision, has proposed the drain easement, located on Lot 18 of the Ember Oaks plat, be relinquished; and

WHEREAS, pursuant to Section 222a (MCL 560.222a) of the Land Division Act, a drain easement may be relinquished; and

WHEREAS, the existing drain easement is located in the central portion of the lot and creates difficulties with constructing a house on the lot; and

WHEREAS, a new drain easement will be established on the western portion of Lot 18; and

WHEREAS, the relocation of the drain will function as originally designed and not impede the flow of storm water from Lot 19 and Lot 18; and

WHEREAS, the Ingham County Drain Commissioner has agreed to relinquish the existing drain easement and will accept the relocated drain easement; and

WHEREAS, the property owners of Lots 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20 and 21 and Oak Commons have agreed to relinquish the drain easement.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby agrees to relinquish the drain easement

on Lot 18, Ember Oaks, as shown on the recorded plat of Ember Oaks and further instruct the Supervisor and the Clerk of the Charter Township of Meridian to sign the agreement for relinquishing the drain easement.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

- I. Spring Lake and Hiawatha Lakes Street Lighting District (Consolidation), Resolution #2
Treasurer Hunting moved to approve Spring Lake & Hiawatha Lakes (Consolidated) Streetlighting District Resolution #2, which confirms the plans and estimate of costs for the Spring Lake & Hiawatha Lakes (Consolidated) Streetlighting District; directs the Supervisor to make a special assessment according to the roll submitted to the public hearing and confirms the assessment amount of \$12,405.00 for the first year, and \$12,305.00 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the one (1) streetlight; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

- K. Authorization to dispose of surplus vehicles and equipment
Treasurer Hunting moved to approve the sale of surplus Township vehicles and equipment listed on Item #7K Township Board Meeting 9/6/05 at public auction or by sealed bid, or if no bids are received, to dispose of the vehicles and equipment appropriately. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Items #7, #10, #11A)

Road Assessment Districts:

- Q. I have a question on assessment districts for roads. I want to avoid the problem we are now facing with the Piper Road Assessment, and that is the request to come back and do a reassessment. We have a project coming before us that will necessitate paving two (2) rural roads. Is there any way at this point where we can assess the paving of those roads to include the 158 lots that are going to be developed on the property?
- A. This kind of answers the same question that came up last time; when is the appropriate time to assess. There are several issues that have been brought up by Board members in the past concerning assessment and the timing of assessing; making the improvement, assessing, adding lots to that assessment and whether that is appropriate or not. In general, the law states that if the statute does not state otherwise, the timing of an assessment is up to the entity that is doing the assessing. The problem is that there's case law out there, decisions by the courts, that have said there's a question as to whether everyone has a fair ability to be a part of the process if you modify it after the fact. It is not a clear decision one way or another. I think that also affects this situation in the

same way. My recommendation would be that if you are going to assess, you would wait until you believe that the lots are established there that you want to assess and then do the assessment district. I would guess that was what the advice given to you several years was trying to convey; there's a question, not clear law, as to whether everyone's rights are affected if they aren't here at the time that you establish the improvement and the amount of the assessment. Since it isn't clear, you have the ability to amend it (there's no law that says you can't) as long as you go through the hearing and notice process again to let everyone know what you are assessing and the amount of it. In this case, my recommendation would be to wait. I don't see any vehicle at this time for the Township to require that those parcels be part of an assessment district until you go through the assessment process. Ahead of time, I don't see any authority for the Township to say before the assessment process begins, we will require these parcels will be part of an assessment process should we do it in the future.

- Q. My guess is that some of the road, if not all of it, will need paving prior to any of the development that's going to take place because of the construction equipment. At least the base levels of the asphalt would need to be put down because gravel roads won't support all the truck traffic to the site. I don't want to miss the opportunity either when we can spread the assessment over more parcels than just a few. My biggest concern is that I would be remiss if I didn't ask it at this time because then we would have missed our opportunity if, indeed, they are going to be required to put in at least a base pavement at this time for the construction to take place. After the construction is complete, they would come back to lay the finishing layer of asphalt.
- A. Again, my answer is that until you have someone to assess, you can't assess them. You can't make an agreement ahead of time that should we assess this in the future, you would be assessed. That is done through the assessment process. It may be that if you modify the assessment there is the question out there; the question of legality as there is no clear case law that you cannot do it.
- Q. The staff memo on page 8 says the portions of Tihart Road and Powell Road which abut the subdivision will be paved. Does that mean paved at the developer's expense?
- A. Yes.
- Q. In the Central Park Estates Streetlighting district there are no people currently living there. Did I understand you correctly that if there are no people living there, we can't establish the assessment on people who will be there in the future, when they are not here now?
- A. No, my comments were directed to the specific question about Georgetown and the issue of assessing or making an agreement ahead of time which states that when these come into place, they will be assessed. What I said was you can't make an agreement ahead of time to say that you will be assessed in the future. Either you do it at the time you are going through the assessment process, or if you assess, as in the case tonight, ahead of time and then you want to modify the assessment, you handle it in that way. I think her question was can we somehow agree ahead of time that someone is going to be assessed and the answer is no.
- Q. Isn't that what we are asked to do in the streetlighting districts where there is no one living there at this time, but we are proposing to agree ahead of time that there is going to be an assessment per lot for streetlights in the future? Isn't it the same principle for the road as it is for streetlights?
- A. I believe the streetlights are being done under the Public Improvement Act. My understanding from Supervisor McGillicuddy is that her request is asking if you can, ahead of time, require someone without an assessment district to be assessed in the future? My answer to that is no, you cannot do that. You can assess the developer and the land behind there, but you can't say before it is developed, that as part of the approval (site plan, plat, rezoning) that you are going to agree to be assessed at a future date because we want someone to cover the paving of the road.
- Q. But if we set up an assessment district, then you are saying we can do it?
- A. You can assess the developer.
- Q. If we set up an assessment district, can we assess each lot in the future?
- A. You can't assess the homeowner for the road when there are no lots yet. My understanding, in this case, is that there is not plat approval yet.

Establishment of a DDA ordinance:

- Q. Is it legal for us to establish a DDA ordinance, and state that they do not have the power to ask for a 2 mill tax increase?
- A. I haven't looked at the ordinance tonight, but I believe it is up to the Board to make that determination and believe the way it is written, the issue is still open.

9. HEARINGS

A. Central Park Estates Streetlighting District

Supervisor McGillicuddy opened the public hearing at 6:55 P.M.

Director Severy summarized the Central Park Estates Streetlighting District as outlined in staff memorandum dated August 29, 2005. He noted the assessment for the eighty-one (81) lots in the subdivision includes the cost of the streetlights on the roads through the non-residential area at the entrance off Central Park Drive. He felt consideration should be given to assessment of a portion of the cost to the undeveloped property.

APPLICANT

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, expressed concern over an earlier discussion regarding assessment of a streetlight district after the fact and requiring an additional \$25,000 in fixture costs alone for the subdivision. He felt it unfair to change requirements during the approval process.

Supervisor McGillicuddy closed the public hearing at 7:03 P.M.

B. Fieldstone Village Streetlighting District

Supervisor McGillicuddy opened the public hearing at 7:03 P.M.

Director Severy summarized the Fieldstone Village Streetlighting District as outlined in staff memorandum dated August 29, 2005.

PUBLIC

Dennis Sergent, 2265 Fieldstone Drive, Okemos, identified himself as the first resident of the subdivision and inquired if the lights themselves would conform to the Township's lighting ordinance.

Mr. Severy stated that the proposed fixtures are the standard \$100.00 fixture and would not conform to the Board's dark sky policy if it chose to change the ordinance. He added that one concern of the Ember Oaks developer was that when the dark sky fixtures were used, Consumers Energy recommended using a higher wattage bulb to obtain the same lighting coverage which increased the annual cost for each light.

APPLICANT

Bud Nilson, 3695 Okemos Road, Okemos, requested that the standard fixtures indicated at the time of the request be used. He noted that the standard fixtures are consistent with the Briarwood subdivision across the road and Coyote Creek subdivision to the south.

Supervisor McGillicuddy closed the public hearing at 7:07 P.M.

C. Downtown Development Authority (DDA)

Supervisor McGillicuddy opened the public hearing at 7:07 P.M.

Manager Richards summarized the Downtown Development Authority as outlined in staff memorandum dated September 1, 2005. He presented a chronology of the process to date.

PUBLIC

Will Tyler White, 4695 Okemos Road, Okemos, spoke in support of the Okemos Downtown Development Authority (DDA). He indicated the focus of the business owners is better streetlights and more pleasant

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streetscapes to attract shoppers. The purpose of a DDA is to halt deterioration, increase property tax valuation where possible in the business district, eliminate causes of the deterioration and promote economic growth. Most business owners prefer the TIF financing method and not the 2 mill increase.

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in opposition to the proposed DDA. He felt it served only commerce and not the individual. Mr. Provenchur was concerned that the DDA area outlined would allow for a major highway connection between Marsh and Okemos Roads, disturbing sensitive environmental areas. He expressed concern that DDA members would be appointed, not elected and believed elected officials better serve the public.

Ann Alchin, 2227 Hamilton Road, Okemos, pointed to inequities in the proposal that she had addressed at previous Board meetings. She stated she is not opposed to improvements to the four (4) corners of Old Okemos. She voiced her objection to the proposed DDA based on increased traffic a successful renovation would generate. She did not feel the western boundary of Liverance Street was logical and was in opposition to the inclusion of residential properties on the southern side of Clinton Street.

Ghulam Sumbal, 2143 White Owl Way, Okemos, spoke in support of the DDA, but does not want his nine (9) acres to be part of the DDA district.

Lynne Page, 3912 Raleigh Drive, Okemos, expressed concern with the boundaries of the proposed DDA district as it would affect single family residential properties. She expressed concern with the increase of traffic in historic and environmentally sensitive areas. Ms. Page opposed to TIF financing, as there was no guarantee that the revenues from the enhancements would support the assessment. She felt if that were the case, additional tax assessments would be made against the general community outside of the DDA district.

Supervisor McGillicuddy closed the public hearing at 7:20 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Ken Miller, 3681 Kansas Road, Okemos, spoke in opposition to Rezoning #05040 (Hooker/Haynes).

Joan Lemon, 2422 Kansas Road, Okemos, spoke in opposition to Rezoning #05040 (Hooker/Haynes).

Steve Freemire, 3622 Kansas Road, Okemos, spoke in opposition to Rezoning #05040 (Hooker/Haynes). He alleged that increasing the density of residents living there would create a public safety issue.

Cheryl Fritze, 2207 White Owl Way, Okemos, spoke in opposition to Rezoning #05040 (Hooker/Haynes).

Bud Nilson, 3695 Okemos Road, Okemos, availed himself for Board questions on Rezoning #05040 (Hooker/Haynes).

Supervisor McGillicuddy closed public comment.

Removal of an agenda item from the table: (Questions for the Attorney (See Agenda Item #8))

Q. Can any of the other members move to remove a previous motion from the table; does it have to be the maker of the motion?

A. No, they can take it off the table.

Q. If we have a new motion and a new resolution, do we even need to take the other one off the table, or can it just stay there?

A. You don't have to take it off the table. If you take it off the table, then you need to address it one way or the other.

Q. So not taking it off the table is a lot less complicated?

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- A. I don't want to say it is a lot less complicated; I don't want to answer it that way. You can take it off the table and vote on it. If it were to fail, then you can make the next motion which would complete the process. I'd say it that way. Or, you can leave it on the table and not vote on it, but I think a cleaner process would be to take it off the table, vote on it, and then make the next motion on the new resolution.
- A. Rezoning #05040 (Hooker/Haynes), request to rezone an approximately 6.77 acre parcel located north of 3681 Kansas Road from RR (Rural Residential) to RAA (Single Family-Low Density)
Treasurer Hunting moved to remove this item from the table. Seconded by Clerk Helmbrecht.

Board members discussed the following:

- Additional conditions posed by the developer
- Oppose the motion in order to consider the modified proposal

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

The motion to approve Rezoning #05040 (Hooker/Haynes) which was removed from the table was considered for a vote.

ROLL CALL VOTE: YEAS: None
NAYS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
Motion failed 0-6.

Treasurer Hunting moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #05040" RR (Rural Residential) to RAAA (Single Family-Low Density) conditioned on: the site being developed with a maximum of five lots which meet the minimum standards of the RAAA (Single Family-Low Density) zoning district, the applicants deeding to the Township 50 feet on the west side of the property north of the proposed road to be used for a pathway, the applicants granting to the Township a 15 foot wide easement, on the east side of the property south of the proposed road, to be used for a pathway, and the preservation of maple trees on the lots which are greater than 12 inches in diameter at breast.

BE IT FURTHER RESOLVED that 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 Clerk Helmbrecht.

Board members and staff discussed the following:

- Earlier public comment which alleged trees were already being cut down for this project
- Trees cut within the forty (40) foot easement for sanitary sewer and force main to service the Sanctuary and Meadows subdivisions
- Removal of one (1) tree on Ms. Lemon's property due to misinformation on easement footage by worker who staked the center line of the sewer
- Rectify mistake on Ms. Lemon's property
- Moving of sewer to the west to save an approximate 10" maple tree near the property line
- Foreman of the construction company offered to replace the tree cut down on Ms. Lemon's property with a tree of her choosing

- Several modifications/concessions by the developer
- Tree inventory conducted by the developer with resulting agreement regarding maples trees greater than 12” in diameter at breast height
- Land division would allow for three (3) buildable lots zoned as RR
- Platting of land would allow for four (4) lots zoned as RR
- Tree preservation value with rezoning vs. value as zoned
- Deeding of easement with rezoning vs. no easement as zoned
- Off road pathway not a Township requirement unless on the Township Pedestrian/Bicycle Pathway Master Plan
- Benefits of working with the developer on this project
- Calculation according to the Master Plan would allow for nine (9) lots
- No agreement regarding trees which would impact the easement for the sewers
- Easement did not specify where in the easement the sewer would be placed
- Developer desire to have extra width in an easement for ease of equipment mobility
- Allegation that adjacent property owner was not notified
- Only notification required is for the public hearing in April before the Planning Commission
- Notice of public hearing sign posted at the site
- Public comments regarding traffic not applicable to this proposal as there is no road access to Kansas Road
- Developer intent to retain trees of all species wherever possible
- Goal of the developer is to retain trees listed on the tree inventory
- Not a Board prerogative to offer conditions
- Under the new state law, conditions must be offered by the applicant
- Subsequent review after rezoning to address land clearing ordinance
- Belief that the rezoning is not consistent with the Master Plan
- Lack of connections between developments create a “super block” which forces traffic onto a few roads rather than dispersing onto many roads
- Original discussion included public road in the Sanctuary subdivision to the west of this site being extended to serve these lots
- Turn around is a requirement of the ICRC and it will accept just the turnaround and not the connection to Kansas
- As zoned, property could be developed with four lots without conditions
- Distance of 300 feet for notification not sufficient in rural residential areas

Trustee Veenstra offered the following amendment:

- **Remove the word “maple” in the NOW THEREFORE clause**

The amendment died for lack of support.

The maker offered the following amendment:

- **Add the word “height” as the last word in the NOW THEREFORE clause**

The amendment was accepted by the seconder.

Treasurer Hunting called the question.

ROLL CALL VOTE: YEAS: Trustees Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: Trustee Brixie
Motion carried 5-1.

- B. Bird Strawberry Farm Estates #3, Streetlighting District, Resolution #2
Trustee Brixie moved to approve Bird Strawberry Farm Estates #3 Streetlighting District Resolution #2, which confirms the plans and estimate of costs for the Bird Strawberry Farm Estates #3 Streetlighting District; directs the Supervisor to make a special assessment according to the roll submitted to the public hearing and confirms the assessment amount of \$1,284.00 for the first year, and \$1284.00 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the

Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the twelve streetlights; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract.

Seconded by Clerk Helmbrecht.

Board members and staff discussing the following:

- Need for continuity of streetlights from the first two (2) phases of the existing neighborhood
- Purpose of reduced lighting defeated by following Consumers Energy recommendation to increase wattage
- Phase 2 added streetlights which would equate with the proposed lighting level in Phase 3
- Look at density and lighting of “safe” neighborhoods
- Light intensity and pattern for standard 100 watt bulb from Consumers
- Suggestion for use of “capped light” which has recessed bulb
- Exploration of solar lit fixtures for streetlighting
- Saucer type of fixture with a bulb under it to direct light down
- Base price of the two Consumers fixtures which have the dark sky feature are expensive
- Staff to check with Board of Water and Light on type, style and cost of its light fixtures
- Need for Board to implement the “dark sky” concept in more areas of the Township
- Electric supplier who designs our lighting system has a built-in bias toward selling more electricity
- Properly designed fixture with a reflector on the top should allow for a smaller wattage bulb

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 5-1.

Trustee Veenstra moved to direct the Township Attorney to research the Township’s dark sky ordinance to extend it by including residential areas. Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

[Supervisor McGillicuddy recessed the meeting at 8:39 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:50 P.M.]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Mike Brooks, 601 Emily, Haslett, spoke in opposition to the Piper Road Paving Reassessment to include Blueberry/Strawberry Farms.

Dan Medrano, 5536 Strawberry Lane, Haslett, spoke in opposition to the Piper Road Paving Reassessment to include Blueberry/Strawberry Farms.

Sam Bird, 630 Piper Road, offered a brief history on the paving of Piper Road and spoke in opposition to the Piper Road Paving Reassessment to include Blueberry/Strawberry Farms.

Doug Eschtruth, 5339 Blueberry Lane, Haslett, spoke in opposition to the Piper Road Paving Reassessment to include Blueberry/Strawberry Farms.

Will Tyler White, 4695 Okemos Road, Okemos, spoke in support of the revitalization of downtown Okemos through the development of a Downtown Development Authority (DDA).

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Lynne Page, President, Briarwood Home Owners Association, 3912 Raleigh Drive, Okemos, read from a prepared statement in opposition to SUP #05-99071 (Hotel Development Services, LLC).

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in opposition to SUP #05-99071 (Hotel Development Services, LLC).

Supervisor McGillicuddy closed public comment.

A. Central Park Estates Street Lighting District

Trustee Brixie suggested a moratorium be placed on all residential streetlighting districts until the Township's ordinance can be modified.

Placing a moratorium on residential streetlighting districts: (Questions for the Attorney (See Agenda Item #8))

Q. If we wanted to do this, would the appropriate course of action be for us to just not put these two streetlighting districts back on the next agenda and put them on the next agenda and put on the moratorium as a discussion item or as an action item? How would you suggest we procedurally carry this out?

A. They are on for discussion today and you can then not put them on for discussion next time if you are going forward with the moratorium or you can table them.

Q. Can we table them now; would it be appropriate to table something now? Or would that not be appropriate since is it just discussion?

A. [Tape inaudible]. You don't need to take action if you want to place the moratorium first.

Board members discussed the following:

- Place a moratorium on residential lighting districts as an action item on the next agenda
- Information on what constitutes a moratorium
- Legal ramifications of a moratorium
- Ramifications of changing the "rules" after an item has already been on the agenda
- Direct staff to research alternative vendors and lights for dark sky streetlight fixtures
- Information on placing a moratorium on an agenda item
- Staff to contact the Consumers Energy representative for possible attendance at the next Board Meeting, asking if it is a requirement for the Township to use Consumers' fixtures

By unanimous consent, the Board delayed further discussion on this item until the September 20, 2005 Board meeting.

B. Fieldstone Village Street Lighting District

By unanimous consent, the Board delayed further discussion on this item until the September 20, 2005 Board meeting.

C. Addition of Off-Road Pathways in the Hulett Road/Bennett Road/Jolly Road area to the Pedestrian/Bicycle Pathway Master Plan

Directory Severy summarized the proposed addition of off-road pathways in the Hulett Road/Bennett Road/Jolly Road area to the Pedestrian/Bicycle Pathway Master Plan as outlined in staff memorandum dated September 1, 2005.

Board members discussed the following:

- Staff identification of and recommendation for problem areas
- Wood chip pathways for public use would not meet ADA requirements
- Existing east-west pathway with bridge across the Smith Drain
- Western portion which connects Meadows and Sanctuary would require easement between lots with

already approved subdivisions

- Staff recommendations based on the feasibility of construction
- Reminder that piece to the east of the connection through to Sower Boulevard is land preservation with “mesic” forest
- Crossing of the drain near Jolly Road to traverse from the west side to the east
- Pathway connections increase property values in the area
- Cul-de-sac at the northeast corner of the Meadows needs to be linked to the pathway system
- Assertion that pathways cannot be acquired through condemnation
- Dissemination of spoil piles if berms are taken up for placement of pathway
- Effect of ADA standards on the Master Plan routes
- ADA compliant material of crushed limestone for construction of pathway

The consensus of the Board was to place this item on for action at the September 20, 2005, with staff designating requested links on a modified map and information from staff regarding the effects of ADA requirements on existing pathways.

D. Piper Road Paving Reassessment to Include Blueberry/Strawberry Farms

Trustee Veenstra requested that he be recused from this discussion.

Trustee Brixie moved that Trustee Veenstra be recused from the discussion of the Piper Road Paving Reassessment. Seconded by Clerk Helmbrecht.

VOICE VOTE: Motion carried 5-0.

Director Severy stated the Clerk supplied minutes from previous meetings as requested at the August 16, 2005 meeting. These minutes provided additional history on the discussion which occurred shortly after the road was paved and the Piper Road Assessment District was improved.

Board members and staff discussed the following:

- Number of Piper Road residents which signed the petition to pave Piper Road had to be more than 50% of the frontage
- Not likely that Strawberry Farms residents signed the petition to pave Piper Road as there was no connection from Strawberry Farms to Piper Road at the time of paving
- Residents of Blueberry Farms and Strawberry Farms #3 receiving a direct benefit from the paving of Piper Road
- Opposition to adding non-abutting residences to an assessment district four years after paving of the road
- Recollection that 75% of the paving costs were paid for by the property owners and 25% by the Township
- Difficulty in assessing residents after the fact who did not have an opportunity to speak during the public hearing on the assessment
- Considerable staff time to open the assessment district back up and reassess
- Equity question for residents who have moved from previously assessed properties
- Blueberry Farms has one (1) exit, which is Piper Road
- Strawberry Farms, Phase 3 has two (2) exits
- Possible three-tiered approach with Piper Road as Tier 1, Blueberry Farms as Tier 2 and Strawberry Farms as Tier 3
- Concern over the mechanics of the reassessment relative to monetary equity
- Reassessment of the entire project, with Piper Road parcels receiving a refund
- Administrative costs for a public hearing would not be recouped as part of the special assessment
- Timetable for establishing the public hearing
- Necessary to have the assessment roll and potential assessment amount in order to mail notice of the public hearing

- Staff to establish a method for the tiered benefit approach

The consensus of the Board was to allow the Director time to assess staff time required for this reassessment project, pull together information and bring back to the Board at a future date in order to set the public hearing for the Piper Road Reassessment.

E. Downtown Development Authority (DDA)

Board members and staff discussed the following:

- Question of whether the DDA has the power of eminent domain
- Move northern portion of the western boundary on Hamilton Road four lots to include Hamilton Building and move the boundary over to the east side of Liverance Street to exclude residential properties from the DDA
- Draw line 100 feet back from Okemos Road so that streetscape improvements would be included down to Mt. Hope but park property and the Sumbal residential property would not
- Inclusion of residential properties on Clinton Street within the DDA
- Exclude residential homes from the boundaries of the DDA
- Change boundary to run on the east side of Liverance Street, south side of Clinton Street over to Okemos Road, then west side of Okemos Road down to PO property on Mt. Hope to exclude residential properties on Clinton Street but include road right-of-way area
- Set maximum parameters first, then scope of the district set by an ordinance eventually passed by the Board
- Exclusion of residential properties whose owners have signed the petition in support of the DDA
- Appointments to the DDA Board to include resident representation if residences are included in the DDA
- Understanding of what a two (2) mill tax increase would mean for a property
- Concern over inclusion of parks in the DDA
- Inclusion of parks in the DDA would allow tax increment financing (TIF) money to be used for park improvements
- Potential use for parks to be used as parking for the business district
- Concern over inclusion of parks with the potential to have a bridge built over to Land Preservation property
- Limitations placed in the ordinance regarding eminent domain
- Inclusion of residents within the boundaries who desire to be part of the DDA
- DDA Board must receive approval by the Township Board to spend money
- Staff to research if General Fund would be required to pay for improvements if TIF did not raise enough money

The consensus of the Board was to have staff provide boundary revision options and bring them back to the Board for discussion at the September 20, 2005 Board meeting.

F. Tentative Preliminary Plat # 05012 (Eyde) Georgetown a 158 lot single family subdivision south of Tihart Road, west of Cornell Road and east of Powell Road

Director Kieselbach summarized changes to the tentative preliminary plat as outlined in staff memorandum dated September 1, 2005.

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, gave a brief overview of the recommendations from the Township Board and changes made since the last Board meeting. He indicated the developer is requesting three (3) variances: 1) block length for the entrance of Powell Road does not meet minimum requirement of 500 feet; 2) block length on the eastern side exceeds the maximum requirement of 1, 320 feet and 3) cul-de-sac length exceeds the maximum requirement of 660 feet. Mr. Clouse expressed concern over earlier Board discussion regarding fencing along the open space areas and the resulting additional cost to the homeowner association for maintenance.

Board members, staff and the applicant discussed the following:

- Resident encroachment on the wildlife corridor handled through lot line markers and homeowner association ownership and enforcement
- Placement of signage for the wildlife corridor
- Pots at the lot corners, two (2) at the front and two (2) at the back to designate the wildlife corridor
- Landscape architect on staff to suggest landscape suggestions to prevent resident encroachment on the wildlife corridor
- Minimum road right-of-way is 60 feet wide
- Minimum road standard of 31 feet curb to curb
- Rationale for placing detention areas behind lots 19-23 which has hilly topography
- Concern over lack of pathways has been addressed by the developer
- Staff to provide information on temporary turnaround as it affects the Turnwald property
- Average lot width for the total subdivision needs to have frontage of 65 feet or greater
- Measurement of lots on a curvilinear street at the setback of the structure
- Leveling out of topography on lots 117 through 120 through a mass grading plan submitted to the Township and the Drain Commissioner
- Mowing of the outer edges of the wildlife corridors

The consensus of the Board was to place this item on for action at its September 20, 2005 meeting.

- G. Special Use Permit #05-99071 (Hotel Development Services, LLC) request to amend the existing Meridian Crossing special use permit to add a 95 room hotel in C-2 (Commercial) on Jolly Oak Road

Director Kieselbach summarized the special use permit request as outlined in staff memorandum dated September 1, 2005.

Scott Knapp, 505 Ardson, East Lansing, representative of the land owner, noted the net change in square footage among the five (5) buildings is negligible and asked the Board to accept the Planning Commission's recommendation regarding the second special use permit.

Board members discussed the following:

- Footprint of the hotel is approximately 25,000 square feet
- Seeming inconsistent elevation with existing buildings
- Developer to adjust elevations to be consistent with existing buildings
- Use of brick and masonry materials to give building a more residential look and be consistent with surrounding buildings
- Option by the franchise to use masonry board for siding in place of EFIS
- Shingled roofing on adjacent buildings

The consensus of the Board to place this item on for action at its September 20, 2005 meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Eldon Clark, 2415 Sapphire Lane, East Lansing, spoke to the special responsibility of the Township Board to ensure emergency operations are well planned and in place in the event of a catastrophe. He spoke to the necessity for emergency equipment needed in the event of an emergency. Mr. Clark believed the continued protection of wetlands and floodplains are necessary so that a natural disaster would be minimized.

Doug Eschtruth, 5339 Blueberry Lane, Haslett, spoke against double assessing certain residents incorporated in the Piper Road Paving Reassessment to include Blueberry/Strawberry Farms.

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Will White, 4695 Okemos Road, Okemos, stated the DDA cannot take property through eminent domain. He displayed a map showing the boundaries where residents wished to be included in the DDA.

Supervisor McGillicuddy closed Public Remarks.

13 ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 11:50 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary