

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, OCTOBER 7, 2003, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Woiwode
ABSENT: Trustee Such
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Gary Gibbons, EMS/Fire Chief Fred Cowper, Personnel Director/Assistant Manager Paul Brake, Director of Finance Diana Hasse, Attorney Andria Ditschman

1. CALL MEETING TO ORDER
Supervisor McGillicuddy called the meeting to order at 6:02 P.M.
2. PLEDGE OF ALLEGIANCE
Supervisor McGillicuddy led the Pledge of Allegiance.
3. ROLL CALL
Supervisor McGillicuddy called the roll of the Board.
4. PUBLIC REMARKS
Supervisor McGillicuddy opened Public Remarks.

Michael Kiley, 2550 Bennett Road, Okemos, spoke in support of the Appeal of SUP #03-94071 (Okemos Christian Center).

Eleanor Luecke, President, LINC, PO Box 40, Okemos, expressed concern regarding neighborhood notification of Agenda Item #7G (Amend Court Order for Smith Property on Okemos Road. Speaking as a resident of the Township, she read from a prepared statement requesting a public hearing on SUP #03-94071 (Okemos Christian Center). [Prepared statement in Official Minute Book.]

Sue St. Laurent, Unit Chair of the Clerical and Secretarial Employees Chapter of Local #1390, Michigan Council #25, AFSCME, AFL-CIO, 4168 Mariner Lane, Okemos, read from a prepared statement regarding eliminated positions to balance the 2004 Budget. [Prepared statement in Official Minute Book]

Vance Kincaid, 4530 Nakoma Drive, Okemos, thanked Directory Severy for agreement to replace the historic sidewalk at the entrance to Nakoma Drive. He read from a prepared statement requesting a Public Hearing for SUP #03-94071 (Okemos Christian Center). [Prepared statement in Official Minute Book]

John Anderson, 215 W. Newman Road, Okemos, announced the creation of a Meridian Citizen's Government School and participation by township employees and Board members. He also extended an invitation to citizens to attend any and all two (2) hour sessions.

Will White, 4695 Okemos Road, Okemos, spoke on the proposed budget as an increase over last year, the possible property purchase on Okemos Road, his letter included in the Board packet regarding the Mixed Use Ordinance, and the creation of a Downtown Development Authority.

Karl Dersch, 4080 Hulett Road, Okemos, reiterated points made in his September 16, 2003 letter to the Board relative to inaccuracies on the drawing of the setback of the proposed structure, shed and playground contained in Special Use Permit #03-94071 (Okemos Christian Center). He further

commented on several items he would like to see added as conditions on this SUP.
Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

6. APPROVAL OF AGENDA - OR CHANGES

Trustee Brixie moved to approve the agenda amended as follows:

- **Delete Agenda Item #11E (Downtown Development District)**

Seconded by Trustee Woiwode.

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

- BD-1 Vance L. Kincaid, II, 4530 Nakoma Drive, Okemos; RE: Sidewalk replacement costs at 4530 Nakoma Drive.
- 10-D Jean Nicholas, 6232 Brookline Court, East Lansing; RE: Rezoning #03050 (South Whitehills Limited Partnership).
- 11-C Will Tyler White, 4695 Okemos Road, Okemos; RE: Mixed Use Ordinance

(2). Board Information (BI)

- BI-1 Mark K. Clouse, Eyde Company, 4660 S. Hagadorn Road, Suite 660, East Lansing; RE: One-year extension request for Central Park Estates, Preliminary Plat #96022
- BI-2 Eleanor V. Luecke, President, LINC, P.O. Box 40, Okemos; RE: Letter to President Baughman, Okemos Board of Education on clarification of the proposed roundabout at Hulett and Bennett Road.
- BI-3 Donald W. Twohy, 2202 Haslett Road, East Lansing; RE: Relocation and restoration of the Claire Twohy Memorial Garden.
- BI-4 Ruth Hall and Robert Barnum, Peanut Drive Co-Chairs, The Kiwanis Club of Okemos, Okemos; RE: Appreciation for Peanut Drive poster display and fundraising efforts
- BI-5 Meridian Senior Center, Okemos Community Education, 4000 N. Okemos Road; RE: October Fest, October 15th at 11:45 a.m.
- BI-6 Leo V. Deal, 5966 Patriots Way, East Lansing; RE: Elimination of cemetery sexton position within Meridian Township.

(3). Regional Linkage (RL)

- RL-1 Ingham County Road Commission, 301 Bush Street, P.O. Box 38, Mason; RE: Press release on road closures for utility and railroad crossing work within Meridian Township
- RL-2 Ingham County Road Commission, 301 Bush Street, P.O. Box 38, Mason; RE: Funding of Local Roads
- RL-3 Mike Bryanton, Ingham County Clerk, P. O. Box 179, Mason; RE: Resignation of Bruce Utter
- RL-4 Charles Galbreath, President, Ingham County Chapter of the MTA, Williamston; RE: Donations for MTA Educational Conference at the Legislative Annual Meeting in January, 2004

(5). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax September 12, 2003 Edition
- SC-2 Michigan Townships Association Legislative Fax September 19, 2003 Edition
- SC-3 Michigan Townships Association Legislative Fax September 26, 2003 Edition
- SC-4 Letter from Mark Kieselbach to John Midgely, Manager Director of Ingham County Road Commission; RE: Hulett Road/Bennett Road Roundabout
- SC-5 Letter from Gerald Richards to John Midgely, Manager Director of Ingham County Road Commission; RE: Setting Speed Limits on County Roads

Treasurer Hunting 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 Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

B. Minutes

(1) September 9, 2003 Budget Deliberations

Treasurer Hunting moved to approve and ratify the minutes of the September 9, 2003 Budget Deliberations as submitted. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

(2) September 16, 2003 Regular Meeting

Treasurer Hunting moved to approve and ratify the minutes of the September 16, 2003 Regular Meeting as submitted. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

C. Bills

Treasurer Hunting moved that the Township Board approve the Manager's Bills as follows:

Common Cash	\$ 454,641.01
Public Works	\$ 455,668.30
Public Safety Building Debt Fund:	
Check #1086 – Bank One/Bond Interest	33,602.50
Check #1087 – Ingham County/SEV Reductions	527.59
Central Park Debt Fund:	
Check #1059 – Bank One/Admin Fee	262.50
Total Checks	\$ 944,701.90
Credit Card Transactions	\$ 21,124.23
Total Purchases	<u>\$ 965,826.13</u>
ACH Payments	<u>\$ 5,198,240.82</u>

Seconded by Trustee Brixie.

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ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

[Bill list in Official Minute Book]

D. Third Quarter Budget Amendments

Treasurer Hunting moved that the 2003 Amended Budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated October 2, 2003 be approved. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

E. Assessing Stipulation

Treasurer Hunting moved that the Township Assessor or Township Attorney be authorized to sign a stipulation with Lake of the Hills Limited Partnership on the proposed stipulated values for Parcel Number 33-02-02-09-227-002:

2003 Assessed Value: \$965,000 to \$965,000
2003 Taxable Value: \$676,525 to \$616,525

Treasurer Hunting moved that the Township Assessor or Township Attorney be authorized to sign a stipulation with Lake of the Hills Limited Partnership on the proposed stipulated values for Parcel Number 33-02-02-09-226-007:

2003 Assessed Value \$1,238,300 to \$1,238,300
2003 Taxable Value: \$ 955,135 to \$ 855,135

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

F. Renewal of Mutual Aid Agreement with Bath Charter Township

Treasurer Hunting moved to approve the proposed Mutual Aid Agreement for law enforcement assistance with Bath Charter Township, Michigan and to authorize the listed officials to sign the agreement. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

G. Amend Court Order for Smith Property on Okemos Road

Treasurer Hunting moved NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Meridian Board hereby authorizes the Township attorneys to prepare and execute on behalf of the Township a Consent Judgment modifying the Final Injunctive Order, dated February 4, 1999, to authorize the development of the property described in Exhibit A, attached and incorporated into this Resolution by reference, in accordance with the revised development plan, subject to revisions as required.

IT IS FURTHER RESOLVED, that the Consent Judgment shall require Denis Smith to

obtain all necessary permits, licenses, variances and approvals from the Michigan Development of Environmental Quality, Ingham County Drain Commissioner's office, Ingham County Road Commission, Ingham County Health Department, and Township. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

H. Amend Plat for Chippewa Woods

Treasurer Hunting moved NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby amends the condition for sidewalks in Plat #92052 (Chippewa Woods) to read as follows:

A five (5) foot wide concrete sidewalk shall be installed along both sides of all streets in the subdivision except for the 135 lineal feet in the common area along White Ash Lane.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

I. Johnson's Indian Island Sanitary Sewer Special Assessment District #48, Resolutions #1 and #2

Treasurer Hunting moved to approve Johnson's Indian Island Sanitary Sewer Special Assessment District #48, Resolution #1 and Resolution #2 tentatively declaring the Township Board's intention to construct approximately 500 L.F. of 2" sanitary sewer force main along the east side of Lake Lansing and within lot 11 of Johnson's Plat of Indian Island; and to defray a portion of the cost by special assessment, tentatively designates the district; and set a public hearing for November 6, 2003. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

J. Additional Surplus Equipment List for Auction

Treasurer Hunting moved to approve the sale of the above listed (See Staff Memorandum dated October 2, 2003) surplus Township equipment at public auction or by sealed bid, or if no bids are received to dispose of the equipment appropriately. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

K. Proposed Cameron Oaks Sanitary Lift Station

Treasurer Hunting moved to authorize the Township Manager to negotiate a shared cost agreement with the developer for construction of a public sanitary sewage lift station to serve Cameron Oaks and additional properties north and south along Okemos Road. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10B, #10C, #11A, #11B)

9. HEARINGS

A. Proposed 2004 Budget

Supervisor McGillicuddy opened the public hearing at 6:33 P.M.

Finance Director Hasse read the published notice on the Proposed 2004 Budget from the Towne Courier dated September 21, 2003 and September 28, 2003.

John Veenstra, 320 Piper, Haslett, inquired if there was a provision in the budget to expand the Township's recycling programs to include curbside recycling.

Supervisor McGillicuddy responded that the Township Manager is making inquiries into this issue, but, at this time, would not require any budget amendment(s).

Supervisor McGillicuddy closed the public hearing at 6:37 P.M.

B. Local Law Enforcement Block Grant

Supervisor McGillicuddy opened the public hearing at 6:37 P.M.

Chief Gibbons introduced the intended use of Local Law Enforcement Block Grant Funds as outlined in staff memorandum dated September 29, 2003.

Supervisor McGillicuddy closed the public hearing at 6:39 P.M.

C. Whispering Oaks Amended Streetlighting District

Supervisor McGillicuddy opened the public hearing at 6:39 P.M.

Director Severy introduced the amended Whispering Oaks Streetlighting District as outlined in staff memorandum dated October 2, 2003.

Supervisor McGillicuddy closed the public hearing at 6:40 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joan Guy, 1083 Woodside, Haslett, on behalf of Jean Nicholas, expressed a desire to postpone Rezoning #03050 (South Whitehills Limited Partnership) and noted several concerns with the rezoning.

Richard Harrington, 820 Piper Road, Haslett, spoke in opposition to the possible property purchase on Okemos Road.

Eleanor Luecke, President, LINC, P.O. Box 40, Okemos, supported the Kuzma property donation, expressed concern that possible property purchase on Okemos Road be at fair market value, supported the Appeal of SUP #03-94071 (Okemos Christian Center) and return to the Planning Commission of Rezoning #03050 (South Whitehills Limited Partnership).

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in support of the purchase of the bank property (Potter's Vessel) to expand services of the Fire Department, but believes a public hearing should be held on the purchase. He also requested a summary review of the Appeal of SUP #03-94071 (Okemos Christian Center) when taken up by the Board this evening.

John Anderson, 215 W. Newman Road, Okemos, spoke in opposition to the possible property purchase on Okemos Road.

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Bryan Van Acker, 5014 E. Southwick Circle, Lansing, owns eighteen (18) acres of property on Porter Avenue in the Township and expressed a desire for the Township to reconsider its offer to purchase.

Supervisor McGillicuddy closed public comment.

A. Acceptance of Kuzma Property Donation

Clerk Helmbrecht moved (and read into the record) NOW THEREFORE, BE IT RESOLVED that the Township Board of the Charter Township of Meridian, Ingham County, Michigan, does hereby accept the gift of the above referenced property (see Resolution in Official Minute Book) , in accordance with the agreement signed by Judith A. Kuzma, subject to the conditions stated above.

BE IT FURTHER RESOLVED that the Township Board authorizes the Township Supervisor, Township Clerk and Township Manager to ratify the agreement entered into with Judith A. Kuzma Trust and take all further actions deemed necessary to close such transaction for acceptance of parcel #33-02-02-11-179-019, Lot 92, Supervisor's Plat of Haslett No. 1.

Seconded by Trustee Brixie.

Board Members discussed the following:

- Connection to wetland which entertains "pike spawning"
- Proximity to Lake Lansing

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

NAYS: None

Motion carried 6-0.

B. Possible Property Purchase on Okemos Road

Manager Richards recapped the timeline of activity regarding possible purchase of the land commonly known as the Larsen Property.

Discussion of confidential information: (Agenda Item #8 (Questions for the Attorney))

Q. I want to be clear on what we are allowed to talk about. Because this was given to us as a confidential memo, I am feeling somewhat constrained on questions that can be asked. I want to be sure before we begin a discussion as to how this should be handled. Can the attorney offer insights on that? We are about to consider something, but I don't know what's public and what is not.

A. If you decide that the information you are going to be talking about; value, what you are offering, and don't want to have that public at this point, then you should request that be discussed in a closed session.

Manager Richards indicated the discussion at the Land Preservation Advisory Board was done in a closed session, so primarily, what is confidential are the deliberations that went on at that closed session in terms of the discussion here.

Discussion procedure: (Agenda Item #8 (Questions for the Attorney))

Q. Procedurally, how do we deal with this? Can we delay this until the closed session later this evening, and then come back to it following closed session?

A. Yes.

Board Members discussed the following:

- Discussion of Land Preservation Advisory Board action on this issue in closed session only
- Delay Board discussion until closed session at the end of the meeting
- Size of property (25 acres) immediately adjacent to the commercial core
- Property within walking distance of the major bus line
- Appraisal based on current zoning of residential
- Appraised value not reflective of value of surrounding land

- Fair market value as a nebulous term until property is sold

C. Appeal of Special Use Permit #03-94071 (Okemos Christian Center)

Director Kieselbach summarized the timeline of the appeal as outlined in staff memorandum dated October 3, 2003.

Board Members discussed the following:

- One public hearing to discuss all elements of the SUP request
- Decision on the appeal first before granting or denying the SUP on its size
- Hearing on the appeal vs. notice provision for a public hearing on its size
- SUP for this school tied to the actual plan provided by the applicant
- Proposed school use at this site doesn't meet Township criteria
- Not the proper location for the intended use
- Proposal is out-of-scale with surrounding community at this location
- Only component appealable at the Planning Commission is the use of the facility
- Specificity of size of building changed in the resolution

Citizen request for a Public Hearing: (Agenda Item #8 (Questions for the Attorney))

Q. Did you follow the comments earlier on the request for a public hearing? Were all those things correct? One of the actions we can take, also, is to set a public hearing for this?

A. He was referring to the 25,000 square feet or greater in the ordinance section 86-658. It states that the Board has the right and may take one or more of the following actions. One of them is that if a resident or property owner requests a public hearing, the Township Board shall hold a public hearing. At that point, you may request that a Planning Commission member attend. I read this as an option of the Board to hold that public hearing. That provision comes out of the Township Zoning Act. This act is more specific; it says if a resident or property owner within 300 feet requests a public hearing, the Board is required to give them a public hearing. The ordinance just says resident or property owner. Because it says here in the ordinance that the Township Board may take one or more of the following actions, I believe it is your option. If you want to allow the public hearing you can do that. If you do not want to allow the public hearing, you do not have to.

Use and size: (Agenda Item #8 (Questions for the Attorney))

Q. Assume for just a moment that what the Planning Commission had been looking at was a 10,000 square foot building. What they were approving was the building of a school on that property regardless of size. Is that correct?

A. Correct.

Q. So in the appeal, the only thing we are talking about is the school, if that is an appropriate use on that property?

A. That's right. But they are tied into one another because the request was for a school of a certain size. I think that is why, at the last meeting, Mr. Woodworth had suggested that while you are talking about it, you can talk about the whole thing at the same time. It is the same set of standards you are going to apply to make the decision on the use and on the greater than 25,000 square feet. It is a request for a SUP. I think he said when you are discussing it, you can discuss the whole thing; the use and the size, but make sure you have two (2) separate votes.

Q. The Planning Commission can't approve the 25,000 square feet. So all the Planning Commission approved was the building of a school on that property. They did not address the size, even though what they were looking at was that size?

A. They make a recommendation to the Board on the size. They don't make a final decision on it.

- Q. If we disagree with one half or the other half of that, then we have to uphold the appeal?
A. The appeal is for the use. The Planning Commission recommended the use go forward. If you disagree with that, that is your decision on the appeal.
- Q. What if I think the use is OK, but the building is too big?
A. You approve the use and deny the SUP on the building, if that is what the Board feels is appropriate. Then the applicant still cannot go forward. They could come back and request a smaller building, which is probably what they would do.
- Q. The Planning Commission approved the use and recommended support of the 25,000 square feet. Do we either have to uphold or deny everything the Planning Commission did?
A. There are two decisions this Board has to make. The Planning Commission decided that the use was appropriate for that site. Someone objected to that, so they sent this appeal to the Board. The Board has to decide if they are going to support the Planning Commission's decision that the use is appropriate. The SUP would then be allowed for that use on the site. If they feel the use is appropriate, the Board would deny the appeal. The second issue is if the applicant may have a SUP for a building greater than 25,000 square feet.

It is treated separately in two separate sections of the ordinance. One is a recommendation to the Board; one is a decision by the Planning Commission that has been appealed to the Board.

- Q. Why would you talk about both of them at the same time if they are separate issues. The appeal is on the use and the SUP is on the size?
A. You do not have to talk about them at the same time. I think Mr. Woodworth had said if you decide to do that, it is O.K., because it is the same standards which will be applied. You are going to go through the same factors on both questions.

Trustee Brixie moved (and read into the record) NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby grants the appeal and reverses the Planning Commission's approval of Special Use Permit #03-94071. Seconded by Trustee Woiwode.

Separation of use and size issues: (Agenda Item #8 (Questions for the Attorney))

- Q. I see no objection to the use of a school on that property. I thought what you just told me was what the Planning Commission actually approved was the use. So are we tying the use to the size by this motion? Is it not possible to have the use with a smaller building?
A. It is possible to have this use with a smaller building.
- Q. So it is the motions that have tied the two issues together, so that they can't be separated by any motion we're taking up here which is in front of us? They have all been tied to the size.
A. If I understand your question, you're saying aren't we really making both decisions in one resolution because the size is mentioned in here as well.
- Q. So my previous question was can we separate that? When we are deciding to deny or grant the appeal, it should be based on the use, not the size; the size is a separate issue?
A. This particular request is for a certain size as part of the SUP.
- Q. Is it possible to have a motion that says that a school is acceptable as a proper use on this property or isn't acceptable on this property and keep the size out?
A. I think it is logical to assume that, if the appeal only deals with the use and the Board is making a decision on the appeal. If that is what you are doing today, we should make sure

that is what we noticed, what we told everyone was the subject of the appeal. The Board would only decide the appeal on use, not on use and size. The way the request was written, and I don't have the Planning Commission information in front of me, would lead me to believe they approved it as one whole issue.

- Q. If we want the language to change in the resolution but need to know what was noticed in the newspaper, do we need to table this until we have all the right things in the right place?
A. If we don't have all that information here, yes we would need to see what we told the public we were doing today.

Trustee Woiwode moved to table the motion. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

- D. Rezoning #03050 (South Whitehills Limited Partnership), request to rezone the west 280 feet of Lot 21, Carriage Hills Subdivision (an approximate 1.55 acre parcel), from C-2 to RC (Multiple Family Medium Density). The site is located on the south side of Birch Row, east of Carriage Hills Car Wash in Section 6 of the Township

Treasurer Hunting moved (and read into the record) NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. _____, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #03050" from C-2 (Commercial) to RC (Multiple Family-Medium Density). Seconded by Clerk Helmbrecht.

Board Members and staff discussed the following:

- Opportunity for significant down zoning of several categories
- RC category in keeping with current surroundings
- Proposal inconsistent with the Comprehensive Development Plan
- Accuracy of Comprehensive Development Plan designation for this site
- Consideration of merits of the change vs. specific project
- Use as current C-2 zoning would be legally indefensible for the Board to deny
- Concern over lack of Planning Commission approval
- Competing interests and concerns
- Office designation as a greater traffic generator than residential
- Potential nonconformity with adjacent residential and commercial

ROLL CALL VOTE: YEAS: Trustees Stier, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustees Brixie, Woiwode
Motion carried 4-2.

11. DISCUSSION ITEMS/ENDS

Public Comment

Supervisor McGillicuddy opened public comment.

Mark K. Clouse, Financial & Legal Counsel, Eyde Company, 4660 S. Hagadorn Rd, Ste 660, East Lansing, spoke in support of Rezoning #02080 (Eyde).

Scott Knapp, Attorney with Dickinson Wright, 215 S. Washington Square, Lansing, representing a group of businesses requesting water and sewer extension to their properties in the Grand River/Van Atta corridor (Appeal of Commission Review #02013). He requested this issue be tabled in an effort to alleviate the Board's concern with the St. Martha's Church extension by exploring the possibility of an

alternate approach to bring sewer to those properties.

Eleanor Luecke, President, LINC, PO Box 40, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

John Anderson, 215 W. Newman, Okemos, spoke in opposition to Rezoning #02080 (Eyde) and Appeal of Commission Review #02013 (Jakovac).

Supervisor McGillicuddy closed public comment.

- A. Rezoning #02080 (Eyde), request to rezone approximately 110 acres located east of Powell Road, west of Cornell Road and south of Tihart Road from RR to RAAA, RA and RB
Director Kieselbach summarized the rezoning as outlined in staff memorandum dated October 3, 2003.

Board Members discussed the following:

- Disparity in number of dwellings by applicant and staff due to formula contained in the Comprehensive Development Plan
- Minimum standards in a PUD as a condominium project would be set by Board
- Current zoning consistent with Comp Plan if developed as a PUD at 106 single family dwellings with sewer and water
- Shape of various zoning districts
- Minimum lot size of 40,000 square feet in RR
- Land Division Act minimum ratio of lot width to depth
- Township more strict on lot depth as not greater than three (3) to one (1)
- Higher density zoning based on eighteen (18) percent land area for roads
- A range of 240-270 homes for sewer capacity, based on ten state standards of flow of 100 gallons per person/day with a peaking factor of 4
- Capacity as it relates to other “already promised” properties as part of the sewer system plan
- Additional flow to the Mud Lake lift station will cause the pumps to run more frequently per day
- Generation of apartment flows vs. homes
- Allowance of mixed use district as a potential for additional residences serviced by the Mud Lake interceptor
- Residential unit equivalent factor used in calculation
- Allowance of the use of PUD for clustering to reduce infrastructure
- PUD allowance for a variety of lot sizes
- Larger lots and acceptable soil conditions for septic system(s)
- Cost of completing water and sewer extension improvement financed through connection fees
- Board request for rezoning criteria and status of potentially buildable lots

Request for Motion: (Agenda Item #8 (Questions for the Attorney))

Q. Is it possible to have separate motion for our next meeting for water & sewer to be extended if this property were developed as a PUD?

A. No. Before the Board is a rezoning request. Conditions should not be placed on a rezoning request, as the Board has no authority to do that. A PUD is something that is voluntary and cannot be required in order to procure a specific type of rezoning. The request before the Board is can this be rezoned as has been requested and standards applied to that to determine if it should be rezoned or not. A PUD should not be a requirement in that decision.

Q. So we can only talk about the rezoning itself?

A. Correct.

Supervisor McGillicuddy recessed the meeting at 9:00 P.M.

Supervisor McGillicuddy reconvened the meeting at 9:12 P.M.

- B. Appeal of CR #02013 (Jakovac), request to add extensions of a sanitary sewer line/force main and water line, as well as a new sanitary lift station to the Comprehensive Development Plan.
Director Kieselbach outlined the appeal as summarized in staff memorandum dated October 3, 2003.

Additional Commission Review Request: (Agenda Item #8 (Questions for the Attorney))

- Q. The applicant has asked the Board to consider tabling this item. Would they be able to come back anytime in the future with a Commission Review request?
A. If you mean a different Commission Review request for a different water and sewer line, then yes.

Board Members discussed the following:

- Request of applicant to table the issue

Treasurer Hunting moved to table the matter. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Stier, Woiwode, Clerk Helmbrecht, Treasurer Hunting
NAYS: Trustees Brixie, Supervisor McGillicuddy
Motion carried 4-2.

- C. Mixed Use

Director Kieselbach introduced the draft ordinance to establish a Mixed Use PUD for the C-2, C-3 and CS commercial districts in the Township as outlined in staff memorandum dated October 3, 2003.

Board Members discussed the following:

- Better approach for mixed use concept
- Addition of purposeful connection to the greenways
- Potential of 90-day approval process as a realistic time frame
- Necessity to send to the Planning Commission for action as an amendment to the zoning section of the ordinance
- Architectural design standards as less restrictive
- Reference to wood shake should be “wood shingle” as a means of preservation of historic character
- Potential use in various areas of the Township as an attractive option
- Value of first approval process both for the Board and the applicant
- More flexibility in restrictions
- Incentive(s) for alternate source of power and other environmentally friendly endeavors
- Addition of minimum amount of lighting requirement
- More flexibility than maximum density of eight (8) dwelling units/acre
- Citizen input as maximum of six (6) to eight (8) dwelling units/acre
- Minimum square footage of units contained in housing code
- Potential for height and floor restriction to be dependent upon design
- Importance of maintaining the human scale and neighborhood “feel”
- Density as it relates to parking availability
- Place ordinance on the Township website for review
- Provide sufficient incentive to entice tear down and rebuild
- Incentive to spur redevelopment as no setbacks required
- Transmission of draft ordinance to attendees of the vision session(s) for review

The consensus of the Board was to send the ordinance to the Planning Commission to schedule a public hearing at its earliest convenience.

- D. Comprehensive Development Plan, Natural Features and Community Facilities Chapter

Board Members discussed the following on the natural features chapters

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- Overly narrative verbiage; focus on factually correct information
- Transmission of strikeouts and deletions to the Planning Staff
- Grammatical corrections to be passed on to the Planning Staff
- Cite independent objective information as an aid to updates at a future point
- Page 12, line 21 - tree removal draft ordinance no longer under consideration
- Page 13, line 28 - incorporate reference to Land Preservation Program

Board Members and staff discussed the following on the community facilities chapter:

- Overly narrative verbiage; focus on factually correct information
- Necessity to include issues for/comments on long range planning in the Comprehensive Development Plan
- Page 21, line 5 - change year completed for Okemos schools
- Page 3 - Municipal complex description
- Page 8 - include Fire Department occupancies (low hazard & high hazard)
- Page 23 - first paragraph under evaluation of school facilities needs further explanation
- Recommendations at the end of each chapter to maintain consistency in the Plan

Supervisor McGillicuddy requested Board members bring the Infrastructure and Economics Chapters to the October 21st Board meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

John Anderson, 215 W. Newman, Okemos, spoke in opposition to the possible property purchase on Okemos Road.

John Veenstra, 320 Piper Road, Haslett, expressed concerns over the possible property purchase on Okemos Road. He also addressed alleged lack of detail for credit card purchases under Consent Agenda item #7C and requested such information be included in the breakdown.

Supervisor McGillicuddy closed Public Remarks.

13. POSSIBLE CLOSED SESSION

Trustee Brixie moved to go into closed session. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

Supervisor McGillicuddy recessed the meeting at 10:12 P.M.

The Board adjourned to the Upstairs Conference Room for a closed session.

Trustee Woiwode moved to return to open session. Seconded by Trustee Stier.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

Supervisor McGillicuddy reconvened the meeting at 10:55 P.M.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:56 P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary