

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
OCTOBER 6, 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 October 6, 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 Phillips, supported by McKinney, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF SEPTEMBER 15, 2008

It was moved by Green, supported by Caviston, to approve the minutes of the regular Board meeting of September 15, 2008, as presented.

The motion carried.

6. CITIZEN PARTICIPATION

Ellen Kurath, 2203 Hickman, said that she and Karl Williams have been planting trees in Schroeder Park and North Prospect Park. North Prospect Park has several holes which were dug as test holes for perk tests for septic fields and were never filled in. Some of the holes are quite deep and potentially dangerous. McFarlane said that he had heard about the holes and has asked the Parks Department to flag the holes and rough areas. When that is accomplished, he will obtain bids to level the ground. Kurath suggested that the nearby residents be notified before the work is done to avoid telephone calls from irate residents.

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Kurath also had concerns about the 16" water main that broke on September 23. McFarlane said that it was an old main and was in the Utility Department CIP to be replaced.

Michael David BenDor, Township representative to the Washtenaw County Solid Waste Consortium, distributed educational materials

7. REPORTS

A. SUPERVISOR

The Supervisor reported on four items:

1. The Utility Department has made extensive use of the vacator truck. It has been used to clean out sewer lines and also to extract dirt and mud from around pipes and wires when completing repairs. This results in less machine and hand digging and is quicker and safer.

2. From 9am to 4pm on November 1, 2008, the Washtenaw County solid waste program will hold a regional environmental clean-up day at EMU's Rynearson Stadium Parking lot. Residents will be allowed to dispose of various household recyclables and waste. The suggested donation is \$10.00.

3. The Fire Department has applied for a grant from the Department of Homeland Security for the purchase of new air packs, a compressor and a filling station to refill the air tanks. The grant amount requested is \$130,050.00 and requires a \$6,502.00 match from the Fire Department.

4. On 10/22/08, the Planning Commission will conduct a Public Hearing on the new Zoning Map. The map includes parcels that are proposed to be rezoned to the new Public Service District as well as other parcels that are proposed for rezoning.

**B. DEPARTMENT REPORTS: UTILITIES, ZONING, OHM
QUARTERLY, YPSILANTI DISTRICT LIBRARY, PARK
COMMISSION MINUTES**

It was moved by Caviston, supported by Lewis, that the Utility Department Report dated October 2, 2008, the Zoning Report dated September 23, 2008, OHM Quarterly Report dated October 2, 2008, the Ypsilanti District Library Report for September, and the Park Commission minutes for August 25, 2008, be received.

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The motion carried.

8. COMMUNICATIONS

A. DONALD PENNINGTON- STATUS OF WETLAND VIOLATION – CHERRY HILL AND BERRY ROADS

The Wetlands Commission requested that Donald Pennington, Planning Consultant and Wetland Administrator, investigate possible illegal filling on a parcel on the northeast corner of Cherry Hill and Berry Roads. Due to previous filling and dredging activities on the subject site in 2006 and 2007 which had been investigated by the Washtenaw County Drain Commission, Pennington contacted the Drain Commission and requested that they review the site. The Drain Commission reported that there was filling on the site, but that the drain had not been impacted. It is possible that some impact to the wetlands may have taken place and MDEQ has been contacted. There is no evidence of an artesian well on the site. Washtenaw County Soil erosion and Sedimentation Control had issued a filling permit, and as no erosion control devices have been implemented, a violation has been issued to the property owner. On October 16, 2008, Donald Pennington will be walking the site with MDEQ staff to further investigate the possible illegal filling. Mr. Pennington will provide follow-up reports to the Board.

It was moved by Williams, supported by McKinney, that the report by Donald Pennington, Planning Consultant and Wetland Administrator, regarding the possibility of wetland violation on the land on the northeast corner of Cherry Hill and Berry Roads be received.

The motion carried.

B. VICTOR OKAFOR – FALSE ALARM APPEAL

Victor Okafor, 8638 Heather Court, was invoiced \$25.00 for the second false alarm on his property. He said that the two alarms were not false alarms as on both occasions, someone was attempting to break into the house.

The Sheriff Department report stated that there were two false alarms, but upon further investigation, it was determined that the incidents were on the same night and investigated within minutes of

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each other.

It was moved by Williams, supported by McKinney, to receive the communication and that the Superior Charter Township Board rescind the \$25.00 fee for false alarm charged to Victor Okafor, 8638 Heather Court, as the fee should not have been charged.

The motion carried.

C. WILLIAM MCFARLANE – SUPPLEMENTAL SUMMER SHERIFF DEPUTIES

Willow Run School District hires a Sheriff Deputy for school patrol and supervision. Supervisor McFarlane suggested that there is an opportunity to help the Township and Willow Run School District by the Township contracting that deputy during the summer months when school is out of session and the Township has the most incidents and currently pays overtime for additional patrols. He suggested that if the Township could contract for the Willow Run School deputy for three months of straight time, that deputy could be assigned to the MacArthur Boulevard area.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board receive the memo from Supervisor McFarlane concerning the possibility of contracting for the Willow Run School District Sheriff Deputy during the time that school was not in session, and authorize Supervisor McFarlane to negotiate with the County and/or the School District to implement the plan.

The motion carried.

UNFINISHED BUSINESS

A. ORDINANCE 175 – AMENDMENT TO ORDINANCE 106 – MULTIPLE FAMILY DWELLING INSPECTIONS – FINAL READING

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE No. 175
AN ORDINANCE TO AMEND ORDINANCE 106 – AN ORDINANCE
EFFECTING INSPECTIONS WITHIN SUPERIOR CHARTER TOWNSHIP IN
ACCORDANCE WITH THE EXISTING STRUCTURES CODE OF THE
CHARTER TOWNSHIP OF SUPERIOR; AND FIXING PENALTIES FOR
VIOLATION.

THE CHARTER TOWNSHIP OF SUPERIOR ORDAINS:

Section 175.01 Amendments to Superior Charter Township Ordinance 106.

All references to “certain single family and two family dwellings” in Ordinance 106 shall be deleted, including in the title of Ordinance 106.

Section 175.02 Definitions. Section 106-02 D shall be deleted in its entirety.

Section 175.03 Section 106.05 – Requirement of Certificate of Compliance upon Sale or Transfer of Certain Single-Family and Two-Family Dwellings. Section 106.05 shall be deleted in its entirety.

Section 175.04 Section 106.11 Security Measures. The first line of Section 106.11 shall read:

“All individual dwelling units shall be equipped with the following security devices”; deleting “other than owner occupied one or two family dwellings”.

Section 175.05 Numbering. The numbering of sections in Ordinance 106 in the Book of Compiled Ordinances of Superior Charter Township shall reflect these changes.

Section 175.06 Severability.

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

Section 106-15. Publication.

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

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Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk.

Roll call vote:

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

Nays: None

The motion carried.

B. GENERAL FUND HEADLEE OVERRIDE – REVISITED

At the September 15 Board meeting the Board adopted a Resolution setting the millage rates with the Headlee override. Upon closer review it appears that the Township cannot override Headlee beyond the millage reduction fraction of 1.000. Therefore it is necessary to adopt a subsequent Resolution setting the millage rates without the Headlee override.

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

**SUPERIOR CHARTER TOWNSHIP BOARD
RESOLUTION
OCTOBER 6, 2008**

**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:
MILLAGE RATES**

WHEREAS, the Superior Charter Township Board has carefully reviewed the Township's current and projected financial needs, and

WHEREAS, the Board recognizes its responsibility to the citizens of Superior Charter Township to carefully monitor the Township funds and provide for the needs of the Township, and

WHEREAS, the Board has held the proper hearings on the proposed year 2009 millage rates;

THEREFORE BE IT RESOLVED that the Superior Charter Township Board adopt the following millage rates for the 2009 fiscal year:

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General Fund Millage	0.8192	\$491,249.00
General Fund IFT Millage	0.4096	12,925.00
Fire Fund Millage	3.00	1,799,010.00
Fire Fund IFT Millage	1.50	47,332.00
Police (Law Enforcement) Millage	2.25	1,349,257.00
Police IFT (Law Enforcement)	1.1250	35,499.00

Roll call vote:

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

Nays: None

The motion carried.

10. NEW BUSINESS

A. GROWTH MANGEMENT PLAN/MASTER PLAN UPDATE

The Growth Management Plan will be five years old in 2009 and needs to be reviewed and updated. In addition the new Planning Act requires some changes in the Plan, including changing the title to the Township Master Plan. Don Pennington and Rodney Nanney, the Township Planners, and David Schroeder, Township Engineer, have submitted estimates of their costs for the project. Planning costs are estimated to be \$8,750.00 and engineering costs \$900.00.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board approve the expenditures for the update of the Growth Management Plan/Master Plan for planning and engineering services at a sum not to exceed \$10,000.00.

Roll call vote:

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

Nays: None

The motion carried.

B. AATA SERVICE AGREEMENT – 10/1/2008 TO 9/30/2009

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The proposed contract for AATA service is slightly lower for fixed route service - (-2%) and significantly lower for A-Ride service (-38%). The fixed route service is lower because fares to riders have increased and A-Ride Service is lower because ridership is down.

It was moved by Lewis, supported by McKinney, that the Superior Charter Township Board authorize the Supervisor to sign the Purchase of Service Agreement with the Ann Arbor Transportation Authority for contract year October 1, 2008 to September 30, 2009 for Fixed Route Service at \$16,834.00 and A-Ride Service at \$9,124.00.

Roll call vote:

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

Nays: None

The motion carried.

C. RESOLUTION – TRANSFER OF L.K. INC CLASS C LIQUOR LICENSE AT 5400 PLYMOUTH ROAD

The Michigan Liquor Control Commission cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body. The proposed transfer of license is for the Lord Fox Restaurant, 5400 Ford Road in the Dixboro area.

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
OCTOBER 6, 2008**

That the request from L K. Inc. to transfer all stock in 2008 Class C licensed business, located at 5400 Plymouth Road, Superior Township, by dropping existing stockholders, Louis and Sophie Kolodzinski through transfer of 10,000 shares to new stockholder, Erik L. Kolodzinski be considered for approval;

It is the consensus of this legislative body that the application be recommended for issuance.

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Roll call vote:

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

Nays: None

The motion carried.

D. SIGNS FOR OAKBROOK AND WASHINGTON SQUARE

The residents of Oakbrook and Washington Square Subdivisions requested that signs be placed at the corners of MacArthur and Stamford to identify the two subdivisions from the north. The funds used to purchase the signs will come from the Side Street Maintenance Fund. After the purchase of these signs, the fund will have approximately \$5,000.00 left for other projects. Sign Studio made the signs that currently identify the two subdivisions; the Oakbrook sign at Berkshire and Prospect and the Washington Square sign at Clark and MacArthur. Sign Studio will refurbish those two signs while in the area.

It was moved by Williams, supported by Green, that the Superior Charter Township Board approve the installation of two signs at MacArthur and Stamford by Sign Studio for \$10,052.00 and authorize Sign Studio to repaint and stain the original signs for \$1,000.00 for a total not to exceed \$11,052.00.

Roll call vote:

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

Nays: None

The motion carried.

E. RESTROOM PLUMBING REPAIR

The Township Hall East Restrooms are experiencing leaks due to corrosion. The woman's restroom requires the replacement of both sinks, faucets, and traps. The men's restroom requires the replacement of one trap. The Building Official has solicited bids for the project and recommends that the Township Board authorize the Supervisor to award this work for an amount not to exceed \$1,200.00.

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It was moved by McKinney, supported by Green, that the Superior Charter Township Board approve repairs to the Township Hall East Restrooms for a total not to exceed \$1,200.00.

Roll call vote:

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

Nays: None

The motion carried.

F. 2008 STREETLIGHT ASSESSMENT

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board authorize the Treasurer to spread the streetlight special assessment in the amount of \$71,818.23:

Name of Subdivision	Total Assessment	
	Assessment	per Parcel
Brookside Phase 1	\$ 3,484.29	\$ 31.39
Brookside Phase 2	1,935.70	14.89
Fairway Glens	1,527.68	23.87
Oakbrook (Woodland Acres 5,6,7,9,10,11)	22,193.04	41.56
Panama (Woodland Acres 8)	3,500.30	60.35
Prospect Pointe East	2,555.24	20.12
Prospect Woods and Park	547.56	10.14
Superior Township	2,859.98	
Washington Autumn	3,470.01	32.43
Washington Square (Woodland Acres 1,2,3,4)	20,027.91	59.43
Bromley Phase 1	2,245.20	18.71
Bromley Phase 2	2,197.30	15.05
Brookside Phase 3	1,242.80	9.56
Prospect Pointe Phase 1	3,837.24	35.53
Prospect Pointe Phase 2	3,053.96	33.56

Roll call vote:

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

Nays: None

The motion carried

G. SET PUBLIC HEARING ON 2009 BUDGETS

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board set the public hearings for the 2009 budgets for all funds for October 20, 2008, at 7:30 p.m. at the Superior Charter Township Hall, 3040 N. Prospect.

The motion carried.

H. BUDGET AMENDMENTS

It was moved by McKinney, supported by Green, that the Superior Charter Township Board amend the following 2008 Budgets:

GENERAL FUND

Increase the following line item:

101-965-965-000	Transfer to Reserves	\$6,000.00
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Decrease the following line item:

101-728-728-000	Economic Development	\$6,000.00
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LAW FUND

Increase the following line items:

266-310-703-001	Sheriff Overtime	\$45,000.00
266-310-703-002	Special Operations – MacArthur	15,000.00

Decrease the following line items:

266-310-976-000	Building Additions	\$11,000.00
266-890-890-000	Contingencies	6,000.00
266-965-965-000	Transfer to Reserves	43,000.00

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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 Green, that the bills be paid as submitted the following amounts: Utilities Fund - \$1,920.50 for a total of \$1,920.50; further that the Record of Disbursements be received as submitted.

The motion carried.

12. PLEAS AND PETITIONS

There were none.

13. ADJOURNMENT

It was moved by Caviston, supported by Green, that the meeting adjourn. The motion carried and the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Kay Williams, Clerk