

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, JANUARY 22, 2019 **6:00 pm.**

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

ABSENT:

STAFF: Township Manager Walsh, Director of Public Works Perry, Police Chief Plaga,
Information Technology Director Gebes, Community Planning Director Kieselbach,
Economic Development Director Buck, Fire Chief Hamel, Principal Planner Menser

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS - NONE

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:02 pm.

Tom Garvale, 4200 Cornell Rd., Okemos; spoke in opposition of Medical Marijuana Non-Zoning Ordinance (Agenda Item 12A)

Lynne Page, 3912 Raleigh Dr., Okemos; spoke in opposition of Agenda Item 12A.

Tom Hitch, 601 Abbot Rd., East Lansing; spoke in support of Rezoning #18140 – Hitch (Agenda Item 13A)

Travis Wilson, 2180 Cider Mill Dr., Okemos; spoke in support of Agenda Item 12A.

Neil Bowlby, 6020 Beechwood, Haslett; spoke on topic of road construction, and on alleged misuse of the parliamentary procedure of Calling the Question.

Supervisor Styka closed public remarks at 6:18 pm.

6. TOWNSHIP MANAGER REPORT

A. Communications

Clerk Dreyfus 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 Jackson.

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

NAYS:
Motion carried 7-0

~~B. Minutes~~ -- MOVED TO AGENDA ITEM 12E

C. Bills

Clerk Dreyfus moved to approve that the Township Board approve the Manager's Bills as follows, seconded by Trustee Jackson:

Common Cash		\$	247,012.40
Public Works		\$	2,227,693.76
Trust & Agency		\$	9,288,901.99
	Total Checks	\$	11,763,608.15
Credit Card Transactions		\$	9,342.82
Jan. 3 rd to Jan. 17 th			
	Total Purchases	\$	<u>11,772,950.97</u>
ACH Payments		\$	<u>551,157.27</u>

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

NAYS:
Motion carried 7-0

D. Georgetown #3 Streetlighting SAD #425 - Resolution #5

Clerk Dreyfus moved to approve the Georgetown #3 Public Streetlighting Improvements Special Assessment District #425 - Resolution #5, which approves the final special assessment roll, adopts the amount of \$6,747.36 as the first year assessment and the amount of \$3,298.68 (subject to adjustment) as the annual assessment thereafter. Seconded by Trustee Jackson.

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

NAYS:
Motion carried 7-0

E. Georgetown #4 Streetlighting SAD #427 - Resolution #3

Clerk Dreyfus moved to approve Georgetown #4 Public Streetlighting Improvement Special Assessment District #427- Resolution #3, which approves the construction of the public improvement, the estimate of cost, and defraying the cost by special assessment; determines the special assessment district and directs the making of an assessment roll. Seconded by Trustee Jackson.

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

NAYS:
Motion carried 7-0

F. Sierra Ridge #2 & #3 Streetlighting SAD #426 – Resolution #4

Clerk Dreyfus moved to approve Sierra Ridge #2 & #3 Public Streetlighting Improvement Special Assessment District #426 - Resolution #4, which sets a public hearing for February 19, 2019, for the purpose of reviewing and hearing objections to the special assessment roll. Seconded by Trustee Jackson.

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

NAYS:
Motion carried 7-0

10. QUESTIONS FOR THE ATTORNEY – NONE

11. HEARINGS - NONE

12. ACTION ITEMS

A. Medical Marihuana Non Zoning Ordinance – **Final Adoption**

Clerk Dreyfus moved to approve the resolution for final adoption of the amendment to the Code of Ordinances to add Chapter 40 - Commercial Medical Marihuana Facilities and amend the Township Fee Schedule to include an Initial Application Fee of \$5,000 and Annual/Renewal Application Fee of \$5,000. Seconded by Trustee Sundland.

Board discussion: Medical Marijuana industry size, society transitioning past decades of prohibition, medical marijuana utilized in majority of States, number of overlay districts, types of facilities, appropriateness of provisioning centers, ratio of alcohol licenses compared to medical marijuana, possible tax revenue, controlling odor, public nuisance ordinance, cost to the Township, likelihood of local applicants, thoughtful approach to concerns, permit acquisition details, ensuring priority for local applicants.

Trustee Opsommer moved to amend Page 5, Section 1(c)(2) to add “...that an owner of the permit owner, with 75% ownership interest or greater has maintained...” and change “6 months” to “one year.” Seconded by Clerk Dreyfus.

VOICE VOTE ON AMENDMENT: 7-0 Motion Passed

Board discussion: benefits of medical marijuana use, separation between medical and recreational, concerns with growth operations, location and size of possible growth operations, reduction of growth permits available to match zones available, limiting future growth zoning

Trustee Jackson moved to amend Page 3, Section 40-28 (2)(a) to read “2, regardless of type” Grower Permits instead of “6, regardless of type” Grower Permits. Seconded by Treasurer Deschaine.

Board discussion: Current wording is simple, later designation can happen, geographic boundaries important before permits allowed is decided

VOICE VOTE ON AMENDMENT: 3-4 (Styka, Dreyfus, Sundland, Opsommer)
Motion Failed

Trustee Opsommer moved to amend Page 3, Section 40-28 (2)(a) to read “3, regardless of type” Grower Permits instead of “6, regardless of type” Grower Permits. Seconded by Treasurer Deschaine.

VOICE VOTE ON AMENDMENT: 5-2 (Sundland, Dreyfus) Motion Passed

Board discussion: Where will tax revenue come from, bonus provisioning permits

Trustee Jackson moved to strike Section 40-28 (2)(f) on Page 3, related to second Provisioning Centers in Overlay Areas. Seconded by Treasurer Deschaine.

Board discussion: Bonus applications will allow market to expand naturally, will allow two types in one overlay as long as it meets special permit guidelines, size of overlays will not clutter facilities, possibility of overlay zone not having lease space for facility prompted bonus permits

VOICE VOTE ON AMENDMENT: 2-5 (Styka, Dreyfus, Sundland, Opsommer, Wisinski)
Motion Failed

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

NAYS:

Motion carried 7-0

B. MDEQ Loan Application – Village of Okemos

Trustee Opsommer moved to adopt the attached resolution of support for the Village of Okemos MDEQ loan application. Seconded by Trustee Jackson.

Principal Planner Menser explained the loan and its terms.

Dave Van Haaren, Triterra Environmental Consultants, presented on details of the loan and its terms. Explained the interactions of the Meridian Township Brownfield Authority.

Board discussion: Loan terms and responsibility of developer to pay if project fails, Downtown Development Authorities involvement, non-environmental clean-up costs vs environmental clean-up costs, loan payment details.

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

NAYS:

Motion carried 7-0

Supervisor Styka moved for a five-minute recess at 7:28 pm.

Supervisor Styka reconvened the meeting at 7:37 pm.

C. Board and Commission Appointments

Treasurer Deschaine moved to appoint Brian Seipel to the Communications Commission for a term ending 12/31/20. Seconded by Trustee Jackson.

Treasurer Deschaine moved to appoint Mike Nevells to the Communications Commission for a term ending 12/31/21. Seconded by Trustee Jackson.

Treasurer Deschaine moved to appoint Riti Adhi to the Communications Commission as an alternate. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 7-0

Trustee Opsommer moved to appoint Scott Hendrickson to the Local Officials Compensation Commission for a 5-year term ending 12/31/23. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 7-0

Trustee Jackson moved to appoint Linda Burghardt to the Environmental Commission for a 3-year term ending 12/31/21. Seconded by Trustee Opsommer.

Trustee Jackson moved to appoint student Aparna Krishnamurthy to the Environmental Commission for a term ending 12/31/19. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 7-0

Clerk Dreyfus moved to appoint Scott Hendrickson to the Planning Commission for a 3-year term ending 12/31/21. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 7-0

Trustee Sundland moved to appoint Lanny Brunette to the Board of Review for a 2-year term ending 12/31/20. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 7-0

Trustee Wisinski moved to appoint Kirk Lapham to the Land Preservation Advisory Board for a 4-year term ending 12/31/22. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 7-0

Trustee Jackson moved to appoint Kimberly Maingu to the Community Resources Commission for a 2-year term ending 12/31/20. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 7-0

Trustee Opsommer moved to appoint Robert G. Lovell to the Transportation Commission for a 2-year term ending 12/31/20. Seconded by Trustee Wisinski.

VOICE VOTE: Motion carried 7-0

Board discussion: Planning Commission vacancy

D. Supervisor Pro-Tem

Treasurer Deschaine moved to appoint Trustee Opsommer to the position of Supervisor Pro-Tem. Seconded by Trustee Wisinski.

VOICE VOTE: Motion carried 7-0

E. Minutes

January 8, 2019 Regular Meeting

Trustee Deschaine moved to approve and ratify the minutes of January 8, 2019 Regular Meeting as amended. Seconded by Trustee Jackson.

Board discussion: pros and cons of amendments submitted by Treasurer Deschaine, censorship vs. individual board member preferences, concerns about wholesale deletions of entire comments of individual Board member, Board policy regarding minutes, differences between individual Board member comment section of agenda and action/discussion items, detailed minutes for special meetings vs. conciseness and a record of actions taken.

VOICE VOTE: Motion passed 5-2 (Sundland, Dreyfus)

January 8, 2019 Special Meeting (Trustee Interview & Selection Process)

Trustee Deschaine moved to approve and ratify the minutes of January 8, 2019 Special Meeting as submitted. Seconded by Clerk Dreyfus.

VOICE VOTE: Motion passed 7-0

13. BOARD DISCUSSION ITEMS

A. Rezoning #18140 (Hitch)

Principal Planner Menser presented details on the rezoning request.

Board discussion: Current zoning of surrounding parcels, set-back requirements, buffers, nearest professional office (PO) zoning, PO restrictions, proposed developments, consideration given to neighbors, geographic constrictions, current zoning use possibilities, benefits of PO, differences between commercial and professional office, enhancing tree buffer between properties.

Board consensus to place this item on for action at a future Board Meeting.

B. Transportation Commission Recommendation on Local Road Millage

Treasurer Deschaine presented recommendation of the Transportation Commission.

Director Perry spoke on current state of roads and a proposed assessment management plan.

Board discussion: Levels of funding needed for repairs, who receives gas taxes, need for additional funds to keep roads maintained, asset management plan details, breakdown of possible plans, goal to reach pacer level 8, preservation of roads, impact of increase in construction costs.

Board consensus to place this item on for further discussion at a future Board Meeting.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 8:56 pm.

Lynne Page, 3912 Raleigh Dr., Okemos; spoke in opposition of Agenda Item 12A.

Supervisor Styka Closed Public Remarks at 8:59 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Clerk Dreyfus reported:

- Noted a new State Legislature bill that requires criminal conviction before law enforcement can sell seized property. Township Board has discussed this issue extensively in the past.

16. CLOSED SESSION – Review Pending Litigation

Clerk Dreyfus moved that the Township Board meet in closed session under Section 8 (e) and (h) to consult with its Township Attorney, including review of a confidential written legal opinion, regarding settlement strategy in connection with Meridian Mall Ltd Partnership vs Meridian Charter Township (and Michigan Department of Treasury as Co-Respondent), MTT Docket No. 18-001420. Seconded by Trustee Jackson.

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

NAYS:

Motion carried 7-0

Supervisor Styka moved into closed session at 9:04 pm.

Treasurer Deschaine moved to exit closed session. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 7-0

Supervisor Styka moved the meeting out of closed session at 9:40 pm.

17. ADJOURNMENT

Trustee Opsommer moved to adjourn. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 7-0

Supervisor Styka adjourned the meeting at 9:41 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK