

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MAY 15, 2007, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such (6:51 P.M.), Veenstra
ABSENT: Trustee Woiwode
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, 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.

Charles Willems, PO Box 84, Haslett, requested the Township modify its assessing records to reflect that Lot #34 of Hickory Island had a change in ownership in 2006.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy announced a public hearing on Rezoning #06020 (Mayberry Homes, Inc.) will be held at the June 5, 2007 Board meeting.

A. Capital Area District Library Annual Report

1. Joan Smith, Okemos Librarian, gave an overview of programs and services offered at the Okemos Hope Borbas Library. She noted the Okemos Library had a 25% increase in its summer reading program from 2005. Ms. Smith expressed appreciation to the many volunteers who donated time and materials to upgrade the landscaping of the library property.
2. Ann Chapman, Haslett Librarian, gave an overview of programs and services offered at the Haslett Public Library. She noted computer usage experienced a 46% increase from 2005, with circulation increasing 18.9% from last year. Ms. Chapman stated the Haslett Library partners with many entities in the Township to conduct outreach programs (e.g., Meridian Senior Center, Meridian and Haslett High Schools, Haslett elementary schools, etc.). She expressed concern that the size constraints of the building cause some of the patron base to feel they are being underserved.

Quenda Story, Meridian Township representative to the Capital Area District Library, stated the Haslett Library building does not have the capacity to meet the demands of its patrons. She indicated a library planning consultant was hired and he conducted a poll in Meridian Township which indicated a solid majority of those polled support libraries. Ms. Story is looking for the consultant to give guidance on a solution which can be brought before the Board for action.

B. School Election Results

Clerk Helmbrecht announced the results of the May 8th school elections. The Okemos School District experienced a 30% voter turnout, with two (2) bonding issues which passed. Mary Graham was elected as a new board member and Peter Tresize was reelected.

Clerk Helmbrecht noted that both Haslett and East Lansing experienced a 5% voter turnout in non-competitive races. Kristin Beltzer was reelected in Haslett and both George Brookover and Christopher Ambrose were elected in East Lansing.

- C. Presentation by Susan Morrow, 2006 President of the International Institute of Municipal Clerks
Susan Morrow, Clerk of Plainfield Township in Kent County, announced Clerk Mary Helmbrecht has achieved the status of Certified Municipal Clerk through a comprehensive three year educational process at Michigan State University.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 5-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda as amended. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

- BI-1 Dave Buhl, Senior Vice President, Michigan Region, Comcast Cable, 1070 Trowbridge Road, East Lansing; RE: Comcast's role as the Michigan leader in broadband technology
- BI-2 Charles Willems, PO Box 184, Haslett; RE: Landlocked status of Mrs. Willems' property, Parcel #33-02-02-11-176-002 (resubmission of attachment from 4/17/07 on file in the Clerk's office)
- BI-3 Charles Willems, PO Box 184, Haslett; RE: Landlocked status of Mrs. Willems' property, Parcel #33-02-02-11-176-002
- BI-4 Charles Willems, PO Box 184. Haslett; RE: Transfer of ownership for Lot 34, Plat of Hickory Island
- BI-5 John Anderson, 215 W. Newman Road, Okemos; RE: Request for a public hearing on Rezoning #06020 (Mayberry Homes, Inc.)

(2). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative E-Report, April 27, 2007 Edition
- SC-2 Michigan Townships Association Legislative E-Report, May 4, 2007 Edition
- SC-3 Memorandum from Mark Kieselbach, Director of Community Planning and Development; RE: Public hearing date for Rezoning #06020 (Mayberry Homes, Inc.)

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

Materials received at the May 1, 2007 Board Meeting

Judith Marland (unable to verify name and address through Township records); Opposition to Rezoning #06020 (Mayberry Homes, Inc.)

William Trier, 4854 Wilde Pointe Drive, Sarasota, FL; RE: Support for Rezoning #07020 (Planning Commission).

Charles Willems, PO Box 184, Haslett; RE: Waterfront classification of property located at 1387 Hickory Island, Haslett

Trustee 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 Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the May 1, 2007 Regular Meeting as submitted. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

C. Bills

Trustee Brixie moved that the Township Board approve the Manager’s Bills as follows:

Common Cash	\$ 258,114.52
Public Works	\$ 354,733.42
Public Safety Building Debt – Ck #1105	
Bank of New York-Bond Admin fee	\$ 250.00
Total Checks	\$ 613,097.94
Credit Card Transactions	\$ 16,493.13
Total Purchases	<u>\$ 629,591.07</u>
 ACH Payments	 <u>\$ 304,153.93</u>

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

[Bill list in Official Minute Book]

D. Assessing Stipulations

Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Edward W Sparrow Hospital Association on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
2006	0309073	1600 Grand River, Okemos
<u>Assessment</u>	2004	<u>AV/TV</u> \$839,300/839,300
<u>Proposed Assessment</u>	2004	<u>AV/TV</u> \$0/0

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Edward W Sparrow Hospital Association on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY		
2006	0315389	1600 Grand River, Okemos		
	<u>Assessment</u>	2005	<u>AV/TV</u>	\$10,000/10,000
	<u>Proposed Assessment</u>	2005	<u>AV/TV</u>	\$0/0

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Edward W Sparrow Hospital Association on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY		
2006	0315390	1600 Grand River, Okemos		
	<u>Assessment</u>	2005	<u>AV/TV</u>	\$10,000/10,000
	<u>Proposed Assessment</u>	2005	<u>AV/TV</u>	\$0/0

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Edward W Sparrow Hospital Association on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY		
2006	0322133	1600 Grand River, Okemos		
	<u>Assessment</u>	2006	<u>AV/TV</u>	\$10,000/10,000
	<u>Proposed Assessment</u>	2006	<u>AV/TV</u>	\$0/0

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

- E. Appointment to the Zoning Board of Appeals
Trustee Brixie moved to appoint Carol Ohlrogge to the Zoning Board of Appeals term beginning June 1, 2007, with a term ending December 31, 2009. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

- F. Grant Application for Orlando Park
Trustee Brixie moved that the Land and Water Conservation Fund Grant Application for development of Orlando Park resolution be approved, which authorizes the submittal of a \$150,000 proposal requiring a 50% match from the Township General Fund. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried 5-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 11B, #11C)

9. HEARINGS

- A. Amendment to WUP #06-09 (Whitehills Lakes #8)
 Supervisor McGillicuddy opened the public hearing at 6:35 P.M.

Director Kieselbach summarized the proposed amendment as outlined in staff memorandum dated May 11, 2007. He noted the applicant's engineer found an error in the information provided in the original wetland use permit and this amendment is being proposed to correct those errors.

Rick Simonds, 6274 Mereford Court, East Lansing, expressed concern whether the northeast wetland mitigation proposal would enhance the wetland. He requested the Board carefully consider this amendment.

Supervisor McGillicuddy closed the public hearing at 6:45 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Rezoning #07020 (Planning Commission), request to rezone the south 34.2 feet and west 14.2 feet of Lot 7 Supervisor's Plat of Haslett, located north of 5686 School Street from C-2 (Commercial) to RB (Single Family-High Density)
Trustee Brixie 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 #07020" from C-2 (Commercial) to RB (Single Family-High Density).

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 Trustee Veenstra.

Treasurer Hunting offered the following friendly amendment:

- **Insert as the last WHEREAS clause: WHEREAS, the site is served with public water and sewer.**

The amendment was accepted by the maker and seconder.

Board members discussed the following:

- Possible effect of change in zoning on potential Haslett Library expansion
- Consistent with Township ordinance

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

NAYS: None

Motion carried 5-0.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Will White, 2142-½ Hamilton Road, Okemos, spoke in support of Rezoning #06080 (Campbell).

Supervisor McGillicuddy closed public comment.

A. Amendment to WUP #06-09 (Whitehills Lakes #8)

Board members discussed the following:

- Square feet v. cubic yards measurement of fill due to state act consideration of area impacted instead of volume filled or removed
- Private road to be placed through the high ground to minimize impact from a grading and tree clearing standpoint
- Allowing the applicant flexibility to mitigate from 1 to 1 up to 2 to 1 would eliminate mitigation in the northeast where the Township’s environmental consultant and a resident expressed concern
- Move the wetland mitigation area further south
- Add conditions recommended by the Township’s environmental consultant

The consensus of the Board was to place this item on for action at the June 5, 2007 Board meeting.

B. Rezoning #06080 (Campbell), request to rezone 2095 Hamilton Road from RC (Single Family-Medium Density) to C-2 (Commercial) with an offer to have the rezoning conditioned on development as a Mixed Use Planned Unit Development
 Director Kieselbach summarized the proposed rezoning as outlined in staff memorandum dated May 11, 2007.

Board members, staff and the applicant’s representative discussed the following:

- Possibility of underground parking
- Possibility of raising the building and parking on ground level
- Requirement of two (2) parking spaces for each unit
- Combining lots would increase the developable area in other zoning categories than C-2
- Based on the design, the Board can decide what is appropriate
- Referral back to the Planning Commission whether mixed use C-1 was acceptable for this site
- Adoption of a rezoning with consideration for a mixed use planned unit development (MUPUD)

- Concern with passing a rezoning which requires the ZBA to consider variances
- “Dumping” of traffic onto the roundabout
- Planning Commission tabled this request until the ordinance was amended to allow this type of use in C-1 and then voted upon the original request for C-2
- Board not required to send this rezoning back to the Planning Commission
- Approval of a MUPUD allows setbacks to be waived at the Board’s discretion
- C-1 zoning is more restrictive on the types of uses
- Board consensus to consider C-1 rezoning

Scott Knapp, Dickinson Wright, 505 Ardson, East Lansing, recapped that this property currently has two old houses on it which serve as rentals. His client wants to tear the houses down and redevelop this property within the Downtown Development Authority (DDA). Mr. Knapp indicated the Future Land Use Map designates this property as commercial and the land, as currently zoned, is not viable for development. He believed this proposed rezoning along with the two lots combined and utilizing a MUPUD would promote walkability and brown field redevelopment. He also reaffirmed the Ingham County Road Commission’s preference for direct access onto the roundabout with what they determined to be “negligible” additional traffic.

Referral back to the Planning Commission: (Questions for the Attorney (See Agenda Item #8))

- Q. Could you comment on this issue of the consideration of C-1 by the Planning Commission and the options or the requirements for us with respect to sending or not sending it back?
- A. I would agree with Mr. Kieselbach’s assessment that, in general, if you are changing the request, you do send it back for the Planning Commission’s recommendation. However, if the Planning Commission has considered that or it appears that it was part of the decision making, it’s up to the Board to decide if you want more information from the Planning Commission or do you want to go forward. So, in this case, I would agree with his assessment; it’s up to the Board at this point to decide.

The consensus of the Board was to place this item on for action at its June 5, 2007 Board meeting.

C. Lake Lansing Watershed Management SAD

Recusment of a Board member: (Questions for the Attorney (See Agenda Item #8))

- Q. I would like to ask the Township attorney if I should recuse myself in this situation. Perhaps you can tell me. I live in the third tier of this area, and I need to know whether I should or can participate...I have no problem participating in the discussion, but I want to know what I should do. And the vote?
- A. My recommendation is that you not participate in the vote. In the discussion, I understand this is broader than just whether the third tier is added or not; it’s the whole concept of the assessment district or not. As to the issue of the third tier, I would also recommend that you not be part of that discussion; add your information or opinion on that part of the discussion, although I don’t think you need to leave the room for that part of the discussion.

Q. I should sit in silence?

A. As to the third tier, I think there’s a financial interest.

Director Severy summarized the special assessment district as outlined in staff memorandum dated May 11, 2007.

Joe Shehan, President, Lake Lansing Watershed Advisory Committee (LLWAC), 6150 Columbia, Haslett, read the mission statement that the Lake Lansing Special Assessment District (LLSAD) is to maintain and improve the environmental quality of the lake. He indicated the LLSAD exists primarily for weed control and drainage improvements.

Board members and the Lake Lansing Watershed Advisory Committee representative discussed the following:

- Lake Lansing falls in the Red Cedar Watershed Management Plan
- Possible introduction of sufficient numbers of weevils

- Weevils indigenous to the lake, but not in sufficient quantity
- Third renewal of LLSAD
- Proposal for ten year duration
- Proposal to cover increased cost to expand to a third tier
- Belief that third tier residents receive a direct benefit from the lake
- Notice requirement for Tier 3 landowners
- How to define the parcels to be included in Tier 3
- 249 parcels included in Tier 1 which receives two benefits at \$59 each
- 325 parcels included in Tier 2 which receives one benefit at \$59 each
- 820 parcels projected to be included in Tier 3
- Representation of the Drain Commissioner on the committee
- Meridian Township and Ingham County currently pay \$5,000 each
- Michigan State University pays \$400
- Initial inclusion of any parcel in the initial proposed assessment district which touches the watershed
- Boat registrations in proximity of the lake are not necessarily applicable or an indicator of benefit
- Lake Lansing Watershed Advisory Committee has records on license plates coming into the boat launch
- Engineering staff to determine reasonable distance for inclusion of properties which benefit from the shoreline
- Inclusion of map with the public hearing notice

Benefit level for assessment: (Questions for the Attorney (See Agenda Item #8))

Q. Does state law require some level of benefit for this type of assessment?

A. That's correct. There has to be a direct benefit that's different than the benefit that the general citizen would receive from the lake and, specifically, from the type of activity you are using the money for. If the purpose is weed control and drainage improvements, then normally your benefit would be derived from that activity and that benefit is usually measured in increased cost of your lot if you were to sell it.

Now, because this is water related, there are some other issues which can be looked at. There is some new legislation which has also come out having to do with water, water areas, and how to deal with that. I think there may be some room to move here, but, in general, the concept is how you are benefited and are you benefited directly. The imposition on your parcel as far as an assessment has to be equal to someone that is in an equal position, so you are not being charged more when you are, maybe, thirty (30) feet away than someone else that is closer or further away. The concept of counting boats is an interesting concept to see how many people are registered with boats in the area around the lake, because you are assuming they are going to use the lake and the weed control does benefit them. That is something that should probably be looked into as well as some other ideas that you continue to come up with. You need to come up with a fair basis for the assessment. That is something you need to think about.

The consensus of the Board was to place this item on the June 5, 2007 Board agenda to set the public hearing.

[Supervisor McGillicuddy recessed the meeting at 7:51 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:01 P.M.]

12. VISION SESSION/ENDS:

- A. Vision Session – John O'Doherty from the National Center for Pavement Preservation Township Manager Richards introduced John O'Doherty from the National Center for Pavement Preservation (NCCP), 2857 Jolly Road, Okemos, a locally based center.

Mr. O'Doherty gave a PowerPoint presentation on pavement preservation by discussing the following topics:

- History and trends
- Definitions

- Pavement management basics
- “At the Crossroads”
- Network evaluation
- Summary

Board members and the representative discussed the following:

- Cost effectiveness of preventive maintenance through crack sealing, crack filling and chip sealing
- A heavily loaded truck does the same amount of road damage as 10,000 cars
- Concrete used for heavy volumes of traffic, specifically trucks
- Concrete which is properly applied and maintained can have a life expectancy of 50-60 years
- NCPP advocates lower truck limits for the State of Michigan
- Reconstruction of portions of Marsh Road this fall with composite roadway materials
- NCPP recommendation to repair concrete underneath Marsh Road before placing a layer of asphalt on top to sustain the life of the road
- Possible discussion with the Ingham County Road Commission regarding road maintenance
- Quantitative effects of excessive truck weight on Michigan roads
- Climate and soil conditions effect roadways
- Reduction of refuse trucks on local roads
- Michigan resides in the “wet cold” environmental region in North America
- Michigan resides in the “freeze/thaw” belt with 50 cycles per average winter

[Pavement Preservation PowerPoint outline in Official Minute Book]

13. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:00 P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary