

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
OCTOBER 15, 2007  
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 15, 2007, 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, Lisa Lewis, Rodrick Green, and David Phillips. Brenda McKinney was absent.

**4. ADOPTION OF AGENDA**

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

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF OCTOBER 1, 2007**

It was moved by Caviston, supported by Green, to approve the minutes of the regular Board meeting of October 1, 2007, as presented.

The motion carried.

**6. CITIZEN PARTICIPATION**

**A. SUCCESS BY 6**

Nike Griffin gave the Board a brief summary of the Washtenaw Success by 6, a Great Start Initiative. It is a community commitment to ensure that all children enter school ready to succeed sponsored by the Washtenaw Intermediate School District, Washtenaw County, the Ann Arbor Area Community Foundation, and the United Way. The program offers access to health care, child care providers, and other outreach programs. Their offices are at 2305 Platt Road.

**B. OTHER NON-AGENDA ITEMS FOR PUBLIC COMMENT**

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There were none.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on four items:

1. The contractor has started work on the Clark Road non-motorized trail. The sewer/water main project along Clark is almost complete.
2. The 2007 Sidewalk Replacement Program contractor has started replacing sidewalks in the subdivisions. Residents will be billed for the replacements and the invoices that are not paid by November 15 will be presented to the Board on November 19 to be placed on the 2007 Tax Roll.
3. The 2008 Budgets are ready for review, except for the Utility Fund, which will be ready this week and sent to the Board members before the next meeting.
4. Treasurer McKinney is home recovering from a procedure and will be back in a few weeks.

**B. DEPARTMENT REPORTS: FIRE. BUILDING DEPARTMENT. FALSE ALARMS. SHERIFF DEPARTMENT. ORDINANCE OFFICER**

It was moved by Williams, supported by Caviston, that the Fire Department Report for September, Building Department for September, the False Alarm Report dated September 17, 2007, the Sheriff Department Report for August, and the Ordinance Officer report for September/October be received.

Sergeant Paul Cook was present to discuss the report. He has been working closely with the management of the two apartment complexes, Sycamore Meadows and Danbury Park Manor, to evict non-residents who don't belong and enforce the curfew and trespass laws. By controlling the few trouble makers, the rest of the community can live in peace. The Department has also been successful in arresting people who have illegally fired guns and have been involved in burglaries.

The motion to receive the reports carried.

**C. AUGUST FINANCIAL STATEMENTS**

It was moved by Caviston, supported by Green, that the August 2007 Financial Statements for all funds be received.

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The motion carried.

**8. COMMUNICATIONS**

There were none.

**9. UNFINISHED BUSINESS**

There was none.

**10. NEW BUSINESS**

**A. ORDINANCE 134-48 - AMENDMENT TO WOODSIDE  
VILLAGE AREA PLAN - R4 TO PC- FIRST READING**

The owners of Woodside Village requested that three vacant parcels that front Ridge Road be rezoned from their current zoning of R-4 (Single Family Urban Residential) to PC (Planned Community) and be incorporated into the existing PC district for Woodside Village. The vacant land consisting of 1.11 acres would become additional open space in the Woodside Village Area Plan. The Board approved the amendment to the Development Agreement for Woodside Village on July 2, 2007, to accommodate the change. The Planning Commission recommended approval of the rezoning and amendment to the Woodside Village Area Plan on September 26, 2007.

Mark Roebuck, of Lombardo Homes, was present to answer questions.

It was moved by Williams, supported by Caviston, 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 # 134-48  
Woodside Village Area Plan Amendment**

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

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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 R-4 (Single-Family Urban Residential) to PC (Planned Community):

Commencing at the center of Section 36, T2S, R7E, Superior Township, Washtenaw County, Michigan, said center of Section 36 being N 02°20'35" W 2637.84 feet from the S ¼ corner of said Section 36; thence S 02°20'35" E 700.00 feet along the N-S ¼ line of said Section 36 and the centerline of Ridge Road (66 feet wide); thence S 88°12'06" W 300.00 feet parallel with the E-W ¼ line of said Section 36, to the POINT OF BEGINNING; thence S 02°20'35" E 199.93 feet; thence S 88°12'54" W 1034.80 feet; thence N 02°14'45" W 199.69 feet; thence N 88°12'06" E 1034.46 feet parallel with the E-W ¼ line of said Section 36 to the POINT OF BEGINNING. Being a part of the SW ¼ of said Section 36 and containing 4.75 acres of land, more or less. Being subject to easements and restrictions of record, if any.

**SECTION II**

The Area Plan of Woodside Village dated 8-4-04, shall be amended to include the above described parcel as open space and shall constitute the Approved Amended Area Plan of Woodside Village.

**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](http://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 October 15, 2007, and for final reading on November 5, 2007. 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

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Absent: McKinney

The motion carried.

**B. ORDINANCE 134-49 – REZONING – HUMANE SOCIETY OF  
HURON VALLEY – RC TO PC – 1<sup>ST</sup> READING**

The Humane Society of Huron Valley facilities were built in 1951 and are outdated. The Society has purchased an additional 4.95 acres of land from the University of Michigan and will expand into that area. The site is currently 3.9 acres and is zoned RC (Recreation Conservation). They have requested that the entire site be rezoned to PC (Planned Community). On May 7, 2007, the Township Board concurred with the recommendation of the Planning Commission and waived the 20 acre minimum lot size for a PC district because the site is isolated from other developable lands and because of the natural features in the area. On August 22, 2007, the Planning Commission recommended approval of the Rezoning and Area Plan subject to approval of the Zoning Board of Appeals on the reduction of lot area and setback requirements. On October 4, 2007, the Zoning Board of Appeals approved the request from the Humane Society to reduce the required lot area and setback requirements for the development.

Tanya Hilgendorf, Jan Culbertson, and Dennis Wojcik were present to explain the project and answer questions.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board concur with the recommendation of the Planning Commission and adopt the following Ordinance 134-49 for first reading:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE # 134-49**

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

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the following described property in Superior Township, Washtenaw County, Michigan, from the present zoning of RC (Recreation-Conservation) to PC (Planned Community):

Commencing at the South ¼ of Section 18, as recorded in Liber 452, Page 297 Washtenaw County Records, thence North 01°17'01" West 603.82' along the Centerline of Cherry Hill Road (based upon the description recorded in Liber 807, Page 530, Washtenaw County Records), Said Centerline bearing 01°10'46" West of the North and South Quarter line (North and South Quarter Line being defined as a line drawn North from the South ¼ as recorded in Liber 452, Page 297 Washtenaw County Records to the North ¼ Section 18). To the Point of Beginning; thence South 89°55'39" West 439.44' thence North 02°20'03" West 474.16'; thence South 87°46'56" West 154.17'; thence North 09°13'04" West 205.16'; thence North 35°34'51" East 332.26'; to a point on the Centerline of Cherry Hill Road (based upon the description recorded in Liber 807, Page 530, Washtenaw County Records); thence the following four (4) courses along the Centerline of Cherry Hill Road; 1) South along a curve to the left 241.55', said curve having a central angle of 24°07'29", a radius of 573.69', and a chord bearing South 42°38'53" East, 239.77'; 2) thence South 54°42'37" East 18.87'; 3) thence along a curve to the right 594.24', said curve having a central angle of 53°35'29", a radius of 637.30' and a chord bearing South 27°59'53" East 572.95"; 4) thence South 01°17'01" East 246.89' to the Point of Beginning. Containing 8.481 Acres. Subject to Easements of record and the Cherry Hill Road Right of Way.

**SECTION II**

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](http://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 October 15, 2007 and for final reading on November 5, 2007. 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

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Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**C. LAND PURCHASES AT NORTHEAST CORNER OF PROSPECT  
AND CLARK**

Prospect Road curves to the west as it approaches Clark leaving a triangle of land containing 0.276 acres next to the Utility Department Administration Building. This land belongs to the Washtenaw County Road Commission. In addition, the Township owns land along Clark that the Road Commission would like as a wider easement along Clark. The Road Commission has offered to exchange the triangle of land next to the Utility Department land for the easement along Clark reserving the right of the Township to continue to maintain, improve, and replace, if necessary, the existing sign, landscaping and two driveway approaches on and across the easement.

It was moved by Caviston, supported by Green, that the Superior Charter Township Board authorize the Supervisor to sign the Quit Claim Deed for consideration and the sum of one dollar (\$1.00) as follows:

1. Superior Charter Township shall remise, release and quit claim unto the Washtenaw County Road Commission forever, all the right, title, interest and claim of the following described parcel of land, and improvements and appurtenances thereof except reserving unto the Township the right to continue, maintain, improve, and replace, if necessary, the existing sign, landscaping, and two driveway approaches on and across the conveyed property:

**PARCEL DESCRIPTION (J-10-34-300-003):**

A parcel of land being part of the SW 1/4 of Section 34, Town 2 South, Range 7 East, Township of Superior, Washtenaw County, Michigan, more particularly described as follows: Beginning at the SW 1/4 corner of said Section 34; thence N 01°36'00"W 295.18 feet along the West line of said Section 34; thence N 88°21'30" E 295.18 feet; thence S 01°36'00" E 295.18 feet; thence S 88°21'30" W 295.18 feet along the South line of said Section 34 to the Point of Beginning.

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Containing 2.000 acres or 87,131 square feet. Subject to all easements and restrictions of record, if any.

RIGHT OF WAY ACQUISITION DESCRIPTION:

A parcel of land being part of the SW 1/4 of Section 34, Town 2 South, Range 7 East, Township of Superior, Washtenaw County, Michigan, more particularly described as follows: Beginning at the SW 1/4 corner of said Section 34; thence N 01°36'00" W 60.00 feet along the West line of said Section 34; thence N 88°21'30" E 295.18 feet; thence S 01° 36'00" E 60.00 feet; thence S 88°21'30" W 295.18 feet along the South line of said Section 34 to the Point of Beginning.

Containing 0.406 acres or 17,711 square feet (GROSS), 0.162 acres or 7,079 square feet (NET). Subject to all easements and restrictions of record, if any.

and in exchange:

2. The Washtenaw County Road Commission shall remise, release and quit claim to Superior Charter Township forever, all the right, title, interest and claim of the following described parcel of land, and improvements and appurtenances thereof:

PARCEL DESCRIPTION (J-10-34-300-003):

A parcel of land being part of the SW 1/4 of Section 34, Town 2 South, Range 7 East, Township of Superior, Washtenaw County, Michigan, more particularly described as follows: Beginning at the SW 1/4 corner of said Section 34; thence N 01°36'00" W 295.18 feet along the West line of said Section 34; thence N 88°16'06" E (previously recorded as N 88°21'30" E) 295.18 feet; thence S 01°36'00" E 295.18 feet; thence S 88°16'06" W (previously recorded as S 88°21'30" W) 295.18 feet along the South line of said Section 34 to the Point of Beginning. Containing 2.000 acres or 87,131 square feet. Subject to all easements and restrictions of record, if any.

RIGHT OF WAY ACQUISITION DESCRIPTION:

A parcel of land being part of the SW 1/4 of Section 34, Town 2 South, Range 7 East, Township of Superior, Washtenaw County, Michigan, more particularly described as follows: Beginning at the SW corner of said Section 34; thence N 01°36'00" W 60.00 feet along the West line of said Section 34; thence N 88°16'06" E 295.18 feet; thence S 01°36'00" E 60.00 feet;



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thence S 88°16'06" W 295.18 feet along the South line of said Section 34 to the Point of Beginning.

Containing 0.406 acres or 17,711 square feet (GROSS), 0.162 acres or 7,079 square feet (NET).  
Subject to all easements and restrictions of record, if any.

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**D. EXTENSION OF AREA PLAN FOR THE VILLAS AT HONEY CREEK**

On April 17, 2006, the Board approved the rezoning to PC (Planned Community) and Area Plan for the Villas at Honey Creek, a twelve lot subdivision on 49 acres in Section 5. Because of current economic conditions in Michigan, the petitioner has not proceeded with the development, but is still hopeful that the project could go forward and has asked for an extension of the area plan due to expire on October 17.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board approve the extension of the approved area plan for the Villas at Honey for one year until October 17, 2008.

The motion carried unanimously.

**E. EXTENSION OF AREA PLAN FOR LEFORGE CLARK SUBDIVISION**

On April 17, 2006 the Board approved the rezoning to PC (Planned Community) and Area Plan for the Leforge Clark Estates, a 220 lot subdivision on 82 acres in Section 33. Because of current economic conditions in Michigan, the petitioner has not proceeded with the development, but is still hopeful that the project could go forward and has asked for an extension of the area plan due to expire on October 17.

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It was moved by Williams, supported by Caviston, that the Superior Charter Township Board approve the extension of the approved area plan for Leforge Clark Estates for one year until October 17, 2008.

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**F. 2007 STREELIGHT ASSESSMENTS ON THE 2007 TAX ROLL**

It was moved by Williams, supported by Green, that the Superior Charter Township Board authorize the Treasurer to spread the streetlight special assessments in the amount of \$76,738.94 on the 2007 Tax Roll as follows:

Name of Subdivision	Total Assessment	Assessment per Parcel
Brookside Phase 1	\$ 3,812.16	\$34.34
Brookside Phase 2	2,252.63	17.33
Fairway Glens	1,627.45	25.43
Oakbrook (Woodland Acres 5,6,7,9,10,11)	25,209.38	47.21
Panama (Woodland Acres 8)	3,671.04	63.29
Prospect Woods and Park	536.25	9.93
Prospect Pointe East	1,697.44	13.37
Superior Township	3,138.10	
Washington Autumn	3,414.60	31.91
Washington Square (Woodland Acres 1,2,3,4)	21,377.85	63.44
Bromley Phase 1	2,212.23	18.44
Bromley Phase 2	2,383.27	16.32
Brookside Phase 3	1,558.95	11.99
Prospect Pointe Phase 1	4,423.93	40.96
Prospect Pointe Phase 2	2,561.76	28.15

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Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**G. ORDINANCE VIOLATIONS FOR GRASS CUTTING ON THE 2007 TAX ROLL**

It was moved by Caviston, supported by Lewis, that the Superior Charter Township Treasurer is authorized to place the unpaid ordinance violations for grass cutting and other violations on the 2007 Tax Rolls in the amount of \$2,040.00.

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**H. SET PUBLIC HEARING FOR 2008 BUDGETS – ALL FUNDS**

It was moved by Phillips, supported by Lewis, that the Superior Charter Township Board set the public hearings on the 2008 budgets for November 5, 2007, at 7:30 p.m. at the Superior Charter Township Hall.

The motion carried.

**I. DIXBORO DESIGN REVIEW BOARD APPOINTMENTS**

The terms for the Dixboro Design Review Board expire on December 31. The current members have served well and Supervisor McFarlane recommended that they be reappointed.

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It was moved by Williams, supported by Lewis, that the Superior Charter Township Board reappoint the following to the Dixboro Design Review Board for three year terms ending December 31, 2010; Tom Freeman, 3381 Alan Mark Drive and Max Marken, 5124 Church Road; further that Patricia K. Durston, 2750 Walters Way, be reappointed for the term ending December 31, 2009.

The motion carried.

**J. ZONING BOARD OF APPEALS APPOINTMENTS**

The terms for the Zoning Board of Appeals have expired. The current members have served well and Supervisor McFarlane recommended that they be reappointed.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board reappoint Avery Henningburg, 1867 Ashley, for a term ending October 31, 2010, Lloyd Rockette, 2015 Paddock Way for a term ending October 31, 2010, and Daniel Deeds, 7498 Cherry Hill for a term ending December 31, 2010.

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**H. BUDGET AMENDMENTS**

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board amended the following 2007 Budgets:

Fire Fund

Increase the following line item:

206-965-965-050      Transfer to accrued absences reserves    \$20,000.00

Decrease the following line item:

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206-965-965-000      Transfer to general reserves                      \$20,000.00

Fire Reserve Fund

Increase the following line item;

207-965-965-050      Transfer to the accrued absences reserves      \$20,000.00

Decrease the following line item;

207-965-965-000      Transfer to general reserves                      \$20,000.00

Roll call vote:

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

Nays: None

Absent: McKinney

The motion carried.

**PAYMENT OF BILLS**

It was moved by Caviston, supported by Green, that the bills be paid in the following amounts: Utility Fund - \$4,604.00 for a total of \$4,604.00.

The motion carried.

**12. PLEAS AND PETITIONS**

Phillips asked if the Zoning Board of Appeals denied the request by CVS for a larger sign. They did.

**13. ADJOURNMENT**

It was moved by Caviston, supported by Green, that the meeting adjourn. The motion carried and the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Kay Williams, Clerk