

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MARCH 16, 2010 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra (6:02 P.M.)
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief
Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Manager/ Human Resources
Director Paul Brake, Director of Parks & Recreation LuAnn Maisner

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.

Barbara Kissling, Chair, Harris Nature Center Foundation, 1480 Sylvan Glen Road, Okemos, spoke in support of the grant application to help fund the Harris Nature Center river overlook.

Greg Crockett, 4390 Congdon Drive, Williamston, announced his candidacy for 30th Circuit Court Judge.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy thanked Township Manager Richards for the 2009 Annual Report. She announced the Meridian Area Business Association (MABA) Expo will be held at the Haslett High School on Saturday, March 20th from 10:00 a.m. until 3:00 p.m. Supervisor McGillicuddy reported the Township's Recycling Event will be held on April 24, 2010 in the Township Hall parking lot. She noted items to be accepted for recycling include books, telephone books, bicycles, scrap metal, polystyrene, pharmaceuticals and document destruction.

Treasurer Brixie announced her attendance at the last MABA and Economic Development Corporation meetings. She stated she spoke to the Institute of Transportation Engineers regarding the Township's new bicycle parking ordinance. Treasurer Brixie indicated the reconfiguration of the Clerk's and Treasurer's offices has been finalized.

Trustee Ochberg reported she and Treasurer Brixie attended a forum hosted by the Towne Courier and held at the Okemos Library. Of note, she indicated the editor, Curt Madden, encouraged anyone to write articles to submit to the newspaper.

Trustee Veenstra recognized township resident Leslie Kuhn for being named Ingham County Parks Volunteer of the Year. He noted she spearheaded the drive to raise substantial matching funds to enable the Township to purchase 120 acres of land adjacent to Lake Lansing Park North. Trustee Veenstra attended both the Tri-County Regional Planning Commission Grants Committee and the Transportation

Review Committee where discussion took place on Lansing Parks Department's application for a \$500,000 grant to aid in the development of Crego Park (located on the northeast corner Mt. Hope and Aurelius Road) and *Accelerate Lansing's* effort to have Google choose the greater Lansing community as its fiber community, respectively.

Trustee Dreyfus also expressed appreciation to Manager Richards and staff for the 2009 Annual Report.

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda as submitted. Seconded by Clerk Helmbrecht.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follows:

A. Communications

(1). Board Information (BI)

BI-1 Gerald J. Bugenski, 2567 Jolly Road, Okemos; RE: Support for lowering the speed limit on Jolly Road between Hagadorn and Okemos Roads

BI-2 Paulette and Don Hodney, 3621 Breezy Point, Okemos; RE: Support for lowering the speed limit to 45 mph on Jolly Road between Dobie and Hagadorn Roads

BI-3 John Brewster, 4379 Wausau, Okemos; RE: Dog Park in Legg Park

BI-4 Carolyn Tobin, 6117 Cottage Drive, Haslett; RE: Support for an alternate location to a dog park in Legg Park

BI-5 Kathrine Neils, 5576 Shoeman Road, Haslett; RE: Support for an alternate location to a dog park in Legg Park

(2). Commission Linkage (CL)

CL-1 Eckhart Dersch, Meridian Township Park Commissioner; RE: Memorandum to fellow Park Commissioners regarding Riverfront Park

(3). Staff Communications (SC)

SC-1 Deborah Guthrie, Cable Coordinator; RE: Comcast letter announcing digital enhancement of its network in Meridian Township

SC-2 Director Mark Kieselbach, Community Planning and Development; RE: Letter of transmittal indicating Planning Commission approval of Commission Review #10043

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

Material received at the March 2, 2010 Board Meeting

OF-1 Chris M. Olson, 2416 Shawnee Trail, Okemos; RE: Lack of snow plowing on Shawnee Trail after a large snowfall

OF-2 Tom Scott, 4291 Cherry Hill Drive, Okemos; RE: Dangerous conditions of subdivision roads due to lack of snow plowing after a large snowfall

- OF-3 Anthony M. Gomez, Managing Partner, Capital Honda, 2651 Jolly Road, Okemos;
RE: Support for lowering the speed limit on Jolly Road to 45 mph between Hagadorn and Hulett Roads
- OF-4 Amy Hartwell, Northwinds Heating & Cooling, Inc., 2861 W. Jolly Road, Okemos;
RE: Support for lowering the speed limit on Jolly Road to 45 mph between Hagadorn and Okemos Roads
- OF-5 Barbara Krejcik, Northwinds Heating & Cooling, Inc., 2861 W. Jolly Road, Okemos;
RE: Support for lowering the speed limit on Jolly Road to 45 mph between Hagadorn and Okemos Roads
- OF-6 Brigitte Beard, Allegra Print & Imaging, 2805 Jolly Road, Suite 220, Okemos; RE:
Support for lowering the speed limit on Jolly Road to 45 mph between Hagadorn and Okemos Roads
- OF-7 Teresa Martonhegyi, Allegra Print & Imaging, 2805 Jolly Road, Suite 220, Okemos;
RE: Support for lowering the speed limit on Jolly Road by Okemos High School
- OF-8 Michael Peters, President/CEO, Michigan Electric Cooperative Association, 2859 W. Jolly Road, Okemos; RE: Support for a uniform speed limit of 45 mph on Jolly Road
- OF-9 Jan Allen, 1810 Nemoke Trail, Haslett; RE: Support for lowering the speed limit on Jolly Road to 45 mph between Hagadorn and Okemos Roads
- OF-10 Lynne Page, Chair, Okemos High School Traffic Safety Committee, 3912 Raleigh Drive, Okemos; RE: Information relative to Agenda Item #10C: Jolly Road Speed Limit between Hagadorn and Okemos Roads

Trustee Ochberg 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 Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

B. Minutes

Trustee Ochberg moved to approve and ratify the minutes of the March 2, 2010 Regular Meeting as submitted. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

C. Bills

Trustee Ochberg moved that the Township Board approve the Manager's Bills as follows:

Common Cash	\$ 791,479.06
Public Works	\$ 465,942.12
Total Checks	\$1,257,421.18
Credit Card Transactions	\$ 8,654.72
Total Purchases	<u>\$1,266,075.90</u>
ACH Payments	<u>\$ 333,021.01</u>

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None
 Motion carried unanimously.

[Bill list in Official Minute Book]

D. Assessing Stipulations

Trustee Ochberg moved that the Township Assessor be authorized to sign a stipulation with Nextel West Corporation, on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2008	0348770	4660 Hagadorn, East Lansing
<u>Assessment</u>	2008	<u>AV/TV</u> \$79,700/79,700
<u>Proposed Assessment</u>	2008	<u>AV/TV</u> \$54,900/54,900

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Trustee Ochberg moved that the Township Assessor be authorized to sign a stipulation with Nextel West Corporation, on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2008	0348771	4087 Dobie Road, Okemos
<u>Assessment</u>	2008	<u>AV/TV</u> \$43,300/43,300
<u>Proposed Assessment</u>	2008	<u>AV/TV</u> \$26,300/26,300

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Trustee Ochberg moved that the Township Assessor be authorized to sign a stipulation with Nextel West Corporation, on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2008	0348772	2119 Towner, East Lansing
<u>Assessment</u>	2008	<u>AV/TV</u> \$49,900/49,900
<u>Proposed Assessment</u>	2008	<u>AV/TV</u> \$14,600/14,600

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

Trustee Ochberg moved that the Township Assessor be authorized to sign a stipulation with Nextel West Corporation, on the following property:

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>	
2008	0348773	1593 Haslett Road, Haslett	
<u>Assessment</u>	2008	<u>AV/TV</u>	\$89,100/89,100
<u>Proposed Assessment</u>	2008	<u>AV/TV</u>	\$38,800/38,800

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

E. Police Department Promotions

Trustee Ochberg moved to ratify the promotion of Greg Frenger to the position of Police Lieutenant and Barton J. Crane to the position of Police Sergeant as described in the memorandum dated March 12, 2010. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

F. Resolution for Grant Application, Harris Nature Center Foundation

Trustee Ochberg moved [and read into the record] NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP BOARD FOR THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, as follows:

To support submission of a grant application by the Harris Nature Center Foundation to the Capital Region Community Foundation for construction of a river outlook at the Harris Nature Center, with an estimated project cost of \$26,000; and to provide gap funding in a amount not to exceed \$10,000 from the Township's Park Millage Fund, which will be reimbursed by the Harris nature Center Foundation as funds become available.

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

- Authorized personnel who see a violation outside of their scope of responsibility will contact the appropriate staff
- Request that amendment language to an ordinance be placed in caps and deletions struck through as a policy for ease of Board member reading
- Concern with inclusion of park rangers

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

C. Google Fiber for Communities

Trustee Veenstra moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED, THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, supports the efforts of local communities to bring “Google Fiber for Communities” to the Greater Lansing Region. Seconded by Treasurer Brixie.

Board members and staff discussed the following:

- Asset for the community, including job creation
- *Accelerate Lansing* is the umbrella group for the Greater Lansing area
- Language contained in the resolution of “up to” v. “more than”
- Google is looking for a strong community base of support
- Link from the Township website to www.greaterlansing4google.com
- MABA Expo on March 20th will have a Greater Lansing for Google booth to assist attendees in registering their support
- 6 communities which have joined forces as the Greater Lansing area: Meridian Township, Lansing, East Lansing, Lansing Township, Delhi Township and Delta Township
- Single application from the Greater Lansing area to show a unified voice

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Marvin Johansen, Lake Lansing Watershed Advisory Committee (LLWAC) member, 6236 W. Reynolds, Haslett, noted the organization supports the concept of a lawn fertilizer ordinance.

Supervisor McGillicuddy closed public comment.

C. Lawn Fertilizer Ordinance

Director Kieselbach summarized the law fertilizer ordinance amendments as outlined in staff memorandum dated March 12, 2010.

Board members discussed the following:

- Key is how to make the proposed ordinance effective
- Phosphorus adheres well to soil particles
- Most soils have enough phosphorus for lawn growth
- Board member belief that it is not necessary to add phosphorus in most cases
- Soil particles to which phosphorus fertilizer has been applied get washed into a drain or Lake Lansing
- Phosphorus stimulates weed growth in Lake Lansing
- Require lawn and garden stores to keep fertilizer with phosphorus “behind the counter”
- Concern such a separation requirement would be a burden on Township businesses
- Legal counsel advice that the “behind the counter” requirement may run into problems with businesses which operate outside of the State of Michigan

- Legal advice that a prohibition of phosphorous fertilizer would run contrary to federal law due to interstate commerce concerns
- Outright ban on the sale of phosphorus fertilizer is illegal in Michigan
- Environmental Commission would be an excellent conduit to take on the task of educating Township residents on the use of phosphorous fertilizer through a multi-media approach
- Concern with the ability to enforce this ordinance
- Encourage stores who carry phosphorous fertilizer to use signage to apprise customers of the Township's desire to use non-phosphorous fertilizer
- Opposition to adopting ordinances which cannot be enforced
- Suggestion to send a motion/resolution to the Environmental Commission asking them to create an educational program encouraging residents to use non-phosphorous fertilizer
- Delay the effective date of this ordinance while the Environmental Commission implements its educational component
- Suggestion to delete violations section would result in no enforcement
- Preference for immediate adoption with a six-month period in which to educate prior to writing tickets
- Suggestion to place article in the *Monitor* as one educational component
- Township wide educational effort
- Deletion of subsection (1) in the exemption section regarding new lawns

The consensus of the Board was to allow staff to implement Board recommendations and place this item on for discussion at the April 6, 2010 Board Meeting.

- A. Mixed Use Planned Unit Development (MUPUD) Ordinance Amendments
Director Kieselbach incorporated Board comments from the last meeting as outlined in the staff memorandum dated March 12, 2010.

Board members discussed the following:

- Page 4, Line 135: Consensus was to reference subsection c only
- Board member belief that redevelopment cannot be its own amenity
- Page 4, Line 152: Consensus of the Board was to remove "redevelopment"
- Greater density as an incentive to prompt developer to use four (4) of the list amenities
- Lack of density option would not prompt developer to incorporate any of the amenities
- Consensus for staff to prepare language incorporating a redevelopment density bonus as an amenity if the site was an acre or less
- Page 5, line 153: Opposed to mixing the uses horizontally as one developer chose to construct the residential component but not the commercial portion and the Board cannot mandate construction of what it permitted
- Possible request for an infrastructure performance bond in order to guarantee completion of a project
- Need to establish length of time for builder to carry the performance bond
- Board approval of a MUPUD project does not require mandatory construction
- Concern that abolishing "phasing" would result in specific types of projects and not provide diversity
- Average of eight (8) units per acre for approved MUPUDs in the Township
- Incentive for a developer to use MUPUD is flexibility in design
- Request for staff to provide the number of current MUPUDs which have four (4) amenities
- Density is approved by the Board and the applicant cannot request a variance for additional dwelling units per acre
- Allowed density contained in the ordinance does not require the Board to approve the highest density for the site
- Density range between RA and RAAA
- Vast majority of single and multiple-family residential zoning is under 10 dwelling units per acre
- Request for staff to include language which incorporates additional amenity credit for a higher level of LEED certification
- Purpose of the MUPUD is to more efficiently utilize and urbanize the Township's commercial area

- Recognition that a compact form of land development is more sustainable for the planet
- Point of mixed use is to have high density and compact development
- Way to relieve the burden of sprawl from the rest of the community is to provide compact development in appropriate areas which are already designated for commercial or office use
- Trade-off of green space that is needed in order to protect the other parts of the Township which are trying to prevent sprawl from occurring
- Need for balance between compact density and greenspace within a development
- Need for amenities to be land based to prevent increased sprawl
- Weighted scale of amenities to determine appropriateness
- Land Preservation Program was borne out of the fear that open space, greenspace and woods would disappear if there was development
- Land Preservation allowed development and natural green spaces to live together
- Township residents have contributed \$10 million to ensure this community will always have greenspace and woods
- MUPUD is only one form of development in the Township
- In areas where mixed use could best be utilized, there may be no greenspace to offset the development
- Requiring greenspace onsite to evenly offset density runs contrary to the MUPUD purpose
- Beauty of Meridian Township is the green throughout the community acquired through Land Preservation parcels
- Cost of multilevel or underground parking
- Current Central Park and Marsh Road projects were given “leeway” by the Board although neither is in the commercial centers of Meridian Township
- Current MUPUD encourages development on undeveloped land that has no connection to the centers of commercial activity

The consensus of the Board was to continue discussion at a future meeting.

- B. Zoning Amendment #09070 (Township Board), a request to add Section 86-443 Wind Energy Overlay District and amend other applicable sections of the Code of Ordinances to establish regulations pertaining to wind energy systems

Director Kieselbach summarized the wind energy overlay district as outlined in staff memorandum dated March 12, 2010.

Board members and staff discussed the following:

- Concern with the length of blades
- Requirement that blades have ground clearance of twenty (20) feet
- Difficulty in writing the ordinance due to rapid change in wind energy technology
- Wind energy systems currently not allowed in the Township
- Concern that proposed ordinance is overly complicated
- Suggestion to delete all references to anemometers
- Anemometer references in the proposed ordinance intended to address those placed on a pole/tower and used to test if there is sufficient wind energy
- Suggestion to delete all references to utility grid sized systems
- Measurements for a ground mounted system are taken at the base where the pole is going to be placed
- Staff researched twelve (12) different Michigan communities and 50 ordinances across the country in the drafting of this proposed ordinance
- Concern that the proposed language prohibits the “traditional” windmill
- Challenge in writing the ordinance is that consideration must be given to all applications for all lot sizes
- Windmill in the Historical Village would need to be grandfathered into the ordinance

The consensus of the Board was to place this item on for a public hearing at its April 6, 2010 Board Meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Ochberg clarified a misquote contained in the memorandum from Park Commission Chair Banas relative to the Land Preservation Ad Hoc Committee. She announced her absence at the April 6, 2010 Board meeting.

Treasurer Brixie inquired as to possible Township membership in the Lansing Regional Chamber of Commerce (LRCC) at a cost of \$365.00.

Supervisor McGillicuddy believed budget discussion would be the appropriate place to discuss possible Chamber membership.

Trustee Veenstra, Trustee Dreyfus and Trustee Ochberg stated their belief the LRCC is a partisan organization and was opposed to using taxpayer dollars to become a member. Trustee LeGoff expressed concern with spending money on this membership while the Township has debt.

Trustee Veenstra spoke to his recollection there was discussion at some point regarding a proposed twelve foot pedestrian/bicycle pathway between Legg Park and Sylvan Glen across Land Preservation property.

Clerk Helmbrecht clarified that although the Land Preservation Ad Hoc Committee report did not note a specific property, she believed it referred to easement agreements across the Rysberg property off Okemos Road for Ingham County to install a pathway.

Trustee Veenstra spoke to the logic of extending the 18-month time period for variances to match the recent special use permit and site plan review extension to 24 months.

Director Kieselbach indicated staff would begin preparation of the amendment if there was consensus of the Board to do so.

The consensus of the Board was to direct staff to prepare a motion to refer the variance extension issue to the Planning Commission and place the referral on for action at the April 6, 2010 Board meeting..

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:50 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary