

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED & CORRECTED-**
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, FEBRUARY 5, 2002, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode (76:55 P.M.)

ABSENT: None

STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Chief Engineer Younes Ishraidi, Police Chief Gary Gibbons, EMS/Fire Chief Fred Cowper, Attorney Mike Woodworth

PUBLIC

SERVANTS: Park Commissioner & Representative to the Land Preservation Advisory Board Eckhart Dersch, Planning Commission Chair Richard Foster, Environmental Commission Chair Carla Clos

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:01 P.M.

2. PLEDGE OF ALLEGIANCE

Director Kieselbach led the pledge of allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

A. Introduction of New EMS/Fire Department Personnel and Officers

Chief Cowper introduced Captain Jack Lynch, Lieutenant Lori Schafer [Meridian Township's first female Fire Officer] and EMS/Fire Fighter Jason Pierce.

4. PUBLIC REMARKS*

Supervisor McGillicuddy opened and closed Public Remarks.

5. REPORTS/BOARD COMMENT

Clerk Helmbrecht reported the completion of reprecincting to account for the additional County Commissioner District and increase the convenience of polling places.

Trustee Such reported the Library Task Force would meet on Thursday, February 7, 2002 in the Town Hall Room at 5:30 P.M. to review initial site plans.

Treasurer Hunting reported the collection of over \$144,000 from delinquent multi-year or pre-2000 personal property taxes. He thanked the taxpayers for their cooperation.

Treasurer Hunting reported interest income for 2002 would be significantly less than for 2001; because of the decline in interest rates and maturing investments.

Treasurer Hunting reported the deadline for winter tax payments received in the Treasurer's Office is February 14, 2002 at 5:00 P.M. without interest added. He recommended the mailing of tax payments by February 8, 2002 or use of the drop box to ensure receipt by the due date.

6. APPROVAL OF AGENDA — OR CHANGES

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

Board Members discussed the following:

- Deletion of Agenda Item #11C (Railroad Right-of-Way Setbacks)
- Move Agenda Item #7E (Adoption of Statement of Ethical Guidelines) to #10D.

- Possible moved of Agenda Item #7K (MDOT Contract)

The maker and seconder of the motion accepted the following amendments to the agenda: Delete Agenda Item #11C (Railroad Right-of-Way Setbacks); and Move Agenda Item #7E (Adoption of Statement of Ethical Guidelines) to #10D.

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the proposed consent agenda.

Board Members discussed the following:

- Available staff measures to coordinate lighting and landscaping installation for Bennett Village Condominium Phase I Streetlighting District.

Trustee Brixie moved to adopt the Consent Agenda. Seconded by Clerk Helmbrecht.

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

NAYS: None
Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

10C-1 Margaret & Thad Twarozynski, 5141 Jo Don Drive, East Lansing; RE: Support for SUP #01121 (Diversified)

(2). Board Information (BI)

- BI-1 Ronald M. Lacasse, 4609 Ottawa Drive, Okemos; RE: Establishment of Rental Housing Fees
- BI-2 John C. Wolenberg, 2459 Barnsbury Road, East Lansing; RE: Communication to East Lansing Planning Commission Regarding Rezoning of the Four [Winds] Golf Course
- BI-3 Molly Wingrove, 2649 Melville Drive, East Lansing; RE: Code Enforcement in Wardcliff Neighborhood
- BI-4 Teri Banas, 5606 Creekwood Lane, Haslett; RE: Creekwood Pedestrian/Bicycle Pathways
- BI-5 Vernon W. McLellen, 1459 Cheboygan Road, Okemos; RE: Response January 22, 2001 Board Communication SC-11
- BI-6 Bendzinski & Co., Municipal Finance Advisors; RE: Invitation to "3D* Party"
- BI-7 Eleanor V. Luecke, President, L.I.N.C.; RE: Letter to Okemos School Study Committee
- BI-8 Michigan Townships Association 2002 Capitol Conference Registration
- BI-9 Patricia A. Tabbert & Barbara Lundy, 1793 Sherbrook Way, Haslett; RE: Sewer Repair Reimbursement
- BI-10 Doug Rothwell, President & CEO, Michigan Economic Development Corporation; RE: Regional Local Official Academies

(3). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax January 25, 2002 Edition
- SC-2 Current List of Licensed Vendors and Non-Licensed Persons or Nonprofit Organizations Engaged in Soliciting or Canvassing

- SC-3 Township Manager's Correspondence to City of Lansing Planning & Development Director RE: Communications-Link for the "Governor's Collection" Development
- SC-4 Joy A. Rimpau, Treasurer, Meridian Community Band; RE: Appreciation for 2002 Appropriation
- SC-5 Township Manager's Correspondence to Grand River Avenue Forum Attendees
- SC-6 Mike Bryanton, Ingham County Clerk; RE: Determination of Validity of December 12, 2001 Annexation Petition

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 Clerk Helmbrecht.

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

B. Minutes

- (1) December 18, 2001 Regular Meeting - Re-approval
- (2) January 22, 2002 Regular Meeting

Trustee Brixie moved to re-approve and ratify the corrected minutes of the December 18, 2001 Regular Meeting and approve the minutes of the January 22, 2002 Regular Meeting as submitted. Seconded by Clerk Helmbrecht.

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

C. Bills

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

General Fund/Special Revenue	
2001 Expenses	\$ 4,496.16
2002 Expenses	\$ 348,791.91
Public Works	
2001 Expenses	\$ 1,444.63
2002 Expenses	\$ 200,423.34
<u>Total Checks</u>	<u>\$ 555,156.04</u>
<u>Credit Card Transactions</u>	<u>\$ 16,510.15</u>
Total Purchases	<u>\$ 571,666.19</u>

Seconded by Clerk Helmbrecht.

[Bill list in Official Minute Book]

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

D. Revisions to 2002 Fee Schedule

Trustee Brixie moved that the fee schedule as presented above [See Staff Memorandum Dated February 5, 2002] for Recreation Facilities and Liquor License Application Fee be approved for Calendar Year 2002. Seconded by Clerk Helmbrecht.

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

F. Accept Resignation from EDC

Trustee Brixie moved to approve the resignation of Matt Rhodes from the EDC as requested in Mr. Rhodes letter of January 23, 2002. Seconded by Clerk Helmbrecht.

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

G. 2001 Order to Construct Sidewalk Special Assessment District #1 (Shoals) - **Resolution #5**

Trustee Brixie moved to approve the 2001 Order to Construct Sidewalks Public Improvements Special Assessment District #1 Resolution No. 5, which approves the special assessment roll; designates: the project as "2001 Order to Construct Sidewalks Public Improvements Special Assessment District #1", the assessment roll as "2001 Order to Construct Sidewalks Public Improvements Special Assessment District #1 Special Assessment Roll", and the district as the "2001 Order to Construct Sidewalks Public Improvements Special Assessment District #1; adopts the amount of \$3,820.00 as the final amount for the assessment roll; and orders and directs the assessment roll to be paid and collected. Seconded by Clerk Helmbrecht.

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

H. 2001 Order to Maintain Sidewalk Special Assessment District #3 - **Resolution #5**

Trustee Brixie moved to approve the 2001 Order to Maintain Sidewalk Repair Public Improvements Special Assessment District #3 Resolution No. 5, which approves the special assessment roll; designates: the project as "2001 Order to maintain Sidewalk Repair Public Improvements Special Assessment District #3", the assessment roll as "2001 Order to Maintain Sidewalk Repair Public Improvements Special Assessment District #3 Special Assessment Roll", and the district as the "2001 Order to Maintain Sidewalk Repair Public Improvements Special Assessment District #3; adopts the amount of \$27,056.82 as the final amount for the assessment roll; and orders and directs the assessment roll to be paid and collected. Seconded by Clerk Helmbrecht.

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

I. Bennett Village Condominium Phase I Streetlighting District - **Resolution #2**

Trustee Brixie moved to approve Bennett Village Condominiums Phase I Streetlighting District Resolution #2, which confirms the plans and estimate of costs for the Bennett Village Condominiums Phase I Streetlighting District; directs the Supervisor to make a special assessment according to the roll submitted to the public hearing and confirms the assessment amount of \$2,684.00 for the first year, and \$749.00 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the seven (7) streetlights; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract." Seconded by

Clerk Helmbrecht.

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

J. CATA Appointment

Trustee Brixie moved that Patrick Cannon be appointed as the Meridian Township Representative to the Capital Area Transportation Authority for a three-(3) year term to expire September 30, 2004. Seconded by Clerk Helmbrecht.

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

K. MDOT Contract

Trustee Brixie moved the following:

WHEREAS, the Michigan Department of Transportation will be widening a portion of Grand River Avenue (M-43) in Meridian Township; and,

WHEREAS, the Public Works Department desires the installation of a 300 millimeter (12 inch) diameter water main under M-43, including fire hydrant located along the east side of Powell Road; and,

WHEREAS, Meridian Township will be reimbursed for the cost of installing the water main if the water system in this location is expanded in the future, and,

WHEREAS, the federal and state government wishes to construct a future wetland site to provide for mitigation of wetlands needed for the construction contract along Highway M-43 located within Meridian Township;

THEREFORE, BE IT RESOLVED THAT, the Charter Township of Meridian hereby agrees to enter into a contract with the Michigan Department of Transportation for the installation of water main and a hydrant and mitigation of wetlands associated with the widening of a portion of Highway M-43 within Meridian Township; and

FURTHER, BE IT RESOLVED THAT, the Township Clerk and Township Supervisor be hereby authorized to sign the contracts.

Seconded by Clerk Helmbrecht.

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

L. Copier Purchase Authorization

Trustee Brixie moved to approve the purchase of the Ricoh 1050 copier for an amount not to exceed \$22,000 and that the budget be increased from \$17,950 to \$22,000 charged to account #101.900.901.980.000. Seconded by Clerk Helmbrecht.

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10D. & 11B.):

9. HEARINGS (None)

10. ACTION ITEMS

Supervisor McGillicuddy opened public comment.

Bob Homan, 2176 Hamilton Road, Representing Rockwood Investments, spoke in opposition to the consideration of RD (Multiple Family-Low Density) or RDD (Multiple Family-Low Density) for Rezoning #01140 (Rockwood).

Supervisor McGillicuddy closed public comment.

A. Rezoning #01130 (Rysberg), request to rezone approximately 60 acres located on the west side of Okemos Road from RAAA (Single Family-Low Density) to RAA (Single Family-Low Density) -
Introduction

Trustee Brixie moved [and read the resolution into the record] that the Township Board hereby denies Rezoning Petition #01140 from RAA (Single Family-Low Density) to RC (Multiple Family-Medium Density) #01130 from RAAA (Single Family-Low Density) to RAA (Single Family-Low Density). Seconded by Trustee Stier.

Board Members discussed the following:

- Pro: The property can be used under the current zoning
- Pro: The current zoning is consistent with the Comprehensive Development Plan
- Pro: Need for more permanence to zoning designations
- Con: The subject site is an environmentally sensitive area best developed through PUD
- Con: The proposed densities under PUD fall within those of the Comprehensive Development Plan
- Con: Insufficiency of current PUD Ordinance for current zoning designation
- Total buildable acreage of property
- Consideration of a PRD for the subject site
- Time table for Board action on rezonings

Clerk Helmbrecht moved to table the matter. Seconded by Trustee Such.

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

MAIN MOTION

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

B. Rezoning #01140 (Rockwood), request to rezone approximately 16.2 acres located at 6290 and 6330 Abbott Road - **Introduction**

Treasurer Hunting moved [and read the resolution into the record] that the Township Board hereby denies Rezoning Petition #01140 from RAA (Single Family-Low Density) to RC (Multiple Family-Medium Density). Seconded by Trustee Brixie.

Board Members discussed the following:

- Pro: The proposed rezoning is not consistent with the Comprehensive Development Plan
- Pro: Changes in other jurisdictions is not sufficient justification to deviate from the Comprehensive Development Plan
- Pro: Current zoning is desirable use

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

- C. Special Use Permit #01121 (Diversified), request to construct a 60-unit senior rental housing facility located north of Grand River Avenue and east of Jo-Don Drive in Section 17

Trustee Brixie moved [and read the resolution into the record] that the Township Board hereby approves Special Use Permit #01121 with the following conditions:

1. Approval is subject to conformance with the conditions of special use permit #01121 (Diversified) for the senior citizen rental housing development.
2. Prior to the issuance of a building permit, the applicant shall obtain approval from the Township Fire Department.

Seconded by Treasurer Hunting.

Board Members discussed the following:

- Pro: Original redevelopment project in this area
- Pro: Serves a need within the Township
- Concern related to safety of pedestrian crossing of Grand River Avenue

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

- D. Adoption of Statement of Ethical Guidelines

Trustee Brixie moved to approve the "Ethics Statement" from the previous meeting [January 22, 2002 Regular Meeting [Agenda Item #11E](#) Ethics Statement]. Seconded by Treasurer Hunting.

Board Members discussed the following:

- Deletion of reference to "Elected Official"
- Incorporation of previous discussion [January 22, 2002] in "Statement of Ethical Guidelines"
- Pro: Revised document contains weaker language
- Con: Enforcement of provisions is not discussed
- Con: Ambiguity of language
- Con: Statement No. 3 does not address private deliberations
- Con: Statement No. 4 contains two (2) distinct thoughts
- Con: Statement No. 4 is potentially over-restrictive in regards to media relations
- Pro: Statement No. 3 should only govern public deliberation
- Pro: The "Ethics Statement" neither adds to nor subtracts from the existing and underlying legal standards
- Pro: Appointees are within rights to opt out of signing this statement

Dividing Statement No. 4: (Agenda Item #8 (Questions for the Attorney))

Q. Could Statement No. 4 be divided.

A. Statement No. 4 incorporates two (2) related statements to make the document more concise.

In order to split the two (2) thoughts, one must look at the statutory language from which the second statement was derived. A new Statement No. 5 becomes nonsensical if it is simply: "I will not use that confidential information for personal gain." To retain the context of the underlying statute, the following language should be sufficient: "I will not benefit financially from confidential information which I have obtained, or may obtain by reason of my position or authority."

Statutory Basis for Statement No. 4: (Agenda Item #8 (Questions for the Attorney))

Q. What is the statutory citation for the initial part of Statement No. 4

A. Public Act 196 of 1973.

Board Members discussed the following:

- Pro: Appointees are not necessarily cognizant of statutory requirements

Trustee Such offered an amendment to the "Ethics Statement" to add Statement No. 5 as follows:

I will not benefit financially from confidential information which I have obtained, or may obtain by reason of my position or authority.

In addition, renumber remaining statements.

Amendment accepted by maker and seconder.

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

NAYS: None

Motion carried 6-0.

11. DISCUSSION ITEMS

Supervisor McGillicuddy offered an opportunity for public comment, which no one took.

A. Planned Unit Development (PUD) Ordinance Amendment

[Trustee Woiwode entered at 6:55 P.M.]

Board Members discussed the following:

- Value of amendments proposed by the Planning Commission
- Recent statutory requirements for clustered housing ordinance
- Difference between PUD and PRD
- Need for the creation of incentives for developers to use the PUD and PRD process
- Lack of Board guidance to Planning Commission with original Zoning Amendment referral
- Elimination of commercial development from PUD Ordinance Amendments
- Universal Application to all zoning districts
- Minimum lot size based on useable land
- Reconsideration of automatic density bonus
- Alternative open space tools
- Possibility of an Ad Hoc Committee of the Board to review changes
- Meridian Township's adoption of the Municipal Planning Act rather than the Township Planning Act
- Retention of Township Board as final approval authority
- Addressing mixed use zoning separately from PUD Ordinance amendments
- Adoption of portions of Zoning Amendment and referral of remainder
- Categorization of amendments
- Exclusion of AG (Agricultural) and RRR (Rural Residential-Low Density) zoning districts from PUD's
- Restrictions on RR (Rural Residential) zoning districts
- Increasing ratio of residential to condominium developments under the PUD process
- Golf Course development under a PUD

B. Planned Residential Developments (PRD)

Supervisor McGillicuddy opened discussion on the PRD ordinance with consideration to increasing the open space requirement from twenty percent (20%) to fifty percent (50%) to accommodate the new state statute.

Compliance with Clustered Housing Requirements: (Agenda Item #8 (Questions for the Attorney))

Q. Do current Township Ordinances comply with the new state statute

A. The new legislation provides one year from December to adopt an ordinance(s) pertaining to a particular land in a zoning classification of that parcel of land. The PUD Ordinance is insufficient as it applies only to some zoning districts. A parcel of land served by public water and sewer in a zoning classification allowing for three (3) units per acre or less, must have PUD options available by state statute. A parcel of land not served by public water and sewer in a zoning classification allowing for two (2) units per acre or less, must have a cluster zoning option available by state statute.

Board Members discussed the following:

- Staff review of necessary amendments to Township Ordinances to comply with the state statute.

Supervisor McGillicuddy recessed the meeting at 7:42 P.M. to permit the arrival of invited commission representatives.

Supervisor McGillicuddy reconvened the meeting at 8:05 P.M.

12. VISION SESSION: "Greenways"

Supervisor McGillicuddy opened discussion on the concept of "Greenways."

Director Kieselbach introduced maps and overlays for Township parks, Township properties & PA 116 sites, floodplain, wetlands & drains, and pedestrian/bicycle pathway system.

Board Members discussed the following:

- Narrowing consideration of map combinations and overlays
- Maps of surrounding municipalities for potential linking points to regional systems
- Consideration of connection to river trail as first project
- Relationship of proposed pedestrian/bicycle pathway system with floodplain, wetland and park overlay
- Elimination of build-out areas from overlays
- Drainage way map as an outline of wildlife corridor
- Variables in determining minimum and ideal greenway widths
- Greenways providing a wildlife corridor rather than habitat for inner species
- Parks and Land Preservation Program as inner species protector
- Greenways as an essential element in water quality protection
- "Connectivity" within the Land Preservation Program Criteria and plan
- Necessity of a survey of functional gaps in greenways
- Potential opportunities available in the many Land Preservation Program Application received
- Priority ranking of undeveloped properties
- Property owner resistance to natural features inventory
- Identification and compilation of existing studies
- Non-intrusive survey methods
- Environmental Commission Open Space Study
- Connection of MSU Red Cedar Greenway to Lake Lansing
- Value of Red Cedar River
- Categories of greenways
- Informing property owners of desirable open space
- Environmental Commission walk-through as initial step in development process
- Green infrastructure planning tools
- Classification of existing protected areas by governmental jurisdiction

- Possibility of Greenways Task Force to create Township level governmental linkages on this specific issue

13. PUBLIC REMARKS

Supervisor McGillicuddy opened public comment.

Vernon W. McLellen, 1459 Cheboygan Road, Okemos, discussed the irreparable harm of development on wildlife and habitat. He spoke regarding the difference between ethical standards and ethical statements. He requested the Township become more involved in the Governors Collection development. He spoke in support of reinstating standing Board committees.

Supervisor McGillicuddy closed public comment.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:25 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Paul J. Cassidy, Secretary