

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 16, 2012
ADOPTED MINUTES
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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 July 16, 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 and Alex Williams. Trustees Rodrick Green and Lisa Lewis were absent.

4. ADOPTION OF AGENDA

It was moved by McKinney, seconded by Caviston, to add, "Award Sidewalk Inspection Program Contract" as item k. under New Business and to adopt the agenda as amended.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JUNE 18, 2012

It was moved by McKinney, seconded by Caviston, to approve the minutes of the regular Board meeting of June 18, 2012, as presented.

The motion carried by a voice vote.

6. CITIZEN PARTICIPATION

A. AATA COUNTYWIDE MASS TRANSIT PLAN

This item was taken out of order on the agenda, and was addressed after Item 7., B., Reports. Representatives from the Ann Arbor Transportation Authority (AATA), made a presentation to the Board about the proposed formation to the new transportation authority and the implementation of their proposed five-year plan, which would expand public transit services in Superior Township and the county. The plan would require additional funding, which would most likely be in the form of 0.5 mil tax increase, tentatively scheduled for the May 2013 election. Board members indicated that the Township has had a long relationship with the AATA through Purchase of Service Agreements (POSA's). AATA staff indicated that even if the Township opted-out of the new authority, they would continue to offer the fixed-route service and A-Ride service to the Township through a POSA.

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B. CITIZEN COMMENTS

There were none.

7. REPORTS

A. SUPERVISOR REPORT

Supervisor McFarlane reported on the following: The Treasurer's Office has implemented a Positive Pay Fraud Protection Plan through Chase Bank, which will provide for additional protection against forged checks; the Township's Temporary Moratorium Upon the Issuance of Permits, Licenses and Approvals for the Production, Sale or Dispensation of Medical Marijuana is scheduled to expire on July 18, 2012. On June 18, 2012, the Township adopted Zoning Ordinance Amendment 174-10, which indicates that land uses that are contrary to federal, state or local laws shall be prohibited in any zoning district. This amendment effectively nullified the moratorium; a representative of Heritage Academy contacted Supervisor McFarlane and informed him that they are considering purchasing an additional 23 acres next to their K-8 school at Ridge and Geddes Roads to be used to construct a new high school; Supervisor McFarlane thanked Mr. Lou Farris and the owners of Sycamore Meadows for donating \$1,000.00 each to the Sheriff's Department for the purchase of bicycles to be used by the deputies to patrol; Supervisor McFarlane explained that on Saturday, he attended a meeting about the Willow Run and Ypsilanti school districts unification. He said it was reported that both school districts will be unable to meet payroll by November of this year.

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

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

The motion carried by a voice vote.

8. COMMUNICATIONS

A. LETTER TO U.S. DEPARTMENT OF JUSTICE, RE; MACARTHUR BOULEVARD GRANT

Supervisor McFarlane explained that over the past few years, crime has decreased in the MacArthur Boulevard area and that it is no longer a "Crime Hot Spot". He indicated that the grant may help to improve the quality of life in the area and to keep crime down.

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It was moved by McKinney, seconded by Caviston, to receive the June 25, 2012 letter from Supervisor McFarlane to the Honorable Eric Holder, U.S. Attorney General.

The motion carried by a unanimous voice vote.

9. UNFINISHED BUSINESS

On April 25, 2012, the Planning Commission held a public hearing on proposed Ordinance 174-10, after which time they voted to recommend approval of the ordinance. The proposed Ordinance would prohibit all land uses that are contrary to federal, state or local laws. The Township's Attorney recommended this change to address the medical marijuana issue. The second amendment would remove the requirement that a private riding arena or stable can only be located on premises that includes a residence. The third amendment will allow accessory structures to be located in the front yard of a lot under certain circumstances. On June 18, 2012, the Board approved the first reading of the ordinance. There have been no changes to the proposed amendments since the first reading.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 174-10

[An ordinance to amend Sections Section 2.202 (Prohibited Uses), 5.107 (Private Riding Arenas and Boarding Stables), and 6.03 (Accessory Structures and Uses) of the Superior Charter Township Zoning Ordinance No. 174 by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended)]

[For Planning Commission Review and Recommendation to the Township Board]

SUPERIOR CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

**ARTICLE 2
ZONING DISTRICTS**

[DELETE and REPLACE the text of Section 2.201A (Permitted Uses), as follows]

Section 2.201 Use Regulations.

In all districts, no structure or land shall be used or occupied, except in conformance with Article 4.0 (Land Use Table), and as otherwise provided for in this Ordinance.

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A. Permitted Uses.

Uses shall be permitted by right only if specifically listed as principal permitted uses in the various zoning districts, or if substantially similar in nature to uses which are listed. All other uses shall be prohibited. Land uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances shall be prohibited in any zoning district.

**ARTICLE 5
USE STANDARDS**

[DELETE and REPLACE the text of Section 5.107 to REMOVE the requirement for a dwelling on the same or an adjoining lot, as follows]

Section 5.107 Private Riding Arenas and Boarding Stables.

All stables and facilities for the private rearing, schooling and housing of horses, mules, ponies and similar equine riding animals shall be subject to the following:

- ~~1.~~ 1. A dwelling in a principal building for the property owner or operator of the private stable shall be located on the same or an adjoining lot.
- ~~2.1.~~ Stables and facilities for the private rearing, schooling and housing of horses, mules, ponies and similar equine riding animals shall require a minimum lot area of four (4) acres, and shall be subject to the following:
 - a. Lots between four (4) and five (5) acres in gross land area shall be limited to a maximum of three (3) such animals. Private rearing, schooling and housing of such animals on lots five (5) acres and larger shall conform to Generally Accepted Agricultural Management Practices (GAAMPS) established by the Michigan Department of Agriculture.
 - b. All stable and arena buildings, corrals, and similar structures shall be located not less than 75 feet from adjacent properties all side and rear lot boundaries.
 - c. Stable and arena buildings, corrals, and similar structures shall not be located within any required front yard setback, and shall be located no closer to any road rights-of-way than the rear building line of any dwelling on the subject lot. For lots without a principal dwelling, such structures shall be set back a minimum of 300 feet from all road rights-of-way.
- ~~3.2.~~ A fenced area for pasturing, exercising or riding such animals may extend to the front, rear or side lot boundaries. All such animals shall be kept confined within a fenced area when not being ridden, under harness, or when not in their stable and arena building, corral or similar structure.

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- 4.3. The facility shall be so constructed and maintained that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
- 5.4. There shall be no commercial activity, other than incidental sales not unusual for permitted RURAL USES or RESIDENTIAL USES.
- 6.5. Establishment or enlargement of such a facility shall be subject to approval of a certificate of zoning compliance per Section 1.07 (Certificates of Zoning Compliance). Approval of a building permit may be required if the facility is open to the public.

**ARTICLE 6
GENERAL PROVISIONS**

[DELETE and REPLACE the text of Section 6.03 to INSERT provisions for accessory structures to be located between the dwelling and the road right-of-way under certain conditions, as follows]

Section 6.03 Accessory Structures and Uses.

Where a lot is devoted to a permitted principal use or an approved conditional use, accessory uses are permitted if specifically listed as accessory uses in the applicable zoning district, or if substantially similar to such listed uses. Accessory uses shall be secondary and incidental to the principal use(s) of the parcel. Accessory structures and uses shall be subject to the following:

1. Where the accessory structure is attached to the principal building, the accessory structure shall be subject to all regulations of the district in which it is located.
2. In the Rural, Rural Residential, and Urban Residential Districts, detached accessory structures shall be set back behind the rear line of the principal building, and shall be set back a minimum of five (5) feet from interior side or rear property lines, except as follows:
 - a. In the case of a corner lot in the Urban Residential Districts, a detached accessory structure shall be set back behind the rear building line opposite the primary front entrance to the principal building, and shall be set back behind the front building line for the second road frontage (see "Accessory Structure Location on Corner Lot" illustration).
 - b. In the Rural and Rural Residential Districts, accessory structures shall be set back behind the front building line of the principal building, and except when all of the following conditions have been met:
 - (1) The accessory structure shall be located on a lot with a minimum lot area of 10.0 acres;

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- (2) The accessory structure shall be set back a minimum of 300 feet from all front lot boundaries and road rights-of-way, and a minimum of 75 feet from all side lot boundaries;
- (3) The accessory structure shall be screened from all road rights-of-way and from dwellings on adjoining lots by any combination of topography, existing vegetation, fences permitted per Section 6.01 (Fence Regulations), other permitted structures, or the installation of additional landscaping elements per Section 14.10D (Methods of Screening); and
- (4) The accessory structure and any additional screening shall be subject to review and approval by the Zoning Inspector per Section 1.07 (Certificates of Zoning Compliance).
- c. In the Rural and Rural Residential Districts, accessory structures shall not encroach into the minimum required side yard.
- d. Detached accessory structures in the Rural Districts larger than 832 square feet in floor area shall comply with the minimum required yard setback standards for the zoning district.
3. In any zoning district, a detached accessory structure shall not exceed fifteen (15) feet in height, except as follows:
- a. In the Rural Districts and R-1 (Single-Family Residential) zoning district, non-farm accessory structure height shall not exceed 20 feet.
- b. Structures accessory to farms, agricultural operations, and other RURAL USES governed by the Right to Farm Act (P.A. 93 of 1981, as amended) shall be exempt from these requirements.
- c. Other accessory structure height exceptions as permitted per Section 3.201 (Height Exceptions).
4. In the Rural Residential and Urban Residential Districts, not more than twenty-five percent (25%) of the area of the minimum required rear yard may be occupied by accessory structures.
5. In any Business District, any accessory use or structure not attached to the principal building shall comply with all area, placement, and height regulations of the district in which it is located.

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6. In any zoning district, the ground floor area of all detached accessory structures except farm structures, private stables, and riding arenas shall not exceed the ground floor area of the principal building, subject to the following:
 - a. In the Rural Districts and R-1 (Single-Family Residential) zoning district, the ground floor area of such accessory structures shall not exceed one and one-half (1-1/2) times the ground floor area of the principal building, up to a maximum of 4,000 square feet.
 - b. In the Rural Residential and Urban Residential Districts, the floor area of a residential garage shall not exceed the habitable floor area, not including basement floor area, of the principal dwelling.
 - c. In no case shall such accessory structures exceed 4,000 square feet.
7. In any zoning district, a detached accessory structure shall be located at least ten (10) feet from any other principal building or accessory structure.
8. No accessory structure shall be used prior to the principal building, except as a temporary construction structure per Section 6.04 (Temporary Structures).

It was moved by McKinney, seconded by Lewis, for the Board to approve the second reading and adoption of Ordinance No. 174-10, Zoning Ordinance Text Amendments.

Roll call vote:

Ayes: McKinney, Phillips, Caviston, Williams, McFarlane

Nays: None

Absent: Green, Lewis

The motion carried.

10. NEW BUSINESS

A. RESOLUTION 2012-18, TOWNSHIP PURCHASE OF 12 ACRES ON HARRIS ROAD FROM THE WILLOW RUN SCHOOL DISTRICT

Supervisor McFarlane explained some of the history of the Superior Township Parks Department's search for a suitable location for a future Parks building and the Ypsilanti District Library's search for a suitable location for a future new Superior Township branch library. Both have indicated support and enthusiasm about the proposed 12 acre parcel on Harris Road, which

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is proposed to be used as both a branch library and a Parks Department building. A letter of support from Jan Berry, Superior Township Parks Commission Chairperson was presented to the Board. A resolution of support by the Ypsilanti District Library Board of Trustees and other information from the Ypsilanti District Library Director was also provided to the Board.

The following resolution was moved by McKinney, seconded by Caviston:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
JULY 16, 2012
RESOLUTION 2012-18**

**A RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN ALL DOCUMENTS
NECESSARY FOR THE PURCHASE OF THE TWELVE ACRES OF LAND ON THE
EAST SIDE OF HARRIS ROAD BETWEEN GEDDES AND MACARTHUR
BOULEVARD FROM THE WILLOW RUN SCHOOL DISTRICT**

WHEREAS, the Superior Township Parks Commission, the Ypsilanti District Library and the Superior Township Board of Trustees have been working together to find a new location for the Superior Township Branch of the Ypsilanti District Library and a new Parks Building; and

WHEREAS, Willow Run Community Schools owns a twelve-acre vacant parcel of land on Harris Rd. within walking distance of the current Superior Township Branch of the Ypsilanti District Library that is considered desirable as a new location for the Branch Library, a new Parks Building and other community development; and

WHEREAS, representatives of the Township have been negotiating with Willow Run Community Schools for the acquisition by the Township of the twelve – acre vacant parcel of land on Harris Rd.; and

WHEREAS, two appraisals of the vacant parcel have been conducted, with one valuing the property at \$115,000 and the other one at \$170,000, and

WHEREAS, the Willow Run Community Schools and the representatives of the Township have agreed upon a sale price of \$140,000, with the terms of the acquisition to be set forth in a Sales Agreement; and

WHEREAS, in a resolution dated May 24, 2012, the Ypsilanti District Library Board of Trustees stated the location was an ideal spot for a library facility and that it intended to move forward with the project as soon as the library budget can support such as endeavor; and

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WHEREAS, in a letter dated July 6, 2012, Jill Morey, Director of the Ypsilanti District Library, affirmed the Ypsilanti District Library Board's intention to construct a new Superior Township library with an initial 6,000 square foot facility, which could accommodate a future expansion to 12,000 square feet; and,

WHEREAS, in a letter dated June 28, 2012, the Superior Township Parks Commission indicated their support of the purchase of the twelve-acre vacant parcel from the Willow Run School District for use as a future library and a new Parks Building; and

NOW, THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees authorizes the Township Attorney to review all documents related to the purchase of the property; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, upon the Township Attorney determining all of the documents related to the purchase of the parcel are satisfactory, authorizes the Township Supervisor to sign all necessary documents for the purchase of the twelve-acre vacant parcel on Harris Rd. for **\$140,000.00** for use as the new location for the Superior Township Branch of the Ypsilanti District Library, a new Superior Township Parks Building and other community development and that the Township pay for one-half of all closing costs; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Township shall purchase the property with funds that will be withdrawn from the Park Fund Restricted Land Reserve, 508-000-390-002 and transferred for availability into the Park Fund 2012 Budget Expenditure Line # 508-756-978-000.

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Superior, County of Washtenaw, State of Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Superior at a regular meeting held on the 16th day of July, 2012, the original of which resolution is on file in my office, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act

IN WITNESS WHEREOF, I have set my official signature, this 16th day of July, 2012.



DAVID M. PHILLIPS, CLERK,
CHARTER TOWNSHIP OF SUPERIOR

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Ayes: McFarlane, McKinney, Phillips, Caviston, Williams

Nays: None

Absent: Green, Lewis

The resolution was adopted.

**B. RESOLUTION 2012-20, TOWNSHIP'S ACCEPTANCE OF 1.18 ACRES AT THE
SOUTHWEST CORNER OF FORD AND GOTFREDSON ROADS**

Marion Morris, member of the Superior Land Preservation Society (SLPS), explained the group's efforts to purchase the 1.18 acre parcel of land located next to the Free Church Cemetery, at the southwest corner of Ford and Gotfredson Roads. The parcel was the location of the First Free Church in Michigan, which was built in 1855, but has been demolished. The SLPS wants the parcel preserved as a historic site.

The following resolution was moved by McKinney, seconded by Caviston:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
JULY 16, 2012
RESOLUTION 2012-20**

**A RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN ALL DOCUMENTS
NECESSARY FOR THE TOWNSHIP TO ACCEPT THE DONATION OF THE 1.18
ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF FORD AND
GOTFREDSON ROADS**

WHEREAS, the 1.18 acre parcel at the southwest corner of Ford and Gotfredson Roads is the site of the former First Free Church of Michigan, which was built in 1855 and has since been demolished; and

WHEREAS, the parcel is contiguous to the Free Church Cemetery, which is a pioneer cemetery and has been used as a burying ground since at least 1834; and

WHEREAS, the Superior Township Land Preservation Society is interested in preserving the 1.18 acres in perpetuity as a historic site and has been negotiating for the purchase of the property using their funds; and

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WHEREAS, on September 19, 2011, the Superior Township Board of Trustees indicated agreement to accepting the property in the Township's name if a title search was completed and the Township received clear title to the property; and

WHEREAS, the Superior Township Land Preservation Society has successfully negotiated the terms for the purchase of the parcel and obtained a Commitment of Title Insurance for the property and would like to close on the property, with the new ownership being transferred directly to the Charter Township of Superior, at no cost to the Township; and

NOW, THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees authorizes the Township Attorney to review all documents related to the purchase of the property and transfer into the Township's ownership; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, upon the Township Attorney determining all of the documents related to the purchase of the parcel and transfer into the Township's ownership are satisfactory, the Superior Township Board of Trustees authorizes the Township Supervisor to sign all necessary documents for the purchase and transfer of ownership of the 1.18 acre parcel located at the southwest corner of Ford and Gotfredson Road to the Township; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Superior Township Board of Trustees intends that this property be held in perpetuity as a historic site and shall approve suitable easements and restrictions as needed.

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Superior, County of Washtenaw, State of Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Superior at a regular meeting held on the 16th day of July, 2012, the original of which resolution is on file in my office, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act

IN WITNESS WHEREOF, I have set my official signature, this 16th day of July, 2012.



DAVID M. PHILLIPS, CLERK,
CHARTER TOWNSHIP OF SUPERIOR

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Ayes: McKinney, Phillips, Caviston, Williams, McFarlane

Nays: None

Absent: Green, Lewis

The resolution was adopted

**C. REPUBLIC SERVICES-ALLIED WASTE SYSTEMS, INC. CONTRACT
EXTENSION 2013-2017**

The Township's contract with Republic Services-Allied Waste Systems, Inc., expires on September 31, 2012. They have proposed extending the contract for an additional five years. The per unit per month cost of the proposed contract is actually less than the current contract price (\$51.91 per quarter current vs. \$49.23 per quarter proposed for 2013 and 2014). New features of the proposed new contract include replacing the current 18 gallon recycling bin with either a 95 or 65 gallon cart for recyclables and collect recyclables and yard waste every other week. There are also modest changes in the bag and tag pricing, the fuel escalator and the policy on replacement of carts.

It was moved by Caviston, seconded by McKinney, to approve the following contract extension with Republic Services-Allied Waste Systems, Inc., to provide solid waste collection in the Township for five additional years, 2012-2017 and to authorize the Supervisor to sign the contract:

**FIRST AMENDMENT TO THE CHARTER TOWNSHIP OF SUPERIOR
SOLID WASTE COLLECTION AGREEMENT**

This document (hereafter, the Amendment) amends the Charter Township of Superior Solid Waste Collection Agreement ("Contract"), dated September 24, 2007, is made this ____ day of July 2012, by and between the Charter Township of Superior (hereafter referred to as the TOWNSHIP) and Allied Waste Systems Inc. (hereafter referred to as the CONTRACTOR).

1. Statement of Purposes

- 1.1. On September 24, 2007 the parties entered into the Contract, which contract allows for an extension of the Contract term, upon mutual agreement of the parties. The parties have now agreed to an extension of the Contract, and to certain other Contract modifications, in accordance with the terms set forth below.

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- 1.2. In consideration of the mutual benefits to be provided, the parties have agreed to the following:

2. Extension of Contract Term

- 2.1. The term of the Contract is hereby extended for a period of five (5) years, from October 1, 2012 through September 31, 2017 as approved by the Township Board. The term of the contract may be further extended thereafter for additional period(s) of time, as may be mutually agreed upon by the parties. Any such extension shall be provided for by a written amendment to the Contract.

3. Solid Waste Collection Service

- 3.1. The CONTRACTOR shall continue to provide collection service of solid waste from carts provided by Republic. Residents must have a cart in order to receive collection service.

4. Recycling Collection Program

- 4.1. The CONTRACTOR shall provide collection of recycling materials on an every other week basis (EOW). Furthermore, Republic shall provide each participating household with a 95-gallon cart (owned by Republic) for the containment and collection of recyclables.

5. Yard Waste Collection Service

- 5.1. The CONTRACTOR shall provide collection of yard waste materials on an every other week basis (EOW). Yard waste collection season shall be from April 1 continuing through November 30 annually.
- 5.2. Yard waste must be placed in biodegradable Kraft paper bags or placed loose in 10-35 gallon cans clearly marked "Yard Waste". Branches and twigs must be placed in bundled/tied no larger than 2 feet by 4 feet long. Bags and/or bundles may not exceed 60 lbs in weight. Tree branches and logs exceeding four feet (4') in length nor three inches (3") in diameter. Tree trunks, stumps, or plastic bags will be accepted.

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6. Cart Replacement & Repair

- 6.1. Whereas the CONTRACTOR has provided each and every household with a cart for the collection of solid waste at the commencement of the original contract and;
- 6.2. Whereas the CONTRACTOR shall provide a cart under this amendment to the original contract for the collection of recycling materials;
- 6.3. The CONTRACTOR shall require and be entitled to the following regarding cart requests:
 - 6.3.a. Should a cart be lost or stolen, a police report must be filed along with the serial number of the cart. CONTRACTOR will replace the missing cart one time at no additional charge upon receipt of said police report. All carts will remain property of the CONTRACTOR.
 - 6.3.b. Carts that are damaged or lost due to negligence shall be replaced at a cost of \$65.00 per cart. All carts will remain property of the CONTRACTOR.
 - 6.3.c. Residents that need a cart and do not have a cart may lease one from the CONTRACTOR for a one time fee of \$65.00 per cart. All carts will remain property of the CONTRACTOR.
 - 6.3.d. Residents that occupy a home that does not have a cart may lease one from the CONTRACTOR for a one time fee of \$65.00 per cart. All carts will remain property of the CONTRACTOR.

7. Compensation

- 7.1. The CONTRACTOR shall be compensated in accordance to following compensation schedule for waste collection service:
 - Year 1 - \$16.41 per unit/month
 - Year 2 - \$16.41 per unit/month
 - Year 3 - \$16.75 per unit/month
 - Year 4 - \$17.09 per unit/month
 - Year 5 - \$17.43 per unit/month
- 7.2. The CONTRACTOR shall be compensated in accordance to following compensation schedule for Solid Waste and Yard Waste Tags:
 - Year 1 - \$2.10 per tag

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- Year 2 - \$2.10 per tag
- Year 3 - \$2.15 per tag
- Year 4 - \$2.20 per tag
- Year 5 - \$2.20 per tag

7.2.a. Residents participating under this program must sign up for this service with the TOWNSHIP. The TOWNSHIP must notify the CONTRACTOR of any modifications of this list.

8. Fuel Recovery Fee

8.1. The Agreement is predicated upon a base rate of diesel fuel and an assessment of \$0.07 per unit for every \$0.20 change in the cost of diesel fuel above and beyond the base rate as set forth below. The base rate will be as follows:

- Year 1 - \$4.10
- Year 2 - \$4.10
- Year 3 - \$4.25
- Year 4 - \$4.50
- Year 5 - \$4.75

9. Miscellaneous

9.1. The Contract, as amended by this agreement, is ratified and affirmed by the parties, and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment on the date set forth above, by their duly authorized representatives.

IN PRESENCE OF:

Charter Township of Superior

By: _____
William McFarlane, Supervisor

IN PRESENCE OF:

Allied Waste Systems Inc.

By: _____
Scott Cabauatan,

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Municipal Services Manager

Ayes: Phillips, Caviston, Williams, McFarlane, McKinney

Nays: None

Absent: Green, Lewis

The resolution was adopted

D. WATS MEMBERSHIP DUES 2012-2013

The Township's membership with the Washtenaw Area Transportation Study (WATS) was due for renewal on July 1, 2012. Board members discussed the merits of the membership.

It was moved by Caviston, seconded by Williams, for the Board to approve renewing the Township's membership in WATS for 2012-2013 at a cost of \$1,000.00

The motion carried by unanimous voice vote.

E. SEMCOG MEMBERSHIP DUES 2012-2012

The Township's membership with the Southeast Michigan Council of Governments was due for renewal on July 15, 2012. Board members discussed the merits of the membership.

It was moved by Caviston, seconded by McKinney, for the Board to approve renewing the Township's membership in SEMCOG for 2012-2013 at a cost of \$1,558.00.

Ayes: Phillips, Caviston, Williams, McFarlane, McKinney

Nays: None

Absent: Green, Lewis

The motion was adopted

F. APPOINT COMMITTEE TO REVIEW THE BURNING ORDINANCE

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Supervisor McFarlane explained that the Township has received numerous complaints from residents about the Township’s Burning Ordinance. Some people do not like being prohibited from burning and some people do not like some of the burning that is allowed by the ordinance. It was decided to appoint a committee to make recommendations to the Board.

It was moved by Caviston, seconded by McKinney to appoint the following members to the Burning Ordinance Review Committee and to appoint Mr. John Rintamaki as the chairperson;

Superior Township Burning Ordinance Review Committee	
Reg Baker 5073 Red Fox Run Ann Arbor, MI 48105 (734) 542-7640 reg.baker@marketstrategies.com	John Copley 6735 Cherry Hill Road Ypsilanti, MI 48198 Home: (734) 483-3522 jalmoncopley@hotmail.com
Michelle Deatrick 5630 Meadow Lane Ann Arbor, MI 48105 (734) 484-3650 md@verdande.com	Tom Freeman 3381 Alan Mark Drive Ann Arbor, MI 48105 Home: (734) 665-8471 freemant@ewashtenaw.org
Jeff French Superior Township Fire Department 7999 Ford Rd. Ypsilanti, MI 48198 (734) 484-1996 jfrench@superior-twp.org	Sandi Lopez 6735 Vreeland Rd. Ypsilanti, MI 48198 (734) 485-7558 sandiclopez@comcast.net
Rick Mayernik Township Building and Zoning Official 3040 N. Prospect Rd. Ypsilanti, MI 48198 (734) 482-6099 rmayernik@superior-twp.org	William McFarlane, Supervisor 3040 N. Prospect Rd. Ypsilanti, MI 48198 (734) 482-6099 williammcfarlane@superior-twp.org
Dave Phillips, Clerk 3040 N. Prospect Rd. Ypsilanti, MI 48198 (734) 482-6099 davidphillips@superior-twp.org	Jeff Plakke, Natural Areas Manager Matthaei Botanical Gardens 1800 N. Dixboro Rd. Ann Arbor, MI 48105 (734) 274-1809 jplakke@umich.edu

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<p>John Rintamaki 5503 Great Hawk Circle Ann Arbor, MI 48105 (734) 485-5648 jrintamaki@comcast.net</p>	<p>Jim Roberts, Chief Superior Township Fire Department 7999 Ford Rd. Ypsilanti, MI 48198 (734) 484-1996 jroberts@superior-twp.org</p>
<p>Dan Smoke P.O. Box 130511 Ann Arbor, MI 48113 (734) 355-3450 djsmoke@msn.com</p>	<p>Robert Grese Director, Matthaei Botanical Gardens Professor, School of Natural Resources (734)763-645 bgrese@umich.edu</p>
<p>Wayne Dickinson, Fire Marshall Superior Township Fire Department 7999 Ford Rd. Ypsilanti, MI 48198 (734) 484-1996 wdickinson@superior-twp.org</p>	<p>Sean Bach, Firefighter Superior Township Fire Department 7999 Ford Rd. Ypsilanti, MI 48198 (734) 484-1996 sbach@superior-twp.org</p>

Staff: Rodney Nanney, rodney@buildingplace.net (734) 783 - 2771
Deborah Kuehn, planning@superior-twp.org (734) 482 - 6099

Ayes: McFarlane, McKinney, Phillips, Caviston, Williams

Nays: None

Absent: Green, Lewis

The motion was adopted

G. RESOLUTION 2012-19, SUPPORT ON THE UNIFICATION OF THE WILLOW RUN AND YPSILANTI PUBLIC SCHOOL DISTRICT

Supervisor McFarlane explained that the Willow Run and Ypsilanti school districts have been conducting meetings about the unification of their districts. He has attended two of the meetings and he feels it is imperative that they do something to improve the school districts.

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

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WASHTENAW COUNTY, MICHIGAN

RESOLUTION NUMBER: 2012-19

DATE: JULY 16, 2012

A RESOLUTION ENCOURAGING WILLOW RUN COMMUNITY SCHOOLS AND YPSILANTI PUBLIC SCHOOLS TO PURSUE FINANCIAL STABILITY, ESTABLISH A SAFE AND SECURE LEARNING ENVIRONMENT AND ASSURE A FINANCIAL OPPORTUNITY FOR SUCCESS IN THE FUTURE.

WHEREAS, Willow Run Community Schools and Ypsilanti Public Schools are important members of the Superior Township community; and

WHEREAS, both school districts are facing extreme financial stress including a possible deadline to repay millions of dollars over a two year period; and

WHEREAS, a state emergency financial manager may be appointed to address the school districts' financial issues; and

WHEREAS, Willow Run High School and Ypsilanti High School are two of the state's persistently lowest achieving high schools; and

WHEREAS, both schools could be assigned to the state's Educational Achievement Authority; and

WHEREAS, if nothing is done, both Willow Run Community Schools and Ypsilanti Public Schools may lose local control; and

WHEREAS, the Washtenaw Intermediate School District has provided leadership in pursuing a viable solution to help find a remedy for these issues;

NOW THEREFORE, BE IT RESOLVED, that the Charter Township of Superior encourages Willow Run Community Schools and Ypsilanti Public Schools to pursue all measures to create financial stability; to take further actions to establish a safe and secure learning environment for the students; to improve student achievement and to put safeguards in place to assure a financial opportunity for success in the future.

Ayes: McKinney, Phillips, Caviston, Williams, McFarlane

Nays: None

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Absent: Green, Lewis

The resolution was adopted.

H. BUTLER AGREEMENT FOR SEWER CONNECTION

At the June 18, 2012 Board meeting, an agreement to provide sanitary sewer connection to Mr. and Mrs. Butler's home on Prospect was discussed. The agreement has been reviewed by the Township Attorney, who reports it is ready for the Township to sign. Because of extenuating circumstances, the Township has agreed to finance all of the sewer connections fees, which total \$18,000.00, for a period of ten years, at a rate of six percent per annum.

It was moved by McKinney, seconded by Caviston, to approve the agreement as follows and to authorize the Supervisor and Clerk to sign the agreement:

Agreement

This agreement entered into on _____, 2012 between Charter Township of Superior (the "Township"), whose address is 3040 N. Prospect Rd, Ypsilanti, MI 48198 and Richard and Myong Butler ("Butler") whose address is 2080 Whittaker Road - PMB 252 , Ypsilanti, MI 48197.

Whereas, on June 11, 1996, a building permit was issued authorizing the construction of a new single family detached dwelling unit at 1691 N. Prospect Road (hereafter the "Dwelling"); and

Whereas, construction of the Dwelling commenced, but has never been completed; and

Whereas, in 1996 Butler applied for and paid for a connection to the Township's sewer system but the connection was denied and the money returned to Butler in 2000 due to a moratorium prohibiting further connections to the Township sewer system; and

Whereas, Butler is now ready to proceed with completing the construction of the Dwelling and the moratorium against sewer connections has been lifted; and

Whereas, the cost of connecting to the Township's sewer has substantially increased since the time when Butler originally applied for a sewer connection and through no fault of his own was denied the opportunity to connect;

Now, therefore, in consideration of the terms and conditions set forth herein and in recognition of the fact that the cost of connecting to the sewer system has increased substantially since the time Butler originally applied for the right to connect to the system, it is agreed by the parties as follows:

1. Butler agrees to pay the Township the sum of eighteen thousand dollars (\$18,000) to connect to the Township sewer system (hereafter referred to as the "Sewer Connections Charges"). The Sewer Connection Charges are comprised of three separate charges as follows:

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- a. Sewer availability fee:..... \$10,000
(200 feet @ \$50 per foot)
- b. Trunk and transmission fee:..... \$5,500
(1REU @\$5,500 per REU)
- c. Tap fee:..... \$2,500

2. The Township shall issue a permit allowing Butler to connect the Dwelling to the Township's sewer system.

3. The Township and Butler agree that Butler may pay the Township the Sewer Connection Charges in the following manner:

- a. The entire amount shall be paid to the Township, with interest at the rate of six percent (6%) per annum, in ten (10) equal annual payments of two thousand three hundred eighty six dollars and 11/100 (\$2,386.11).
- b. The first payment shall be due at the time that this agreement is executed and thereafter, the payments shall be due on the ___ day of _____, each year thereafter until the entire amount is paid in full.

4. Butler further agrees to comply with all grading requirements imposed by the Township with regard to the land on which the Dwelling is being constructed and to comply with all other ordinances and regulations applicable to the construction of the Dwelling.

5. A certificate of occupancy shall not be issued for the Dwelling until such time as Butler has completed all grading in accordance with the approved grading plan.

6. In the event Butler breaches any of the terms of this agreement, including but not limited to failing to make payments as specified herein or failing to comply with the grading plan, the Township shall mail a notice to Butler, by first class mail, advising Butler of the breach and Butler shall thereafter have thirty (30) days from the date the notice is mailed to cure the breach.

7. If Butler fails to cure the breach within the time permitted, the entire unpaid balance of the Sewer Charges then due and owing to the Township shall forthwith become due and payable. If Butler fails to pay the Township all of the unpaid Sewer Charges within six (6) months after they become due, the amount owed may be a lien on the Dwelling, and those delinquent charges may be certified to the proper tax assessing officer or agency who shall enter the lien on the next tax roll against the Dwelling and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien for the taxes.

Richard Butler
Date signed:

Myong Butler
Date signed:

CHARTER TOWNSHIP OF SUPERIOR

CHARTER TOWNSHIP OF SUPERIOR

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By: William McFarlane
Its: Supervisor
Date signed:

By: David Phillips
Its: Clerk
Date signed:

Ayes: McFarlane, McKinney, Phillips, Caviston, Williams, McFarlane

Nays: None

Absent: Green, Lewis

The motion carried.

I. CHRISTIAN LOVE CHURCH APPLICATION TO OPERATE A TRANSIENT AMUSEMENT

The Christian Love Church has applied to the Township Building Department for permission to conduct an outreach ministry event on Saturday, August 26, 2012 from 10:30 a.m. to 4:00 p.m. and will include outdoor worship services with music and food and beverages will be served. There will also be inflatable toys and pony rides.

Section 6.05 of the Superior Township Zoning Ordinance requires the application be forwarded to the Township Board for review and acceptance.

It was moved by McKinney, seconded by Caviston, that the Superior Township Board accept the application for the Dixboro Fair's Transient Amusement Event to be held on August 26, 2012.

The motion carried by a voice vote.

J. BUDGET AMENDMENTS

It was moved by McKinney, seconded by Caviston, to approve the following budget amendments:

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FIRE FUND BUDGET AMENDMENTS		JULY 16TH, 2012	
BUDGET LINE #	DESCRIPTION	DEBIT	CREDIT
206-336-702-002	OVERTIME- SICK COVERAGE	DECREASE	\$ 5,000.00
206-336-702-004	OVERTIME CALL BACKS	DECREASE	\$ 20,000.00
206-336-702-005	OVERTIME TRAINING & MISC	\$ 25,000.00	INCREASE
206-336-717-033	BENEFIT TIME CASH OUTS	\$ 18,000.00	INCREASE
206-336-710-000	TRAINING	\$ 2,500.00	INCREASE
206-336-702-008	FIRE MARSHALL BASE SALARY	DECREASE	\$ 7,000.00
206-336-717-000	TAXABLE BENEFITS FULL TIME STAFF	\$ 6,000.00	INCREASE
206-336-740-000	OPERATING SUPPLIES	DECREASE	\$ 6,000.00
206-336-920-000	UTILITIES	DECREASE	\$ 3,500.00
206-890-890-000	CONTINGENCIES	DECREASE	\$ 10,000.00
	TOTAL OF DEBITS/CREDITS	\$ 51,500.00	\$ 51,500.00

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PARK FUND BUDGET AMENDMENTS		JULY 16, 2012	
BUDGET LINE #	DESCRIPTION	DEBIT	CREDIT
508-000-699-025	TRANSFER FROM RESERVES		\$ 150,000.00
508-756-978-000	BLDG/LAND PARK DEVELOPMENT DEPT	\$ 150,000.00	
	TOTAL OF DEBITS/CREDITS	\$ 150,000.00	\$ 150,000.00

K. SIDEWALK INSPECTION AND REPLACEMENT PROGRAM-BIDS

The Township recently issued a request for proposal (RFP) for civil engineering firms to provide professional services for the 2012 Sidewalk Inspection and Replacement Program. Four firms submitted bids: Midwestern Consulting- \$9,520.00; OHM-\$20,821.00; Spicer Group-\$27,430.00 and Nowak and Fratus-\$43,700.00. Supervisor McFarlane indicated all firms are very well qualified and based on the costs, Midwestern Consulting appears to be the preferred choice. He requested the Board authorize the administrative staff to make the final choice of engineering firms and to authorize the Supervisor to sign an agreement.

It was moved by Caviston, seconded by McKinney, for the Board to authorize the Township administrative staff to review the bids and to make the final choice. The Board also authorizes the Supervisor to sign the agreement with the firm chosen by the administrative staff.

Ayes: Phillips, Caviston, Williams, McFarlane, McFarlane, McKinney

Nays: None

Absent: Green, Lewis

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The motion carried.

11. PAYMENT OF BILLS

It was moved by Caviston, seconded by McKinney, that the bills be paid as submitted in the following amounts: Utilities -\$16,155.00; for a total of \$16,155.00. Further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

12. PLEAS AND PETITION

There were none.

13. ADJOURNMENT

It was moved by Caviston, seconded by McKinney, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:10 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor