

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY FEBRUARY 21, 2012 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Veenstra
ABSENT: Trustee Ochberg
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Phil Ballbach, 2723 E. Lake Lansing Road, East Lansing, spoke in opposition to the Township Board holding meetings in closed session on topics which should be open to the public.

Leonard Provencher, 5824 Buena Parkway, Haslett, stated draft minutes should be available in the public packet and online. He believed the Board's February 7, 2012 closed session violated Section 15.268 of the Open Meetings Act and took exception to the fact that once the Board returned to open session, it did not televise or audibly record its vote.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Treasurer's Report

Treasurer Brixie thanked taxpayers who paid their winter taxes before the February 14th deadline. She noted approximately 95% of property owners pay their taxes on time, and reminded the remaining taxpayers they have until February 29th to pay their delinquent taxes here at the Township. Treasurer Brixie indicated after that date, all remaining delinquent taxes will be turned over to Ingham County for collection.

Treasurer Brixie gave an update on current fixed maturity investments and non-fixed investments (as of January 31, 2012), delinquent personal property tax collections for 2006-2010 and 2011 distribution totals as of February 10, 2012.

Treasurer Brixie indicated the Township Assessor will be holding an Assessor's Review February 27th through March 1, 2012. She reported her attendance at the most recent Meridian Economic Development Corporation (EDC) Meeting, the Lansing Regional Chamber of Commerce's Intergovernmental Meeting and the Meridian Area Business Association (MABA) Meeting.

Trustee Veenstra reported his attendance at the February 15th regular meeting of the Transportation Review Committee of the Tri-County Regional Planning Commission. He noted at that meeting, the proposed roundabout at Okemos and Hamilton Roads was deleted from the Transportation Improvement Program. He expressed disappointment that the draft minutes are not in the "white" public notebook at the back of the room.

Trustee Dreyfus expressed appreciation for Mr. Chester Lewis' well written letter regarding Wolverine Pipeline's land clearing in Meridian Township's subdivisions. He encouraged homeowners who have the pipeline running through their land to take notes and photographs of the right-of-way. He questioned the 66 foot standard used by the pipeline for maintenance clearing and urged residents to exercise their rights relative to landscaping and damage to their property.

Supervisor McGillicuddy clarified that Wolverine Pipeline is an old line and many of the homes were built after the pipeline was installed. She noted Wolverine Pipeline has an existing contract with the Township to cut the right-of-way, adding that Wolverine Pipeline was defeated in its attempt to move the pipeline to the road right-of-way.

Supervisor McGillicuddy reported her attendance at the MABA meeting. She noted Capital Area Transportation Authority's (CATA) Small Starts application for the BRT project on Grand River/Michigan Avenue was submitted to the federal government on February 16th. Supervisor McGillicuddy indicated she continues to meet with interested parties in an effort to remediate the erosion problem on the Sylvan Glen Land Preserve.

At the Supervisor's request, Township Manager Richards gave an update on the Wood Valley Lift Station and addressed the water on Ms. Cathy Baird's property, noting involvement by the Ingham County Drain Commissioner's (ICDC) office.

Supervisor McGillicuddy indicated her belief the Township has partial responsibility for the water in Ms. Baird's yard.

Township Manager Richards responded it is unclear whether the Township has responsibility in this matter, but is certainly working with the property owner and others to ascertain options for resolution to this water problem.

Supervisor McGillicuddy requested the Township work out a solution with the ICDC to remove the excess water, paying special attention to elevations. She noted the Township needs to be part of the solution as it approved the subdivision.

Township Manager Richards indicated the Public Works Director can come before the Board to explain this particular situation and how elevations are set for subdivisions.

Clerk Helmbrecht indicated the Presidential Primary Election is scheduled for Tuesday, February 28th. She stated the polls will be open from 7:00 AM until 8:00 PM on that day and the Clerk's office will be open Saturday, February 25th from 8:00 AM until 2:00 PM for citizens who would like to apply for and receive an absentee ballot. Clerk Helmbrecht added that residents can also obtain an absentee ballot from the Clerk's office until 4:00 PM on Monday, February 27, 2012; however, the ballot must be voted in the building.

Trustee Veenstra requested the minutes be made an action item. Having received no support, he then requested a separate vote on the minutes.

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda as submitted. Seconded by Supervisor McGillicuddy.

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Treasurer Brixie moved to adopt the Consent Agenda as amended. Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

The adopted Consent Agenda items are as follows:

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 LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

B. Minutes

Trustee Veenstra moved to approve and ratify the minutes of the February 7, 2012 Regular Meeting as amended. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

C. Bills

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

Common Cash	\$ 190,377.46
Public Works	\$ 339,498.09
Total Checks	\$ 529,875.55
Credit Card Transactions	\$ 9,963.24
Total Purchases	<u>\$ 539,838.79</u>
ACH Payments	<u>\$ 625,953.94</u>

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

[Bill list in Official Minute Book]

D. Assessing Stipulations

Treasurer Brixie moved that the Township Attorney be authorized to sign a stipulation with Toys R Us in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 364085
TOYS R US
PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-22-251-015	1705 Newman	2009	\$2,002,200	\$1,967,811
33-02-02-22-251-015	1705 Newman	2010	\$1,769,600	\$1,769,600
33-02-02-22-251-015	1705 Newman	2011	\$1,702,000	\$1,702,000

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-22-251-015	1705 Newman	2009	\$1,700,000	\$1,700,000
33-02-02-22-251-015	1705 Newman	2010	\$1,500,000	\$1,500,000
33-02-02-22-251-015	1705 Newman	2011	\$1,450,000	\$1,450,000

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: Trustee Veenstra
 Motion carried 5-1.

Treasurer Brixie moved that the Township Attorney be authorized to sign a stipulation with Kohl’s Department Stores, Inc. in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 369838
 KOHL’S DEPARTMENT STORES, INC.
 PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-22-201-010	1710 Newman	2009	\$3,838,500	\$3,838,500
33-02-02-22-201-010	1710 Newman	2010	\$3,601,600	\$3,601,600
33-02-02-22-201-010	1710 Newman	2011	\$3,406,800	\$3,406,800

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-22-201-010	1710 Newman	2009	\$2,872,500	\$2,872,500
33-02-02-22-201-010	1710 Newman	2010	\$2,740,000	\$2,740,000
33-02-02-22-201-010	1710 Newman	2011	\$2,607,500	\$2,607,500

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: Trustee Veenstra
 Motion carried 5-1.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with 2400 Science Parkway, LLC in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 425057
2400 SCIENCE PARKWAY, LLC
PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-28-176-020	2400 Science Parkway	2011	\$491,600	\$491,600

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-28-176-020	2400 Science Parkway	2011	\$400,000	\$400,000

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: Trustee Veenstra
Motion carried 5-1.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Parkview Development, LLC in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 425705
PARKVIEW DEVELOPMENT, LLC
PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-21-452-001	2248 Mt. Hope	2011	\$469,500	\$469,500

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-21-452-001	2248 Mt. Hope	2011	\$375,000	\$375,000

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
 Helmbrecht, Treasurer Brixie
 NAYS: Trustee Veenstra
 Motion carried 5-1.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Jon Somerville in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 428884
 JON SOMERVILLE
 PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-24-326-006	534 Grand River Avenue	2011	\$84,000	\$82,173

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-24-326-006	534 Grand River Avenue	2011	\$67,500	\$67,500

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
 Helmbrecht, Treasurer Brixie
 NAYS: Trustee Veenstra
 Motion carried 5-1.

- E. Appointment to the Cable Communications Commission
Treasurer Brixie moved that Tunga Kiyak be appointed to the Cable Communications Commission to fill a vacant position for a three year term ending December 31, 2014. Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Supervisor McGillicuddy, Clerk
 Helmbrecht, Treasurer Brixie
 NAYS: Trustee Veenstra
 Motion carried 5-1.

- 8. QUESTIONS FOR THE ATTORNEY (None)
- 9. HEARINGS (None)
- 10. ACTIONS ITEMS/ENDS (None)
- 11. DISCUSSION ITEMS/ENDS
 Supervisor McGillicuddy opened and closed Public Remarks.

- A. Trilogy Health Services Concept Plan
 Director Kieselbach summarized Trilogy's concept plan as outlined in staff memorandum dated February 16, 2012.

Mike Powell, Powell Engineering & Associates, 4700 Cornerstone, White Lake (representative for the applicant), explained the initial proposed project and highlighted modifications made based on comments received by commissioners at the February 13, 2012 Planning Commission meeting.

Board members, applicant's representative, property owner and staff discussed the following:

- Proposed road "hits" Central Park Drive on a curve
- Ingham County Road Commission (ICRC) requirement for a 400 foot line of sight distance to the north and south must be met with the proposed location of the road
- Access to this site through an extension to Newman Road would require filling a large wetland
- Support for the Planning Commission's request for covered bicycle parking
- Necessity of adequate parking
- Provision for 24 additional deferred parking spaces if business demands the need
- Suggestion to move the road to the southern end of the two parcels to ease the traffic conflict on Central Park Drive during peak use
- Suggestion to plant coniferous type landscaping to create a sound buffer for the two homes to the east off Powell Road
- Eight (8) foot soundproof concrete wall on four (4) sides of the relocated generator so that the noise travels up
- Preference to move the project to the south near the existing medical facility on Grand River Avenue
- Concern that Nassau Street "dead ends" into this facility and will prevent nearby development of additional residential homes
- Board member belief the residential neighborhood should extend much further south before placement of the proposed facility
- Board member belief this is a poor location for the facility
- Board member preference that the proposed facility be located elsewhere
- Parcel to the south is larger than needed for development of the proposed facility
- Township requested the property owner pay \$500,000 for construction of Central Park Drive several years ago
- Township also agreed to give the property owner a CS zoning designation for the subject parcel and the zoning designation was subsequently "taken away" from the owner
- Property owner's statement this is the first sale of land which would allow him to help pay for his \$500,000 road investment
- Property owner and applicant agreed this parcel was the only one feasible for both parties
- Preference to have this facility, with the accompanying berm and landscaping, behind a home rather than backed up to another home as in conventional subdivisions
- No plans at the present time to extend Columbia Avenue and build additional homes to the south of this facility
- Court order indicated this property could be zoned residential
- Amount of parking "ties in" with the amount of impervious surface as well as the amount of greenspace and landscaping, etc.
- Concern with estimates made regarding number of employees, guests and corresponding parking spaces
- Preference for keeping the deferred parking in its "raw" state until needed
- Amount of landscaping depicted in another facility owned by Trilogy does not fit harmoniously for Meridian Township residents
- Suggestion to pay significant attention to landscaping, strategically placing the maximum amount of trees and shrubs on the property

- B. Zoning Amendment #12010 (Planning Commission) permit by right, gas station fuel price sign
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated February 16, 2012.

Board members discussed the following:

- Support for this amendment would result in no longer requiring a special use permit for fuel pricing signage

- Suggestion to change the word “automatically” to either “remotely” or “electronically”

Without objection, Supervisor McGillicuddy placed this item on for action at the March 6, 2012 Board Meeting.

C. Possible 2012 Millage and Bond Proposal Elections

Township Manager Richards summarized possible 2012 Millage and Bond Proposal Election language as outlined in staff memorandum dated February 17, 2012.

Board members and staff discussed the following:

- \$233,00 estimate of revenue collected from the .15 mill Community Services millage renewal and increase is “representative” of another drop in property values
- The Community Services millage renewal and increase is important to continue providing high quality services offered at the Meridian Senior Center
- Decrease experienced in property values when dealing with such small millages is really “felt” in services provided
- Support for placing the .15 mill on the August Primary ballot for the ten year period
- Increased funding would allow the Senior Center to increase its hours of operation
- Road repair millage is a “straight” renewal and an important funding source to keep Meridian roads operational
- As the Township’s population ages, an increasingly important function of government is to provide services to senior citizens
- The Township’s aging population is remaining in Meridian Township
- The Township relies mainly on county funding for road improvements and must compete with other municipalities for that funding
- Revision in the state gasoline tax needed to keep up with inflation relative to funding for road improvements
- Township will provide information on the amount of road work over the last several years
- Township has previously been able to perform a 7-10 year road repair fix
- Meridian Township encompasses 150 miles of roads on which the road repair renewal millage is used
- Official ballot language for both of these millages will be available when the Board votes on this issue
- More money should go into the road program
- Ingham County Road Commission (ICRC) has jurisdiction over all Township roads except local roads
- ICRC is limited by statute to fund up to a maximum of 50% of road maintenance and repair and is silent on how the remaining 50% is funded
- Twenty year time period for renewal of the road improvement millage is too long
- Preference for a ten year renewal of the road improvement millage
- Township has fallen behind in its road repair for approximately 15 years
- Township has the ability not to levy millage in the event sufficient funding becomes available from the ICRC
- No cost to the Township to place an issue on the ballot in even numbered years

Without objection, Supervisor McGillicuddy placed the Community Services millage renewal and road improvement millage renewal on for action at the March 6, 2012 Board Meeting.

D. Possible 2012 Citizen Survey Policy Questions

Township Manager Richards summarized possible 2012 Citizen Survey Policy Questions as outlined in staff memorandum dated February 17, 2012.

Board members and staff discussed the following:

- Number of questions on the citizen survey is dependent upon space and the number of sub-questions
- Finalized questions will need to have background information so there is sufficient context for respondents to answer the survey question(s)

- Confusion surrounding the off-road pathway sub-question relative to “trails” on Land Preservation property
- Need for consistency throughout Township documents with the term “primitive pathways” relative to Land Preservation property
- Objection to asking the question regarding eliminating the soccer field to the west of the Farmers Market to allow for market expansion
- Sub-question regarding the elimination of the soccer field as an option for market expansion without relocation
- Farmers Market and its sub-questions as the first question which should be asked on the citizen survey
- Public Art as the number two question on the citizen survey
- Off-road pathways as the third question on the citizen survey
- Possible replacement for the off-road pathway question: parking of recreation vehicles and trailers in driveways and back yards
- Concern with the sub-question regarding additional taxes to fund improvements to the Farmers Market as all listed options will require additional revenue expenditure
- Land Preservation pathways are not “usage based” and should not be included in the question as presented in the packet
- National Citizen Survey staff will look at the question and then set up the answer scale to remove the bias
- Belief “no cost” alternatives should be exhausted before asking voters to approve spending more money
- Suggestion that vendors park away from the pavilion to free up more parking spots is not viable as they use their vehicles for storage to replenish sold items
- One goal of expansion of the existing location or alternative locations is to allow all vendors the ability to be in close proximity to their “wares”
- Belief an extension of hours would alleviate the parking congestion for the Farmers Market
- Vast majority of residents shop at the market earlier in the morning and the current location cannot handle the volume of traffic
- Some vendors set up the evening before the market and remain all night
- Congestion at the market takes place in a concentrated period of time
- Advisory committee of vendors work with the market master to review rules and regulations
- Many benefits to a new market
- Suggestion to look at the possibility of expansion of the Farmers Market as a general fund expenditure in the future
- General fund should include items which have value to the community and the Farmers Market is one of them
- Suggestion to specify the amount of dedicated millage in the narrative for off-road pathways

It was the consensus of the Board to continue discussion of the citizen survey policy questions at the March 20, 2012 Board Meeting.

E. Personnel Policies

Township Manager Richards summarized personnel policies as outlined in staff memorandum dated February 17, 2012.

Board members and staff discussed the following:

- Suggestion to augment the number of step increases from the current six (6) to either eight (8) or ten (10)
- “Anniversary date” should be the date of hire for the specific position, not the original date of hire
- Under Policy Governance, it is the Board’s role to ask questions and receive responses by the Township Manager
- If the Township Manager’s answers are not satisfactory, then Policy Governance must take a subordinate role to the role of the Board
- Current employment environment has changed dramatically
- Belief the monetary step increases are too dramatic

- Belief the contract language regarding “anniversary date” is an error and needs to be corrected
- Concern with the “fairness aspect” of union v. non-union personnel policies
- Preference for both personnel policies to remain as written to maintain fairness
- Goal is to increase the number of steps and needs to be negotiated into all union contracts
- Township Board has the authority to change personnel policies and it has done so in the past
- Request for staff to provide the Board with a general understanding of “steps” and how they function
- Preference for there to be a full complement of the Board when this topic is voted upon
- Preference for both union and non-union personnel policies to be changed

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Daria Schlega, 2446 Burcham Drive, East Lansing, expressed concern surrounding “a secret agreement” entered into by the Board regarding WalMart at the February 7, 2012 Board meeting.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in favor of the community services millage renewal and increase being placed on the August 7th Primary ballot. He objected to a 20 year renewal for the road millage and suggested a ten (10) year period. Mr. Provencher did not support a millage or use of park money to help fund the Farmers Market. He addressed the Township’s personnel policies relative to step increases.

Phil Ballbach, 2723 E. Lake Lansing Road, East Lansing, spoke to the minutes being made available to the public prior to Board approval as a positive step. He indicated his belief that the Township Board went into closed session at the last meeting “without good reason” and gave citizens the impression that special interests are being protected.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra agreed with points contained in the letter written by Chester Lewis objecting to Wolverine Pipeline’s intent to clear cut trees and bushes on residential property. He suggested the easement for the pipeline should be clearly marked for lots in Ember Oaks and such language should be made a condition of the preliminary plat extension.

Supervisor McGillicuddy noted the pipeline is clearly marked on the Ember Oaks site plan and on the ground.

Treasurer Brixie clarified the Board’s discussion this evening regarding the Farmers Market was relative to Citizen Survey Policy Questions, not a 2012 ballot issue.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:40 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary