

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, FEBRUARY 16, 2016 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra  
ABSENT: Trustee Wilson  
STAFF: Assistant Township Manager/Director of Public Works Derek Perry, Director of  
Community Planning & Development Mark Kieselbach, Fire Chief Fred Cowper,  
Finance Director Gretchen Gomolka

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. SPECIAL PRESENTATION (None)
5. PUBLIC REMARKS  
Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 4824 Buena Parkway, Haslett, spoke to the \$23 million in unfunded pension liability and inquired as to the plan to correct the problem prior to the election in November. He expressed a desire for candidates who are seeking reelection to publicly declare their intention so non-incumbents are aware of their decision. Mr. Provencher suggested a Township reimbursement policy be developed and presented in an open forum for public awareness.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT  
Assistant Township Manager Perry announced the Manager will be returning to Township offices on Friday morning.
7. BOARD COMMENTS AND REPORTS  
Trustee Veenstra noted a letter in the packet from Mr. Gordon Mackay concerning the future of the Capital Regional Airport and the possibility of no regularly scheduled passenger service out of Lansing. He alleged the approximate \$4.5 million in taxpayer annual subsidy for the airport is too high and needs to be cut. Trustee Veenstra spoke to the letter from Stoney Communications regarding the need for the local firm to be included in the Township's RFP process. He also addressed the letter from the Nokomis Center requesting assistance with the purchase and installation of a new furnace. Trustee Veenstra suggested the Board "help them out" with their financial difficulty. He reiterated his interpretation of rules for mileage reimbursement. Trustee Veenstra offered his opinion on the role Tri County Regional Planning Commission (TCRPC) plays in the decision making process for the Bus Rapid Transit project (BRT) in contrast to a statement made by another Board member at the January 26, 2016 Board meeting.

In response to earlier public comment regarding a Township travel policy, Trustee Scales clarified the Board was presented with a draft policy at the last Board meeting. He added that in working through the policy with the Human Resources Director, he believed the extent of travel for elected officials and staff allowed for a single policy with minor adjustments to the proposed draft.

Trustee Scales indicated four issues discussed during their February 11<sup>th</sup> meeting included a definition of reimbursements, establishment of meal eligibilities, consolidation of meal regulations and a refinement of the purpose. He stated the revised draft policy will go back to a meeting of the Department Directors and will then come back before the Board for approval.

Treasurer Brixie reported today was the last day to pay winter property taxes in the Township, noting that nearly 95% of Township taxpayers pay in full and on time. She noted her attendance at the Land Preservation Advisory Board (LPAB) meeting last week and a property will be brought to the Township through a grant application (DNR Trust Fund Grant). Treasurer Brixie indicated that because of the timing for the grant application, the Board will need to act on the grant application resolution(s) at its second meeting in March. She announced on January 30<sup>th</sup>, a pedestrian was struck on Grand River Avenue between Park Lake Road and Northwind Drive and later passed away due to injuries. Treasurer Brixie stated this is a very unsafe area for pedestrians and is not the first fatality to occur in this “stretch” of Grand River Avenue.

Clerk Dreyfus reported the Election Commission met last week and approved election inspectors and receiving Board members for the March 8, 2016 Presidential Primary. He reminded citizens there is still time to request an absentee voter application and receive a ballot for the March 8<sup>th</sup> election. As the Board representative to the Economic Development Corporation (EDC), Clerk Dreyfus reported his attendance at last Thursday’s meeting where \$10,000 in an unutilized micro loan fund was placed back in the EDC General Fund. He noted a broad discussion took place regarding the Bus Rapid Transit (BRT) project, including a community conversation to be held next month in the Town Hall Room. Clerk Dreyfus indicated discussion also ensued on a grant for public art at Wonch Park, continued strategies to enhance development in Meridian Township, and 2016 Goals and Objectives.

8. APPROVAL OF AGENDA

**Treasurer Brixie moved to approve the agenda as submitted. Seconded by Clerk Dreyfus.**

VOICE VOTE: Motion carried 6-0.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

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

NAYS: None

Motion carried 6-0.

A. Communications

(1) Board Information (BI)

- BI-1 Ann Alchin, 5972 Cypress, Haslett; RE: Comments she made at the January 26, 2016 Board meeting
- BI-2 Janeile Cannon, 1769 Pine Creek Circle, Haslett; RE: Support for the BRT Plans
- BI-3 Mike Ma, 1862 Grand River Avenue, Okemos; RE: BRT Project Response
- BI-4 Steve Vagnozzi, 2144 Woodfield Road, Okemos; RE: On-time Performance for Intercity Passenger Rail
- BI-5 Gordon Mackay, President, Indian Trails, Inc., and Michigan Flyer, LLC, 333 Albert Street, Suite 100, East Lansing; RE: Concerns about the direction of Lansing’s airport
- BI-6 Victoria Voges, Education Director, Nokomis Native American Learning Center, 5153 Marsh Road, Okemos; RE: Email exchange with the Director of Parks and Recreation Maisner relative to the condition of the furnace at Nokomis

BI-7 Mark Holoweiko, Stony Point Communications, 1190 Teakwood Circle, Haslett; RE: Email exchange with Director of Communications Guthrie relative to the branding and website contracts

- (2) Staff Communications (SC)  
SC-1 Clerk Dreyfus; RE: Guidelines about Injunction Against PA 269 Gag Order

**Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried 6-0.

B. Minutes

- (1) **Treasurer Brixie moved to approve and ratify the minutes of the January 26, 2016 Regular Meeting as submitted. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried 6-0.

- (2) **Treasurer Brixie moved to approve and ratify the minutes of the February 2, 2016 Regular Meeting as submitted. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried 6-0.

C. Bills

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

Common Cash	\$ 616,362.94
Public Works	\$ 295,796.68
Trust & Agency	\$ 1,635,934.52
Total Checks	\$ 2,548,094.14
Credit Card Transactions	\$ 11,533.50
Total Purchases	<u>\$ 2,559,627.64</u>
ACH Payments	<u>\$ 487,991.26</u>

**Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Veenstra, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried 6-0.

(Bill list in Official Minute Book)

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS (None)

12. ACTION ITEMS

Supervisor LeGoff opened and closed Public Remarks.

A. Budget Amendments

**Trustee Veenstra moved to approve the 2015 subsequent-to-year-end budget amendments with an increase in expenditure of the General Fund in the amount of \$24,000. Based on preliminary 2015 results, the projected fund balance at December 31, 2015 will be \$7,543,030. Seconded by Treasurer Brixie.**

Finance Director Gretchen Gomolka summarized the 2016 beginning-of-year and 2015 subsequent-to-year-end amendment requests as outlined in staff memorandum dated February 11, 2016.

Board and staff discussion:

- \$24,000 is to pay the final bill from the Ingham County Road Department (ICRD) for 2015
- 2016 beginning of the year budget amendment is for carry over related to projects which were not completed in 2015, but originally budgeted for 2015 as well as other items which came up subsequent to preparing the 2016 budget (i.e., Celebrate Meridian Event)
- Most of the additional \$24,000 dealt with the American for Disabilities Act (ADA) work required to retrofit ramps into existing curb and gutter as well as older neighborhood streets needed additional asphalt for a good finished product
- ADA work covered eight (8) to ten (10) additional neighborhoods

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

NAYS: None

Motion carried 6-0.

**Treasurer Brixie moved to approve the 2016 beginning-of-year budget amendments with a decrease in budgeted fund balance for the General Fund in the amount of \$237,000 which projects a use of fund balance of \$1,354,667. Based on preliminary 2015 results, the projected fund balance at December 31, 2016 will be \$6,188,363. Seconded by Trustee Styka.**

Board and staff discussion:

- Board member belief frugality over the last six (6) years and the conscious effort to keep spending under control is paying off
- Board's Number 1 goal for 2016 is to address the current pension shortfall
- Board member assertion "this" is putting the Township in a good position to go into that analysis and to be poised to make some additional attempts to work out a solution
- 2016 budget includes "extra" money for the pensions
- Continued Board member opposition to spending as much as \$80,000 on branding

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

NAYS: None

Motion carried 6-0.

B. Zoning Amendment #15080 (Township Board) – Street Tree Ordinance – Final Adoption

**Trustee Styka moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, hereby FINALLY ADOPTS Ordinance No. 2016-04, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Ingham County, Michigan, Chapter 86, Article V, Division 1, by amending Section 86-473 Street trees.**

**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 finally adopted at least once prior to the next regular meeting of the Township Board.**

**Seconded by Treasurer Brixie.**

Board and staff discussion:

- Ordinance helps preserves more trees
- Board member concern trees too close to the curb are a traffic hazard
- Board member preference for a clear zone of ten (10) feet between the edge of the pavement/curb and the tree to provide safety for cars traveling on streets during winter weather conditions
- Board member preference for a Township policy of no telephone poles, cell towers or new trees installed within a ten (10) foot safety zone
- Director of Community Planning and Development has the discretion to work with ICRD on placement of any particular street tree planted for new development
- Director of Community Planning and Development will consider speed limits, sight line considerations, unique landscape features, etc. as criteria for street tree replacement
- Staff statement it is unlikely for primary streets to have trees just back of the curb
- Street trees planted between the curb and the sidewalk are typically subdivision streets and required by the Township
- Tree guard for the root barrier was proposed for subdivision streets where there may only be a five (5) foot or less distance from the road
- Benefits of street trees to the community (help eliminate the “heat island effect: provide shade on the streets, reduce high summer temperatures, air purification, increased property value, help provide a sense of place)
- Street trees between the street and sidewalk make pedestrians and bicyclists “feel” more comfortable
- Width of the clear zone directly correlates to higher speeds traveled by vehicles
- Language in Section 86-473 A.(1) a. clearly provides for tree placement on arterial streets as determined appropriate by the Director of Community Planning and Development with input from the ICRD and Michigan Department of Transportation (MDOT), as applicable
- Language in Section 86-473 A.(1) b. clearly provides for tree placement on collector and local streets as determined appropriate by the Director of Community Planning and Development with input from the ICRD and MDOT, as applicable
- Quote read from Bill Conklin, Managing Director of the ICRD, which stated, “A street tree within ten (10) feet of the curb would be a hazard and should not be planted”
- Board member belief that since the ICRD has jurisdiction over the road right-of-way, our ordinance for street trees in the road right-of-way which the ICRD would not allow to be planted would accomplish “nothing”
- Board member preference for the proposed ordinance to provide for street trees to be planted on the building side of the sidewalk
- Inquiry if the proposed street tree ordinance applies to subdivisions
- Street trees are required in subdivisions and covered in subdivision regulations, including this regulation for street trees
- Proposed ordinance covers commercial, multifamily, and MUPUD and PUD where residential development is located
- Ordinance was initiated simultaneously by the Township Board and the Planning Commission for two (2) different reasons

ROLL CALL VOTE: YEAS: Trustee Scales, Styka, Supervisor LeGoff, Treasurer Brixie,  
Clerk Dreyfus

NAYS: Trustee Veenstra  
Motion carried 5-1.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, spoke in support of SUP #16011 (Marriott), as the applicant was receptive to his suggestion during the Planning Commission public hearing relative to the location of bicycle parking. He continued to emphasize his previously expressed belief the cost of

room rental at the Haslett Okemos Rotary Club Community Room to be excessive. He believed the new facility at the central fire station to be different from the use of the Meridian Service Center. Mr. Provencher noted the room rental policy for the Meridian Service Center does not delineate use of the projection equipment which is in the new central fire station training room, and believed groups using the new community room would appreciate the option of its use.

Supervisor LeGoff closed Public Remarks.

A. Consumers Energy Company Gas Franchise Ordinance

Assistant Township Manager/Director of Public Works and Engineering Perry summarized the proposed gas franchise agreement renewal with Consumers Energy Company as outlined in staff memorandum dated February 11, 2016.

Chris Thelen, Area Manager, Consumers Energy, explained the franchise is required by the state constitution to operate the utility within public right-of-ways. He added the franchise is for a 30 year time frame as that is the maximum number of years allowed in the constitution and the on-exclusive franchise is revocable with a 60 day notice. Mr. Thelen availed himself for Board questions.

Board and staff discussion:

- The Township's legal counsel has reviewed the franchise agreement and expressed no concerns
- 60-day revocable clause provides comfort to Township staff
- No significant changes from the expiring franchise agreement to the proposed one before the Board
- Update on an incident a few years ago in the eastern portion of the Township involved the undercutting of trees in a resident's backyard related to the International Transmission Company (ITC) Transmission Corridor and not Consumer Energy's trimming practices
- The federal government requires clear zones for the high voltage transmission lines in Consumers' transmission corridor
- Several thousand Consumers Energy customers could be affected by the falling of a tree on the transmission corridor
- Board member inquiry as to what would happen if the franchise was for only three (3) years
- Reminder that what is before the Board is a gas franchise renewal
- Agreement contains standard language for gas lines
- Board member inquiry as to Consumers policy regarding placement of gas lines
- Consumers looks to take replacement lines out of the street and place between curb and sidewalk on a case-by-case basis
- Board has worked on an ordinance in the past regarding the removal of trees and vegetation by utility companies

**It was the consensus of the Board to place this item on for action at the March 1, 2016 Board meeting.**

B. Special Use Permit #16011 (Marriott) – Request to Construct a 67,000 Square Foot Courtyard by Marriott

Director Kieselbach summarized the proposed special use permit request as outlined in staff memorandum dated February 12, 2016.

Don Schappacher, Manager, Courtyard by Marriott, 3553 Meridian Crossing, Okemos, availed himself for Board questions on the hotel.

Board and staff discussion:

- Results of the traffic study showed little change to the level of service (LOS)
- Property on the north side of Jolly Oak across from Staybridge Suites was rezoned to C-2 with the condition the hotel development would be an all-suites hotel, but the original tenant (Hilton) has changed its mind

- ICRD reviewed the traffic study and did not express any concerns in their review
- Proposed changes to the Okemos/Jolly Road intersection is currently scheduled for late 2016 or early 2017
- Hotel is a lower traffic generating use than other allowed uses
- Proposed site is a good location for a hotel in this area
- Applicant has kept within the allowed pervious/impervious surface ratio
- Proposed developer is the same development company as the Staybridge Suites project
- Board member concern with traffic from Jolly Oak making a left hand turn onto Okemos Road to travel north
- Board member concern with traffic from Meridian Crossing making a left hand turn onto Jolly Road to travel east

**It was the consensus of the Board to place this item on for action at the March 1, 2016 Board meeting.**

- C. Tri-County Regional Hazard Mitigation Plan  
Fire Chief Cowper summarized the Tri-County Regional Hazard Mitigation Plan as outlined in staff memorandum dated February 11, 2016.

Board and staff discussion:

- TCRPC adopted a Regional Hazard Mitigation Plan in the summer of 2015
- Township must adopt the plan because it applied for a hazard mitigation and disaster declaration grant for a flood prone area
- Township is investigating grants and other programs in an effort to reduce the cost of flood insurance for affected residents
- If the Township is successful in obtaining the grant, it can purchase and remove some of the flood prone homes out of the floodplain
- Mitigation Plan must be adopted in order for the Board to proceed in the grant process
- Board member belief some home(s) in the Township have previously been removed because they were flood prone (i.e., east end of Ottawa Hills)
- Regulations currently exist which prohibit homes being built in the floodway
- Process is in place to regulate construction of homes in the floodway fringe through the SUP process
- Homes built along the Red Cedar River would be considered in the floodway and could not be built today

**It was the consensus of the Board to place this item on for action at its March 1, 2016 Board meeting.**

- D. Haslett-Okemos Rotary Club Community Room – Use Policy  
Assistant Township Manager/Director of Public Works and Engineering Perry continued discussion of the use policy for the Haslett-Okemos Rotary Club Community Room as outlined in staff memorandum dated February 8, 2016.

Board and staff discussion:

- Administration is looking for Board direction on this issue
- Board member preference to duplicate the policy from Charlotte, with modifications, as a template
- Board member preference for review by Township counsel, especially relative to nondiscrimination elements
- Board member belief his research revealed the City of Lansing’s room rental policy as “the best” as Lansing passed a millage to build its fire stations like Meridian Township did
- City of Lansing does not charge a fee for use of the community room
- City of Lansing’s policy is scaled down and includes a nondiscrimination clause
- Importance of allowing residents use of the community room free of charge

**It was the consensus of the Board to place this item on for action at its March 1, 2016 Board meeting.**

14. FINAL PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, addressed charges submitted for food in the bill run, particularly purchases by members of the Fire Department and one previously for a purchase at Biggby. He suggested Meridian Township follow the food and beverage protocol exercised in both the Marine Corps and the Federal Department of Agriculture.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENTS

Trustee Styka announced the second meeting of the Redi-Ride Review Committee will be held on February 25<sup>th</sup>. He noted Okemos Public Schools was recently named as an academic champion in *Bridge Magazine*. Trustee Styka spoke to the excellence of the school systems in Meridian Township.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 7:29 P.M.

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ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS, CMMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary