

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 1**

1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor at 7:30 p.m. on March 19, 2012, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

The Supervisor led the assembly in the pledge of allegiance to the flag.

3. ROLL CALL

The members present were William McFarlane, Brenda McKinney, David Phillips, Nancy Caviston, Rodrick Green and Alex Williams. Trustee Lisa Lewis arrived at 7:43 p.m.

4. ADOPTION OF AGENDA

It was moved by Green, seconded by Caviston, to adopt the agenda with the letter from Rick Mayernik, Building/Zoning Official added as item c. under New Business.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF FEBRUARY 21, 2012

It was moved by Green, seconded by McKinney, to approve the minutes of the regular Board meeting of February 21, 2012, as presented.

The motion carried by a voice vote.

B. SPECIAL MEETING OF MARCH 5, 2012

It was moved by McKinney, seconded by Caviston, to approve the minutes of the special Board meeting of March 5, 2012, as presented.

The motion carried by a voice vote.

6. CITIZEN PARTICIPATION

A. YPSILANTI DISTRICT LIBRARY PRESENTATION

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 2**

Ypsilanti District Library (YDL) staff members and Library Board members were present and Ms. Donna DeButts made a presentation to the Board about the 2011 Community Report for the Ypsilanti District Library. Highlights of the Report included: the completion of the Teen Zone; additional computers were added at all locations; they hosted numerous events with authors, poets, musicians, songwriters and other talented individuals. In 2011, patrons checked out over 902,000 items, asked over 173,000 questions, 45,000+ people attended almost 2,700 programs, and patrons used the libraries computers 227,284 times. One of the priorities for the YDL is to expand the branch library in Superior Townships. The current branch at Harris and MacArthur Blvd. is 1,100 square feet of floor space, and is not large enough to accommodate the number of users. The YDL is considering building a new branch library on a 12 acre site on Harris Road, which belongs to the Willow Run School District.

B. CITIZEN COMMENTS

There were no citizen comments.

7. REPORTS

A. SUPERVISOR REPORT

Supervisor McFarlane reported on the following: On Thursday, March 12, 2012, he was conducting Board of Review at the Township Hall, when the severe storms passed through the area and caused damaging tornados in Dexter. They could not hear the emergency sirens. Fire Chief James Roberts recently informed Township officials that he applied for and was awarded a \$20,000 grant by the Homeland Security Agency for one emergency siren. There are presently sirens in Dixboro and at the Superior Township Utility Maintenance Building. Chief Roberts suggested the new siren be installed at either the Township Hall or Fire Station No. 1 on Ford Road. The Township will be responsible for the annual maintenance and operation costs of about \$400.00. The Board of Review heard about 50 petitions this year, and most of them were granted relief. Millage proposals for 2.25 mills for police (renewal), 3.00 mills for fire (renewal) and the .25 mill Legal Defense Fund (new) will be presented at the April 16, 2012 Board Meeting. The proposals will be on the August 7, 2012 Primary Election ballot. The Green Fair is scheduled for Saturday, June 23, 2012, 11:00 a.m. to 2:00 p.m. at Fire Station No. 2.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 3**

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, HOSPITAL FALSE ALARM, ORDINANCE OFFICER REPORT, PARK COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT

It was moved by Caviston, seconded by Green, that the Superior Township Board receive all reports.

The motion carried by a voice vote.

C. YEAR END FINANCIAL ANALYSIS AND FINANCIAL REPORTS FOR ALL FUNDS, PRE-AUDIT

Board members were provided with the 2011 year- end analysis of the reserve funds and fund balance for all funds and financial reports for all funds. All reports are pre-audit. Supervisor McFarlane explained that all funds have adequate reserve funds and fund balances and the Township is in good financial shape.

8. COMMUNICATIONS

A. DEBORAH L. SHAD, WATER RESOURCES COMMISSION, GEDDES RIDGE DRAIN

During heavy rains, some of the streets in Geddes Ridge Subdivision flood. There is an area of the subdivision that was never completed. This area included a storm sewer, which would greatly improve the flow of storm water away from the subdivision. The Water Resource Commission (WRC) provided a package of documents that included filing information for a municipality in a drainage district to petition for improvements to a county drain. This would result in the WRC conducting a Board of Determination that would decide if the project is necessary and should proceed or not. 30 % of the costs for the improvements would be paid for by the Township, with the remaining 70% pro-rated across the parcels contained in the drainage district. These costs are usually nominal and can be spread over a number of years. Board members indicated they preferred that the petition come from the landowners in the drainage district. Trustee Rodrick Green volunteered to speak with residents in the Geddes Ridge subdivision to explain the petition requirements and circulate the petition. Five signatures are required for the WRC to take action.

It was moved by Caviston, seconded by McKinney, to approve Trustee Rodrick Green to circulate a the Washtenaw County Water Resources petition among the landowners in the Geddes Ridge subdivision to convene a Board of Determination about the storm water problems in the Geddes Ridge subdivision.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 4**

The motion carried by a voice vote.

B. KEN PALKA, PHP CPA'S, TOWNSHIP AUDIT OF FY2012

Ken Palka, PHP CPA's, provided a letter dated March 14, 2012 to the Board, which indicated PHP CPA's has completed FY 2011 audit and, "The Township is in very good financial shape and there are no major issues which need addressing prior to the May 12, meeting".

It was moved by Williams, seconded by Lewis, to accept the correspondence from Ken Palka of PHP CPA's.

9. UNFINISHED BUSINESS

A. ORDINANCE NO. 174-08, HYUNDAI AMERICA TECHNICAL CENTER, INC. - AREA PLAN AMENDMENT, SECOND READING AND ADOPTION

On March 5, 2012, the Board completed the first reading of Ordinance No. 174-08.

The following motion was moved by Phillips, seconded by Caviston:

Approve the first reading of Ordinance #174-08 Hyundai America Technical Center, Inc., Amendment to the approved Area Plan dated October 1, 2003, as depicted on the plan dated January 27, 2012. The Board has made findings that the proposed amended plan meets the requirements for amending the original area plan as required by Sections 7.102 and 7.106 of the Zoning Ordinance. As allowed by the Superior Township Zoning Ordinance, on December 1, 2003, the Township Board approved a waiver for the height of the existing building and approved a building height of forty-two (42) feet in height. On February 22, 2012, as allowed by Section 7.303(G) of the Superior Township Planning Commission recommended the previously approved building height waiver be allowed to also apply to the proposed new addition. The Board therefore approves a height waiver to the new addition and the height of the new building addition be allowed to match the height of the existing building, or a building height not to exceed forty-two (42) feet. The Superior Township Board of Trustees further requires that the approval be conditioned upon the applicant complying with the following conditions:

1. The Preliminary Site Plan submittal will include satisfactory plans for the screening of the proposed new electrical substation as required by Section 14.10(F) of the Zoning Ordinance, which will comply with the requirements of Section 14.10 of the Zoning

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 5**

Ordinance and will include berms and greenbelt buffer plantings on and around the berms.

2. Provide the required Zoning Ordinance information referenced in OHM's February 14, 2012 letter with the Preliminary Site Plan submittal.
3. The natural vegetation located along the west property line of the parcel shall remain undisturbed and be kept in a natural state.
4. The transition buffer and side-yard setback shall be properly labeled on the Preliminary Site Plan. Reduction of the required dimensional standards for the side-yards is approved by the Board at the electrical substation only, as allowed by Section 7.003 of the Zoning Ordinance.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE # 174-08**

Hyundai America Technical Center, Inc. – Area Plan Amendment

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended as follows:

SECTION I

Superior Charter Township Ordinance Number 174, designated Superior Charter Township Zoning Ordinance, adopted August 4, 2008 and effective August 14, 2008, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by amending the Area Plan for Hyundai Area Technical Center, Inc. dated October 1, 2003 to the Area Plan dated January 27, 2012.

Parcel I (J-10-32-100-003):

ASSR REQ QCD L4621 P837 06/08/04 SU 32-1A PCL "I" COM AT NE COR OF SEC 32, TH S 87-03-35 W 60.00 FT TO A POB, TH S 02-12-36 E 2118.18 FT, TH S 87-03-35 W 1140.10 FT, TH N 02-12-36 W 2118.18 FT, TH N 87-03-35 E 1140.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 55.44 AC. SPLIT ON 06/09/2004 FROM J -10-32-100-001;

Parcel II (J-10-32-100-007):

OWNER REQUEST SU 32-1B-1A PCL " II-A " COM AT NE COR OF SEC 32, TH S 02-12-36 E 2178.18 FT TO A POB, TH CONT S 02-12-36 E 369.59 FT, TH S 87-33-10 W 1803.00 FT, TH S 02-12-36 E 108.00 FT, TH S 87-33-10 W 504.33 FT, TH N 02-00-37 W 2636.05 FT, TH N 87-03-35 E 1098.21 FT, TH S 02-12-36 E 2178.18 FT, TH N 87-03-35 E 1200.10 FT TO THE POB. PT OF NE 1/4 SEC 32, T2S-R7E. 75.40 AC. SPLIT ON 03/06/2007 FROM J -10-32-100-005, J -10-32-100-006;

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 6**

SECTION II

The Area Plan of Hyundai Area Technical Center, Inc. dated January 27, 2012 shall constitute the Approved Area Plan.

SECTION III

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AYES: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

NAYS: None

ABSENT: None

ABSTAINED: None

The motion carried.

10. NEW BUSINESS

A. HIRE FIREFIGHTER MARK POLLEY

Fire Chief James Roberts provided a letter to the Board and made a presentation to the Board to recommend the Township hire Mark Polley as a Superior Township fire fighter. Chief Roberts indicated Mr. Polley scored very well in all aspects of the hiring process and had very good references. Mr. Polley is presently employed as an on-call fire fighter with the Romeo-Bruce Township Fire Department and is working part-time with an ambulance company in Macomb County. Mr. Polley has completed his paramedic certification.

It was moved by Phillips, seconded by Green, to approve hiring Mark Polley as Superior Township fire fighter with a start date of March 20, 2012.

The motion carried with a voice vote.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 7**

**B. RESOLUTION 2012-07, APPROVE STREET-SIDE MAINTENANCE
AGREEMENT WITH MR. SWANSON FOR THE OAKBROOK AND
WASHINGTON SQUARE COMMON AREAS**

In 2001 the Township Board approved a special assessment district for all parcels in the Oakbrook and Washington Square subdivisions. Each parcel was levied an amount to be used to cut the grass and perform other maintenance in the common areas of the subdivision. Since 2001, the Township has contracted with Mr. Swanson to perform the work. Township officials and residents have been extremely satisfied with Mr. Swanson's work. The proposed 2012 agreement includes the following changes from the 2011 agreement: the amount of insurance was increased from \$100,000 to \$1,000,000; it includes an additional \$1,200.00 for maintaining the north side of Berkshire from Wilshire to Prospect and the east side of Prospect starting at Berkshire then north about 1/10th of a mile to the wooded area. Also, a \$500.00 increase for gas expenses. The total cost for 2011 was \$14,994; the cost for 2012 is \$16,694.

**AGREEMENT BETWEEN
CHARTER TOWNSHIP OF SUPERIOR AND CHARLES E. SWANSON**

This agreement made this _____ day of _____, 2012, by and between the Charter Township of Superior, hereafter referred to as the Township, and Charles E. Swanson, hereafter referred to as contractor.

Whereas the Township desires to secure the services of a contractor for street-side maintenance,

Now therefore, in consideration of the promises and covenants hereinafter contained, the parties hereto mutually agree as follows:

1. The relationship of the contractor to the Township is and shall continue to be that of an independent contractor and no liability of benefits such as Worker's Compensation, Pension, unemployment benefits or other rights or liabilities arising out of or related to a contract for hire or employee/employer relationship shall arise or accrue to either party as a result of the performance of this contract. The contractor has signed the Township's Independent Contractor Release Agreement
2. The contractor shall maintain general liability insurance in the amount of at least \$1,000,000 naming Superior Charter Township as an additional insured and provide the Clerk with a copy of the policy within ten (10) days of signing the contract.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 8**

3. The contractor shall maintain the following street sides for the 2012 Summer Season, including lawn cutting and trimming weekly, brush and tree trimming as needed, and litter removal along the street sides as needed:
 - a. Berkshire east of Prospect – south side – from entrance to Lakeview Estates - @ 2/10 mile strip 12 feet wide
 - b. ADDED IN 2012. North side of Berkshire starting at Wilshire then east to Prospect (not including the yard of the occupied home on Berkshire). East side of Prospect starting at Berkshire then north about 1/10th of a mile to wooded area. Maintain this as required by item #3 above.
 - c. MacArthur Blvd. – west side – from Fireman’s Park to Stamford - @ 800 foot strip 12 feet wide
 - d. MacArthur Blvd. – both sides – from Stamford to Clark - @ 6/10 mile strip 42 feet wide (from fences to street)
 - e. MacArthur Court Island - @ one acre
 - f. Heather Island – from MacArthur - @ 500 feet
 - g. Nottingham Island – from Clark - @ 500 feet
 - h. Clark Drive Island – north from Clark Road @ 100 feet
 - i. MacArthur Drive east along Clark Road to Clark Drive Island @ 1.5/10 mile 36 feet wide strip to fences
 - j. MacArthur Blvd. tree trimming and clean up
 - k. Maintenance described in item #3., shall begin on or before May 1, 2012, weather permitting.
 - l. Oakbrook entrance island.
4. The Township shall pay the contractor \$ 16,694.00 for the 2012 Summer Season ending in November 15, 2012, and the contractor will bill the Township biweekly for services rendered.
5. This contract may be terminated with 10 days’ notice by either party.

In witness whereof, the undersigned have set their hands this _____ day of _____, 2012.

Contractor: _____ Date:

Township Supervisor _____ Date:

The following resolution was moved by McKinney, and seconded by Caviston.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 9**

RESOLUTION NUMBER: 2012-07

DATE: MARCH 19, 2012

**A RESOLUTION FOR APPROVAL FOR ENTERING INTO A STREET-SIDE
MAINTENANCE AGREEMENT WITH MR. SWANSON FOR THE
OAKBROOK AND WASHINGTON SQUARE SUBDIVISION COMMON AREAS**

WHEREAS, Superior Charter Township is a Michigan municipal corporation that provides public services to residents of Superior Charter Township, and

WHEREAS, a Special Assessment District was created to provide funding for street-side maintenance in the Oakbrook and Washington Square subdivisions located in the Township, which includes cutting the grass and other maintenance of the common areas, and

WHEREAS, the Township Board has the responsibility to approve, execute and administer agreements to provide for such street-side maintenance, and

WHEREAS, Mr. Swanson was awarded the contract in 2001 after the Township received at least three other bids, and

WHEREAS, the Township has been extremely satisfied with the performance of Mr. Swanson;

NOW, THEREFORE BE IT RESOLVED: that the Superior Township Board approves the Agreement for 2012 with Mr. Swanson for side-street maintenance in an amount not to exceed \$16,694.00 and authorizes the Township Supervisor to sign the Agreement, and that the cost of this agreement is to be taken from the Side Street Maintenance Fund, G.L. Account No. 220.

AYES: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

NAYS: None

ABSENT: None

ABSTAINED: None

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 10**

The motion carried.

C. RICK MAYERNIK MEMO, ACCESSORY STRUCTURES

Rick Mayernik, Zoning Official, provided a memo to the Board in which he recommended the Township should review the language in the Zoning Ordinance that regulates the location of accessory buildings. He indicated that he presently has a request from a homeowner to locate an accessory building in the front yard of a 79.49 acre parcel. The proposed location of the accessory building would be 1937 feet from the street and would not be visible from the street. The Board discussed the merits of allowing more flexibility to locate an accessory structure on such large lots.

It was moved by Phillips, seconded by Green, that the Board requests the Planning Commission to draft Zoning Ordinance text amendments to Section 6.03 of the Zoning Ordinance so that under certain circumstances, accessory structures would be allowed in the front yards of parcels located in the rural and rural residential zoning districts of the Township.

The motion carried by a voice vote.

11. PAYMENT OF BILLS

It was moved by Caviston, seconded by Green, that the bills be paid as submitted in the following amounts: There were no bills submitted for payment. Further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

12. PLEAS AND PETITION

Dan Smith, Washtenaw County Commissioner of District #2, was present and reported to the Board that the Ann Arbor City Council passed the 4- party agreement, in which the City of Ann Arbor approved shifting of their funding from the current AATA Board to the new 196 Board, which will be established for the purpose of implementing a county wide transportation plan. He also reported that the Governor has signed the bill which allows County Commissions to take over the responsibilities of road commissions.

13. ADJOURNMENT

It was moved by McKinney, seconded by Green, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 8:50 p.m.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 19, 2012
ADOPTED MINUTES
PAGE 11**

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor