

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, OCTOBER 1, 2013 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka (6:02 P.M.), Veenstra (6:01 P.M.), Wilson

ABSENT: None

STAFF: Township Manager Frank Walsh, Director of Community Planning & Development
Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Fire Chief
Fred Cowper

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. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, addressed the issue of equal geographic representation on the Planning Commission. He spoke to increased sewer cleaning for the month of August.

Rick Lepeer, 2409 Lac Du Mont, Haslett, offered comment on the draft Human Relations Ordinance.

Stephen Wilensky, 4359 Heartwood Road, Okemos, spoke in support of the draft Human Relations Ordinance and the resolution to amend the Elliott-Larsen Civil Rights Act.

Marlan Buddingh, 2073 Hamilton Road, Okemos, spoke in support of the draft Human Relations Ordinance.

Brett DeGroff, 4224 Shoals Drive, Okemos, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act and in support of the Township offering same sex benefits to Meridian Township employees.

Jackson Buddingh, 2073 Hamilton Road, Okemos, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act and the draft Human Relations Ordinance.

Supervisor LeGoff closed Public Remarks.

5. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported the Okemos Library Renovation Project is underway and the library will reopen the first of next year. He noted the Cornell Road project is scheduled to be completed by November 15th and the Okemos Road Streetlight Project is slated to have streetlights installed from Jolly Road to Clinton Street beginning November 1st. Township Manager Walsh announced a public hearing on the commercial planned unit development for Meridian Mall will be held at the October 14th Planning Commission meeting as well as the proposed Whole Foods development will be discussed at the Planning Commission's October 21st meeting. He reported the new central fire station decision by the Planning Commission is being appealed and will be before the Township Board on October 15th. He offered an update on the animal situation in the Herron Creek area.

Township Manager Walsh congratulated the Harris Nature Center on its successful Turtle Toast Fundraiser. He noted the Medical Marihuana subcommittee will meet later this week and it is anticipated a draft ordinance will be available for the October 15th Board meeting. Township Manager Walsh added the opening weekend of the Deer Management Program resulted in the harvest of nine (9) deer.

6. BOARD COMMENTS & REPORTS

Treasurer Brixie offered Board condolences to Township Manager Walsh on the loss of his father. She indicated draft legislation has been prepared regarding the computerized tax roll and is being circulated to interested parties. Treasurer Brixie reported the Capital Area Transportation Authority (CATA) Board met and the multi-modal train station project has moved forward to the next step as additional funding has been received. As a member of the Sculpture Committee, she attended the meeting last week and information on the results of that meeting are included in the packet piece on tonight's agenda.

Trustee Styka announced the Township's recycling event to be held this Saturday, October 5th beginning at 9:00 a.m. at Nancy Moore Park. He noted that also scheduled at the same date and time is the Red Cedar River clearing, and interested parties will meet at the Harris Nature Center. Trustee Styka spoke in support of the Okemos Public Schools technology bond, indicating that additional information is available at www.voteeyesforops.com.

Trustee Wilson reported her participation at a number of media events relative to the draft Human Relations Ordinance. She announced Okemos Public Schools will have a Technology/Security/Transportation Bond proposal on November 5th ballot and encouraged residents to find additional information through the 2013 Bond link at www.okemosschools.net. Trustee Wilson added the Human Resources Commission is seeking holiday basket sponsors and urged interested parties to obtain more information on the Township website: www.meridian.mi.us.

Clerk Dreyfus reported his attendance at last weekend's Heritage Festival, noting it is a great placemaking event for the Township. He expressed enthusiasm for the new ad in the Lansing Convention and Visitors Bureau guide, adding the new ad is a large step forward from the previous year. Clerk Dreyfus reported he conducted a voter registration drive at Okemos High School on Monday, September 30th. He announced the Meridian Time Bank and Lansing Time Bank have merged to form the Mid-Michigan Time Bank and additional information is available at www.midmichigantimebank.org. Clerk Dreyfus added that the Time Bank received a \$5,000 grant through the TRCPC's Sustainability Program to promote participation in local communities' Board and Commissions by giving time dollars in exchange.

Trustee Veenstra reported his attendance at the September 25th regular meeting of the Tri County Regional Planning Commission (TCRPC) where a report on the Byproduct Synergy Program was offered. He noted the TCRPC budget for the upcoming fiscal year was approved at that meeting. Trustee Veenstra reminded Board members that during the Spring, they approved a resolution to support expansion of the number of Michigan Flyer trips from East Lansing to Ann Arbor, and that expansion has come to fruition.

Trustee Scales received a response from the State Police relative to his request to lower the speed limit on Cornell Road from 45 miles per hour to 35 miles per hour. He expressed his disappointment that the letter indicated the State Police found the current 45 mile per hour speed limit is reasonable and proper, adding that an agreement of all three parties (Meridian Township, Ingham County and the State Police) is necessary for that change.

7. APPROVAL OF AGENDA

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

VOICE VOTE: Motion carried unanimously.

8. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

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

A. Communications

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

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

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the September 17, 2013 Regular Meeting as submitted. Seconded by Trustee Wilson.

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

C. Bills

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

Common Cash	\$611,965.92
Public Works	\$ 26,888.97
Total Checks	\$638,854.89
Credit Card Transactions	\$ 10,061.42
Total Purchases	<u>\$648,916.31</u>
ACH Payments	<u>\$ 451,263.80</u>

Seconded by Trustee Wilson.

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

D. Disposal of Surplus Vehicles and Equipment

Treasurer Brixie moved to approve the sale of the following surplus Township vehicles and equipment at public auction, internet auction, or by sealed bid:

2001	Ford Taurus	1FAFP53U91G207714
2000	Ford Ranger pickup	1FIYR1UX6Y1A23742
2008	Ford Expedition	1FMFK16588LA62104
2009	Ford Expedition	1FMFK16599EB03300
2010	Ford Crown Victoria	2FABP7BV7AX133126
2010	Ford Crown Victoria	2FABP7BV9AX133127
2010	Ford Crown Victoria	2FABP7BV0AX133128
1997	Kawaski Mule	
2001	Kawaski Mule	
2001	Ford F-150 pickup	1FTRX18L11KA50080

2005 Ford Excursion 1FMNU41L15EC50587
Expedition storage cabinets
Heavy Duty Rotary hydraulic lift
10-Obsolete overhead emergency light bars
Crown Victoria containment systems

Seconded by Trustee Wilson.

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

9. QUESTIONS FOR THE ATTORNEY (None)

10. HEARINGS

A. 2014 Recommended Budget

Supervisor LeGoff opened the public hearing at 6:37 P.M.

Leonard Provencher, 5824 Buena Parkway, Haslett, questioned if the \$525,000 in legacy costs was to be incurred in the 2014 budget or will be spread out for a longer period of time. He expressed concern that some two wheel drive vehicles are being replaced with four wheel drive vehicles, and the new vehicles are more costly to purchase, operate and repair.

Township Manager Walsh addressed the three pension components for the Township: a closed defined benefit plan, a defined contribution plan and a Michigan Employees Retirement System (MERS) defined benefit plan, totaling \$2.2 million this year, up from \$1.7-\$1.75 million last year. He noted the Township will only purchase two (2) vehicles this year, and both are Police interceptors.

Neil Bowlby, 6020 Beechwood Drive, Haslett, addressed the issue of the Greenwood subdivision sewer project remaining in the Capital Improvements Program (CIP) and requested its removal prior to passage of the budget.

Supervisor LeGoff closed the public hearing at 6:43 P.M.

11. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act.

Phil Parmalee, 1392 Haslett Road, Haslett, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act and urged the Board to move forward with the draft Human Relations Ordinance.

Penny Gardner, 1035 Seymour, Lansing, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in support of the resolution to amend the Elliott-Larsen Civil Rights Act as a necessary "first step."

Supervisor LeGoff closed Public Remarks.

A. Michigan Mutual Aid Box Alarm System Agreement

Trustee Veenstra moved [and read into the record] NOW, THEREFORE BE IT RESOLVED that the Charter Township of Meridian enter into the Mutual Aid Box

Alarm System (MABAS) Interlocal Agreement creating the Ingham County 3103 MABAS Division and agrees to appoint one member, the Fire Chief or designee, to the MABAS Executive Board. Seconded by Trustee Scales.

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

- B. Resolution to Authorize Grant Application for Green Road Acquisition
Treasurer Brixie moved [and read into the record] NOW, THEREFORE BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, supports submission of a grant application to the Michigan Natural Resources Trust Fund for an estimated total project cost of \$160,000 for the acquisition of property at 6269 Green Road, Haslett, Michigan with the local match of 38% (consisting of an estimated \$60,800, but dependent on DNR-approved market value) from the Land Preservation Program and a grant request of \$100,000 from the Michigan Natural Resources Trust Fund. Seconded by Trustee Styka.

Board members discussed the following:

- Property owner is no longer willing to provide a letter of commitment for the required local match
- Land Preservation Advisory Board held a special meeting on Friday and approved the allocation for the local match
- Green Road Acquisition will come before the Board for final approval if the Township receives the grant
- Large home and several out buildings on the subject property must be removed as a condition of this type of grant
- Costs include removal of the buildings
- All figures are estimates at this point in the process

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

- C. Resolution to Support an Amendment to the Elliott-Larsen Civil Rights Act
Trustee Scales moved [and read into the record] NOW, THEREFORE BE IT RESOLVED the Township Board of the Charter Township of Meridian, by copy of this resolution, unanimously calls for immediate action by the Michigan Legislature and Governor to introduce, adopt and enroll (with immediate effect) legislation providing for real protection against discrimination of all residents of this state by amending the Elliott-Larsen Civil Rights Act to include protection for physical or mental limitation, disability, source of income, family responsibilities, educational association, sexual orientation, gender identity or expression, or HIV status.

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to submit a copy of this resolution to the office of the Governor, Senate Majority and Minority Leaders, and House Speaker and Minority Leader.

Seconded by Treasurer Brixie.

Board members discussed the following:

- Discrimination is a violation of our mores
- Board member belief equal protection is attainable only at the state level
- Resolution ensures the legislature knows where Meridian Township stands on this issue
- LGBT community is not covered under the Elliott-Larsen Civil Rights Act

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

12. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Dawn Kettinger, 5600 Creekwood Lane, Haslett, spoke in support of the draft Human Relations Ordinance.

Amy Longabaug, 1801 N. Hagadorn Road, #331, Haslett, spoke in support of the draft Human Relations Ordinance.

Cindy Collins, 4687 Chippewa Drive, Okemos, spoke in support of the draft Human Relations Ordinance.

Rawley Van Fossen, 581 Virginia Avenue, East Lansing, spoke in support of a non-discrimination ordinance.

Michelle Bryant, 740 May, Lansing, expressed appreciation for Board inclusion of the LGBT community within its housing ordinance. She spoke in support of the draft Human Relations Ordinance.

Edward Smith, representative for Edgewood United Church, 1867 Ann Street, East Lansing, urged the Board to extend coverage of employment benefits for members of the LGBT community within the draft Human Relations Ordinance.

Justin Lippi, 127 N. Hayford, Lansing, expressed appreciation for Board inclusion of the LGBT community within its housing ordinance and urged the Board to approve the draft Human Relations Ordinance.

Rick Lepeer, 2409 Lac Du Mont, Haslett, spoke in support of the draft Human Relations Ordinance.

Emily Dievendorf, Managing Director, Equality Michigan, 901 Britten Avenue, Lansing, addressed local protections afforded in the draft Human Relations Ordinance in the face of no state relief.

Madeleine Townsend, 325 N. Fairview Avenue, Lansing, urged the Board to adopt a LGBT inclusive comprehensive non-discrimination ordinance.

Neil Bowlby, 6020 Beechwood Drive, Haslett, offered technical amendments to the draft Human Relations Ordinance. He spoke to the penalty section contained in the draft.

Leonard Provencher, 5824 Buena Parkway, Haslett, believed the Township does not currently have the infrastructure to support the employment section of the draft Human Relations Ordinance. He suggested the Township first address the employment issue in house.

Amanda Niven, 1760 Nemoke Trail, Haslett, spoke in support of a comprehensive non-discrimination ordinance.

Heidi Williams, 409 Park Lane, East Lansing, encouraged the Board to do the “right thing” and pass the draft Human Relations Ordinance.

Supervisor LeGoff closed Public Remarks.

A. 2014 Recommended Budget

Township Manager Walsh summarized progress to date on the 2014 Recommended Budget.

Board members and the Township Attorney discussed the following:

- Meridian Township has paid \$150,000 in Lansing Economic Area Partnership (LEAP) dues to date
- Number of benefits to the Township made by LEAP
- Importance of Meridian Township belonging to LEAP as the township is not an “island”
- Cost of funding partnership benefits to Township employees in 2014
- Board process for providing partnership benefits to Township employees in 2014
- Wage increases for Township staff over the last five years did not keep pace with the rate of inflation
- Board member belief money is available in the budget to offer a bigger wage increase
- Appropriate avenue for Board discussion of a larger wage increase while the Township is in negotiations with all bargaining units
- Suggestion to move forward with the budget as proposed and then follow normal Board procedure to include funding of partnership benefits for Township employees
- Board member preference to reduce the number of employees who are provided Township vehicles for personal use
- Vehicles provided for certain Township employees are part of their signed contract
- Issue of providing vehicles for employees will be an item for negotiation when current employees retire or leave Township employment
- Current state law (PA 297 of 2011) prohibits a public employer from providing partnership benefits
- Injunction has recently been placed in federal court against public entities applying the state law (i.e., employees are able to continue receiving partnership benefits)

It was the consensus of the Board to place this item on for action at the October 15, 2013 Board meeting.

B. Human Relations Ordinance Draft

Board members and the Township Attorney discussed the following:

- Board member example of LGBT discrimination experienced in Meridian Township
- Discriminatory practices, policies and laws in Michigan make it difficult for an employer to recruit the most talented individuals
- Proposed ordinance will allow individuals who feel they have been a victim of discrimination to have an avenue for redress
- Need for Board discussion on how to process complaints
- Need for Board discussion if the civil infraction fine structure is adequate to deter discrimination
- Simultaneous claims can be filed at both the state and local level
- State claim would move forward on a simultaneous claim relative to investigation; if the local body decided the claim was valid and it was addressed before the claim was taken up by the state, the state would set aside the individual’s claim, but would continue to move forward on behalf of the state
- One of the areas used for municipal claims is when timing for filing a claim at the state has passed
- Statement made by a state employee to the Township Attorney that sexual orientation and gender identity issues will be looked at by the state under the violation of “sex”
- Ability of the language regarding partnership benefits to be viewed as being required by employers under the marital status provision and/or family responsibility provision of the proposed ordinance
- Township Attorney belief it is arguable that the benefits could fall under one of the abovementioned categories
- State law currently prohibits public employers from providing medical and other fringe benefits for partners

- Distinction between a Board decision to provide medical and other fringe benefits for partners of Township employees and passing an ordinance which may require all public employers within the Township to provide those benefits
- Inclusion of an exception under the exception section of the ordinance to address the public employer issue
- When the Board enacts ordinances, the ordinances must serve a public purpose necessary to the general health, moral safety and general welfare of the Township
- Lack of clarity in the Township's authority to venture into regulation of employment
- Board member preference to adopt the language contained in both Delta Township's and Kalamazoo's ordinance regarding discriminatory employment practices
- Okemos Public Schools provide medical coverage for partners, but the employee must pay for that coverage
- Preference to remove "including a benefit plan or system" from Section 30-20 (a) (1) to address the issue of mandating that private employers provide partnership benefits
- Definition of "family responsibilities" could be interpreted to be broader than "familial status", which is generally meant to cover dependent children
- Ordinance passed in August which makes it "illegal" to refuse service in public accommodations in Meridian Township because someone is perceived to be a member of the LGBT community
- Board member support for an increase in fines for subsequent civil infraction violations
- Appropriate for the Township to take the first step in establishing a comprehensive anti-discrimination policy which includes employment
- Appropriate for the Township to serve as the first line of conciliation at the local level
- Provision in the employment section provides an employer involved in a discrimination complaint with an opportunity to remediate the concerns
- Key concept of the "Cool City" philosophy is that everyone is welcomed
- Economic vibrancy is derived from a mixture which includes youth and skilled workers
- Interpretation that the language does not require a partnership benefit package, but a benefit that anyone else receives cannot be denied to a member of the LGBT community
- Suggestion for an exception clause to be added stating that private employers are not mandated to provide partnership benefits
- Board members obligation to use their power for the common good and move forward on this issue
- Board member's continued belief that the proposed ordinance is symbolic and "feel good" legislation
- Weak graduated civil fine structure for violations (\$75-\$500) makes the proposed ordinance "toothless"
- \$75 fine does not protect an individual from being fired
- Elliott-Larsen Civil Rights Act is what protects an individual from being fired
- Proposed language which states: "The court may issue and enforce any judgment, writ or order necessary to enforce this chapter. This may include reinstatement, payment of lost wages, hiring and promotion, sale...and other relief deemed appropriate." allows the court to take action beyond the municipal civil infraction limits
- Grass roots effort at local levels provide pressure on the state to take some form of action
- Grass roots effort will "reveal" an employer within the Township who discriminates
- Conciliation efforts may heighten awareness of employers who discriminate
- Concern with the amount of time it will take for a significant amount of local units of government to "get on board" with this issue
- Less than 30 communities (2% of the total municipalities) in Michigan have passed ordinances
- Board member preference to have further discussion prior to a vote

- Ability of the Board to provide a different municipal civil infraction fee schedule for the proposed ordinance
- Township Attorney opinion that the Township is allowed to apply a different fee amount, but the maximum amount would be \$500
- Township Attorney to contact Delta Township to ascertain what they based their fee structure on
- Ordinance adoption process will take at least one month
- Board member preference to have the Attorney suggest a way to accomplish the desire of the Board
- Benefit language is in the state act
- Attorney preference to include an exception clause to address partnership benefits

The consensus of the Board was to place this item on for introduction at the October 15, 2013 Board meeting.

- C. Public Art Sculpture at the Marsh/Hamilton Road Roundabout
Director Kieselbach summarized the Public Art Committee's recommendation as outlined in staff memorandum dated September 26, 2013.

Board members discussed the following:

- Board member appreciation for the recommended art piece titled "Meridius Prime"
- Township is on the prime meridian

It was the consensus of the Board to approve the recommendation of the Public Art Committee.

13. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed appreciation for Board discussion on the draft Human Relations Ordinance. He believed the fine structure, as proposed, is insufficient.

Emily Dievendorf, Managing Director, Equality Michigan, 901 Britten Avenue, Lansing, stated her organization measures its progress and success with human rights ordinances by measuring how many people are protected. She noted that passage of local non-discrimination policies equates to protection of 20% of Michigan's citizens.

Supervisor LeGoff closed Public Remarks.

14. FINAL BOARD MEMBER COMMENT (None)

15. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:17 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary