

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
FEBRUARY 4, 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 February 4, 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, Rodrick Green, Lisa Lewis, and David Phillips.

**4. ADOPTION OF AGENDA**

It was moved by Lewis, supported by McKinney, to adopt the agenda as presented.

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF JANUARY 22, 2008**

It was moved by Caviston, supported by Williams, to approve the minutes of the regular Board meeting of January 22, 2008, as presented.

The motion carried.

**6. CITIZEN PARTICIPATION**

Ken Schwartz, County Commissioner, informed the Board about Washtenaw County issues:

1. The County 2008 Budget is \$5-6 million in deficit, mainly due to deficits in the retirement system. Ken now represents the Board on the Retirement Committee and is trying to resolve the issues. All County employees may now be part of the Washtenaw Employee Retirement System.
2. Schwartz is working with County Parks and the Ann Arbor Greenbelt Commission to purchase the two parcels of land owned by Biltmore at the northeast and southwest corners of Vreeland and Prospect to preserve the development rights.

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3. The County was considering heating the County Jail Expansion with wood chips, causing considerable concerns to townships to the east of the jail and in the prevailing winds, but a majority of the County Commission, led by Commissioner Schwartz, stopped the project.
4. The County Commission was also considering adding two additional Commissioners to the Washtenaw County Road Commission, but as that would cost more money desperately needed for road repair, that again was not implemented.

There was no other citizen who wished to address the Board.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on eight items:

1. The next Board meeting will be on Tuesday, February 19, as Monday is President's Day.
2. The New Bookmobile will be at the Township Hall at 7:15 p.m. on the 19<sup>th</sup> for the Board to view.
3. Planning Commission interviews will be conducted at the 19<sup>th</sup> meeting.
4. The agenda for the February 19 meeting will also have the Police Study and selection of the health care provider for employees.
5. The latest newsletter is being prepared with the able assistance from Trustee Caviston.
6. The Sheriff Reports are now on-line which allowed McFarlane to notice that the Township was being billed for secondary road patrol, in violation of the contract. That has stopped. The Sheriff had also reassigned our Sergeant, Paul Cook, to Ypsilanti Township several mornings. That has stopped as well.
7. McFarlane has been appointed to the Governor's Advisory Transportation Task Force which will entail a meeting in Lansing once a month.
8. The Meyer's land on the northwest corner of Prospect and Vreeland has been sold. The new owners may apply for a permit to demolish the buildings. McFarlane is attempting to have them save the historic barns.

**B. DEPARTMENT REPORTS: PLANNING MONTHLY,  
ZONING MONTHLY,**

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It was moved by Caviston, supported by McKinney, that the Planning Report for dated January 30, 2008, and the Zoning Report dated January 23, 2008, be received.

The motion carried.

**8. COMMUNICATIONS**

**A. CITY OF YPSILANTI – SUPPORTING SPARK EAST INCUBATOR PROJECT**

The City of Ypsilanti adopted a resolution supporting the SPARK East Incubator project.

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the resolution from the City of Ypsilanti.

The motion carried.

Commissioner Schwartz and Supervisor McFarlane are members of the Eastern Washtenaw Leaders and support the East Incubator Project. The County is considering the purchase the old Smith Furniture Store at Washington and Ferris, leasing it to SPARK, who will then sub-lease space to start-up companies. SPARK would like the support of nearby municipalities, but does not expect extra financial contributions from the Township.

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
FEBRUARY 4, 2008**

**A RESOLUTION SUPPORTING THE SPARK EAST INCUBATOR PROJECT**

WHEREAS, Washtenaw County, Eastern Michigan University, the City of Ypsilanti, the Townships of Ypsilanti, Superior, and Augusta, Washtenaw Community College, Ypsilanti Chamber of Commerce, SPARK and private sector businesses and individuals have formed the Eastern Washtenaw Leaders to collectively address issues facing the eastern side of the county; and

WHEREAS, the goals of the group include using the University's prestige and resources to develop innovative programs to meet the pressing needs of the community, to Revitalize and promote the City of Ypsilanti's historic downtown and Riverside Parks as a location

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for county residents to enjoy and as "the place" for innovation companies and the creative class to locate, to create the urban design, business climate and cultural identity to make the eastern portion of the county the "Gateway to Washtenaw County" and to be recognized as the national model for collaboration and cooperation between government, education and business; and

WHEREAS, the group has created three projects to address issues in our community and created task forces associated with each project including education and the local schools, university and community collaboration and an eastern business incubator; and

WHEREAS, the Washtenaw County Board of Commissioners and Eastern Michigan University Board of Regents have allocated funds for this initiative; and

WHEREAS, The Township of Superior supports the Eastern Washtenaw Leaders initiative and, in particular the business incubator, which has great potential to assist in revitalizing the downtown,

NOW THEREFORE BE IT RESOLVED that the Superior Charter Township Board acknowledges its willingness to be an active partner in the Leaders group.

FURTHER, that copies of this resolution be sent to the participating governmental units of the Eastern Washtenaw Leaders Group.

Roll call vote:

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

Nays: None

The motion carried.

**9. UNFINISHED BUSINESS**

There was none.

**10. NEW BUSINESS**

**A. ORDINANCE 134-50 – REZONING – AMENDMENT TO AREA PLAN – ST. JOSEPH MERCY HEALTH SYSTEM – HURON OPHTHALMOLOGY – first reading**

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

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**ORDINANCE # 134-50  
HURON OPHTHALMOLOGY MEDICAL OFFICE BUILDING  
AMENDMENT TO THE ST. JOSEPH MERCY HOSPITAL AREA PLAN**

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 134, being the Superior Charter Township Zoning Ordinance, adopted August 4, 1997, and effective August 21, 1997, as amended, be amended as follows:

**SECTION I**

Superior Charter Township Ordinance Number 134, designated Superior Charter Township Zoning Ordinance, adopted August 4, 1997 and effective August 21, 1997, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by amending the Area Plan for St. Joseph Mercy Health System dated April 5, 1982 as amended.

**SECTION II**

**LEGAL DESCRIPTION OF  
ST. JOSEPH MERCY HOSPITAL  
TOTAL LAND OWNERSHIP, SECTION 31, T2S, R7E,  
SUPERIOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN**

Commencing at the S 1/4 corner of fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, thence S 88° 07' 45" W 66.01 feet along the south line of fractional Section 31 and the centerline of Clark Road, thence N 00° 50' 30" W 60.01 feet to the POINT OF BEGINNING, thence S 88° 07' 45" W 2428.11 feet along the north right-of-way line of Clark Road (60.00 feet 1/2 width), thence along the east right-of-way line of Golfside Road extension in the following six (6) courses: N 02° 05' 59" E 133.16 feet, Northeasterly 416.82 feet along the arc of a curve to the right having a radius of 600.00 feet passing through a central angle of 39°48' 13" with a long chord bearing N 22° 00'05" E 408.49 feet, N 41° 54' 12" E 192.76 feet, Northwesterly 850.38 feet along the arc of a curve to the left having a radius of 700.00 feet passing through a central angle of 69°36' 16" with a long chord bearing N 07°06' 04" E 799.04 feet, N 23° 44' 04" E 79.54 feet, N 23° 34' 41" E 60.09 feet, thence N 63° 05' 26" W 396.19 feet along the northeasterly right-of-way line of said Huron River Drive (120.00 feet total width) thence N 36° 19' 51" E 1763.93 feet, thence N 00° 04' 55" W 332.14 feet, thence northeasterly in the following eight (8) courses along an intermediate traverse line on the southeasterly bank of the Huron River, said intermediate traverse line lying southeasterly of the 735 foot

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contour line of said Huron River, N 55° 50' 24" E 162.91 feet, N 48° 13' 58" E 141.41 feet, N 41° 53' 37" E 224.29 feet, N 47° 10' 21" E 117.00 feet, N 38° 21' 20" E 151.52 feet, N 57° 10' 34" E 201.88 feet, N 77° 13' 14" E 165.93 feet, N 02° 57' 08" E 374.74 feet to the southwesterly right-of-way line of the Penn Central Railroad, thence southeasterly along the southwesterly right-of-way line of said Penn Central Railroad 1065.99 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2167.90 feet, central angle 28° 10' 24", chord S 78° 08' 32" E 1055.29 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 684.31 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2196.90 feet, central angle 17° 50' 49", chord S 54° 41' 26" E 681.54 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 390.76 feet along the arc of a non-tangential circular curve concave southwesterly radius 2091.90 feet, central angle 10° 42' 09" chord S 40° 31' 56" E 390.19 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 35° 11' 26" E 235.05 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 34° 19' 33" E 697.23 feet, thence S 23° 55' 12" W 1020.86 feet, thence N 89° 18' 12" E 399.19 feet, thence southerly in the following twelve (12) courses along an intermediate traverse line on the westerly bank of the Huron River, said intermediate traverse line lying westerly of the waters edge of said Huron River, S 03° 42' 01" E 80.37 feet, S 06° 17' 26" E 150.00 feet, S 17° 05' 18" W 101.77 feet, S 36° 22' 47" W 93.24 feet, S 64° 41' 21" W 95.32 feet, S 08° 50' 35" W 118.19 feet, S 20° 01' 21" W 312.87 feet, S 03° 23' 57" E 61.70 feet, S 10° 27' 52" E 231.19 feet, S 33° 30' 27" E 124.44 feet, S 34° 44' 42" E 96.92 feet, S 42° 09' 35" E 168.35 feet, thence S 25° 42' 23" W 473.67 feet, thence S 87° 25' 00" W 46.69 feet, thence N 59° 34' 37" W 60.59 feet along the northeasterly right-of-way line of Huron River Drive, thence S 87° 25' 00" W 265.87 feet along the north right-of-way line of Huron River Drive, thence S 89° 06' 22" W 914.80 feet along the north right-of-way line of Huron River Drive, thence S 87° 25' 00" W 66.02 feet along the north right-of-way line of said Huron River Drive, thence N 00° 50' 30" W 251.35 feet, thence S 89° 09' 30" W 440.02 feet, thence S 00° 50' 30" E 263.99 feet to the POINT OF BEGINNING, being a part of Fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, together with all that land lying between the 735 foot contour line of the Huron River and the intermediate traverse line, also all that land lying between the waters edge of the Huron River and the intermediate traverse line on the easterly side of the above described parcel, containing 340.8 acres of land, more or less.

Parcel Tax ID Number: J-10-31-350-029

**SECTION III**

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The Area Plan of St. Joseph Mercy Hospital Health System shall be amended to include the Huron Ophthalmology Medical Office Building Area Plan Amendment dated 12-26-07.

**SECTION IV**

This Ordinance shall be published in a newspaper circulated within the Township of Superior 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.

**CERTIFICATION**

I, Kay Williams, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on February 4, 2008 and for final reading on February 18, 2008. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

William McFarlane, Supervisor

Kay Williams, Clerk

Roll call vote:

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

Nays: None

The motion carried.

**B. RESOLUTION ADOPTING ORDINANCE 171 –  
COMPILATION OF TOWNSHIP ORDINANCES – First  
Reading**

During the discussion of the changes to various ordinances, Section 24-01 (b) of the Noxious Weed Ordinance, which dealt with cutting weeds on lots greater than one acre, generated the most interest. As a consensus could not be reached, it was agreed that the ordinance should be adopted for first reading and the issue be addressed by the administrative staff for a recommendation on the issue before final reading.

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It was moved by Williams, supported by McKinney, that the Superior Charter Township Board adopt the following resolution for first reading:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**FEBRUARY 4, 2008**

**A RESOLUTION ADOPTING ORDINANCE No. 171 – COMPILATION OF  
TOWNSHIP ORDINANCES**

WHEREAS the Michigan Charter Township Act states “The ordinances of each charter township shall be compiled and published in loose leaf or booklet form not less than once in every 10-year period”, and

WHEREAS the codification of the Township Ordinances was adopted on November 3, 1997, and was last amended on June 4, 2001, and

WHEREAS true codification by an out-of-state company is expensive and not necessary; and

WHEREAS compiling the ordinances allows for constant updating at minimal costs while providing the public with the latest laws of the Township; and

WHEREAS the compilation will be placed on the Township Website as ordinances are adopted by the Board;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board adopt the following Ordinance No. 171 – Compilation of Township Ordinances, for first reading, which repeals Ordinance 144 and other ordinances no longer applicable to the governance of the Township:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE No. 171**

**AN ORDINANCE TO APPROVE THE COMPILATION OF THE SUPERIOR  
CHARTER ORDINANCES AND AMEND OR REPEAL EXISTING  
ORDINANCES**

**Section 171-01. Short Title.** This ordinance shall be known and cited as the Superior Charter Township Ordinance Book.



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**Section 171-02. Purpose.** The purpose of this ordinance is to:

- a. list the adopted ordinances of Superior Charter Township from Ordinance No.1, adopted April 3, 1951 until the present;
- b. amend or repeal any ordinance that is out-of-date;
- c. repeal any ordinance that is no longer needed or has been superceded by a subsequent ordinance; combine any ordinances that have been amended;
- d. publish the compilation in notebook form according to Michigan State Statutes;
- e. publish the compilation on the Superior Charter Township Website;
- f. maintain the compilation with future ordinances as adopted.

**Section 171-02. Repeal the Following Ordinances**

- a. Ordinance No. 3 – Building Code – BOCA- adopted 10/3/55
- b. Ordinance No. 19 – BOCA Code – adopted 9/20/65
- c. Ordinance No. 19A – Garbage and Rubbish – adopted 4/15/68 – superceded by Ordinances No. 65 and 94.
- d. Ordinance No. 25 - Electrical Ordinance – adopted 8/16/71
- e. Ordinance No. 29 – Construction Code – adopted 4/21/75
- f. Ordinance No. 30 – Heating Code – adopted 10/21/74
- g. Ordinance No. 32 – Electrical Code – adopted 12/2/74
- h. Ordinance No. 33 – Construction Code – adopted 4/21/75
- i. Ordinance No. 48 – Electrical Code – adopted 11/21/77
- j. Ordinance No. 56 – Refrigeration Code – adopted 6/19/78
- k. Ordinance No. 59 – Refrigeration Code – adopted 8/7/78
- l. Ordinance No. 60 – Plumbing Code – adopted 9/5/78
- m. Ordinance No. 61 - Property Maintenance Code – adopted 9/6/78
- n. Ordinance No. 70 – Mechanical Code – adopted 4/7/80
- o. Ordinance No. 71 - Construction Code – adopted 2/17/81
- p. Ordinance No. 83 – Electrical Code – adopted 1/7/85
- q. Ordinance No. 84 – Plumbing/Heating Code – adopted 1/7/85
- r. Ordinance No. 99 – BOCA Building Code – adopted 5/15/89
- s. Ordinance No. 100 – BOCA Plumbing Code – adopted 5/15/89
- t. Ordinance No. 101- BOCA Mechanical Code – adopted 5/15/89
- u. Ordinance No. 102 – BOCA Electrical Code – adopted 5/15/89
- v. Ordinance No. 103 – Property Maintenance Code – adopted 5/15/89
- w. Ordinance No. 124 - Subdivision Fees – adopted 2/7/94 – Ordinance 42 authorizes fees to be set by resolution
- x. Ordinance No. 131 – BOCA Fire Code – adopted 6/19/95
- y. Ordinance No. 144 – Code of Ordinances – adopted 11/3/97 – superceded by this ordinance.

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- z. Ordinance No. 146 – Purchase of Development Rights – adopted 6/15/98 –superceded by Ordinance No. 157.
- aa. Ordinance No. 146 – Soil Removal and Deposit
- bb. Ordinance No. 148 – Right of Way Ordinance

**Section 171-03 Amendments to Adopted Ordinances.** The following ordinances shall be amended as stated:

- a. **Ordinance No. 24 – Weeds -shall be amended to read as follows:**

**Section 24-01. Limitations on Height of Certain Weeds, Grass, and Uncultivated Vegetations**

Section 24-01 shall be amended to read:

- a. No person who is the owner, occupant or person in control of occupied or unoccupied property which is one acre or less in size shall permit weeds, grass or other vegetation located on the property to grow to a height greater than 10 inches, except as set forth in c below.
- b. No person who is the owner, occupant or person in control of occupied property containing more than one acre of land which is adjacent to property under different ownership which contains habitable buildings, shall permit weeds, grass or other vegetation located within the front, rear or side setback areas as defined in the Zoning ordinance, to grow to a height greater than 10 inches, except as set forth in c below.

Section 24-01 c.

- (1) shall be amended by deleting “except grass or hay” from Agricultural crops
- (2) shall be amended by deleting “cultivated”
- (3) shall be amended by deleting “cultivated”.

Section 24-02 (f) shall be amended to read:

- (f) Lien to secure costs. The costs so incurred are hereby made a lien upon the property, and the statement of expenses or a certified copy thereof shall be prima facie proof of the expenses incurred by the Township. Whenever any such costs against any piece of property shall be delinquent for 30 days after the mailing of the statement of costs, the Township official in charge of the collection thereof shall certify by November 1 of each calendar year to the Treasurer of the Township, the

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fact of such delinquency, whereupon such costs shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes against such premises are collected and the lien thereof enforced.

Section 24-02 (h) shall be added

(h) The Township Ordinance Officer shall be the Commissioner of Noxious Weeds as specified by State Statute.

Section 24-03 shall be amended to read

In lieu of the notice required in Section 24-02 above, the township may publish a notice in a newspaper of general circulation in the township during the month of March that weeds not cut by May 31, and then not cut again by August 31, of that year would be cut by the township and the owner of the property charged with costs under the provisions of Section 24-01. The township's publication shall also contain all other information required of the notice provided for in Section 24-02. The township may cut weeds as many times as necessary and charge the costs to the property owner.

**b. Ordinance No. 31 – Pension Plan - shall be amended as follows:**

Section 31-04 shall be amended to read:

**Section 31-04. Persons Covered**

The annuity or pension plans (defined contribution) created, established and contracted for under this ordinance shall cover each person within the following classes of officers and employees:

1. Trustees of the Township Board
2. All Township Employees who were part of the Pension Plan before March 7, 2005, who did not join the MERS (Michigan Employee Retirement System).

All full-time employees hired after March 7, 2005, are required to join the MERS Pension and MERS Health Care Retirement Plans.

**c. Ordinance No. 65 – Solid Waste - shall be amended as follows:**

Section 65-05 – Solid Waste - shall be amended to read:

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**Section 65-05. Municipal Contract for Refuse Collection Authority**

Whenever in the judgment of the Township Board such action may be necessary or advisable, they may determine to have the Township enter into a contract or contracts and to grant a license or franchise to such persons as it may deem best able to collect residential, municipal refuse in the Township in accordance with the best interest of the Township and its citizens. The contract shall be for such term as they may determine, but not to exceed in any instance five (5) years, and such contract may be, but need not be, exclusive, and the Township Board may authorize the making on the part of the Township of one or more contracts and if they determine it necessary, may limit such contract to a certain part of the Township or to certain types of premises, such as residential, commercial, industrial.

Section 65-06 shall be amended as follows:

**Section 65-06. Application for License or Franchise**

Every person, firm, or corporation request required to obtain a license or franchise for the collection, removal, and transportation of commercial municipal refuse, building refuse, industrial refuse, garbage or rubbish shall make applications to the Township Clerk and state such facts as may be required for the granting of such license or franchise including the following:

- A. The full names, business and residence addresses, and telephone numbers of all owners, officers, and managers of the applicant's business.
- B. The name, address, and telephone number of applicant's business.
- C. The route, districts, or territories within which applicant proposes to make such collection or removal of garbage and/or rubbish, and the day of week, and disposal site should be designed at the time of application for license.
- D. A description of the vehicles and equipment the applicant proposes to use in such collection, removal and transportation.
- E. Such other information as may be required by the Township Board. No license shall be granted to any applicant therefore with all of the laws of the State of Michigan, Ordinances of the Charter Township of Superior, and approved rules and regulations of the Supervisor, pertaining to the

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collection, removal and transportation of municipal refuse, garbage or rubbish, nor shall such a license be issued until the application therefore has been referred to and approved by the Township Supervisor or his representative and until such applicant has paid to the Township Clerk a license fee according to a schedule adopted by a resolution of the Township Board, and has deposited with the Township Clerk a bond as required by the provisions of this Ordinance. The Township Clerk shall issue a license when all of the provisions of this Ordinance have been complied with satisfactorily.

F. No license, franchise, or contract issued, granted or entered into with any contractor under the provisions of this Ordinance shall be assignable or sublet without the express written permission of the Township Supervisor.

Section 65-14 shall be added as follows:

**Section 65-14. Recycling at Multifamily Apartment Complexes and Manufactured Home Communities**

All multifamily residential housing communities of any nature, including but not limited to, apartment complexes, condominiums, manufactured home communities and mobile home parks, shall provide recycling to the residents of such housing communities.

Section 65-19 A shall be amended as follows:

A. The Township Board shall solicit competitive bids for residential municipal waste collection, including recycling, and award a contract for sole responsibilities for residential municipal waste and recycling collection for the entire Township or any section therein as determined by the Township Board. The contract shall be awarded to the contractor with the best ability to perform the duties specified in the bid for the lowest price as determined by the Board. The lowest price will not necessarily guarantee the awarding of the contract. With the concurrence of the contractor, the Township Board shall approve the days and times of collection.

**d. Ordinance 134-49 – shall be amended by adding**

Section II - The Area Plan of Humane Society of Huron Valley dated May 23, 2007, shall constitute the Approved Area Plan.

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**Section 171-03. 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 171-04. Publication.**

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, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – with notice of such in *The Ypsilanti Courier*, 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 171-05. Effective Date.** This ordinance shall be effective on publication as required by law.

Roll call vote:

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

Nays: None

The motion carried.

**C. FAIRFAX MANOR LIFT STATION**

On April 4, 2005, the Supervisor sent a letter to Rex Lanyi of Fairfax Manor, reminding Mr. Lanyi of the Fairfax Manor Development Agreement which indicates that the developer will construct a gravity sewer line, at their own cost, to the Prospect Pointe sanitary system within 12 months of the Prospect Pointe lift station's first day of operation. The gravity system design would need to be properly permitted and approved by the Township Engineers. In addition, thereafter, the developer shall pay a fair portion of the cost to operate the Prospect Pointe lift station based on the estimated sewer usage. The letter notified Mr. Lanyi that the Prospect Pointe lift station was operational and that Mr. Lanyi had until March 22, 2006, to complete the project. He has not done so.

Since almost two years have passed since the project was to be complete, the Utilities Director, Rick Church, and the Supervisor suggest that legal action be commenced.

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It was moved by Williams, supported by McKinney, that the Superior Charter Township Board direct attorney James A. Fink to take whatever action is necessary, up to and including litigation, to insure that Fairfax Manor constructs a sanitary sewer gravity system to the Prospect Pointe lift station as stipulated in the Fairfax Manor Development Agreement.

The motion carried.

**11. PAYMENT OF BILLS**

It was moved by Caviston, supported by Green, that the bills be paid as submitted in the following amounts: General Fund - \$2,220.00 and Fire Fund - \$1,386.89 for a total of \$3,606.89.

The motion carried.

**12. PLEAS AND PETITIONS**

There were none.

**13. ADJOURNMENT**

It was moved by McKinney, supported by Phillips, that the meeting adjourn. The motion carried and the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Kay Williams, Clerk