

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
APRIL 16, 2007
APPROVED 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 April 16, 2007, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

The Supervisor led the assembly in a moment of silence for the students killed at Virginia Tech, the soldiers in Iraq and Afghanistan, and the children who have been killed lately. He then 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 Green, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF APRIL 2, 2007

It was moved by Phillips, supported by Lewis, to approve the minutes of the regular Board meeting of April 2, 2007, as presented.

The motion carried.

6. CITIZEN PARTICIPATION

A. PUBLIC HEARING – GEDDES RIDGE SPECIAL ASSESSMENT DISTRICT FOR SIGNS

On March 5, 2007, the Board received informal petitions from property owners in Geddes Ridge Subdivision requesting entry sign(s) to their subdivision and requested that staff determine the cost of such signs and other roadside maintenance along Geddes and Harris Roads abutting the Subdivision. Receiving that information on March 19, the Board adopted a resolution to hold a public hearing on the request on April 16.

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It was moved by Caviston, supported by Green, that the public hearing on the special assessment district for the roadside maintenance and construction of signs for the Geddes Ridge Subdivision be opened.

The motion carried and the hearing was opened.

McFarlane outlined the procedure for the possible special assessment district.

Eleven residents spoke at the hearing and two letters were received prior to the hearing. Six households were in favor and five objected. The residents in favor wanted a sign at Geddes and Andover because it is hard to find the corner at night with the Geddes traffic. The residents who objected felt that the money could be better spent on fixing the roads and drainage. Several people were opposed to lighting the sign; it was suggested that passive illumination be used.

The administrative staff will review the suggestions, do more research, and report to the Board at a later meeting. The report will be placed on the website to keep the residents informed. Residents who did not attend the hearing will be able to send written comments to the Township.

It was moved by McKinney, supported by Green, that the public hearing be closed.

The motion carried.

B. OTHER CITIZEN CONCERNS

Ellen Kurath, 2203 Hickman, stated that the ditches along the roadsides need to be cleaned out; in some cases they are at a higher elevation than the roads. She also wanted to know if the Board had any information about the Schultz Purchase of Development Rights. We do not. And she is still concerned about the sight distances on the Geddes/Superior Roundabout, which is a Road Commission issue.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on three items:

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1. The Administrative Staff will review the proposed 2007 Road Commission projects and have a recommendation for the Board on May 6.
2. The Administrative Staff has been working on revisions to the Zoning Ordinance to allow wireless services to place small transmitters on sites other than cell towers with administrative review by the Zoning Official.
3. McFarlane has been researching the Township's energy providers after receiving the information from Exelon. After due consideration he recommends that the Township stay with DTE because of the excellent customer service. The small amount that the various funds would save are not worth the money that would need to be expended to monitor Exelon. The Board, by unanimous consent, agreed to remain with DTE for the Township energy needs.

B. DEPARTMENT REPORTS: FIRE DEPARTMENT, FIRE MARSHAL, BUILDING DEPARTMENT, UTILITY DEPARTMENT, TREASURER, ORDINANCE OFFICER, DISTRICT LIBRARY, SHERIFF DEPARTMENT, PARK COMMISSION MINUTES

It was moved by McKinney, supported by Lewis, that the Fire Department report for March, the Fire Marshal report dated April 2, 2007, Building Department report for March, Utility Department, Treasurer's Report on On-Line tax collection, Ordinance Officer Report for March/April, the Ypsilanti District Library Report on the Superior Branch Library for March, the Sheriff Department Report, and the Park Commission minutes be received.

The motion carried.

C. FINANCIAL STATEMENTS

It was moved by McKinney, supported by Caviston, that the January 2007 Financial Statements for all funds except the Utility Fund and the Utility Fund Financial Statement for February 2007, be received.

The motion carried.

8. COMMUNICATIONS

A. HYUNDAI-KIA MOTORS – ROAD IMPROVEMENTS AT LEFORGE AND GEDDES ROADS

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Superior Charter Township, the Washtenaw County Road Commission and Hyundai-Kia Motors entered into a Road Improvement Agreement on May 21, 2004, a Declaratory Judgment in June 2004 and amended the Road Agreement on September 19, 2006. The Agreements called for Hyundai to construct various improvements to the roads, the intersection at Leforge and Geddes, driveways, non-motorized trails, water lines, and surrounding easement areas in conjunction to the design and construction of the Hyundai Center. The agreements stated that Hyundai exclusively fund and construct the improvements starting by May 1, 2007, and finishing by October 1, 2007.

Hyundai has secured all necessary easements and has had plans designed that have been approved by the Road Commission at Hyundai's cost. No permit has been issued as the bond for project completion has not been posted.

On April 5, Mark Torigian called the Township Officials and requested a meeting to discuss the project. Due to financial circumstances beyond Hyundai's control, Hyundai will not be able to start construction as provided by the Agreement. Mr. Torigian has asked for help in spreading the costs over several years by establishing a Special Assessment District for the project.

Current estimates for the project range between \$1,678,350 and \$2,259,600, depending on the cost of utility relocations and other contingencies.

Mark Torigian has asked for the cooperation from the Township and County to help with the project. Hyundai currently has some funds, but not enough for the entire project. Numerous meetings have been held with the Township Officials, Township Attorney and Engineer, the Road Commission, and Hyundai personnel to resolve the problem.

It was moved by Williams, supported by Lewis, that the letter from Mark S. Torigian, General Counsel for Hyundai-Kia Motors regarding the Leforge/Geddes road intersection improvements be received and, further, that the administrative staff work with Hyundai-Kia and the Washtenaw County Road Commission to resolve the issues.

The motion carried.

B. ZELISSE PROPERTY APPLICATION FOR STATE PDR FUNDS

In 2006, Superior Township became eligible to participate in the State of Michigan Agricultural Preservation Fund program that provides grants for the Purchase of Development Rights on eligible agricultural properties. Unfortunately, the application submitted by the Township for the Zelisse property was not selected to receive funding.

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According to one of the reviewers from the Agricultural Preservation office, the application would have benefited from:

1. A township or regional agricultural economic plan
2. A map that prioritized the agricultural land to be preserved
3. Examples in the GMP of programs for preserving agricultural land
4. Matching funds
5. Examples of training programs attended by local officials or planning commissioners on agricultural preservation
6. A parcel over 80 acres.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board receive the communication concerning the denial of Purchase of Development Funds for the Zelisse property.

The motion carried.

9. UNFINISHED BUSINESS

A, RESOLUTION ON FREEZING THE CIP FOR ASSESSMENTS

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

APRIL 16, 2007

**A RESOLUTION REQUESTING THAT THE GOVERNOR AND LEGISLATURE
OF THE STATE OF MICHIGAN
FREEZE THE TAXABLE VALUE OF PROPERTY IN 2008**

At a regular meeting of the Township Board of Trustees of Superior Charter Township, Washtenaw County, Michigan, held at the Township Hall of said Township on the sixteenth day of April, 2007, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by McKinney, and supported by Caviston.

WHEREAS the actual true cash value of property in Superior Charter Township has declined in the last year; and

WHEREAS home sales have shown the market is in decline; and

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WHEREAS new home construction has slowed; and

WHEREAS the employment opportunities have declined in Michigan making home sales decline in value; and

WHEREAS the foreclosure rates are increasing at an alarming rate in the County and State; and

WHEREAS the economy does not appear to be improving; and

WHEREAS the Superior Charter Township Board wishes to help our residents in these hard times,

NOW, THEREFORE, BE IT RESOLVED that the Superior Charter Township Board hereby requests that the Governor of the State of Michigan and the Michigan Senate and Michigan House of Representatives freeze taxable value on real property at the present level for the 2008 tax year.

CERTIFICATION

I, Kay Williams, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Superior Charter Township Board held on April 16, 2007.

Kay Williams, Superior Charter Township Clerk

Roll call vote:

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

Nays: None

The motion carried.

10. NEW BUSINESS

**A. ADOPT SUPERIOR CHARTER TOWNSHIP PARK
COMMISSION FIVE-YEAR PLAN**

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

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**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
APRIL 16, 2007**

**A RESOLUTION TO ADOPT THE
PARK, RECREATION, AND OPEN SPACE
FIVE-YEAR PLAN
2006-2010**

WHEREAS, the Superior Charter Township Park Commission has developed a five-year plan for the park lands, open space, and recreation programs in the Township; and

WHEREAS, the plan serves as a guideline for park land, open space, and recreation planning by the Park Commission; and

WHEREAS, the plan also serves as a planning tool for other Township board and commissions, such as the Planning Commission and the Township Board; and

WHEREAS, the adoption of a five-year plan is mandated by the State of Michigan for eligibility for State grants; and

WHEREAS, the Park Commission held a Public Hearing prior to the adoption of the Plan to enable the residents of the Township to express their views on the Plan; and

WHEREAS, the Park Commission has recommended that the Superior Charter Township Board adopt the Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board concurs with the recommendation of the Park Commission and hereby adopts the Parks, Recreation, and Open Space Plan for the Years 2006-2010.

Roll call vote:

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

Nays: None

The motion carried.

**B. CLARK ROAD SANITARY SEWER AND WATER MAIN
RELOCATION PROJECT**

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The Utility Department requested approval from the Township Board to authorize Orchard, Hiltz and McCliment, Inc. to begin the engineering services outlined in their proposal for the Clark Road Sanitary Sewer and Water Main Relocation Project. The engineering fees are estimated to be \$85,000.00, with the total project cost estimated to be \$381,000.00. These water and sanitary sewer system improvements are outlined in the Capital Improvements Program dated September, 2004.

The project entails removing and abandoning approximately 1,000 feet of existing 12" Ypsilanti Community Utilities Authority (YCUA)/Superior Township Utility Department water main that is currently in very close proximity to existing homes, and relocating the main to the Clark Road Right of Way. It also includes eliminating the sewer service from a 4" sanitary sewer line that runs behind house numbers 1125 –1193 on Clark Road and replacing it with 740 feet of 8" sewer that would connect to the 18-inch interceptor on Clark Road. This change would eliminate the excessive time/costs that are currently required to maintain this service.

YCUA has committed to fund 50% (approximately \$130,000.00) of the cost of the water main portion of the project, which is estimated to be \$260,000.00. The Utility Department would like to move forward so that the timing of the construction coincides with that of the Township-supported Non-Motorized Trail Project, which is scheduled for this year and which will affect the same right-of-way. Funds are available in our Capital Reserves for this project.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board authorize Orchard, Hiltz and McCliment, Inc. to begin the engineering services outlined in the proposal for the Clark Road Sanitary Sewer and Water Main Relocation Project for a sum not to exceed \$85,000.00 and further that the Utility Department be authorized to construct the Clark Road Sanitary Sewer and Water Main Relocation Project for approximately \$381,000.00 of which \$130,000.00 will be funded by Ypsilanti Charter Township.

Roll call vote:

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

Nays: None

The motion carried.

C. POLICE FEASIBILITY SERVICES PROPOSAL

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

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WASHTENAW COUNTY, MICHIGAN
APRIL 16, 2007**

**A RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE CONTRACT
WITH VIRCHOW KRAUSE TO PREPARE A REGIONAL POLICE AUTHORITY
FEASIBILITY STUDY IN CONJUNCTION WITH NEIGHBORING
MUNICIPALITIES**

WHEREAS on October 2, 2006, the Superior Charter Township Board authorized the Supervisor to participate in the feasibility study for a regional police department at a cost of approximately \$5,000.00 to \$6,000.00; and

WHEREAS the representatives from seven neighboring communities have been meeting since that time to prepare Requests for Proposals for the study; and

WHEREAS the RFP have been distributed to a select list of qualified consultants for such studies; and

WHEREAS two proposals were submitted; one from Plante Moran for \$76,000 and the other from Virchow Krause for \$54,400; and

WHEREAS the committee unanimously agreed to recommend the Virchow Krause proposal, citing the quality of the proposal and the opportunities for feedback during the study; and

WHEREAS the cost for each community will depend on the number of communities ultimately participating. (Washtenaw County has agreed to contribute equally to the funding.) Therefore, if eight communities participate (City of Ypsilanti and Ann Arbor, Augusta, Northfield, Salem Scio, Superior and York Townships) the cost to each community and to Washtenaw County will be \$6,044.44. If seven communities participate the cost will be \$6,800.00 and with six communities it will cost \$7,771.42 and

WHEREAS the final number of participating communities is unknown, the Committee agreed to seek authorization for a range of costs \$6,000 to \$8,000. If there are fewer participants than six, the committee will ask Virchow Krause to reduce the cost of the study;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board hereby authorizes the Supervisor to sign the contract with Virchow Krause at a cost not to exceed

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\$54,400 with the Superior Township costs not to exceed \$7,771.42 with the proviso that that the contract with Virchow Krause will not be signed until all of the funds from participating communities have been received;

BE IT FURTHER RESOLVED, that the funds will be deposited in an escrow account with Superior Township and that a subcommittee consisting of Mike Moran, Ed Korznao and William McFarlane will oversee the disbursement of funds.

Roll call vote:

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

Nays: None

The motion carried.

D. JOINT PROCUREMENT OF RESIDENTIAL SOLID WASTE/RECYCLING SERVICES

On April 9, McFarlane and Williams met with Jim Frey of Resource Recycling Systems, Bill Bohlen, Director of the City of Ypsilanti Public Works, and Jeff Allen, Residential Services Director of Ypsilanti Charter Township to discuss the possibility of collaborating for residential solid waste and recycling services. The City and Ypsilanti Township currently contract with Waste Management; the City's contract expires in September, the Township has 3 more years on their contract.

The Superior Township contract with Allied Waste expires in September. At the last meeting the Board approved the sending a RFP to local haulers which had a May 3 return date. An amendment to the RFP will need to be sent to the local haulers changing the date of return and revising the distribution list.

Jim Frey, of Resource Recycling Systems, a private consulting firm, has been contracted by the City to help with their process of getting a new contract. Frey would like to have Superior Charter Township join the process. He is willing to add us for \$120.00. The idea would be to have the three communities bid out the contract to obtain cost benefits. Superior Charter Township would join with them, but also continue to bid our own contract.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board approve the \$120.00 to Resource Recycling Systems for participation in a joint procurement process for residential solid waste/recycling services with the City of Ypsilanti and Ypsilanti Charter

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Township, and further, that an amendment to the RFP be sent to the prospective bidders changing the due date and adding a bid for a joint contract.

The motion carried.

**E. LETTER TO PLYMOUTH-ANN ARBOR ROAD RESIDENTS
- HERITAGE CORRIDOR**

On September 5, 2006, the Board approved the sending of a letter to the residents along Plymouth-Ann Arbor Road suggesting that the road be designated as a Heritage Corridor. A Public Forum was held on September 20 that was attended by approximately 50 people. Most people who attended the meeting were interested in keeping the corridor rural but did not want any restrictions placed on their property.

Since then several people have indicated that the corridor is worth preserving and, as there may be other ways to do so without infringing on property rights, requested another meeting. On April 4 thirteen residents met and discussed ways to enhance the corridor and beautify the area. When Plymouth/Ann Arbor Road was first paved in the 1920's, a local garden club planted lilacs at every telephone pole along the road. Many of those lilacs are still blooming, providing beauty for the motoring public. The group thought it was time to plant more lilacs. Plymouth Nursery and Lucas Nursery were contacted to ascertain if hardy lilacs could be purchased at a reasonable price. A letter would then be sent to residents on Plymouth-Ann Arbor Road telling them of the project and asking them to participate.

It was moved by Caviston, supported by Green, that the Superior Charter Township Board approve the expenditure of a sum not to exceed \$100.00 to send a letter to the residents along Plymouth-Ann Arbor Road explaining the lilac project and asking if they wished to participate at their expense.

The motion carried.

**F. FURNACE MOVE FROM BROTHERS HOUSE TO FIRE
SUBSTATION**

When the contents of the Brothers house was assessed, the only really valuable item was the furnace which is four years old. The furnace that serves the community room in the Fire Substation which is now being used for the Branch Library is over 40 years old and on its last legs. The furnace in the

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Brothers house has adequate capacity for the community room and can be moved.

It was necessary to remove the Freon from the Brothers air conditioner and the administrative staff received bids to do so. Al Walters Heating and Air Conditioning, Inc. was the lowest bid at \$85.00, almost half of the next lowest bid. While he was there we asked for a quote for moving the furnace to the substation (attached). Since he was so much lower than the other bidders for the Freon, usually is the lowest bidder, and does good work, we have not bid the furnace removal/replacement project.

The community room currently is not air conditioned. The Library has been concerned about the lack of air conditioning so when I called Jill Morey, she said that they will pay for a new Lennox condenser so that there would air conditioning in the summer.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township authorize the Supervisor to sign the proposal and conditional sales contract with Al Walters Heating and Air Conditioning, Inc, to remove the furnace from 3010 N. Prospect and reinstall at 8975 MacArthur for a sum not to exceed \$1275.00; wire the condenser (line voltage) for a sum not to exceed \$425.00, and install a new condenser Lennox 13ACD-036-230 for a sum not to exceed \$1,555.00, which will be reimbursed by the Ypsilanti District Library.

The motion carried unanimously.

G. PURCHASE GIS SOFTWARE FOR PLANNING DEPARTMENT

The Planning Administrator, Deborah Kuehn, has been taking classes in GIS training which will expand the department's abilities in data management and mapping. The department is requesting permission to purchase the software.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board authorize the purchase ArcGIS 9.2 software for \$1,200.00 for the Planning Department.

Roll call vote:

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

Nays: None

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The motion carried.

H. FIRE DEPARTMENT LAWN CARE CONTRACT

The Fire Chief requested that the Fire Department bid out the application of chemicals on the lawn at Fire Station #1, as the cost is only slightly more than the cost of materials and the Fire Fighters are not licensed to handle all the chemicals.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board authorize the Supervisor to sign the contract with TruGreen Chem Lawn for annual lawn care chemical applications six times in 2007 for \$700.

The motion carried.

11. PAYMENT OF BILLS

It was moved by McKinney, supported by Phillips, that the bills be paid as presented in the following amounts – General Fund - \$3,217.50, Utilities Fund - \$1,850.00 for a total of \$5,067.50.

The motion carried.

12. PLEAS AND PETITIONS

Lewis commended Caviston on the excellent newsletter.

It was moved by Phillips, supported by Lewis, that the Board adjourn to Executive Session to discuss attorney communication.

Roll call vote:

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

Nays: None

The motion carried.

It was moved by McKinney, supported by Lewis, that the Board return to open session.

The motion carried.

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It was moved by Lewis, supported by McKinney, that the Superior Charter Township Board direct the Superior Charter Township Park Commission to suspend Park Steward (employee name deleted per the policy of the Superior Charter Township Board) until the Personal Protection Order issue is resolved, further that the Park Commission should conduct an internal investigation of the alleged allegations, and further that (employee name deleted per the policy of the Superior Charter Township Board) shall be personally responsible for any legal representation pertaining to his position as Park Steward.

Roll call vote:

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

Nays: None

The motion carried.

13. ADJOURNMENT

It was moved by McKinney, supported by Caviston, that the meeting adjourn.

The motion carried and the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Kay Williams, Clerk