

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-APPROVED-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, MARCH 19, 2019 **6:00 pm.**

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

ABSENT: Trustee Sundland

STAFF: Township Manager Walsh, Assistant Manager Perry, Police Chief Plaga, Fire Chief Hamel, Information Technology Director Gebes, Community Planning and Development Director Kieselbach, Principal Planner Menser, Human Resources Director Marx, Parks and Recreation Director Maisner, Economic Director Buck

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 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

A. Findings of the Local Officials Compensation Commission

Director Marx presented on the findings and recommendation for a 2% increase from the Local Officials Compensation Commission.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:04 pm.

Louis and Max Boyang, 4573 Spicewood Dr., Okemos; spoke in support of Arts Council of Greater Lansing (Non-Agenda Item.)

Donna Rose, 6207 Cobblers Dr., East Lansing; spoke in opposition to Redi-Ride Millage (Agenda Item 12A).

Karla Hudson, 6009 Skyline Dr., East Lansing; spoke in opposition to Agenda Item 12A.

Fred Wurtzel, 1212 N. Foster, Lansing; spoke in opposition to Agenda Item 12A.

Mike Hudson, 6009 Skyline Dr., East Lansing; spoke in opposition to Agenda Item 12A.

Sung Lee, 1898 Shadywood Ln., Okemos; spoke in opposition to Agenda Item 12A.

Bill Collette, 2373 Barnsbury Rd., Okemos; spoke in opposition to Agenda Item 12A.

Neil Bowlby, 6020 Beechwood, Haslett; spoke on a John Veenstra Memorial donation program (Non-Agenda Item,) and spoke in opposition to Agenda Item 12A.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to Newton Park development (Agenda Items 13A/B/C).

Patty McPhee, Thames Dr., Haslett; spoke in opposition to Agenda Item 12A.

Supervisor Styka closed public remarks at 6:37 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported: Brianne Randall-Gay investigative report complete, *Shoptown vs. Meridian Township* update, 2018 audit with Yeo & Yeo, comprehensive road plan coming, Redi-Ride, Meridian Mall / Farmer's Market progress.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Clerk Dreyfus reported:

- Attended Michigan Municipal League (MML) Municipal Services and Elections Committee; analyzed and provided recommendations on legislation before Michigan House and Senate.

Treasurer Deschaine reported:

- Apologized on mentioning citizen by name at previous meeting.
- Treasurer's Office conducting Tax Settlement Process with Ingham County.
- Attended Downtown Development Authority (DDA) Downtown Okemos meeting; discussed Tax Increment Financing (TIF) applications.
- Announced Transportation Commission meeting, Mar. 22.
- Attended ribbon cutting for new Okemos orthopedic rehab facility.

Trustee Wisinski reported:

- Visited Aspen Lakes community, similar design to Newton Park Development.
- Received citizen comments on positive Redi-Ride usage.
- Preparing to attend Zoning Board of Appeals as Board liaison.

Trustee Jackson reported:

- Attended MML Capital Conference; discussed Governor Whitmer's budget proposal.
- Attended workshops on bias and government services for economic development.

Trustee Opsommer reported:

- Attended Land Preservation Advisory Board (LPAB) meeting; discussed 2019 Management Plan, Tower Woods tree planting on Apr. 27, Davis Foster Preserve control burn, buckthorn management.

8. APPROVAL OF AGENDA

Clerk Dreyfus moved to approve the Agenda as presented. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Trustee Opsommer moved to adopt the Consent Agenda as amended. Seconded by Clerk Dreyfus.

Treasurer Deschaine moved to include the summarized board communications in the next board packet. Seconded by Trustee Jackson.

VOICE VOTE: Motion passed 4-2 (Clerk Dreyfus, Supervisor Styka)

ROLL CALL VOTE

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

NAYS:
Motion carried 6-0

A. Communications

Trustee Opsommer 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 Dreyfus.

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

NAYS:
Motion carried 6-0

B. Minutes – March 5, 2019 Regular Meeting

Trustee Opsommer moved to approve and ratify the minutes of the Regular Meeting of March 5, 2019 as submitted. Seconded by Clerk Dreyfus.

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

NAYS:
Motion carried 6-0

C. Bills

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

Common Cash		\$	196,726.94
Public Works		\$	528,630.41
Trust & Agency		\$	351,206.35
	Total Checks	\$	1,076,563.70
Credit Card Transactions		\$	7,395.16
Feb. 28 to Mar 13			
	Total Purchases	\$	<u>1,083,958.86</u>
ACH Payments		\$	<u>516,627.00</u>

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

NAYS:
Motion carried 6-0

D. Georgetown #4 Public Streetlighting SAD #427-Resolution #5

Trustee Opsommer moved to approve the Georgetown #4 Public Streetlighting Improvements Special Assessment District #427 - Resolution #5, which approves the final special assessment roll, adopts the amount of \$2,263.28 as the first year assessment and the amount of \$1,256.64 (subject to adjustment) as the annual assessment thereafter. Seconded by Clerk Dreyfus.

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

NAYS:
Motion carried 6-0

E. DNR Park Acquisition Grant Application-Okemos Road

Trustee Opsommer moved to support the attached resolution to apply to acquire parcel numbers 33-02-02-16-200-011 from Richard and Lorraine McKane, Trustees, utilizing \$127,000 of grant funding through the Michigan Natural Resources Trust Fund and \$42,500 from the Park Millage to add 1.858 acres of land to the Meridian Township Parks. Seconded by Clerk Dreyfus.

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

NAYS:
Motion carried 6-0

F. Resolution of Declaration and Notice – North Meridian Road Park

Trustee Opsommer moved to approve the Resolution of Declaration and Notice for North Meridian Road Park. Seconded by Clerk Dreyfus.

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

NAYS:
Motion carried 6-0

G. Disposal of Surplus Vehicles

Trustee Opsommer moved to authorize the Department of Public Works to sell noted surplus vehicles at public auction, internet auction, or by sealed bid. Seconded by Clerk Dreyfus.

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

NAYS:
Motion carried 6-0

10. QUESTIONS FOR THE ATTORNEY – NONE

11. HEARINGS

A. MUPUD #18044 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview on the current proposed Mixed-Use Planned Unit Development (MUPUD) project and covered all required waivers.

Supervisor Styka opened the hearing at 7:08 pm.

Brett Forsberg, 2420 Jolly Rd., Okemos; presented on the proposed Newton Park project and the adjustments that have been made to meet recommendations and suggestions.

Jerry Fedawa, 5570 Okemos Rd., Okemos; developer of Sierra Ridge Neighborhood to the south, spoke on impact of proposed Newton Park development on Sierra Ridge Phase 4 of development; noted density concerns, encroachment into set-backs, and waiver increases.

Supervisor Styka closed the hearing at 7:29 pm.

B. WUP #18-03 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the current requests for Wetland Use Permits (WUP) by the Newton Park development and drainage locations.

Supervisor Styka opened the hearing at 7:33 pm.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to the WUP and to the Newton Park development.

Supervisor Styka closed the hearing at 7:35 pm.

C. Grand River Avenue Public Water Main Improvement SAD #49

Director Perry provided an overview of the Special Assessment District (SAD) to extend public water along Grand River Avenue.

Supervisor Styka opened the hearing at 7:36 pm.

Director Perry read a communication received by Steve Carpenter, 683 W. Grand River Ave., Okemos; in opposition to the perceived increase in cost.

Ali Damsaz, 743 W. Grand River Ave., Okemos; spoke on the possibility of expanding the service extension to help spread the cost of the project.

Supervisor Styka closed the hearing at 7:40 pm.12. ACTION ITEMS

A. Redi-Ride Millage

Treasurer Deschaine moved the Township Board renew and restore the previously authorized .2 (2/10) mills to maintain the Redi-Ride service for a period of five (5) years and have the Township Manager and Township Attorney draft the appropriate ballot language subject to the Township Board's approval and to authorize the Township Manager to negotiate a new Service Agreement with the Capital Area Transportation Authority (CATA) including the provisions recommended by the Transportation Commission. The new Service Agreement shall be approved by the Township Board prior to July 31, 2019. Seconded by Trustee Wisinski.

Board discussion: Current structure of CATA Redi-Ride services, CATA subsidy, disadvantages of "privatizing" Redi-Ride, need for reliable service, long history of good service, possible addition of 2020 Board Goal to investigate alternative options, alternative options should be a separate discussion, current millage with CATA as sole provider would preserve service, service should be provided by public entity, Township membership with CATA, issues should be addressed within Agreement, new public/private service would require separate Township resources, problems with initial development of Redi-Ride, past conversations of service and millage, some citizens with disabilities have long-standing concerns about Redi-Ride, promises made for years to not have CATA as sole service provider, importance of competitive bidding to obtain best services at lowest cost, initial intent of Redi-Ride was to connect riders with CATA fixed route service, impact of new ride-share services such as Uber, sufficient time available to analyze new transportation options right now, length of sole service contract, examples of public partnerships with Uber, Transportation Commission should draft RFP to bid out Redi-Ride service, no fear of lapse of coverage, bid process would reaffirm transparency and , CATA likely to receive contract even if put out to bid. BOARD DISCUSSED THE CURRENT REDI-RIDE SERVICES, CATA'S SUBSIDIES OF REDI-RIDE, THE DISADVANTAGES OF PRIVITIZING, AND THE NEED TO PRESERVE THIS SERVICE BY A PUBLIC QUASI-GOVERNMENTAL ENTITY. CONCERN ABOUT REDI-RIDE SERVICE AND THE POTENTIAL BENEFITS OF PUTTING OUT A RFP, AND THE IMPORTANCE OF COMPETITIVE

BIDDING. CONCERN ABOUT DELAYING THE REDI-RIDE RENEWAL. THE HIGH LIKLIHOOD THAT CATA WOULD RECEIVE THE CONTRACT IF WE PUT OUT AN RFP.

Clerk Dreyfus moved to renew and restore the previously authorized .2 (2/10) mills to maintain the Redi-Ride service for a period of five (5) years and have the Township Manager and Township Attorney draft the appropriate ballot language subject to the Township Board’s approval and to authorize the Township Manager to negotiate a new Service Agreement with a Service Provider, including the provisions recommended by the Transportation Commission.

Motion failed for lack of a second.

Supervisor Styka moved to amend the current motion by changing the date from “July 31, 2019” to “May 9, 2019.” Seconded by Trustee Opsommer.

VOICE VOTE

ON AMENDMENT: Motion passed 5-1 (Clerk Dreyfus)

~~Board discussion: Service can be improved, Redi-Ride agreement is an inter-governmental agreement, recognized issues with Redi-Ride, past attempts of Township at addressing issues, supplements from CATA and efforts to address issues, alternative service providers in the area, CATA is quasi-governmental, cost isn’t main concern, citizens negative reaction to decision for sole source contract with CATA, conflict of interest charges by citizen regarding Trustee Opsommer in his role as CATA Representative, upcoming decision to be made by Township Manager, CATA as a local government, CATA law allows municipalities to send representatives to Board of Directors, past Attorney Generals have noted ability for members to send representatives to authorities, complexities of Township transit system.~~ SERVICE CAN BE IMPROVED AND ISSUES ADDRESSED BY SERVICE AGREEMENT WITH CATA THAT CAN BE DRAFTED BEFORE IT GOES ON THE BALLOT. SOME CITIZENS HAVE SPOKEN OUT AGAINST RENEWING CATA MILLAGE. SAFETY AND ACCESSIBILITY SHOULD BE ADDRESSED AS WELL AS COST OF REDI-RIDE SERVICES. THE MANAGER STATED A BOARD MEMBER SERVING ON CATA BOARD IS ALLOWED BY STATE LAW.

[Clerk Dreyfus left the room at 8:20 pm.]

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

NAYS:
Motion carried 5-0

B. Rezoning #18160 (Giguere) - Final Adoption

Treasurer Deschaine moved to adopt the resolution for final adoption of Ordinance No. 2019-04 pursuant to Rezoning #18160. Seconded by Trustee Jackson.

Board discussion: Location and size of rezoning, details of rezoning, history of request.

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

NAYS:
Motion carried 5-0

C. Rezoning #18150 (Township Board) - **Final Adoption**

Trustee Opsommer move to adopt the resolution for final adoption of Ordinance No. 2019-03 pursuant to Rezoning #18150. Seconded by Treasurer Deschaine.

[Clerk Dreyfus re-entered the room at 8:29 pm.]

Board discussion: History of request, efforts of staff in land acquisition and Farmer’s Market development, needed for Commercial PUD compliance, public/private relationship with Meridian Mall.

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

NAYS:
Motion carried 6-0

D. Elevation at Okemos Pointe Brownfield Plan

Trustee Jackson moved to adopt the attached resolution approving the transfer of the Elevation at Okemos Point brownfield plan from Ingham County to Meridian Township. Seconded by Treasurer Deschaine.

Board discussion: Impact of transfer, ability to use Township Brownfield Authority.

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

NAYS:
Motion carried 6-0

E. Biber Street Land Transfer

Trustee Jackson move to authorize the Township Supervisor to sign the quit claim deeds to transfer two parcels of land from the Charter Township of Meridian to the Nancy L. Shepherd Revocable Trust. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

13. BOARD DISCUSSION ITEMS

A. MUPUD #18044 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed MUPUD.

Board discussion: examples of similar developments, amenities, development shift away from home-ownership in the Township and towards rental properties, possibility of increase in renters, meets both end of market, waiver requests, surrounding zoning, parking, set-back limits and other zoning categories, parking set-back waivers, distances from Newton Road right-of-way, responsiveness of development to concerns from Planning Commission, past rezoning of surrounding areas, analysis and concerns about rezoning history of property, only high-density residential and virtually no commercial in proposed MUPUD, site is on Business 69 and future land use focuses on commercial development along corridor, proposal does not align with original rezoning intent for commercial and residential mix, concerns about rental to homeownership ratio, wetlands and floodplains are excluded from open space count in Planned Unit Developments (PUD), property better suited as a PUD rather than MUPUD, negatives of including wetlands for density increase, proposed density too high –reduce dwelling limits per acre, current 61% to 39% owner-occupied to rental ratio, benefits of Towner Park, original design proposal adjustments, signage size, wetland drains, density allowed by MUPUD, amount of backyard included, possibility of mediation meeting, rezoning process.

Board consensus to put this item up for action at a future meeting.

B. WUP #18-03 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed Wetland Use Permit (WUP).

Board consensus to put this item up for action at a future meeting.

C. SUP #18091 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed Special Use Permit (SUP).

Board consensus to put this item up for action at the next meeting.

Supervisor Styka moved to discuss Agenda Item 13H next. Seconded by Trustee Opsommer.

H. Grettenberger Drain 434 Agreement

Director Perry provided overview of a plan to provide funding to Country Drain Office to conduct a drain study.

Carla Clos, Deputy Ingham County Drain Commissioner, provided an overview of the plan to conduct a study on the Grettenberger Drain.

Alan Boyer, Principal Engineer, LSG Engineers and Surveyors, provided history and status of the current drain.

Board discussion: Work in conjunction with MDOT and ICRC Okemos Road Enhancement, reduce impact of multiple projects on public, cost to Township, budget amendment process, partnering.

Treasurer Deschaine moved to suspend the rules and allow for action. Seconded by Trustee Opsommer.

Treasurer Deschaine moved to authorize the Township Supervisor to sign the attached Agreement for Advance of Money for Drain Work Pursuant to Section 434 of Act No. 40 of the Public Acts of 1956, as amended, agreeing to advance the Ingham County Drain Commissioner \$54,350 for the Grettenberger Drain and its associated tributaries hydrologic and hydraulic study. Seconded by Trustee Opsommer.

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

NAYS:
Motion carried 6-0

D. Grand River Avenue Public Water Main Improvement SAD #49

Director Perry provided an overview of the project process and identified reasoning for the increased cost.

Board discussion: Increases in costs, early estimates, costs increase over time, possible inclusion of additional parcels, distance from public sewer service.

Board consensus to put this item up for action at a future meeting.

E. Time Limitations for Vending

Director Kieselbach described changes to the times that allow for door to door vending.

Board discussion: Limits those offering goods/services for sale, time restrictions, preserving first amendment rights vs privacy and safety.

Board consensus to put this item up for action at the next meeting.

F. Fireworks Ordinance

Director Kieselbach presented on required changes to Township ordinances in response to recently passed State legislation, with added Township adjustments.

Board discussion: Restriction windows, established timeframes set by the State, enforcement of using fireworks while intoxicated, fine limits and enforcement details.

Board consensus to put this item up for action at the next meeting.

G. Kansas Road Sewer Special Assessment District (SAD) #52 Reapportionment

Director Perry presented details on an established SAD that is being reapportioned due to the splitting of parcels.

Board discussion: cost apportionment after splitting of parcels.

Board consensus to put this item up for action at a future meeting.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 10:03 pm.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to Agenda Item 13A. (MUPUD #18044 - Newton Pointe LLC)

Supervisor Styka Closed Public Remarks at 10:06 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Clerk Dreyfus reported:

- Very concerned about practice of City of East Lansing in secretly conducting land auction via eBay to sell million-dollar public property, EL citizens upset about lack of transparency.

16. ADJOURNMENT

Treasurer Deschaine moved to adjourn. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

Supervisor Styka adjourned the meeting at 10:08 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK