

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MARCH 6, 2006
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 March 6, 2006, 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 McKinney, supported by Lewis, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF FEBRUARY 6, 2006

It was moved by Williams, supported by Phillips, to approve the minutes of the regular Board meeting of February 6, 2006, as presented.

The motion carried.

6. CITIZEN PARTICIPATION

Sandi Lopez, 6735 Vreeland, presented the Supervisor with a list and map of the Land Conservancy lands that currently have conservation easements in place. She also wanted the Township to place conservation easements on Township park lands to ensure that they are protected as well. The Board thanked Lopez for her work.

Ellen Kurath, 2203 Hickman, is concerned about the maintenance of the subdivision streets. Some of them are 40 years old and need major reconstruction before they fall apart completely. Since State and Federal money is not available to help with this reconstruction, she is searching for ways to finance the project. She suggested Special Assessment Districts as a possible way, which, depending on how it was set up, could be done

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for approximately \$55 per household per month. Another possible funding source could be a millage. She stressed that as streets deteriorate, so does the neighborhood; and conversely, as streets are repaired, the neighborhoods flourish. As an example, since Wiard was repaired two years ago the entire area has improved.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on three items:

1. The property assessment notices were sent out last week. They reflect a 3.3% increase in taxable value. Although the market was flat last year, the rate is computed on a two-year cycle, so there was an increase. Also included in the notice envelope was a notice that the new wetlands map was at the Township Hall, and a notice from the COPS officer, John Gorney, that he was establishing an e-mail alert list for residents who wanted to be informed of crime in their neighborhoods. Deputy Gorney has reported that he has received many requests to be on the e-mail alert list.
2. The Board of Review will be meeting on March 13, 15, and 16.
3. Washtenaw County Planning Department is holding a session on Purchase of Development Rights on March 23 at 7:00 at the Superior Charter Township Hall.

B. DEPARTMENT REPORTS: FIRE DEPARTMENT, BUILDING DEPARTMENT, UTILITY DEPARTMENT, OHM MONTHLY, PLANNING COMMISSION COORDINATOR, SHERIFF DEPARTMENT, PARK COMMISSION MINUTES

It was moved by McKinney, supported by Caviston, that the Fire Department report for February, the Building Department Reports for January and February, 2006, the Utility Department Report dated March 1, 2006, the OHM Monthly Report dated March 2, 2006, the Planning Commission Coordinator Report dated March 2, 2006, the Sheriff Department Report dated February 15, 2006, and the Park Commission Minutes for December 19, 2005, and January 23, 2006, be received.

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Phillips noted that the new Utility Maintenance Building was looking very nice. He also noted that the Sheriff Department has detained one of the suspects in the rash of burglaries in the subdivisions.

The motion carried.

C. DECEMBER 2005 FINANCIAL STATEMENTS - ALL FUNDS

Susan Mumm, Township Accountant, was present to discuss the reports. She advised the Board that the accrued absences reserve fund was almost the same amount of days as owed employees in each fund, so there will be no problems when employees cease to be employed by the Township. The money will be there to pay off the banked vacation days.

Phillips complimented Mumm on the cover sheet reports for each fund and commented that all funds were in good shape.

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the December 2005 Financial Statements for all funds: General, Fire, Law Enforcement, Parks and Recreation, Streetlights, Payroll, Trust and Agency, Utilities, Building, Side Street Maintenance, Fire Reserve Fund, and Fire Construction Bond Fund.

The motion carried.

8. COMMUNICATIONS

A. WASHTENAW COUNTY ROAD COMMISSION ANNUAL MEETING

It was moved by Williams, supported by Lewis, that the communication setting the Annual Meeting with the Washtenaw County Road Commission for April 17, 2006, at 7:30 p.m. be received.

Ellen Kurath, David Zelisse, and Supervisor McFarlane, the Roads Committee, have toured the Township inspecting the roads to determine the 2006 projects.

The motion carried.

B. YPSILANTI BOARD OF EDUCATION – OPPOSING LAND TRANSFERS FROM YPSILANTI SCHOOL DISTRICT

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James Hawkins, Ypsilanti School District Superintendent, informed the Board that the Ypsilanti School Board adopted a Resolution on February 13, 2006, that the Board of Education unanimously opposes the transfer of students living within the Ypsilanti School District to other non-School of Choice Districts, and further that the District unanimously opposes the transfer of a parcel of residential land within the District to another school district.

It was moved by Williams, supported by McKinney, that the letter from the Superintendent of the Ypsilanti School District regarding the transfer of students and land from the District be received.

The motion carried.

8. UNFINISHED BUSINESS

There was none.

9. NEW BUSINESS

**A. ACCEPT BID FOR AMERICAN LAFRANCE PUMPER/
TANKER FIRE TRUCK**

Captain David Judson was present to answer questions about the next four agenda items.

On January 27, 2006, the Board approved the request from the Fire Department to request bids for a pumper/tanker fire truck to replace the 1980 tanker. Specifications were developed and bids were requested. Pierce and American LaFrance returned bids on February 27. Both bids met the specifications. The American LaFrance bid was for \$419,176.00 and the Pierce bid was \$449,556.00. The Fire Chief recommended that the Board approve the American LaFrance purchase. There is enough money in the Fire Reserve Fund to pay for the truck.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board concur with the recommendation of the Fire Chief and authorize the Supervisor and Clerk to sign the purchase agreement with American LaFrance for a new pumper/tanker for \$419,176.00.

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Roll call vote:

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

Nays: None

The motion carried.

B. FIRE DEPARTMENT REQUEST FOR VALUE PACK 1 PUMP PACKAGE FOR UTILITY TRUCK

The Fire Department requested permission to purchase a pump package for the new utility truck. The package includes a two-stage pump, 100 gallon tank, hose reel, and 100 feet of one inch hose. This setup is designed primarily to fight grass fires.

It was moved by Caviston, supported by Lewis, that the Superior Charter Township Board approve the purchase by the Fire Department of a Value Pack 1 drop-in pump package for the utility truck from W.S. Darley Co. for \$5,580.00.

Roll call vote:

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

Nays: None

The motion carried.

C. FIRE DEPARTMENT REQUEST FOR ICE WATER RESCUE SUITS

The Fire Department has become concerned about the possible need to conduct an ice-water rescue due the number of retention ponds in the Township. Several Fire Fighters are trained in Ice-Water Rescue Techniques, the remainder will be trained this year, and the Department needs to purchase the necessary equipment to safely carry out a rescue.

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board approve the purchase of two Ice-Water Rescue Suits plus the related equipment from Dive Rescue International for \$2,319.29.

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Roll call vote:

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

Nays: None

The motion carried.

D. WASHTENAW COUNTY MUTUAL FIRE AID AGREEMENT

The Fire Department Mutual Aid Agreement has been amended to include aid for Technical Rescue and Urban Search and Rescue incidents.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board authorize the Supervisor to sign the Washtenaw County Mutual Fire Aid Agreement with the addition of the Technical Rescue and Urban Search and Rescue section.

Roll call vote:

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

Nays: None

The motion carried.

E. GEDDES GLEN NORTH – ORDINANCE 134-37 – FIRST READING

The developer, Robert Jones, was present to answer questions. Mr. Jones complimented the Board and Staff of Superior Township. He said that it is a very professional community.

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

**SUPERIOR CHARTER TOWNSHIP BOARD
SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

MARCH 6, 2006

A RESOLUTION TO ADOPT ORDINANCE 134-37

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**GEDDES GLEN NORTH
AREA PLAN**

WHEREAS Robert Jones Homes submitted an Area Plan for the development of 30 acres on the north side of Geddes Road west of Gale Road in Section 30 for 33 single-family homes; and

WHEREAS at the regular meeting of the Superior Charter Township Planning Commission on January 25, 2006, the Planning Commission recommended approval of the Geddes Glen North Area Plan with the condition that a variance be granted by the Superior Charter Township Zoning Board of Appeals reducing the side-yard setback requirements; and

WHEREAS the residents of the Geddes Glen Subdivision south of Geddes Road have requested that the two subdivisions be separate entities; and

WHEREAS an ordinance cannot have conditions placed upon its adoption;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board adopt the following Ordinance, Ordinance 134-37, for first reading and that final reading and adoption shall not take place unless and until the following conditions are met:

1. The Superior Charter Township Zoning Board of Appeals approves the reduction of the side-yard setback requirement, and
2. The Developer provides proof that Geddes Glen North is separate from Geddes Glen Subdivision in all respects.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE # 134-37**

GEDDES GLEN NORTH

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

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amended by the approved Area Plan for the following described property in Superior Township, Washtenaw County, Michigan:

DESCRIPTION: 30.36 acres +/-, North of the centerline of Geddes Road - Section 30.

Commencing at the Southwest corner of Section 30, T2S. R7E. Superior Township, Washtenaw County, Michigan; thence along the West line of said Section 30, N 00° 47' 20" W 1381.90 feet to the centerline of Geddes Road for a POINT OF BEGINNING; thence continuing along said West line, N 00° 47' 20" W 1285.90 feet to the West 1/4 corner of said Section 30; thence along the East and West 1/4 line of said Section 30, N 88° 06' 20" E 1102.03 feet; thence along the East line of the West Fractional 1/2 of the Southwest Fractional 1/4 of said Section 30, as monumented and occupied, S 01° 32' 15" E 1116.92 feet to a point on the centerline of Geddes Road; thence along said centerline in the following three (3) courses: (1) S 80° 56' 35" W 455.28 feet (2) Westerly 598.97 feet along the arc of a circular curve to the left, having a radius of 10,134.98 feet, a central angle of 03° 23' 10", and a chord which bears S 79° 15' 00" W 598.88 feet and (3) Westerly 79.00 feet along the arc of a circular curve to the left, having a radius of 568.50 feet, a central angle of 07° 57' 44" and a chord which bears S 73° 34' 33" W 78.94 feet to the Point of Beginning, being part of the West Fractional 1/2 of the Southwest Fractional 1/4 of said Section 30, as monumented and occupied, and containing 30.36 acres of land more or less, subject to the rights of the public over the Northerly 33 feet of Geddes Road. Also subject to other easements and restriction of record, if any,

SECTION II

The Area Plan of Geddes Glen North dated 12-7-05, shall constitute the Approved Area Plan.

SECTION III

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

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 March 6, 2006 and for final reading on March 20, 2006. This Ordinance shall become effective on the

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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.

F. PROSPECT POINTE PHASE 2 FINAL PLAT

The Township Engineers have reviewed the final plat for Prospect Pointe Phase 2 and suggested revisions to make it conform to the approved preliminary plat. Those changes have been made and the plat is ready for approval.

It was moved by Williams, supported by Green, that the Superior Charter Township Board approve the Final Plat for Prospect Pointe Phase 2 and authorize the Clerk to sign the Final Plat.

Roll call vote:

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

Nays: None

The motion carried.

**G. RESOLUTION TO BECOME PARTICIPATING
MUNICIPALITY IN YPSILANTI DISTRICT LIBRARY**

Jill Morey, Library Director, and Suzanne Gray, Treasurer of the Library Board were present to answer questions about the Library and the proposed resolution to become a part of the District.

Nancy Caviston said that she lives in the Plymouth-Canton School District and any student of the Plymouth-Canton Schools can use the Plymouth or

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Canton libraries if they show their student card. Residents other than students can not use the Canton Library except for research. Caviston said she would not support becoming part of the Ypsilanti District Library because she would not drive that far to use the Library.

Morey said that if Superior Township did become part of the District, the Library would attempt to put a branch library somewhere in the Township. She also said that the Township Board could appoint a non-voting member to the Library Board from Superior Township until the 2008 General Election allowed a voting member.

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

**RESOLUTION TO BECOME PARTICIPATING MUNICIPALITY
IN THE YPSILANTI DISTRICT LIBRARY**

WHEREAS, the Ypsilanti District Library District currently consists of the jurisdictional boundaries of Ypsilanti Township and the City of Ypsilanti; and

WHEREAS, the City of Ypsilanti and Ypsilanti Township are participating members in the District Library; and

WHEREAS, Superior Charter Township desires to become a participating municipality in the Ypsilanti District Library District and to add all territory located in Superior Charter Township, except for the portion of Superior Charter Township located in the Ann Arbor District Library District, to the District of the Ypsilanti District Library; and

WHEREAS, the Ypsilanti District Library is currently levying a district-wide millage; and

WHEREAS, Section 25 of the District Library Establishment Act ("DLEA"), MCL 397.195, requires that the district-wide millage be approved by a majority of the electors within the territory of Superior Charter Township that will become part of the Ypsilanti District Library District as a condition to being accepted as a participating municipality; and

WHEREAS, Superior Charter Township believes becoming part of the Ypsilanti District Library would be in the best interests of the health, safety and welfare of Township residents.

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NOW, THEREFORE, BE IT RESOLVED by the Superior Charter Township Board that:

1. Superior Charter Township shall become a participating municipality in the Ypsilanti District Library and all territory located in Superior Charter Township, except for the portion of Superior Charter Township located in the Ann District Library District, shall be added to the District of the Ypsilanti District Library, conditioned upon paragraph 4 below.

2. Pursuant to Section 25 of the DLEA, MCL 397.195, the proposition for approval of the Ypsilanti District Library millage attached as Exhibit B shall be submitted to the qualified electors in the portion of the Township that will be added to the Ypsilanti District Library at an election held in the portion of Superior Township that will be added to the Ypsilanti District Library District on August 8, 2006.

3. The Township Clerk is hereby authorized and directed to certify the ballot question attached as Exhibit B to the Washtenaw County Clerk and perform any other requirement necessary to ensure that the ballot will be included at the August 8, 2006 election.

4. The Superior Charter Township Board approves the Amendment to the Ypsilanti District Library Organizational Plan adopted June 22, 1989 attached as Exhibit A, conditioned upon all of the following:

a. The electors in Superior Charter Township authorize the millage proposal attached hereto as Exhibit B on August 6, 2006.

b. Ypsilanti District Library Board approval of the amendments specified in the Amendments to the Ypsilanti District Library Organizational Plan dated June 22, 1989 attached as Exhibit A by not later than May 30, 2006.

c. Ypsilanti Township Board and the City Council of Ypsilanti approval of the Amendments to the Ypsilanti District Library Organizational Plan dated June 22, 1989 attached as Exhibit A by not later than May 30, 2006.

d. State Librarian approval of the Amendments to the Ypsilanti District Library Organizational Plan dated June 22, 1989, attached as Exhibit A, but not later than 30 days following the date on which the State Librarian receives the Amendments to the Ypsilanti District Library Organizational Plan dated June 22, 1989.

EXHIBIT A

YPSILANTI DISTRICT LIBRARY

LIBRARY PLAN AMENDMENT

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This Amendment to the District Library Organizational Plan, dated June 22, 1989, is entered into on the ____ day of _____, 2006, by Ypsilanti Township, a Michigan municipal corporation, located at 7200 S. Huron River Dr., Ypsilanti, Michigan 48197, the City of Ypsilanti, a Michigan municipal corporation located at 1 S. Huron St., Ypsilanti, Michigan 48197, the Ypsilanti District Library, a district library located at 5577 Whittaker Road, Ypsilanti, Michigan 48197, and Superior Charter Township, a Michigan municipal corporation, located at 3040 N. Prospect Rd., Ypsilanti, Michigan 48198.

WHEREAS, the City of Ypsilanti and Ypsilanti Township formed the Ypsilanti District Library in 1983; and

WHEREAS, the Ypsilanti District Library became a district library organized under the District Library Establishment Act (“DLEA”), pursuant to Sections 5 and 6 of the DLEA, MCL 397.175 and MCL 397.176, upon filing the District Library Organizational Plan dated June 22, 1989; and

WHEREAS, the Ypsilanti District Library district voters approved a district-wide millage of an amount not to exceed 1.6 mills in perpetuity (the voters approved .85 mill in perpetuity in 1993 and .75 mill in perpetuity in 1998); and

WHEREAS, Superior Charter Township now desires to become a participating municipality in the Ypsilanti District Library and add portions of Superior Charter Township that are not included in the Ann Arbor District Library to the district of the Ypsilanti District Library; and

WHEREAS, in an election on August 6, 2006, the voters of Superior Charter Township, except for the portion of Superior Charter Township located in the Ann Arbor District Library District, will approve or have approved the levy of the existing Ypsilanti District Library millage in Superior Charter Township; and

WHEREAS, as required by Section 25 of the DLEA, MCL 397.195, Ypsilanti Township and the City of Ypsilanti desire to enter into this Amendment to their existing agreement, the District Library Organizational Plan dated June 22, 1989, to add Superior Charter Township as a participating municipality and to add the portions of Superior Charter Township not included in the Ann Arbor District Library District to the Ypsilanti District Library District; and

WHEREAS, the Ypsilanti District Library Board and the Superior Charter Township Board have also or will approve this Amendment.

THEREFORE, BE IT AGREED BY THE PARTIES AS FOLLOWS:

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1. Paragraph A. Paragraph A of the District Library Organizational Plan dated June 22, 1989 is amended to read as follows:
Participating municipalities which establish the District Library: Superior Charter Township, the City of Ypsilanti and Ypsilanti Township.
2. Paragraph C.1. Paragraph C.1. of the District Library Organizational Plan dated June 22, 1989 is amended as follows:
This Plan may be amended in writing upon the consent of not less than two thirds (2/3) of the governing bodies of each of the Parties, pursuant to Section 4(1)(d) of the Act, MCL 397.174(1)(d).
3. Paragraph C.3. Paragraph C.3. of the District Library Organizational Plan dated June 22, 1989 is amended as follows:
In the event the withdrawal of any participating municipality would not cause the dissolution of the District Library, the assets belonging to the District Library would remain the property of the District Library. If the District Library is dissolved because all but one of the participating municipalities have withdrawn, all assets of the District Library shall be distributed to the party or other entity that provides library service to the majority of the population, based on the most recent official United States Census of Population existing at the time the District Library is dissolved.
4. Paragraph D. Paragraph D of the District Library Organizational Plan dated June 22, 1989 is added as follows:
The Ypsilanti District Library district shall be comprised of all that territory which is currently located in the jurisdictional limits of the City of Ypsilanti, Ypsilanti Township and Superior Charter Township, Washtenaw County, State of Michigan, except the portions of Superior Charter Township that are currently located in the Ann Arbor District Library district.
5. Effective Date. This Amendment shall become effective either on (1) the date on which the Superior Charter Township electors approve the levy of the Ypsilanti District Library millage in effect, or (2) on the date that the Library of Michigan approves this Amendment whichever occurs later, according to Section 5 of the DLEA, MCL 397.175.
6. Governing Law. This Amendment shall be governed by and construed in accordance with the laws of the State of Michigan.
7. Severability. If any clause, provision or section of this Amendment shall be ruled invalid or unenforceable by any court of competent jurisdiction,

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the invalidity or unenforceability of such clause, provision or section shall not affect any of the remaining clauses, provisions or sections.

8. Execution in Counterparts. This Amendment may be executed in two or more counterparts, each of which shall be deemed and all of which shall constitute one and the same agreement, and the signature of any Party to any counterpart shall be deemed a signature to and may be appended to any other counterpart.
9. Conflict of Provisions. This Amendment does not in any way affect the District Library Organizational Plan dated June 22, 1989 or other agreement unless specifically stated in this Amendment. In the event a conflict occurs, this Amendment shall govern.

Roll call vote:

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

Nays: Caviston

The motion carried.

H. ALLIANCE OF ROUGE COMMUNITIES DUES

The invoice for the assessment for each community based upon the formula established in the bylaws for the Alliance of Rouge Communities is due. The local contributions are matched with funds from the Wayne County Rouge River National Wet Weather Demonstration Project.

It was moved by Lewis, supported by McKinney, that the Superior Charter Township Board approve payment of the Alliance of Rouge Communities Assessment for 2006 at \$7,369.00.

Roll call vote:

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

Nays: None

The motion carried.

I. YPSILANTI MEALS ON WHEELS ANNUAL DONATION

During 2005 a total of 2,561 meals were provided to 17 residents of Superior Township. Meals on Wheels requested that the Township

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continue to support the program which supports the medically fragile and disabled recipients living below the poverty line.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board contribute \$2,150.00 to the Ypsilanti Meals on Wheels, the amount of the 2005 contribution.

Roll call vote:

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

Nays: None

The motion carried.

11. PAYMENT OF BILLS

It was moved by McKinney, supported by Caviston, that the bills be paid in the following amounts: General Fund - \$2,740.00 for a total of \$2,740.00.

The motion carried.

12. PLEAS AND PETITIONS

The Supervisor welcomed Khalil Hachem from the Ann Arbor News who will be covering Superior Charter Township news from now on.

13. ADJOURNMENT

It was moved by Williams, supported by Caviston, that the meeting adjourn. The motion carried and the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Kay Williams, Clerk