

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
AUGUST 15, 2005  
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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 August 15, 2005, 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, Nancy Caviston, Rodrick Green, Lisa Lewis, and David Phillips.

Brenda McKinney was on vacation.

**4. ADOPTION OF AGENDA**

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

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF AUGUST 1, 2005**

It was moved by Caviston, supported by Phillips, to approve the minutes of the regular Board meeting of August 1, 2005, as presented.

The motion carried.

**6. CITIZEN PARTICIPATION**

- A.** Sandy Lopez, 6735 Vreeland, asked that public notices be published in the *Ann Arbor News* along with the *Ypsilanti Courier*. McFarlane said that publications in the *News* were extremely expensive and that with the anticipated costs because of probable litigation, the Township could not afford the extra expense. He does call the *News* to ask that meeting notices are placed in the sidebar area whenever a special meeting is held. Lopez also asked if the complete adopted minutes could be put on the Township website, rather than the synopsis as at present. Williams answered that she was getting training next week for the County server and would be changing the website to the

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County server in the near future. At that time it would be possible to put the complete minutes on the web, and keep all back issues available.

- B.** Eric Eeles, 9255 Arlington, requested that the Board “dare to be different” and stop development. McFarlane said that legally the Township could not stop growth, but we can and do manage growth.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on seven items:

1. The Enclave, the proposed development which was originally the third phase of Geddes Ridge Subdivision, was recommended for denial rezoning by the Planning Commission and will probably be on the September 6 Board agenda.
2. The MacArthur Boulevard non-motorized trail is finished and has received many compliments from residents, including from some who were against it in the first place. It is being used and enjoyed by area residents.
3. The MDEQ has set October 6 at 7:00 p.m. for the Public Hearing on the Rock proposal for an on-site sewage system for a 1,950 manufactured home community. The Township has assembled a staff of experts to assist us in making informed comments at the hearing. If residents wish to address the Hearing, we request that the comments be put in writing and that a copy be given to the Township for our records. Michael David BenDor, 2820 Stommel, said that he appreciated the work the Board did to get the Hearing.
4. McFarlane has been working with the County and other municipalities on the 2006 and 2007 Sheriff contracts. In 2006 the cost of a deputy will increase by 6%; in 2007 an addition 6% will be charged, plus the townships will have to pay for overtime. At current levels that could be as much as \$12,000 - \$20,000. The 2008 and 2009 contracts will include charges for core services, which have not yet been defined. Next year the Township will probably ask the voters to readjust the millage rates for the fire and police, changing the Fire from 3 ½ mills to 3, and raising the police (law enforcement) from 1 ½ to 2.
5. McFarlane will be presenting proposed 2006 budgets to the Board next month. The General Fund has lost more than \$200,000 in State Shared Revenue.
6. A Park employee was injured while moving a tree and has been hospitalized with broken ribs and a dislocated shoulder.

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7. A Utility employee has resigned.

**B. DEPARTMENTAL REPORTS : FIRE DEPARTMENT,  
UTILITY DEPARTMENT, BUILDING DEPARTMENT, OHM  
MONTHLY, PLANNING COMMISSION MONTHLY,  
SHERIFF DEPARTMENT**

It was moved by Caviston, supported by Lewis, that the Fire Department Report for July, Utility Department Report dated August 11, 2005, the Building Department Report for July, OHM Monthly Report dated August 1, 2005, Planning Commission Monthly Report dated August 8, 2005, and the Sheriff Department Report for July be received.

Sgt. Campbell was not present to discuss the Sheriff report. McFarlane noted the trends for increased activity in the manufactured home communities. He has met with other townships to consider sharing the costs of hiring a uniformed investigator to follow up on minor infractions. The discussion became general concerning deputy duties, overtime, compensatory time, and core services. Phillips asked if there were a relief squad. McFarlane said that it had six members which was not enough. McFarlane felt that the 0.5 mills presently designated for law enforcement by the County should be split between offering core services to County police services and the improvement of the jail.

Rick Church, Utility Director, said that the Detroit second water connection has not been turned on yet, but that he hopes it will be operational by the end of the week.

The motion to receive the reports carried.

**D. JUNE 2005 FINANCIAL STATEMENTS - ALL FUNDS**

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

The motion carried.

**8. COMMUNICATIONS**

**A. PAM VREELAND – BILTMORE AND ROCK PROJECTS**

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Pam Vreeland, 5861 Geddes, wrote that she and her husband Tom have lived in Superior Township since 1961 and have enjoyed the comfortable, scenic surroundings. They would prefer that the land remain as is, but are realistic. They much prefer the Biltmore plan which has less homes, gives the Township other “green land”, and stops annexation. She says that the Rock proposal has no positives. She thanks the Township Board for the efforts to keep the “surroundings as rural as possible”.

It was moved by Caviston, supported by Lewis, that the letter from Pam Vreeland concerning the Biltmore and Rock Projects be received.

The motion carried.

**9. OLD BUSINESS**

**A. ORDINANCE 134-35 – 5164 PLYMOUTH ROAD – VC TO PC –  
SECOND READING**

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board adopt the following ordinance for final reading:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE # 134-35**

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 rezoning the following described property in Superior Township, Washtenaw County, Michigan, from the present zoning of VC (Village Center) to PC (Planned Community) (5164 Plymouth Road – Section 18):

**OLD SIDWELL – J 10-040-019-00 – SU 37-14 LOTS 2, 3, & 4 Southwest Section,  
Village of Dixboro**

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**SECTION II**

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 August 1, 2005 and for final reading on August 15, 2005. 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, Caviston, Green, Lewis, Phillips

Nays: None

Absent: McKinney

The motion carried.

**10. NEW BUSINESS**

**A. AGREEMENT TO PERMIT THE THIRD WATER CONNECTION TO YCUA**

The Utility requested that the Board authorize the Supervisor to sign an agreement between the Township and YCUA which enables the Utility Department to proceed with the installation of a third water connection at Clark and LeForge.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board authorize the Supervisor and Clerk to sign the following agreement:

**AGREEMENT TO PERMIT SUPERIOR CHARTER TOWNSHIP'S  
3<sup>RD</sup> CONNECTION TO THE YCUA WATER UTILITY SYSTEM**

This Agreement is made on the \_\_\_\_ day of \_\_\_\_\_, 2005 between Superior Charter Township ("Township") and Ypsilanti Community Utility Authority ("YCUA").

**WHEREAS** Township and YCUA have agreed that Township may make a 3<sup>rd</sup> connection to the YCUA water utility system at the location of an existing water main in the Clark Road right-of-way just west of Leforge Road subject, to the condition that there be an additional water main extended to Clark Road from the Eastern Village Apartment Complex or other location as YCUA may determine sufficient for the purpose of satisfying YCUA's concern that the Township's 3<sup>rd</sup> water main connection at the agreed location in Clark Road could disrupt an existing water main loop in YCUA's system;

**WHEREAS** the Eastern Village Apartment Complex is located within the boundaries of the City of Ypsilanti (City) and any water main extended therefrom would traverse property within the City and require the City's consent and authority for such water main to be installed;

**WHEREAS** for the purpose of satisfying YCUA's concern that Township's 3<sup>rd</sup> connection may disrupt an existing water main loop in the system, Township has worked diligently for over nine months with the City and resident property owners to secure a water main extension from the Eastern Village Apartment Complex to Clark Road;

**WHEREAS** the Township's efforts to secure extension of an additional water main to Clark Road have been unsuccessful;

**WHEREAS** Township is under considerable pressure to complete and/or to permit the completion of development projects within the Township that are related to, and dependant upon, the proposed 3<sup>rd</sup> connection to YCUA's water utility system;

**WHEREAS** Township has estimated and YCUA has agreed that Township's cost and expense to install a water main from the Eastern Village Apartment Complex to the Clark Road water main would be approximately \$100,000.00;

**WHEREAS** Township and YCUA have informally agreed that if Township pays YCUA the estimated cost for installation of an additional water main to Clark Road from the Eastern Village Apartment Complex, then YCUA would assume all control and responsibility for extension of an additional water main to Clark Road and thereby remove the condition that the additional water main be extended to Clark Road prior to

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allowing Township to make its 3<sup>rd</sup> connection, and further that YCUA will hold Township harmless from any and all claims, problems and/or concerns arising from or related to disruption of any existing water main loop in the YCUA water utility system caused by Township's 3<sup>rd</sup> connection;

**WHEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:**

- 1.** Township agrees to pay YCUA \$100,000.00 as the fair and final cost to extend an additional water main to the Clark Road water main for the purpose of satisfying YCUA's concerns related to Township's 3<sup>rd</sup> connection;
- 2.** In consideration for the payment of \$100,000.00, YCUA agrees as follows:
  - a.** To permit Township to make a 3<sup>rd</sup> connection to the YCUA water utility system at the agreed location of Clark Road, west of Leforge Road, without further concern or consideration for potential disruptions to existing water main loops within the YCUA water utility system;
  - b.** To assume all responsibility and control for extension of any additional water main to the Clark Road water main that in its discretion is necessary or appropriate to satisfy its concerns related to the Township's 3<sup>rd</sup> connection as provided for herein; and
  - c.** To release, indemnify and hold Township harmless from any and all claims, problems and/or concerns arising from or related to disruption of any existing water main loop in the YCUA water utility system caused by or related to Township's 3<sup>rd</sup> connection as provided for in this agreement.
- 3.** If at any time within five years of this agreement YCUA requires another property owner or developer at the expense of the property owner or developer to extend an additional water main to Clark road, and said extension of the additional water main to Clark Road satisfies and/or allays YCUA's concern that the Township's 3<sup>rd</sup> connection may disrupt an existing water main loop in YCUA's system, then YCUA shall return the \$100,000.00 paid to YCUA from Township for the water main extension

Ypsilanti Community Utility Authority

Larry Thomas  
Its: Director

Charter Township of  
Superior

William McFarlane  
Its: Supervisor

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Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**B. WATER RATE INCREASE**

At the last Board meeting the Board received the notice from YCUA of a water rate increase of 4.6% effective September 1, 2005. The Utility Department requested that the same percentage increase be passed on to the YCUA service customers effective August 1, 2005, so that there will be no loss of revenue to the Utility Fund.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board concur with the recommendation of the Utility Department and adopt the following Resolution which raises the water rate to YCUA service area residents at the same 4.6% rate of increase that the Utility Department is receiving from YCUA:

SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
August 15, 2005

AN AMENDMENT TO THE RESOLUTION ADOPTED  
FEBRUARY 27, 1996, TO DETERMINE RATES, FEES, AND CHARGES  
RELATED TO SEWER AND WATER SERVICES PROVIDED BY THE  
TOWNSHIP'S UTILITY DEPARTMENT

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 15<sup>th</sup> of August, 2005, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_

WHEREAS, this Board is authorized by statute and by the provisions of Township Ordinance No. 133 to determine by resolution rates, fees and charges for services and benefits by Township's sewer and water systems; and



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WHEREAS, the Ypsilanti Community Utility Authority (YCUA) has increased the charge for water to Superior Charter Township by 4.6%, and

WHEREAS, the Superior Charter Township Utility Fund may not operate at a deficit, and

WHEREAS, this Board finds that the amended proposed schedule of fees is reasonable and necessary for the continuing operations of the Township Utility System and consistent with the past practices and policies of the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby determine that the fees for services and benefits furnished by the Township's sewer and water systems shall be amended as set forth in the attached Schedule A; and

BE IT FURTHER RESOLVED that the Township Clerk shall cause a certified copy of this Resolution, together with the attached Schedule A, to be published in the Ypsilanti Courier within 30 days after the date of passage of this Resolution and the fees and charges set forth in Schedule A shall become effective on the day after such publication.

**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 August 15, 2005.

\_\_\_\_\_  
Kay Williams, Superior Township Clerk

Date Certified

**SCHEDULE A**

**AMENDMENT TO PARAGRAPH 1 SECTION A OF THE RESOLUTION ADOPTED FEBRUARY 27, 1996, SCHEDULE OF RATES AND FEES, AND CHARGES RELATED TO SEWER AND WATER SERVICES PROVIDED BY THE TOWNSHIP'S UTILITY DEPARTMENT.**

**1. Service Rates:**

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- A. Water, sewer and surcharge for wastewater treatment for Township customers served from the YCUA system through Ypsilanti Township.

Water	\$3.002 per 100 cubic feet
Minimum quarterly billing	\$30.02 (1000 cubic feet)

Sewer	\$2.066 per 100 cubic feet
Minimum quarterly billing	\$20.66 (1000 cubic feet)

Wastewater treatment	\$ 0.70 per 100 cubic feet
Minimum quarterly billing	\$ 7.00 (1000 cubic feet)

NOTE: All sewer rates and surcharges are based on water usage, except to the extent of water metered through a separate "Water-only" meter.

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**C. PARK COMMISSION USE OF OLD TOWNSHIP HALL**

The Park Commission is exchanging their rights to the building at the corner of Prospect and Clark to the Utility Department in exchange for \$400,000.00 to be placed in a Capital Fund. The Park Commission will retain the use of the marquee in front of the Building, the fees from the rental of the ATM machine, the use of the office presently used by the Park Director while he is Director, the use of the Fire Substation meeting room, small office and bays that the Utility Department is currently using when the Utility Maintenance Facility is complete, and the use of the Old Historic Township Hall at the Township Hall site.

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The Township Board had approved most of the items at the August 1, 2005, Board meeting, but had not included the Old Township Hall building in the motion.

It was moved by Caviston, supported by Green, that the Superior Charter Township Board designate the use of the Old Historic Township Hall at 3040 N. Prospect to the Park Commission for Park and Recreation programs and administration.

The motion carried.

**D. ORDINANCE 134-36 – LEFORGE CLARK ESTATES – A-2 TO R-4 – FIRST READING**

It was moved by Williams, supported by Green, that the Superior Charter Township Board concur with the recommendation of the Planning Commission and adopt the following Ordinance for first reading:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE # 134-36**

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 rezoning the following described property in Superior Township, Washtenaw County, Michigan, from the present zoning of A-2 (Secondary Agriculture) to R-4 (Single Family Urban Residential):

**LEGAL DESCRIPTION of A-2 PORTION OF PARCEL**

Part of the southwest ¼ of Section 33, T. 2 S., R. 7 E., Superior Township, Washtenaw County, Michigan more fully described as beginning at the west ¼ corner of said Section 33; thence N 87°41'30" E 1021.74 feet along the east-west ¼ line of said Section 33; thence S 02°47'44" E 997.62 feet; thence S 86°51'55" W 651.16 feet; thence N 05°21'00" W 695.92 feet; thence S 87°41'30" W 335.72 feet to the west line of said Section 33; thence N 03°30'00" W 312.10 feet along

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said west Section line to the point of beginning. Subject to the rights of the public over the westerly 33 feet thereof as occupied by LeForge Road. Containing 18.87 acres.

**SECTION II**

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.

McFarlane said that he could not support the rezoning because of the increased density on the site.

Williams said that she preferred Planned Community zoning for large sites so that the Board could see the plan. By rezoning the land to R-4, the Planning Commission reviews the site plan and the Board never sees it again. She does not want a development this large to not be seen by the Board.

McFarlane said that there was no known benefit to the R-4 rezoning.

Caviston wanted to know why the Planning Commission had recommended approval of the site.

Phillips said that the land was currently zoned A-2 and it was clearly not agricultural lands as it is in the sewer district.

Dena Gibbs, representative for Leforge Clark Estates, said that the area for rezoning is 18 acres which is part of a larger 82 acre site. The remainder of the site is zoned R-4. The entire site is in the sewer district and is designated as urban residential in the 2004 Growth Management Plan. The R-4 zoning is consistent with the zoning in the surrounding area.

McFarlane said that the Township wants to manage development and, while he is not against development on the site, he wants it to be a Planned Community.

Roll call vote:

Ayes: None

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Nays: McFarlane, Williams, Caviston, Green, Lewis, Phillips

Absent: McKinney

The motion failed.

**E. TOWNSHIP HALL TELEPHONE SERVICE**

The Township has used SBC as telephone service provider for any years. The Fire Department and Utility Department have switched to MichTel administered through our computer services provider, Parhelion. Susan Mumm, computer coordinator, researched the services offered by several providers and found that considerable money could be saved by having Parhelion provide telephone service to the Township Hall as well.

Caviston said that she changed from SBC to MichTel and her phone bill went from \$1,200 a month to \$250.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board authorize the changing of telephone service for the Township Hall from SBC to MichTel through Parhelion.

The motion carried.

**F. BUDGET AMENDMENTS**

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board amend the 2005 General Fund Budget as follows:

Increase the following line items:

101-000-451-000	Election Reimbursements	\$ 4,785.00
101-000-607-033	Engineer Review Fees	39,000.00
101-101-716-050	Health Insurance – Receptionist	300.00
101-171-716-000	Health Insurance – Supervisor	100.00
101-191-702-000	Election Deputy Salary	2,257.00
101-191-740-000	Election Dept. Supplies	300.00
101-201-717-000	Taxable Benefits – Accountant	803.00
101-209-710-000	Training – Assessor Dept.	500.00
101-209-715-075	FICA – Assessor Dept.	75.00
101-253-716-051	Retirement Health – Treasurer Dept.	1,200.00
101-258-740-000	Operating Supplies – Computer	800.00

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101-258-801-000	Network Engineering	1,000.00
101-265-930-000	Repair/Maintenance –Bldg/Grounds	5,000.00
101-265-980-000	Equipment – Building/Grounds	6,700.00
101-266-947-003	Website	2,600.00
101-000-695-000	Donations	58,745.00
101-266-947-003	Rouge Huron General Permit	7,373.00
101-266-947-014	Non-motorized pathway-MacArthur	39,000.00
101-266-947-013	Park Building Plans	17,160.00
101-266-947-008	Geddes Road Traffic Study	26,384.00
101-410-900-000	Printing – Planning Dept.	800.00
101-410-801-012	Engineer Review Costs	39,000.00
101-411-900-000	ZBA printing	250.00
101-000-699-000	Appropriation from Fund Balance	45,672.00

Decrease the following line items:

101-000-607-000	Planning Administration Fees	\$9,000.00
101-000-607-030	Planning Dept. Base Fees	25,000.00
101-191-702-037	Election Inspectors Salaries	3,000.00
101-265-703-000	Bldg/Grounds Contract Labor	1,400.00
101-410-801-010-	Planning Dept. Planning Costs	25,000.00
101-410-801-011	Non-project Engineering	8,000.00

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**11. PAYMENT OF BILLS**

There were no invoices to be paid for any of the funds.

**12. PLEAS AND PETITIONS**

There were none.

**13. ADJOURNMENT**

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

The motion carried and the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Kay Williams, Clerk