

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, JANUARY 22, 2002, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode  
ABSENT: None  
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, Director of Parks & Recreation LuAnn Maisner, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

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

Supervisor McGillicuddy called the roll of the Board.

2. PLEDGE OF ALLEGIANCE

Manager Richards led the pledge of allegiance.

3. ROLL CALL (See Agenda Item #1)

4. PUBLIC REMARKS\*

Supervisor McGillicuddy opened Public Remarks.

David E. Pierson, McClelland & Anderson, L.L.P., 1305 South Washington Avenue, Suite 102, Lansing, representing SP Investments, requested a thirty (30) day extension for the Planning Commission's consideration of Rezoning #00160 (SP Investments).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT

Clerk Helmbrecht reported the Election Commission would hold a public hearing on January 24, 2002 at 6:00 P.M. to review and comment on the proposed reprecincting resulting from redistricting. She explained the difference between reprecincting and redistricting.

Trustee Brixie reported the Van Atta Task Force held its final meeting Saturday, January 19, 2002. She reported the task force's recommendation would be presented when the Board considers the Pedestrian/Bicycle Pathway Master Plan.

Trustee Stier requested a future Board Agenda include a discussion item regarding setbacks from railroad rights-of-way.

Trustee Such concurred with Trustee Stier's request. He reported the Library Task Force would hold a meeting on February 7, 2002 at 5:30 P.M. in the Town Hall Room to review sketch plans for a possible library.

Trustee Woiwode reported the next meeting of the Briarwood/Van Atta Task Force is yet to be scheduled, and interested parties could request individual notification of the meeting time and place.

Treasurer Hunting recommended consideration of the suggestions discussed in communications BI-5 (Piontkowski) and BI-11 (Shelburg). He reported winter tax payments are due in the Treasurer's Office by February 14, 2002 by 5:00 P.M. to avoid the imposition of an interest charge.

Clerk Helmbrecht reported the receipt of additional communications regarding amendments to the rental housing fees and ordinance amendments to be considered along with those highlighted by Treasurer Hunting.

6. APPROVAL OF AGENDA-OR CHANGES

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

Board members discussed the following:

- Move Agenda Item #7E (Set Meeting Date for Policy Governance Review for March 23, 2002) to #10A
- Move Agenda Item #7D (MDOT Contract) to #10B
- Extension of time for Planning Commission consideration of Rezoning #00160 (SP Investments)

**The maker and seconder of the motion accepted the following amendments to the agenda: Move Agenda Item #7E (Set Meeting Date for Policy Governance Review for March 23, 2002) to #10A; and Move Agenda Item #7D (MDOT Contract) to #10B.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda:

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

Board Members discussed the following amendments to the Consent Agenda:

- Agenda Item #7B (Bills): Adopt the Revised Bill List
- Agenda Item #7M(1) (December 18, 2001 Regular Meeting Minutes): Correction to December 18, 2001 Regular Meeting Draft Minutes: Item #14, page 14, para 8, line 1: strike Trustee Woiwode as the maker of the motion.

**By unanimous consent, the Board amended the Consent Agenda by including the above amendments.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, 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)

9A-1 Gary Shoup, 2449 Graystone Dr, Okemos; RE: Bennett Village Conifer Buffer

(2). Board Information (BI)

BI-1 Clifford A. & Colleen M. Kleier, 5412 Amber Drive, East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments

BI-2 Bruce & Pat Goodwin, 2648 Melville Drive, East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments

BI-3 John & Tara Lulich, 5213 Blue Haven Drive, East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule

BI-4 Kathy Warner, 5147 E. Brookfield Drive, East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments

BI-5 Robert Piontkowski, 5906 Sleepy Hollow, East Lansing; RE: Documents submitted at the January 3, 2002 Regular Board Meeting: The Lansing Rental Registration and Rental Inspection Fee Schedule and Thank You Note From a New Tenant

- BI-6 Vernon W. McLellen, 1459 Cheboygan Road, Okemos; RE: Governors Collection Site Plan
  - BI-7 Vernon W. McLellen, 1459 Cheboygan Road, Okemos; RE: Request for Part-Time Person to Fill Needs of the Community Resources Commission
  - BI-8 Albert A. White, President, Whitehills Development Corporation, 3210 Lake Lansing Road, East Lansing; RE: Abandoned National Amusements Property at M-78 & Newton Road
  - BI-9 Carol Ingall, 6292 Lake Drive, Haslett; RE: Appreciation for Creation of Land Preservation Advisory Board
  - BI-10 John W. Midgley, P.E., Managing Director, Ingham County Road Commission, 301 Bush St, Mason; RE: 2002 Local Road Improvement Program
  - BI-11 Lou Shelburg, 2825 Roseland, East Lansing; RE: Proposed Changes in the Ordinance Regulating the Rental of Single Family Dwellings
  - BI-12 Molly Wingrove, 2649 Melville Drive, East Lansing; RE: Appreciation for Adoption of Revised Rental Housing Fee Schedule and Initiation of Rental Housing Ordinance Amendments
  - BI-13 Ruth & Jim Pecic, 5099 Wardcliff Drive, East Lansing; RE: Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments & Low Income Senior Housing (See Communication BI-14)
  - BI-14 Margaret & Thad Twarozynski, 5141 Jo Don Drive, East Lansing; RE: Low Income Senior Housing
  - BI-15 Charlene S. McCallum, 2281 Mt. Hope, Okemos; RE: Registration of Rental Dwellings for 2002
  - BI-16 William R. Buell, 3830 Pine Knoll Drive, Okemos; RE: Urban Service/Growth Boundary
  - BI-17 Lloyd & Deborah Getzen, 6188 Green Road, Haslett; RE: Opposition to the Amended Rental Housing Fee Schedule
  - BI-18 Margaret W. Plagge, 2248 Kent Street, Okemos; RE: Limiting Occupancy of Rental Housing
  - BI-19 Boyd & Julie Miller, 1379 Biscayne Way, Haslett; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments
  - BI-20 Kathy Warner, 5147 E. Brookfield Drive, East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments
  - BI-21 Les & Jean Smith, 2768 Brentwood Ave., East Lansing; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments
  - BI-22 Eleanor V. Luecke, President, L.I.N.C.; RE: Support for the Amendments to the Rental Housing Fee Schedule and Initiation of Ordinance Amendments
  - BI-23 Eleanor V. Luecke, President, L.I.N.C.; RE: Opposition to the Initiation of Rezoning of Property Adjacent or Near Public Schools to a Higher Density Residential
  - BI-24 Doug Rothwell, President & CEO, Michigan Economic Development Corporation, 300 N. Washington Sq., Lansing; RE: Michigan Community Development Block Grant (CDBG) Program
- (3) Regional Linkage (RL)
- RL-1 Ingham County Board of Commissioners 2002 Meeting Schedule
- (4). Staff Communication/Referral (SC)
- SC-1 2002 Post Script Schedule
  - SC-2 Commendation for Participation in the Public Access Defibrillation (PAD) Trial
  - SC-3 Brandon & Lyndsay Manson, 1894 Wilder Street, Haslett; RE: Appreciation for Fire

- Department Response
- SC-4 Article: "Shuttle System Creates Low-Impact Retail District" - American City & County, December 2001 Edition
  - SC-5 John T. Kattelus, Agency Director, Community Based Interventions, 5214 Wardcliff, East Lansing; RE: Request for Waiver of Special Use Permit Application Fee
  - SC-6 Wood Ridge Residents; RE: Appreciation for Sidewalk Construction
  - SC-7 Michigan Townships Association Legislative Fax, December 14, 2001 Edition
  - SC-8 Michigan Townships Association Legislative Fax, January 4, 2002 Edition
  - SC-9 Michigan Townships Association Legislative Fax, January 11, 2002 Edition
  - SC-10 Article: "If You Build It, They Will Come" - Michigan Municipal Review, December 2001 Edition
  - SC-11 Manager Richard's Response to Vernon W. McLellen RE: Governor's Collection Site Plan

**Clerk Helmbrecht 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, Stier, Such, Woiwode,  
Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

B. Bills

**Clerk Helmbrecht moved that the Township Board approve the Revised Manager's Bills as follows:**

General Fund/Special Revenue	\$ 323,784.38
<u>Public Works</u>	<u>\$ 238,168.09</u>
<u>Total Checks</u>	<u>\$ 561,952.47</u>
<u>Credit Card Transactions</u>	<u>\$ 16,647.98</u>
<u>Total Purchases</u>	<u>\$ 578,600.45</u>

**Seconded by Trustee Such.**

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

C. Beginning of Year Budget Amendments

**Clerk Helmbrecht moved that the 2002 Amended Budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated January 22, 2002 be approved. Seconded by Trustee Such.**

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

F. Paramedic/Fire Fighter Promotions

**Clerk Helmbrecht moved to ratify the promotion of John Lynch to the [rank of] Captain and Lori Schafer to the Rank of Lieutenant. Seconded by Trustee Such.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,

Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried unanimously.

G. Paramedic/Fire Fighter Appointment

**Clerk Helmbrecht moved the ratification of Jason J. Pierce to the Position of Paramedic/Fire Fighter contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Such.**

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

H. Liquor License Transfer, Veena's Investments, Inc.

**Clerk Helmbrecht moved approval of the Transfer Request from Veena's Investments, Inc, of the Class C License Business, at 4790 S. Hagadorn, Suite 312, East Lansing, MI 48823, Meridian Township, Ingham County from Shrestha Investments LLC Restaurant and the Township Clerk be authorized to execute the appropriate resolution. Seconded by Trustee Such.**

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

I. Computer Software Update for HOM-TV

**Clerk Helmbrecht moved to approve the purchase of the Globecaster upgrade, for an amount not to exceed \$5,200, charged to account #230-750.806-980.010 Video Production Equipment, to upgrade the Trinity Video Switcher. Seconded by Trustee Such.**

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

J. Hartrick Park Grant Agreement

**Clerk Helmbrecht moved to approve the attached resolution accepting \$488,125 from the Michigan Natural Resources Trust Fund and appropriating \$199,375 in local Park Millage funds, for development of Hartrick Park, and authorize the Clerk and Supervisor to sign the Agreement on behalf of the Township in a form as approved by the Township Attorney. Seconded by Trustee Such.**

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

K. Appointment of Planning Commission Representative to Zoning Board of Appeals

**Clerk Helmbrecht moved to appoint Brett Dreyfus as the Planning Commission representative to the Zoning Board of Appeals for the year 2002. Seconded by Trustee Such.**

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

- L. Accept Resignation from Environmental Commission  
**Clerk Helmbrecht moved to accept the resignation of Harold Prince from the Environmental Commission. Seconded by Trustee Such.**

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

M. Minutes

- (1) December 18, 2001 Regular Meeting  
**Clerk Helmbrecht moved to approve and ratify the minutes of the December 18, 2001 Regular Meeting amended as follows: Item #14, page 14, para 8, line 1: strike Trustee Woiwode as the maker of the motion. Seconded by Trustee Such.**

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

- (2) January 3, 2002 Regular Joint Meeting  
**Clerk Helmbrecht moved to approve and ratify the minutes of the January 3, 2002 Regular Joint Meeting as submitted. Seconded by Trustee Such.**

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Items #9A., 10B., 11D. & 11E.)

9. HEARINGS

- A. Bennett Village Condominium Phase I Streetlight District  
Supervisor McGillicuddy opened the public hearing at 6:17 P.M.

Director Severy introduced the proposed streetlighting district.

Trustee Brixie asked Director Severy if he had any follow up or report regarding communication 9A-1 (Shoup) requesting that the landscaping along the wildlife corridor be installed before streetlights.

Director Severy stated there is a landscaping requirement, which would be difficult to install before the homes are constructed. He stated the two (2) northernmost streetlights would have the greatest impact on the northern properties.

Trustee Brixie stated she sat on the Planning Commission when the project was approved. She stated there was much concern regarding the protection of the wildlife corridor and buffering between neighborhoods. She stated her concern that the buffer would not be added if units 35 & 37 remain unsold. She asked staff if the Planning Commission imposed any conditions regarding the timing of the buffer.

Director Kieselbach stated the site plan and landscape plans were approved as part of the planned unit development. He stated the buffer is required to be installed. He stated staff has discussed the installation of the wildlife corridor buffer beginning this spring. He stated the primary concern is the potential impact of grading on the new plants once construction of the houses begins.

Trustee Such asked if it would be possible to approve the installation, but condition the activation

of the lights on the installation of the landscaping.

Director Severy stated the Township could request Consumers Energy not turn on the lights following installation, but he does not know what might be their response.

Trustee Such stated Mr. Shoup expresses a valid concern regarding the protection of the wildlife corridor from human intrusion. He stated it makes sense to install the lights during construction, but may also make sense to leave them off until the buffer is complete. He stated this is one way to get the streetlights installed and protect the wildlife corridor until the landscaping is installed.

Director Severy stated he would contact Consumers Energy to determine the potential for delaying activation of the streetlights.

Treasurer Hunting asked if the earth moving equipment would be using the natural area in the site development.

Director Kieselbach stated they would not. He stated the issue would be the grading around the individual units. He stated he believes the landscaping along the north property line could be installed as soon as weather permits. He stated the landscaping around the individual buildings should wait until after construction.

Treasurer Hunting asked if the developer would use fencing demarcating the boundary of the natural area.

Director Kieselbach stated there is no requirement to use such fencing, but this could be done to protect the area during construction.

Treasurer Hunting stated in the activity of construction, oral and written instructions are not always followed. He stated fencing could help delineate the working and protected areas for the construction workers.

Supervisor McGillicuddy asked the Township Attorney if it is a reasonable request to install the landscape buffer before installation or activation of the streetlights.

Attorney Woodworth stated a conditioned approval is acceptable. He stated one reason for this screening is to protect adjacent property owners from the glare of streetlights. He stated the installation of the lights is fine now with activation to follow installation of the buffer.

Supervisor McGillicuddy asked if it is possible to ask for shielding on the lights to direct it down to the ground rather than lighting the entire area.

Director Severy stated the type of light suggested is non-standard, but he did not know whether it would direct light downward.

Supervisor McGillicuddy stated some municipalities have "dark sky" ordinances and the Township should consider such an ordinance.

Trustee Such asked how high the lights would stand.

Director Severy stated the lights would be fourteen feet (14').

Trustee Such stated the lights could be lowered if it is primarily for pedestrian traffic. He stated lighting in his neighborhood are fourteen feet (14') high which is too high. He stated lowering the lights would solve many of the problems. He stated the purpose of the lighting should determine the height. He stated the latest literature on walkable communities recommends lower streetlighting.

Director Severy stated the lights could be lowered, but he would need to discuss the possible need

for additional light fixtures with Consumers Energy.

Trustee Brixie stated it would be unreasonable to require the installation of landscaping between the buildings before construction. She stated the buffering to the natural area could be easily installed without potential impact from grading.

Richard Balesky, Manager, Dunn & Balesky Development, 1502 S. Shore Drive, East Lansing, spoke in support of the proposed streetlighting district for the following reasons:

- Landscape buffer resulted from negotiations with neighbors
- Landscape buffer was assumed to be installed during construction
- Construction grading could potentially kill the trees
- Streetlight installation and buffer planting should not be tied together
- Benefit of the streetlights should be derived through payment of installation
- Denial of streetlighting to new residents
- Amenable to moving planting schedule forward

Trustee Woiwode asked Mr. Balesky if he had read Communication 9A-1 (Shoup)

Mr. Balesky stated he had not read the letter.

Trustee Woiwode summarized the communication and asked if the plantings for the buffer to the wildlife corridor could be added before activation of the streetlights.

Mr. Balesky stated the concern is to minimize the amount of clearing of vegetation. He stated to install the buffer now, he would clear a line of trees along the wildlife corridor and install the buffer. He stated his intent is to clear only what is necessary in the construction of each building. He stated by planting the trees before construction, there is the potential need to regrade the site for drainage at the time of construction resulting in damage to the new plantings. He stated he desires a buffer between the neighborhoods. He stated the development includes several timing issues and to include the buffer would not be fair.

Trustee Woiwode stated she would presume streetlights would not be installed until after initial utilities are in place and most of the grading has been completed. She asked if there is any problem sequencing the projects such that the streetlights would be inactive until after the screening is in place. She stated this would be the assurance the Board is looking for in regard to the buffering.

Mr. Balesky stated the landscaping and buffering is part of the agreement, but not the timing of the installation. He stated the existing vegetation provides significant screening during the summer months. He stated the planned evergreens would not completely screen the streetlights from either neighborhood.

Trustee Brixie asked Mr. Balesky if he lives at the site.

Mr. Balesky stated he does not live there.

Trustee Brixie asked when units 37 through 40 are scheduled to be built.

Mr. Balesky stated the construction schedule is based on the sale of individual units.

Trustee Brixie asked if units have been sold.

Mr. Balesky stated five units along the back cul-de-sac have been sold.

Supervisor McGillicuddy closed the public hearing at 6:38 P.M.

- B. 2001 Order to Construct Sidewalk Special Assessment District #1 (Shoals)  
Supervisor McGillicuddy opened the public hearing at 6:39 P.M.



Director Severy introduced the special assessment district.

Treasurer Hunting asked on which lot the owner had constructed the sidewalk.

Director Severy stated the owner of 3988 Shoals Drive installed the sidewalk.

Clerk Helmbrecht asked if a percentage-based engineering fee had been charged for sidewalk construction.

Director Severy stated there had been consideration of a twenty percent (20%) administrative fee that had not been adopted. He stated the Engineers track individual project costs. He stated the engineering costs for this project amounted to \$6,095. He stated a fifteen- percent (15%) engineering fee would amount to approximately \$4,500 based on \$30,000 total assessment.

Supervisor McGillicuddy closed the public hearing at 6:42 P.M.

- C. 2001 Order to Maintain Sidewalk Special Assessment District #3  
Supervisor McGillicuddy opened the public hearing at 6:42 P.M.

Director Severy introduced the special assessment district.

Trustee Stier asked the approximate age of the subdivisions in the district.

Director Severy stated he would need to check.

Trustee Stier asked what should be the expected life span of a sidewalk.

Director Severy stated a concrete sidewalk should last thirty (30) years depending on the workmanship and amount of salt used assuming no incidental damage from large equipment.

Clerk Helmbrecht stated Mr. Sloan, owner of property at 1803 Sherbrook, called with questions about his assessment today.

Treasurer Hunting stated the Woodhill and Comanche subdivisions are much less than thirty (30) years old. He stated if there is some way of determining which contractor performed the original work, the Township might avoid using this company for future work.

Supervisor McGillicuddy closed the public hearing at 6:47 P.M.

#### 10. ACTION ITEMS

- A. Set Meeting Date for Policy Governance Review for March 23, 2002

Board Members discussed the following items:

- Consultant fees
- Need to eliminate consulting cost to meet budgetary pressures
- Need for expertise in guiding the initial review of Board Policies
- Need for objective guidance over discussions

**Trustee Woiwode moved to schedule a meeting on Saturday, March 23, 2002 at 8:00 A.M. in the Town Hall Room to conduct a "Policy Governance Review." Seconded by Trustee Brixie.**

Board Members discussed the following items:

- Need for an objective facilitator to permit full participation of Board Members
- Investigation of MSU Extension Service Facilitators

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,

Clerk Helmbrecht, Treasurer Hunting  
NAYS: Trustee Such  
Motion carried 6-1.

B. MDOT Contract

Board Members discussed the following items:

- Objection to MDOT decision to move forward on Grand River Avenue widening project
- Failure of state agencies to coordinate projects and plans with local governments
- Construction of water main under Grand River Avenue
- Wetland mitigation reimbursement
- Involvement of Parks & Recreation Department in wetland mitigation planning at Hartrick Park
- Granting of permits for work in the wetlands
- Compliance with Township Ordinances

**Treasurer Hunting moved the following:**

**WHEREAS, the Michigan Department of Transportation will be widening to five (5) lanes Highway M-43 in Meridian Township; and,**

**WHEREAS, the Public Works Department desires the installation of a 300 millimeter diameter water main under M-43, including fire hydrant located along the east side of Powell Road; 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 widening 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 Trustee Such.**

Board Members discussed the following:

- More explicit resolution wording of nature of agreement
- Determination of amount for reimbursement
- Limits on use of reimbursement funds
- Size and developmental impact of proposed water main

**Trustee Such moved to amend the resolution such that:  
paragraph 1 reads as follows:**

**WHEREAS, the Michigan Department of Transportation will be widening to five (5) lanes a portion of Highway M-43 in Meridian Township; and,**

**and paragraph 4 reads as follows:**

**THEREFORE, BE IT RESOLVED THAT, the Charter Township of Meridian hereby agrees to enter into a contract with the Michigan Department of Transportation for wetland mitigation and water system improvements associated with the road widening project on Highway M-43 within Meridian Township; and**

Board Members discussed the following:

- Existing water mains north of Grand River Avenue
- Process by which property owners request connection to the water system

- Township costs for water main construction

Denial of Public Water Service (Agenda Item #8 (Questions for the Attorney)):

- Q. On what basis could the Township legally deny a request to install water main on Powell Road.  
A. If the water main were reasonably accessible and there were no other reasons attributable to the health safety and public welfare, it would be difficult to defend a decision denying access to the water main.

**Trustee Woiwode moved to postpone action on this item to address Board questions. Seconded by Treasurer Hunting.**

VOICE VOTE: Motion carried 5-2 (Helmbrecht, Such).

#### 11. DISCUSSION ITEMS

Supervisor McGillicuddy opened public comment.

Vernon W. McLellen, 1459 Cheboygan Road, Okemos, spoke in opposition to Agenda Item #11E (Ethics Statement).

Supervisor McGillicuddy closed public comment.

#### B. Rezoning #01130 (Rysberg)

Director Kieselbach introduced the 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).

Board members discussed the amount of floodplain and upland areas of the property.

Supervisor McGillicuddy opened public comment.

Brian Rysberg, 2489 US 31, Traverse City, spoke in support of the proposed rezoning.

Supervisor McGillicuddy closed public comment.

Board Members discussed the following:

- Township compliance with the new open space State statute
- Potential postponement of project until adoption of open space ordinance
- Possible timeline for consideration of Planned Unit Development (PUD) Ordinance
- Possible Ad Hoc Board Committee to review the Planned Unit Development (PUD) Ordinance
- Protection of natural features on site
- Preference for development of site as Planned Unit Development (PUD) rather than through rezoning
- Delineation of wetlands
- Requirements for construction of roads through wetlands
- Relation of railroad lines to upland
- Location of railroad right-of way setback

#### C. Rezoning #01140 (Rockwood)

Director Kieselbach introduced the request to rezone approximately 16.2 acres located at 6290 and 6330 Abbott Road.

Board Members discussed alternate multiple-family zoning districts.

Supervisor McGillicuddy opened public comment.

Bob Homan, 2176 Hamilton Road, Okemos, representing the applicant, spoke in support of the proposed rezoning.

Supervisor McGillicuddy closed public comment.

Board Members discussed the following:

- Protection of neighboring RAA (Single Family-Low Density) zoning district
- Inconsistency with the Comprehensive Development Plan
- Planning Commission consideration of alternate zoning categories
- Determination of impact on Lake Lansing and Abbot Roads intersection
- Options to address left-turn difficulty from site
- Responsibility for payment of road widening

**Clerk Helmbrecht moved to return the matter to the Planning Commission to consider eight (8) or five (5) dwelling units per acre multi-family zoning districts.**

Supervisor McGillicuddy ruled the motion out of order.

Board Members discussed the surrounding zoning categories

D. Special Use Permit #01121 (Diversified)

Director Kieselbach introduced the request to construct a sixty- (60) unit senior rental housing facility located north of Grand River Avenue and east of Jo-Don Drive in Section 17.

Board Members discussed the following:

- Plan modifications through process
- Addressing pedestrian crossing to Farmer Jack Grocery Store
- Restriction of use to senior housing

Restrictions on Successors (Agenda Item #8 (Questions for the Attorney)):

Q. Are successive property owners subject to the same restrictions and controls.

A. Yes.

Supervisor McGillicuddy opened public comment.

Jackson McDaniel, President, Diversified Financial & Realty Services, 555 S. Old Woodward Ave., Suite 1508, Birmingham, spoke in support of the requested special use permit.

Supervisor McGillicuddy closed public comment.

Board Members discussed the following:

- Redevelopment and improvement to site
- Need for Senior Housing in community
- Recommendation for shoebox style downward shielded lighting
- Support of neighbors
- Resolution of Grand River Avenue access issues

E. Ethics Statement

Supervisor McGillicuddy introduced the draft ethics statement.

Board Members discussed the following:

- Need for ethics statement
- Enforcement authority and process
- Need for definition of terms
- Retroactivity of requirement
- Statement not required of elected officials sworn to office
- Establishment of guidelines for appropriate conduct
- Vagueness of language

Enforcement (Agenda Item #8 (Questions for the Attorney)):

- Q. Who would interpret and enforce the ethics statement.
- A. The proposed ethics statement comes directly from state statutes, Attorney General opinions, and ethical standards for other municipal planning organizations governing the ethical standards for public officials. All public officials are governed by these standards whether or not this statement is signed. An ethics statement advises officials at the beginning of their terms that they will be expected to adhere to these standards, and failure to adhere to these standards may result in a hearing for their removal. During any such hearing, an official would have the opportunity to present reasons for not being removed. The ethics statement should provide recognition that the role of a public officer is to serve the public interest of Meridian Township. The ethics statement ensure there is no confusion about what standards will be applied and the ramifications if a public official fails to meet them.

Board Members discussed the requisite enforcement of oaths

Ethics Guidelines (Agenda Item #8 (Questions for the Attorney)):

- Q. Would it be sufficient to replace the sworn statement with the following signed statement: "I have read, acknowledge, and understand these guidelines."
- A. If there were ever a proceeding to remove a public official, it would not be based on a violation of the ethics statement but on a violation of the principal itself; which is applicable whether or not such a statement is signed. The intent of the document is to ensure everyone understands their ethical obligations and the standards for compliance at the onset of their individual terms of office. Therefore, such amendments to the document would meet the intent of the document.

Board Members discussed the division of statement number 4 into two (2) statements.

Supervisor McGillicuddy recessed the meeting at 8:26 P.M.

Supervisor McGillicuddy reconvened at 8:38 P.M.

12. VISION SESSION: Greenways

Supervisor McGillicuddy introduced Mark Wyckoff, President, Planning & Zoning Center Inc.

Mark Wyckoff presented "Alternative Approaches to Protecting Greenspace."

Board Members discussed the following:

- Planned Unit Development (PUD) Ordinance amendments to connect greenways
- Educational resources
- Incorporation of green infrastructure in the Comprehensive Development Plan
- Planning tools to develop green infrastructure
- Development of Public Linkage Overlay
- Involvement of "development community" in development of greenways
- Enhancement of Township level governmental linkages

13. PUBLIC REMARKS

Supervisor McGillicuddy opened public comment.

Charles Louis Willems, 1387 Hickory Island, Haslett, requested a review of the Hickory Island Plat to verify lake front ownership. He alleged the Township sewer trespasses on his property and runs along the edge of the maintenance easement.

Vernon W. McLellen, 1459 Cheboygan Road, Okemos, stated the Manager's response (Communication SC-11) to his communication regarding the Governors Collection was unsatisfactory.

Supervisor McGillicuddy closed public comment.

14 ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:35 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Paul J. Cassidy, Secretary