

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
THURSDAY, MAY 5, 2005, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such, Veenstra, Woiwode  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Assistant Township Manager/Personnel Director Paul Brake, EMS/Fire Chief Fred Cowper  
Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 5:59 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor McGillicuddy led the Pledge of Allegiance.

A. Colleen Clark, Fire Department Promotion to Lieutenant  
Fire Chief Cowper introduced Lieutenant Colleen Clark to the Board.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Helen Ramsey, 2236 Tamarack Drive, Okemos, spoke in opposition to SUP #05011 (Eby).

Lynn Ochberg, 4383 Maumee Drive, Okemos, and Chair of the Planning Commission, availed herself for Board questions regarding the Master Plan.

Richard Eby, Eby Design Group, 13795 S. Mur-Len Road, Olathe, Kansas, expressed support for his project, SUP #05011 (Eby).

John Anderson, 215 W. Newman Road, Okemos, spoke to the lawsuit regarding the Okemos Road Widening Project and the results of the May 3<sup>rd</sup> Election for the Okemos School Board.

Frances Selover, 3783 New Salem Avenue, Okemos, spoke in opposition to SUP #05011 (Eby).

Leonard Provenchur, 5824 Buena Parkway, Haslett, spoke in opposition to the Okemos Road Widening Project, citing a greater necessity for work to be done on the north end of Okemos Road. He asked the Board to support the Township citizens opposed to the project.

Will Tyler White, 4695 Okemos Road, spoke in opposition to the Okemos Road Widening Project as planned. Mr. White also spoke in support of Mixed Use PUD #05024 (Russell) and the Downtown Development Authority (DDA) proposal for Okemos.

Emris Koenigsmann, 2422 Jolly Road, Suite 200, Okemos, representing TA Forsberg, spoke in opposition to the Master Plan recommendation of a residential designation for the property located on the southeast corner of Newton Road and M-78. He stated he is currently working with staff to develop a mixed use commercial/residential project for the stated piece of property as currently zoned and requested the Board not agree to the recommended change by the Planning Commission.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Brixie announced a geography class at Michigan State University has used Will White's property as a test case for the Township's mixed use ordinance and will give a presentation on Monday, May 9<sup>th</sup> at 12:40 p.m. in Room 305 of the Natural Sciences Building.

Trustee Woiwode voiced appreciation for the Hulett Road walk through held April 28, 2005. She expressed disappointment there was no press coverage as she felt it was a collaborative effort seldom experienced. She clarified an earlier public comment alleging Meridian Township failed to follow the Open Meetings by explaining that the lawsuit was filed against the Ingham County Road Commission.

Supervisor McGillicuddy announced the Friends of Historic Meridian will be receiving a Heritage Award from Ingham County on Saturday, May 7, 2005 and congratulated them as recipient of that award.

Supervisor McGillicuddy announced the Community Resources Commission Golf Fest will be held this year on July 30, 2005 at Meridian Sun golf course.

Trustee Veenstra urged citizens to read the letters contained in the Board packet written by Sheila Moore and Win Stebbins regarding the Okemos Road Widening Project. Narrowing the distance between the road and sidewalk to five (5) feet will be problematic when snow removal occurs.

Trustee Brixie announced the 22<sup>nd</sup> Annual Meridian Senior Celebration will be held May 25, 2005 from 11:30 a.m. until 2:00 p.m. at Walnut Hills.

Manager Richards reported 35-40 interested parties attended the walk-through for Hulett Road. The Township will receive a written report on the findings sometime next week. The Township Manager and Supervisor testified before the Michigan Senate Local Government Standing Committee regarding items of interest to the Township; at the top of the list was local control and right of way ownership of the Township's roads.

Trustee Woiwode reminded citizens the Farmer's Market will open for the season on Saturday, May 7<sup>th</sup> Hours on Saturdays are from 8:00 a.m. until 2:00 PM.

- A. Capital Area District Library Presentation by Joan Smith and Veronica Beecroft  
Veronica Beecroft, Head Librarian, summarized the Haslett Library annual report. She noted the library has seen a great deal of growth in 2004 in all areas (number of patrons, story time, circulation of materials, reference questions, outreach services, use of computers).

Joan Smith, Head Librarian, Hope Borbas Okemos Library summarized the Hope Borbas annual report contained in the CADL 2004 Annual Report. She also noted the Okemos library has seen a great deal of growth in all areas for 2004. Ms. Smith made note of new materials in foreign language; Chinese, Russian and Korean. The Friends of Hope Borbas Okemos Library continue to support the library through a variety of activities.

Quenda Story, Chair of the Capital Area District Library (CADL) Board, expressed appreciation to the Township Board for her reappointment. She noted the area district library concept has afforded people access to much more material than before the arrangement. Every year, usage increases a minimum of ten percent (10%).

- B. Clerk's Office Election Report

Clerk Helmbrecht reported an election under the new election law was held May 3, 2005. The new precinct based tabulation equipment was used. There was a total turnout of 11%, with one precinct in Okemos and one precinct in Haslett each realizing a 19% percent turnout.

The new voting machines worked well. Any of the precincts experiencing problems had an individual on site within ten minutes to solve the issue.

Two (2) new members were elected to the Haslett School Board: Lorie Barbieri and Chris Coady  
One (1) new member was elected to the Okemos School Board: Judith Barton-MacGuidwin

6. APPROVAL OF AGENDA — OR CHANGES

**Trustee Brixie moved to approve the agenda as submitted. Seconded by Trustee Such.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Trustee Brixie moved to adopt the Consent Agenda amended as follows:**

- **Consolidate Agenda Items #7G and #7H into #7G.**

**Seconded by Trustee Such.**

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

10A-1 Don and Pat Lamison, 3850 Binghampton, Okemos; RE: Opposition to Special Use Permit #05011 (Eby)

(2). Board Information (BI)

BI-1 Joy A. Rimpau, Treasurer, Meridian Community Band, PO Box 542, Okemos; RE: Thank you for Township support of the Meridian Community Band

BI-2 Robert Bunker, 2348 Sapphire Lane, East Lansing; RE: Planned Unit Development #04-98014 (Giguere)

BI-3 Justus Fiechtner, 2172 White Own Way, Okemos; RE: Okemos Road Widening Project

BI-4 Shelia Moore, 2128 Woodfield Road, Okemos; RE: Letters to the Lansing State Journal, Ingham County Road Commission, Meridian Township Planning Commission and Ingham County Commissioners on the Okemos Road Widening Project

BI-5 Chris Farougi, 6285 W. Reynolds, Haslett; RE: Pollution of Lake Lansing

BI-6 Win Stebbins, 3875 Roxbury Avenue, Okemos; RE: Statement from the April 26, 2005 Ingham County Road Commission Public Hearing in opposition to the planned Okemos Road Widening Project

BI-7 Rebecca Cawood, 4214 Sugar Maple Lane, Okemos; RE: Statement from the April 26, 2005 Ingham County Road Commission Public Hearing in opposition to the Okemos Road Widening Project

BI-8 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Rezoning #05020 (Sumbal)

BI-9 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Rezoning #05030 (South Whitehills & Wu)

(3). Staff Communication/Referral (SC)

SC-1 Michigan Townships Association Legislative E-Report April 15, 2005 Edition

SC-2 Michigan Townships Association Legislative E-Report, April 22, 2005 Edition

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

Materials received at the April 19, 2005 Meeting

Patricia A. & Virginia York, 4622 Okemos Road, Okemos; RE: Opposition to MUPUD #05024 (Russell)

Patricia A. Johnson, 3836 Okemos Road, Okemos; RE: Prepared statement on her appeal of Special Use Permit #05011 (Eby)

Howard B. and Frances M. Selover, 3782 New Salem Avenue, Okemos; RE: Prepared statement on their appeal of Special Use Permit #05011 (Eby)

Lynne S. Page, President, Briarwood Home Owners Association, PO Box 210, Okemos; RE: Prepared statement on her appeal of Special Use Permit #05011 (Eby)

**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 Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

B. Minutes

**Trustee Brixie moved to approve and ratify the minutes of the April 19, 2005 Regular Meeting as submitted. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

C. Bills

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

Common Cash	\$ 887,989.24
Public Works	\$ 33,818.65
Public Safety Bldg Debt	\$ 512.50
Admin Fees – Check 1094 JP Morgan	
Total Checks	\$ 922,320.39
Credit Card Transactions	\$ 8,620.25
Total Purchases	<u>\$ 930,940.64</u>
ACH Payments	<u>\$ 297,098.44</u>

**Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

[Bill list in Official Minute Book]

D. Assessing Stipulations

**Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Fifth Third Bank on the following property:**

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
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<b>2004</b>	<b>0308301</b>	<b>4815 Okemos Road</b>	
Assessment	2004	<u>AV/TV</u>	\$588,900/459,542
Proposed Assessment	2004	<u>AV/TV</u>	\$350,000/350,000

**Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

**Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Fifth Third Bank on the following property:**

<b>YEAR</b>	<b>DOCKET NO.</b>	<b>ADDRESS OF PROPERTY</b>	
<b>2005</b>	<b>0308301</b>	<b>4815 Okemos Road</b>	
Assessment	2005	<u>AV/TV</u>	\$585,800/470,111
Proposed Assessment	2005	<u>AV/TV</u>	\$350,000/350,000

**Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

- E. Cable Television Franchise, Set Public Hearing Date (May 17<sup>th</sup>)  
**Trustee Brixie moved to schedule a public hearing on the proposed cable television franchise renewal agreement with Comcast for the Township Board's regular meeting on Tuesday, May 17, 2005. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

- F. Authorize Homeowner to Establish Sewer Payback Plan  
**Trustee Brixie moved to approve the sewer payback of 632 Haslett Road as follows: Temporary sanitary sewer benefit charge of \$3000; \$600 paid at application, and the balance of the benefit charge, \$2400, payable in four equal annual payments, due on July 1, with interest added at six percent (6%) per annum beginning July 1, 2006. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

- G. 2005 Order to Maintain Sidewalks District #7, Resolution #1 and Resolution #2 (Set Public Hearing Date June 7<sup>th</sup>)

**Trustee Brixie moved to approve 2005 Order to Maintain Sidewalk – Resolutions #1 and #2, which tentatively approve the improvements, and cost estimates of proposed improvements, and sets the date for a public hearing on June 7, 2005. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 10B, #10C)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

John Russell, Russell Builders, 4131 Okemos Road, Okemos spoke in support of his project, Mixed Use PUD #05024 (Russell). He asked the Board to clarify the procedure in order for it not to be necessary that for the items which require Board review interrupt construction progress. He expressed concern that any reduction in the depth of the parking shown on the site plan will reduce the number of parking spaces.

Sheila Moore, 2128 Woodfield Road, Okemos, spoke in opposition to SUP #05011 (Eby) and urged the Board to purchase this property as part of the greenspace plan.

John Anderson, 215 W. Newman Road, Okemos, spoke in opposition to SUP #05011 (Eby).

Leonard Provenchur, 5824 Buena Parkway, Okemos, spoke in support of the Master Plan and urged that there be no exceptions to the plan once adopted.

Eldon Clark, 2415 Sapphire Lane, East Lansing, spoke in favor of expeditious Board approval of the Master Plan. He also voiced appreciation for Board implementation of a mixed use planned unit development concept.

Lynne S. Page, President, Briarwood Home Owners Association, 3912 Raleigh Drive, Okemos, voiced several reasons for opposition to SUP #05011 (Eby).

Supervisor McGillicuddy closed public comment.

- A. Appeal of SUP #05011 (Eby), request to construct a 46-unit (25,400 sq. ft.) assisted living facility on a RA (Single Family-Medium Density) zoned, 3.1 acre site located on Okemos Road south of 3836 Okemos Road and north of Tamarack Drive

**Trustee Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies the appeals and affirms the Planning Commission's approval of Special Use Permit #05011 to construct an assisted living facility with the following conditions:**

1. **Approval is granted in accordance with the site plan dated December 20, 2004 and revised landscape plan dated February 9, 2005 prepared by Kebs, Inc., subject to revisions as required.**
2. **The materials and colors used for the exterior of the building shall be similar to and harmonious with the existing residences adjacent to the site. The building elevations shall be subject to the review and approval of the Director of Community Planning and Development.**
3. **The final site plan and landscape plan shall be subject to the approval of the Director of Community Planning and Development. The size, type and location of all**

landscape material shall be subject to the review and approval of the Director of Community Planning and Development. A diversification of plant material shall be required to prevent loss from disease.

4. Exterior lighting for the building and the site is subject to the requirements of Chapter 38 Article VII of the Code of Ordinances.
5. A land clearing permit shall be required as part of the site plan approval.
6. The spacing, height and size of the plant material proposed for screening along the north, south, and east property lines shall provide a solid screen within five years of planting.
7. Street trees shall be required along Okemos Road and shall be depicted on the landscape plan. The size, species and location of the trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Commission.
8. Final utility plans for the site shall be subject to approval of the Director of Public Works and Engineering and shall be in accordance with the Township Engineering Design and Construction Standards.
9. The applicant shall obtain all necessary permits, licenses, and approvals from the Ingham County Drain Commissioner's office, Ingham County Road Commission, Ingham County Health Department and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.
10. The applicant shall obtain the necessary license from the State of Michigan's Bureau of Family Services in the Department of Labor and Economic Growth for a home for the aged. A copy of the license shall be submitted to the Department of Community Planning and Development.
11. A copy of the information that exists on computer for the project and construction plans shall be provided to the Department of Public Works and Engineering in an Auto Cad compatible format.
12. Night shift employees shall park in a designated area to be determined by the Director of Community Planning & Development during site plan review.
13. Exterior lighting shall be placed on a timer and turned off at 10:00 p.m. with the exception of the designated night shift employee parking area.

**Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- Current proposal is appropriate for the area
- Planning Commission approval of the special use permit
- Proposal meets the Township's special use permit criteria
- Resident concern with traffic "cut through" in the Briarwood subdivision
- Peak hour for traffic will be shift change and will not coincide with rush hour on Okemos Road
- Direction to the Planning Director to address the issue of expeditious development of the screening
- Proposed building is too large for the subject site

- View that these are “apartments”
- Opportunity for aging citizens in the adjacent subdivision to remain in the area through residence in the assisted living facility
- Opportunity for citizens in the adjacent subdivision to have their aging loved ones nearby
- Type of use which enhances a community

**Trustee Veenstra offered the following friendly amendment:**

- Amend condition #10 after “obtain” by adding the words “and maintain”

**The amendment was accepted by the maker and seconder.**

**Trustee Veenstra offered the following friendly amendment:**

- Add condition #14 to read: “Place the dumpster near Okemos Road rather than near the lot lines of the homes.”

**The maker did not accept the amendment.**

**Trustee Such offered the following friendly amendment:**

- Add condition #14 to read: Dumpster pick up shall be between the hours of 9:00 a.m. and 6:00 p.m.

**The amendment was accepted by the maker and seconder.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: Trustee Veenstra  
Motion carried 6-1.

**Treasurer Hunting moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #05011 to construct a building over 25,000 square feet in gross floor area on the subject site. Seconded by Trustee Such.**

Board members discussed the following:

- Unanimous approval by the Planning Commission
- Question as to whether this is an apartment building
- Only 400 extra square feet which required the SUP
- Project too big for the site

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: Trustee Veenstra  
Motion carried 6-1.

- B. Mixed Use Planned Unit Development #05024 (Russell), request for a mixed use PUD containing 5,000 sq. ft. of non-residential space and twelve residential units on .75 acre site located in the Village of Okemos

Director Kieselbach summarized the proposed mixed use PUD as outlined in staff memorandum dated April 28, 2005.

**Trustee Veenstra moved [and read into the record], NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Mixed Use Planned Unit Development #05024 with the following conditions:**



1. Approval is granted based on the revised site plan dated March 22, 2005 and revised building elevations dated April 21, 2005 prepared by Architectural Resources, subject to revisions as required.
2. Approval of the mixed use planned unit development is subject to the applicant providing four amenities as the proposed structures exceed 10,000 square feet in area. The applicant has indicated the four amenities are consolidation of three parcels of land to one parcel, public outdoor seating, public art, and sidewalks with decorative brick inserts. The design and location of the amenities shall be reviewed and approved by the Township Board.
3. Approval of the density bonus allowing 16 dwelling units per acre is subject to the applicant providing four amenities. The applicant has indicated the four amenities could be redevelopment of the site, an outdoor gathering space of at least 300 square feet, grey water recycling in the 4-unit townhouse building, a green roof over the single story portion of the mixed use building, solar power, or unique retail. The design and location of the amenities shall be reviewed and approved by the Township Board. If “unique retail” is selected as one of the amenities, the applicant shall permanently set aside one of the non-residential units for a “unique retail” opportunity.
4. Site accessories such as railings, benches, trash receptacles, bicycle racks, and lighting fixtures shall be of commercial quality and complement the building design and style. The design and location of the site accessories shall be reviewed and approved by the Township Board.
5. The applicant shall submit for Township Board consideration an example of decorative window guards and an elevation plan of the Okemos Road façade of the mixed use building depicting the window guards applied to second and third floor windows within the stuccoed sections of the building.
6. Canopies shall be encouraged over all primary entrances to residential units.
7. No portion of the parking lot shall be closer to Okemos Road than the mixed use building. The west end of the parking lot shall be screened from Okemos Road by evergreen and deciduous landscaping.
8. Where practical, street trees shall be installed along Okemos Road, Moore Street and Clinton Street. Species, size and location of the trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Commission.
9. Site lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development. Street lights shall not exceed 15 feet in height. The design and location of street lights shall be reviewed and approved by the Township Board.
10. A five foot wide sidewalk shall be constructed along the frontage of property on Clinton Street and Moore Street. The sidewalk shall be designed and constructed in accordance with the Township Engineering Design and Construction Standards.
11. All mechanical, heating, ventilation, air conditioning and similar systems, if at street level, shall be screened from view by an opaque structure or landscape material selected to complement the building. Such screening shall be subject to the approval of the Director of Community Planning and Development.

12. **The applicant shall obtain all necessary permits, licenses, and approvals from the Ingham County Drain Commissioner, Ingham County Road Commission, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.**
13. **Final storm drainage, grading, and utility plans for the site are subject to approval of the Director of Engineering and Public Works and shall be in accordance with the Township Engineering Design and Construction Standards.**
14. **A copy of the information that exists on computer for the project and construction plans shall be provided in an AutoCad compatible format.**

**Seconded by Trustee Woiwode.**

Board members discussed the following:

- General preference for native plants
- Design and location of site accessories to be approved by the Board
- Decorative window guards as balconies, planter boxes, or “gate”
- Difference in the process between review and review and approve
- Passage of the mixed use PUD overlay as a privilege
- Passage of the mixed use PUD without specific amenities
- Design to include specifics on the green roof amenity to ensure success
- Installation of the soldier course of bricks along the public pathway at the Okemos Road frontage
- Concern over liability with shared parking agreements
- 1.5 parking spaces per townhouse is a number of parking spaces used for other developments
- Two (2) or three (3) trees along the north property line will eliminate some parking spaces
- Reduction of the size of some parking spaces in order to add islands
- Elimination of the two (2) parking spaces along Okemos Road
- Large maple at the northwest corner of the townhouses has been saved through relocation of an island
- Developer’s desire to keep the three (3) maples in front of the townhouses on Clinton Street
- Staff to keep the Board informed as this first mixed use development unfolds to allow the Board to develop confidence in the process
- Suggestion to have review of the amenities go directly on the agenda as an action item for Board approval in a single meeting
- Development supports Board goals of increased walkability, diverse housing and diverse commerce

**Trustee Such offered the following amendments:**

- **Amend conditions #2, 3, 4 and 9 by removing the language “reviewed and approved by the Township Board” after the words “shall be” and insert “subject to the approval of the Director of Community Planning and Development”**
- **Amend condition #5 by inserting “Subject to the approval of the Director of Community Planning and Development” at the beginning of the condition and remove the words “for Township Board consideration”**
- **Add condition #15 to read: Final site plan and amenities shall be submitted to the Township Board for review prior to approval by the Director of Community Planning and Development**

**The amendments were accepted by the maker and seconder.**

**Clerk Helmbrecht offered the following friendly amendment:**

- **Amend condition #5 by adding “and/or flower boxes” after “decorative window guards”**

**The amendment was accepted by the maker and seconder.**

**Trustee Brixie offered the following friendly amendment:**

- **Amend condition #2 to include after sidewalks “and the public sidewalk on Okemos Road”**

**The maker did not accept the amendment.**

Township Board review: (Questions for the Attorney (See Agenda Item #8))

Q. Mike, is that something that we need to do as a Board?

A. You have your options to do either one. You have the alternative of actually approving it as the resolution was read or to expedite the process as Trustee Woiwode is saying; the possibility of just Board review is also an option.

Written shared parking agreements: (Questions for the Attorney (See Agenda Item #8))

Q. Mike, is that something that we can require, a written parking agreement?

A. Well, it strikes me that that’s a matter that’s going to be between the developer and the bank, as I understand it. It is going to be very difficult for us in the context of a condition to write something in. I understand the concerns and I certainly think that the developer and the bank ought to have those concerns about liability. Literally, we could expand this approval another three (3) or four (4) pages.

Q. My concern, Mike, is that if we don’t suggest, stipulate, whatever, to the developer, they may not do it and then the bank ends up trying to approach them and say, “Hey, what about this problem where people are parking in our area and they are doing this, they are doing that, they aren’t doing this, and somebody slipped and fell and now I’m involved in a lawsuit.” I don’t know.

A. I have an equal concern that if we foray into that area that we then, as the Township, have undertaken the duty of insuring the safety of the users. If we don’t go far enough, or complete enough in somebody’s estimation at some future date, having gone that far, we could invite exposure to the Township.

Procedure for appeal of a site plan decision: (Questions for the Attorney (See Agenda Item #8))

Q. It is, under our ordinance, possible for someone to appeal a site plan and they do that by taking the decision of the Director to the Board. What effect would that have on that action?

A. That process would remain the same, but with that prior review and approval, there’s at least the argument that rises that you have already had the “appellate tribunal” if you will, take a position with regard to the merits. So, there is a potential problem there.

Director Kieselbach added that the appeal of the site plan is to a different board. The appeal of the Director of Community Planning and Development’s decision on a site plan, because it should be based on technical standards, goes to the Zoning Board of Appeals, not the Township Board.

**Trustee Brixie moved to amend condition #2 by adding “and a soldier course of brick on the Okemos Road sidewalks” after “brick inserts.” Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Supervisor McGillicuddy, Treasurer Hunting

NAYS: Trustees Veenstra, Woiwode, Clerk Helmbrecht

Motion carried 4-3.

**Trustee Veenstra offered the following friendly amendment:**

- **Amend condition #7 by inserting after building, “unless approved by the Director of Community Planning and Development.**

**The amendment was accepted by the seconder.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

[Supervisor McGillicuddy recessed the meeting at 8:35 P.M.]  
[Supervisor McGillicuddy reconvened the meeting at 8:47 P.M.]

C. Master Plan

**Trustee Such moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby adopts the Charter Township of Meridian Master Plan. Seconded by Trustee Brixie.**

**The maker offered the following friendly amendment:**

- **Amend the last paragraph on page 131 by removing “In addition to facilitating healthier lifestyles, pathways offer a safer alternative to walking or biking in the roadway, and” and start the next sentence with a capital “N” for the word “non-motorized”**

**The amendment was accepted by the seconder.**

Change in wording of the Master Plan for clarification purposes: (Questions for the Attorney (See Agenda Item #8))

- Q. This doesn't materially change the intent of this particular section, nor does it even change the intent of that paragraph; it simply clarifies that we are not preferring riding in the roadway over pathways or vice versa. Madame Supervisor, I think we ought to ask the Attorney if that, indeed, is not a material change, but simply a clarification.
- A. I agree that it is...clarification. It is not a material change, would not arise to the level of an amendment or a revision that would require a remand back to the Planning Commission.
- Q. I think what I would like to do is to take a vote on the resolution itself and then a separate one on the amendment. Can we do it all as one, counselor?
- A. I would suggest that you do it as one. Could I suggest, perhaps, a final paragraph here, to bring this all together. What I would ask the Board to consider is, “NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby **FINALLY ADOPTS** the Charter Township of Meridian Master Plan as approved by the Planning Commission on March 14, 2005, with the exception that” and then go ahead and make that deletion that you indicated, Trustee Such, “and directs that copies of this Master Plan be distributed as provided for by the Municipal Planning Act.” That would be my suggestion.

Clarification of resolutions: (Questions for the Attorney (See Agenda Item #8))

- Q. I see that we were provided with a memo at the meeting here tonight that the Township Attorney has suggested a revised resolution regarding adoption of the Master Plan. I guess I would seek clarification on what changes our attorney has suggested on his purple copy versus what was in the blue copy. I see the language in the very first sentence of the first WHEREAS he suggests WHEREAS, the Charter Township of Meridian recognizes instead of saying the Planning Commission. I request explanation from our attorney about what changes he thinks are necessary in the text on the blue paper.
- A. Let me explain to you why I suggested the changes that I suggested. The changes in the very first paragraph is language that comes directly out of the Municipal Planning Act. Rather than there be any confusion about what the purpose of our new Master Plan will be, I wanted to take those purposes directly out of the act. So, that explains the reasons why you see those differences.

**Trustee Such withdrew his motion.**

**Trustee Such moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS the Charter Township of Meridian Master Plan as approved by the Planning Commission on March 14, 2005 except for provisions on page 131 which will delete the words, “In addition to facilitating healthier lifestyles, pathways offer a safer alternative to walking or biking in the roadway, and” and starting “non-motorized” with a capital N to complete that sentence and directs that copies of this Master Plan be distributed as provided for by the Municipal Planning Act. Seconded by Trustee Woiwode.**

Board members discussed the following:

- Planning Commission and Board efforts to involve the public in the process
- Appreciation to the Planning Commission for its efforts
- Passage of the plan now and subsequent amendments when necessary
- Master Plan supports all the Board goals

Changes incorporated into the revised resolution: (Questions for the Attorney (See Agenda Item #8))

- Q. Was the only change from the blue text to the purple text substituting a new first paragraph from the purple text as suggested by the Township Attorney and a change in the last paragraph?
- A. No, there were other changes, essentially, that laid out the procedure that was followed to get us to this point. I thought it was important that we have a stand alone resolution, so that anybody that refers to it at some subsequent point can see that the process required by the Municipal Planning Act was followed. To that extent, I suggested changes.
- Q. Could you say where else you changed your text from the blue text? Is there anything significant here?
- A. I can go through those changes. If I didn't think they weren't important to make, I wouldn't have suggested them.

**Trustee Brixie called the question. Seconded by Trustee Woiwode.**

VOICE VOTE: Motion carried 6-1 (Veenstra).

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: Trustee Veenstra  
Motion carried 6-1.

[Trustee Woiwode left the room at 9:05 P.M.]

- D. Resolution Supporting the Haslett Beautification Association  
**Trustee Such moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN does hereby endorse and express support for the Haslett Beautification Association and their efforts to beautify the downtown and business areas of the Haslett community and encourage businesses and residents of the area to support their efforts. Seconded by Trustee Brixie.**

Board members discussed the following:

- Association started with the determination of a Haslett resident to beautify downtown Haslett
- Appreciation to Maureen Sullivan for pursuing the beautification of Haslett
- Concept in keeping with the Board goals of having the commercial area attractive and energizing citizen pride in our community

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Carl Harmon, 1924 Birchwood, Okemos, requested the property maintenance ordinance be placed on the Township's website and be widely posted and published. He stated he believed there were many vacancies of commercial properties within the Township.

Will Tyler White, 4695 Okemos Road, Okemos, Vice-Chair of the Economic Development Corporation, gave a brief summary of the EDC recommendation for a DDA for the Okemos Village area.

R<sub>x</sub> Harrington, 820 Piper Road, Haslett, asked the Board to allow public review of and input into the Property Maintenance Ordinance prior to Board action.

John Anderson, 215 W. Newman, Okemos, expressed concern over the alleged intrusive nature of the Property Maintenance Ordinance, especially for rural residential property.

Leonard Provenchur, 5824 Buena Parkway, Haslett, posed several questions regarding the Property Maintenance Ordinance (i.e., equitable enforcement, matters of aesthetics, health and safety issues and items to be regulated).

Supervisor McGillicuddy closed public comment.

A. Property Maintenance Ordinance

Manager Richards clarified the decision was made to take a different direction and leave the nuisance ordinances where they are located in the Code of Ordinances and deal with property maintenance of buildings as a separate issue. He stated if the Board is comfortable with the approach taken, staff will work on the property maintenance ordinance based on the International Property Maintenance Code (IPMC).

Director Kieselbach summarized the proposed Property Maintenance Ordinance as outlined in staff memorandum dated April 26, 2005.

Board members and staff discussed the following:

- Review of Board goals and ends statements as it relates to this topic
- Concern with singling out specific residences
- International organizations have consolidated into one international code, the IPMC
- Construction codes adopted by the state deal with new construction
- Township using the 1997 Uniform Housing Code which is no longer in existence and will never be updated or amended
- Maintenance of rental housing covered in the existing Uniform Housing Code
- Staff looking for equity to treat single family residences the same as rental housing as it relates to maintenance
- IPMC language deals with existing structures before they become dangerous building situations
- Ability for staff to be able to address health and safety issues
- IPMC focused on health and safety issues relative to structures
- Concern that the property maintenance ordinance will cover personal choice categories
- Appeal process through the Building Board of Appeals
- Draft property maintenance ordinance received in January no longer before the Board
- Lack of tools to accomplish the ends outlined by the Board relative to this topic
- Staff to prepare document that adopts the IPMC by reference and takes out subjective parts

- Property Maintenance Ordinance could be amended as needed in the future
- Availability of the draft Property Maintenance Ordinance on the Township's website  
In the future for residents to view

**The consensus of the Board was to allow staff to proceed as outlined in staff memorandum dated April 26, 2005 and report back to the Board at a later date.**

- B. Zoning Amendment #04110 (Planning Commission), an amendment to Section 86-94(5)b.2 to create consistency between the Zoning Ordinance amendment process and the Township Zoning Act  
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated April 27, 2005.

**The consensus of the Board was to let staff and the Township Attorney develop the appropriate language to refer back to the Planning Commission and bring this item back to the Board at its next meeting.**

- C. Zoning Amendment #04120 (Planning Commission), an amendment to the PUD Ordinance  
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated April 28, 2005.

Board members discussed the following:

- Make change so that the Board, as the approving body, holds a public hearing
- Concern that too many reviews will be eliminated
- Explanation of the step-by-step process

**The consensus of the Board was to refer the amendment to the Planning Commission for further consideration.**

- D. DDA Recommendation from Meridian EDC  
Manager Richards prefaced the discussion by stating the Board's level of interest in proceeding is being sought by staff as there would be a considerable amount of work to be done by both staff and the Township Attorney in preparation for consideration of a DDA.

Manager Richards summarized Meridian EDC efforts to date toward development of a DDA for the Okemos Village area. He pointed out the main funding source for a DDA is a Tax Increment Financing (TIF) mechanism, which captures taxes on the improvements made to property in the area for purposes of funding public improvements.

Manager Richards also added that the EDC believed a DDA would be another avenue for improving the commercial area identified, and that this action was consistent with the Township's goals. State law only allows one contiguous DDA within the Township.

Board members and staff discussed the following:

- Process for applying for a DDA
- Need for initial DDA boundary to begin with a large area which can be reduced during the approval process
- Effect of potential loss of taxes on the Township
- Effect of loss of taxes on the general fund
- DDA as a mechanism for providing an incentive to upgrade an existing commercial area
- Consideration from a policy perspective of the benefits vs. loss of taxes from the area
- School taxes exempt from TIF
- Effect of the availability of county, CADL, CATA and Township taxes to the DDA

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- Authorization by a nine person DDA board headed by the Township Supervisor and the Township Board for a possible tax levy of up to two (2) mills for properties included in the DDA area.
- Lack of interest by most signees of the petition to levy a millage to accomplish a DDA
- Relatively small portion of the Township's budget will be impacted
- Township not limited in terms of what public improvements can be done for other areas
- Concern that approval of this DDA will permanently exclude Haslett from being able to benefit from a downtown development program
- TIF money is only on new projects
- Intended uses of the TIF money and who obtains interest on it
- Created DDA board decides where the money will be spent
- Question as to whether the Township Board approves spending based upon DDA Board recommendations
- Concern over the way TIF money is spent if it does not require Township Board approval
- The only money spent by the DDA is the additional money generated from an increase in the value of just those properties and the money can only be spent in the DDA on those properties
- There is no direct effect on any other area of the Township by development of the DDA
- Split EDC vote was whether to send a recommendation to the Board or a request to consider a DDA
- Question of whether police and fire services would be adequate if the residential population within the DDA increased
- EDC as the facilitator of the downtown Okemos business owners' request for a DDA
- DDA board members appointed by the Township Board
- Development of a FAQ sheet
- Ability to change the map once it is before the Board
- Suggestion to remove "Texas" shaped parcel on Clinton Street adjacent to Wonch Park from the DDA as it is entirely within the floodplain
- More than twenty property owners have contributed money to study the possibility of a DDA
- Request for rationale from the two (2) EDC members as to their vote against a recommendation to the Township Board for a DDA
- Majority of DDA's in the state do not levy a millage, but use the capture mechanism
- Clarification as to the value of the improvement
- Act designates a 2 mill tax levy initiated by members of the DDA Board and then approved by the Township Board
- Request for staff to check on the number of total mills
- Request for staff to obtain the Ingham County Board of Commissioner's policy on opting out
- Request for more evidence of property owner support of the DDA
- Dollar amount of annual money being discussed
- Need to include personal property value information

**The consensus of the Board was to direct the Township Manager to obtain answers to questions raised and bring back to the Board for further discussion.**

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Will Tyler White, 4695 Okemos Road, Okemos, offered information regarding questions posed by the Board relative to the DDA recommendation from the Meridian EDC.

Carl Harmon, 1924 Birchwood, Okemos, suggested the Department of Community Planning and Development keep track of complaints for one year and then write the draft property maintenance ordinance based upon those complaints.

Supervisor McGillicuddy closed Public Remarks.



13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:50 P.M.

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SUSAN MCGILlicUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Sandra K. Otto, Secretary