

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JANUARY 7, 2008
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 January 7, 2008, 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, Kay Williams, Brenda McKinney, Nancy Caviston, Lisa Lewis, and David Phillips. Rodrick Green was absent.

4. ADOPTION OF AGENDA

It was moved by Williams, supported by Caviston, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF DECEMBER 17, 2007

It was moved by Caviston, supported by McKinney, to approve the minutes of the regular Board meeting of December 17, 2007, as presented.

The motion carried.

6. CITIZEN PARTICIPATION

There was none.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on four items:

1. The next Board meeting will be on Tuesday, January 22, as Monday is Martin Luther King Jr. Day.

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2. Brenda Baker, 8512 Ashton Court, previously met with McFarlane and suggested that the Township do more to educate the residents about the benefits of living in Superior Township. At this meeting she explained that she has been a resident for more than 20 years and is very happy with the many amenities the Township has to offer, especially the open space and the diversity in ethnicity, income, and housing. She would like to “market” the Township to existing residents to make them aware of how special we are.

The Board agreed with her, and it was moved by Caviston, supported by Lewis, that Brenda Baker, Kay Williams, and Nancy Caviston form an ad hoc committee discuss ways to “market” the Township to existing residents.

The motion carried.

3. On February 13, 2008, at 7:00 p.m. at the Township Hall the Washtenaw County Road Commission is holding an information meeting on the two road projects scheduled for this spring: (1) the Superior/Geddes Roundabout, and (2) the Leforge/Geddes Intersection Improvement Project.
4. Attorney Fred Lucas informed McFarlane that Hummana has served the papers starting a law suit over the denial of the rezoning on the land at the northwest corner of Prospect and Geddes.

B. DEPARTMENT REPORTS: FIRE DEPARTMENT, BUILDING DEPARTMENT, PLANNING MONTHLY, ZONING MONTHLY, PARK COMMISSION MINUTES

It was moved by Caviston, supported by McKinney, that the Fire Report for December, 2007, the Building Department Report for December, 2007, the Planning Report for December, 2007, the Zoning Report dated December 19, 2007, and the Park Commission minutes for November 26, 2007, be received.

The motion carried.

8. COMMUNICATIONS

There were none.

9. UNFINISHED BUSINESS

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There was none.

10. NEW BUSINESS

**A. RESOLUTION AWARDING SALE OF 2008 SPECIAL
ASSESSMENT BONDS FOR HYUNDAI LEFORGE/GEDDES
INTERSECTION PROJECT**

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board adopt the following Resolution:

**CHARTER TOWNSHIP OF SUPERIOR
COUNTY OF WASHTENAW, STATE OF MICHIGAN
JANUARY 7, 2008**

**RESOLUTION AWARDING SALE OF
2008 SPECIAL ASSESSMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)
(TAXABLE)**

WHEREAS, the Township Board of the Charter Township of Superior, County of Washtenaw, State of Michigan (the "Township") adopted a bond authorizing resolution on July 16, 2007 authorizing the issuance of its not to exceed \$1,900,000 2007 Special Assessment Bonds (Limited Tax General Obligation) (Taxable) (the "Bonds"), and has offered the Bonds for competitive sale; and

WHEREAS, the bond authorizing resolution further authorized the Supervisor, Township Treasurer, or Clerk (the "Authorized Officers") to adjust the final Bond details to the extent necessary or convenient to complete the transaction pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters; and

WHEREAS, Monday, January 7, 2008, at 11:00 a.m., Eastern Standard Time, has been set as the date and time for opening bids for the purchase of the Bonds; and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached hereto as Exhibit A have been received; and

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WHEREAS, it is appropriate for the Township Board to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which has been determined to produce the lowest true interest cost to the Township.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bid of Griffin, Kubik, Stephens, & Thompson, as attached hereto as part of Exhibit A, is determined to produce the lowest true interest cost to the Township, and the bid is hereby approved and accepted.
2. The Bonds shall be designated 2008 Special Assessment Bonds (Limited Tax General Obligation) (Taxable) and shall be dated, shall be in the principal amounts, shall mature, bear interest, be subject to redemption and otherwise conform in all respects to the terms set forth in the Official Notice of Sale as published in *The Bond Buyer*.
3. Checks received from the unsuccessful bidders shall be returned to each bidder's representative or by overnight courier as set forth in the Official Notice of Sale as published.
4. The Supervisor, Treasurer and Clerk of the Township are each hereby authorized and directed to execute and deliver such documents and certificates and to take all other actions necessary or advisable to effect the issuance and sale of the Bonds as contemplated hereby.
5. All resolutions and parts of resolutions expressly inconsistent with the provisions of this Resolution be and the same hereby are rescinded.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

**B. RESOLUTION ON CHECK SIGNING FOR HYUNDAI
SPECIAL ASSESSEMNT ACCOUNT**

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board adopt the following Resolution:

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**WASHTENAW COUNTY, MICHIGAN
January 7, 2008**

A RESOLUTION TO AUTHORIZE THE SIGNING OF CHECKS

WHEREAS, the Superior Charter Township Board wishes to open an account for the funds collected and to be dispersed in the Hyundai Bond Proceeds Construction Account, and

WHEREAS, the Township Officials have been duly appointed to sign checks,

NOW, THEREFORE, BE IT RESOLVED that Brenda L. McKinney, Treasurer, Aalea Skrychi, Deputy Treasurer, Kay Williams, Clerk, and William McFarlane, Supervisor, shall be designated to serve as Authorized Signers for the Citizens Bank Account Number 4531015610, and

BE IT FURTHER RESOLVED that the above does not negate Resolutions adopted on October 5, 1999, October 2, 2000, February 5, 2001, July 16, 2001, May 1, 2006, December 18, 2006 and December 17, 2007 authorizing the signatures of William McFarlane, Kay Williams, Brenda McKinney, and Aalea Skrychi, and

BE IT FURTHER RESOLVED that checks shall be signed by Brenda McKinney or Aalea Skrychi and by William McFarlane or Kay Williams.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

C. PURCHASE OF NEW SERVICE TRUCK FOR UTILITY DEPARTMENT

At the November 5, 2007 Township Meeting the Board approved the specifications for a new service truck for the Utility Department and instructed the Utility Director to secure bids for the vehicle. Four dealerships submitted bids for the truck with Varsity Ford, Inc. meeting the bid specifications at the lowest price.

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Utility Director Rick Church was present to answer questions.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board concur with the recommendation of the Utility Director and purchase a 2008 Ford F0250, regular cab, 4-wheel drive truck from Varsity Ford of Ann Arbor, Michigan, at a cost of \$31,176.35.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

**D. MOTOROLA SACADA SYSTEM UPGRADES AND SUPPORT
FOR UTILITY DEPARTMENT**

The Utility Department requested authorization to purchase two ACE 3600 (Advanced Control Equipment) RTU's (Remote Transmission Unit) at a cost of \$4,260.00. The Department received notification that as of January 31, 2008, Motorola will no longer manufacture replacement parts for the current system. The Department currently has nine MOSCAL-L units and one MOSCAD unit in service. Motorola has offered a special incentive (buy one and get the second at ½ price) to upgrade to the new ACE 3600 technology. The advantages of getting two ACE 3600 units allows the department to upgrade one unit, save the second one for future needs, and free-up one of the existing units to be used for spare parts. In addition, the Department wanted to buy spare parts for the current MOSAD-L to make the system last longer. Funds are available for this purchase in the Operations and Maintenance Budget.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board authorize the Utility Department to purchase two Motorola ACE 3600 RTU's for \$4,620.00 plus one MOSCAD-L power supply at \$247.00, and one of MOSCAD-L input/output modules at \$1,092.00 from UIS Programmable Services Inc. at a cost not to exceed \$5,959.00.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

**E. ORDINANCE 170 – AMENDMENT TO ORDINANCE 106 –
INSPECTIONS OF SINGLE FAMILY AND TWO FAMILY
DWELLINGS – FIRST READING**

Ordinance 106 was adopted in 1990 to allow the inspections of multiple dwellings and certain single family and two family dwellings within the Township for the safety of the residents of those dwellings. The original ordinance included a section which established fees in order to offset the cost of the inspections. The fees are no longer sufficient to reimburse the Township for the costs associated with inspections. As with other ordinances of the Township, it is more practical to establish fees by Resolution of the Board, rather than amend an ordinance. There are other minor changes to Ordinance 106 that will make it up-to-date. The Resolution for the new fees will be at the final reading of the ordinance.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board adopt the following Ordinance for first reading.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE 170

**AN ORDINANCE TO AMEND ORDINANCE 106 – INSPECTIONS OF ALL
MULTIPLE DWELLINGS AND CERTAIN SINGLE FAMILY AND TWO
FAMILY DWELLINGS**

SUPERIOR CHARTER TOWNSHIP ORDAINS THAT THE TEXT OF THE ORDINANCE EFFECTING INSPECTIONS OF ALL MULTIPLE DWELLINGS AND CERTAIN SINGLE FAMILY AND TWO FAMILY DWELLINGS WITHIN SUPERIOR CHARTER TOWNSHIP IN ACCORDANCE WITH THE EXISTING STRUCTURES CODE FOR THE CHARTER TOWNSHIP OF SUPERIOR; AND FIXING PENALTIES FOR VIOLATIONS, BEING ORDINANCE NUMBER 106, IS HEREBY AMENDED AS FOLLOWS:

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Section 106-01 Inspections Section B shall be deleted.

Section 106-02 (Section 18-91 of the Code of Ordinances) Definitions

Property Maintenance Code shall be amended to read “Code. The duly adopted Property Maintenance Code of Superior Charter Township as may be amended from time to time.”

Certificate of Compliance shall be amended to read “A document issued by the Superior Charter Township Building Inspector indicating that the unit identified thereon is in compliance with the Property Maintenance Code of Superior Charter Township. The owner of the property, the address of the complying unit and the expiration date shall be shown thereon.”

Section 106-03 Requirement of Certificate of Compliance for Multiple Dwelling Structures (Section 18-131. of the Code of Ordinances – Required and Section 18-136 of the Code of Ordinances -Transferability) shall be amended as follows:

B. No person, either the owner or owner's agent, shall rent or lease a dwelling unit after January 1, 1992, in a multiple dwelling, to any tenant unless that owner or owner's agent has first obtained a valid Certificate of Compliance from the Superior Charter Township Building Inspector. Any person found to be violating this section shall be guilty of a violation of this ordinance. The Township may also proceed against any owner found to be violating this chapter in such manner provided in the duly adopted Property Maintenance Code of Charter Township of Superior.

E. Transferability of Certificate. Certificates of Compliance shall be transferable when the ownership of a building changes provided that a valid certificate of Compliance is in effect for each dwelling unit or sleeping unit which the owner intends to rent or lease on the premises. It shall be the duty of the new owner to register with the Building Inspector.

Section 106-06 Application. (Section 18-132 of the Code of Ordinances) – item (6) shall be deleted.

Section 106-07 Fees (Section 18-114 of the Code of Ordinances) - shall be deleted and replaced with the following:

Township Board shall establish by resolution a schedule of fees for activities and services performed by the department in carrying out its responsibilities under this Ordinance; such schedule may be amended from time to time; and that fee schedules shall be published in a newspaper of general circulation in the Township and shall take effect

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thirty (30) days after publication;

Section 106-08 (A) Collection of Fees (Section 18-115 of the Code of Ordinances) shall be amended as follows:

A. When appointments have been made, the fees charged pursuant to resolution of the Superior Charter Township Board shall be payable at the time of making the appointment for the inspection or reinspection.

Section 106-12. Penalty for Violation (Section 18-92 of the Code of Ordinances) - shall be deleted and replaced with the following:

Any person, corporation, or other legal entity, including an officer, director, or employee, who violates any provision of this Ordinance, or who shall fail to do what is required by the terms of the Ordinance, is responsible for a municipal civil infraction and shall pay a civil fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) plus costs and attorney fees, and is subject to other sanctions as provided for under Chapter 87 of the Revised Judicature Act, P.A. 236 of 1961, being MCL §600.8701 et. seq., as amended.

Section 106-13. Other Laws Not Repealed.

Delete the entire section and replace with:

This Ordinance is enacted pursuant to the police power of Superior Charter Township for the purpose of providing additional protection to the occupants of multiple dwellings in the Township. In the event of any conflict between a provision of this Ordinance and any other provision of law, it is intended that the provision which provides the greatest protection to occupants and/or purchasers of property shall apply. In the event of an irreconcilable conflict, the provisions of such other law or ordinance shall apply.

Section 106-14. Severability. Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 106-15. Publication.

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This Ordinance shall be published pursuant to Section 8 of the Charter Township Act, being MCL 42.8 by posting in the Office of the Clerk, and on the Township website with notice of such in a newspaper of general circulation in the Township, qualified under state law to publish legal notices, and the same shall be recorded in the Ordinance Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk.

Section 106-16. Effective Date. This ordinance shall be effective on publication as required by law.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

F. BLUEPRINTS FOR YPSILANTI DOWNTOWN

Paul Schreiber, Mayor of the City of Ypsilanti, extended an invitation to the Superior Charter Township Board to join with the City on the Blueprints for Ypsilanti's Downtown Process Committee. The Committee is comprised of approximately 27 people who will help shape the marketing plan for Ypsilanti's downtown area.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board appoint Treasurer Brenda McKinney to serve on the Blueprints for Ypsilanti's Downtown Process Committee.

The motion carried.

G. VIRCHOW KRAUSE POLICE AUTHORITY STUDY

The Draft Final Report of the Virchow Krause Police Authority Study was distributed to the Board for study. The Board will discuss the report at the February 4 meeting.

It was moved by Caviston, supported by McKinney, that the Board receive the Draft Final Report of the Virchow Krause Police Authority Study.

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The motion carried.

**H. CONSTRUCTION DEFECTS IN THE NEW FIRE STATION
(CLOSED SESSION)**

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board retire to closed session with the Township Attorney Victor Lillich, Fire Chief James Roberts, and Fire Captain David Judson to discuss the defects in Station One.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried and the Board went into closed session at 8:25 p.m.

It was moved by McKinney, supported by Williams, that the Superior Charter Township Board reconvene.

The motion carried and the Board reconvened at 9:10 p.m.

It was moved by Lewis, supported by McKinney, that the Township Attorney be instructed to contact Davenport Construction to demand that they immediately repair all deficiencies on the roof and floor of Fire Station No. 1 according to the architect's plans and drawings, and if they fail to adequately repair all deficiencies with a time certain, the Township Attorney is instructed to commence litigation.

Roll call vote:

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

Nays: None

Absent: Green

The motion carried.

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11. PAYMENT OF BILLS

It was moved by McKinney, supported by Lewis, that the bills be paid in the following amounts: General Fund - \$1,527.00 for a total of \$1,527.00.

The motion carried.

12. PLEAS AND PETITIONS

There were none.

13. ADJOURNMENT

It was moved by Williams, supported by Lewis, that the meeting adjourn.

The motion carried and the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Kay Williams, Clerk