

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
NOVEMBER 3, 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 November 3, 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 Caviston, supported by Green, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF SEPTEMBER 15, 2008

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

The motion carried.

6. CITIZEN PARTICIPATION

Resident Porshea Anderson-Taylor discussed the need for the Township to participate in the Neighborhood Stabilization Program and other State and Federal Programs that will assist homeowners in preventing foreclosure. Supervisor McFarlane responded that he and other Township Officials recently met with members of the Office of Community Development who are administering the Neighborhood Stabilization Program in Washtenaw County and that Superior Township will work with them to take advantage of any assistance available to our residents.

Resident Brenda Baker made a brief presentation on the "Committee to Promote Superior Township". They have nine participants and have met two times. The committee is attempting to promote positive aspects of the

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Township. They will continue to meet and may change the name of the committee.

Christine Laughren is a reporter for the online newspaper, www.ypsiciti.com. She will be attending Superior Township's Board meetings and will be reporting on Superior Township. She invited Township Officials to attend their official release to be held on Saturday, November 15, 2008.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on four items:

1. He complimented the Clerk and her staff for doing an excellent job preparing for the November 4, 2008, General Election. There have been a record number of new registrations and applications for absentee ballots. The expected high voter turnout has also required extra work.
2. Superior Township is one of only three communities in Washtenaw County that do not charge the one percent tax administration fee. He cited this as another example of the Township's fiscal responsibility.
3. The State has ordered a 4.4% increase on the "capped" value for 2009. This will result in higher taxes for homeowners whose taxable value is lower than the assessed value. The Township is required to comply with this State order.
4. The route for students walking to Cheney School includes a 6' to 8' section along Stamford Road where there is no sidewalk.

It was moved by Williams, supported by Lewis to allow the Supervisor to pursue funds from the Urban County, and/or other public agencies, to install the missing sidewalk, install sidewalk along Stamford Road in front of Cheney School and meet with Willow Run School District officials to address these issues. The motion carried.

**B. DEPARTMENT REPORTS: UTILITIES, ZONING,
PLANNING COMMISSION**

It was moved by Caviston, supported by Green, that the Utility Department Report dated October 30, 2008, the Zoning Official Report dated October 22, 2008, and the Planning Commission Report dated October 31, 2008, be received.

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The motion carried.

8. COMMUNICATIONS

A. AATA, A-RIDE SERVICE REPORTS.

The report from AATA detailed the use of A-Ride service by Superior Township residents. There were 153 total trips for July, 156 total trips for August and 260 total trips for September 2008. Residents on McAuley Drive are no longer serviced by A-Ride because the transportation is provided by management of the Village.

It was moved by Williams, supported by Caviston, that the report from AATA be received.

The motion carried.

B. HURON RIVER WATERSHED COUNCIL ROAD DESIGN AND DITCH MAINTENANCE GRANT

The Huron River Watershed Council (HRWC) is applying for a Department of Environmental Quality grant to work with the Washtenaw County Road Commission on a project to improve road design and ditch maintenance that will focus on the water runoff from gravel roads. The goal is to reduce the impact of stormwater runoff on neighboring streams. The HRWC is requesting that Superior Township partner with them in this pilot program. The Township would select one or two sites. Work on the sites would occur in 2010. The program requires the Township provide a minimum of \$5,000.00 in matching funds. The grant would cover expenses for road maintenance that exceed standard maintenance.

It was moved by Williams, supported by Green, to receive the communication and to approve the Township participation in the Huron River Watershed Council grant application and pilot program. The Township agrees to provide a minimum of \$5,000.00 in matching funds for the grant program.

Roll call vote:

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

Nays: None

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The motion carried.

**A. RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:
MILLAGE RATES AND BUDGETS**

The budgets for all funds were presented. Supervisor McFarlane explained that the proposed budgets had not been changed from the October 20, 2008 Public Hearing.

**SUPERIOR CHARTER TOWNSHIP BOARD
RESOLUTION
NOVEMBER 3, 2008**

**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:
BUDGETS**

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

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 carefully considered the projected revenues and expenditures for the coming year,

NOW THEREFORE BE IT RESOLVED that the Superior Charter Township Board adopt the proposed budgets for the Year 2009: the General Fund Budget by Activity dated November 3, 2008, the Fire Fund Budget dated November 3, 2008, the Fire Reserve Fund dated November 3, 2008, the Building Fund Budget dated November 3, 2008, the Law Fund Budget dated November 3, 2008, the Park Fund Budget dated November 3, 2008, the Streetlight Maintenance Fund Budget dated November 3, 2008, the Sidestreet Maintenance Fund Budget dated November 3, 2008, Growth Management Fund dated November 3, 2008, the Utility Fund Budget dated November 3, 2008, and the Hyundai Special Assessment Fund dated November 3, 2008.

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Roll call vote:

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

Nays: None

The motion carried.

9. UNFINISHED BUSINESS

There was none.

10. NEW BUSINESS

A. RESOLUTION FOR AN INCREASE IN MERS HEALTHCARE SAVINGS PLAN FOR 2009 BUDGET

Each year the board reviews the amount the Township is contributing to Superior Township's employee's retirement health care savings plan with MERS. The board can increase, decrease, or leave the Township's contribution the same. The rate for 2008 is \$110.00 per month. The plan was implemented in January 2006 with the Township contribution in the amount of \$100.00 per month. The Supervisor indicated that the contribution has only been increased by \$10.00 in three years. In light of the increase in health care costs, he recommended that the employer contribution be raised to \$115.00 per month. The 2009 approved budget includes adequate funds to cover the increase.

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

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WASHTENAW COUNTY, MICHIGAN
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**A RESOLUTION TO SET THE RATE OF EMPLOYER CONTRIBUTION TO
THE MERS HEALTH CARE SAVINGS PROGRAM FOR NON-UNION
EMPLOYEES**

WHEREAS, on March 21, 2005, the Superior Charter Township Board adopted a Resolution to participate in the MERS Health Care Savings Program for the benefit of the non-union employees of the Township; and

WHEREAS, the Township contribution to each employee was set at One Hundred (\$100.00) Dollars each month, and this amount was increased to One Hundred Ten (\$110.00) Dollars on November 5, 2007; and

Whereas, the MERS Plan stipulates that the Township Board review the amount of Township contribution annually; and

Whereas, the cost of health care for individuals is rising faster than the national inflation rate; and

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby establishes that the contribution from the Township to each non-union employee enrolled the MERS Health Care Savings Plan in Fiscal Year 2009 shall be One Hundred Fifteen (\$115.00) Dollars each month.

Roll call vote:

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

Nays: None

The motion carried.

B. WEED ORDINANCE VIOLATIONS ON 2008 TAX ROLL

It was moved by McKinney, supported by Green, that the Superior Township Board authorizes the Treasurer to levy the unpaid grass cutting violations on the Winter 2008 tax roll in the amount of \$245.00.

Roll call vote:

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

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Nays: None

The motion carried.

C. DELINQUENT WATER BILLS ON 2008 TAX ROLL

It was moved by Lewis, supported by Caviston, that the Superior Township Board authorizes the Treasurer to levy the unpaid Utilities bills from 2007 on the winter 2008 tax roll in the amount of \$122,151.38.

Roll call vote:

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

Nays: None

The motion carried.

D. AUTHORIZATION TO ADJUST THE SALARY OF THE DEPUTY TREASURER

The Treasurer requested the salary of Deputy Treasurer be increased from \$16.83 per hour to \$18.00 per hour, and the salary of the Treasurer's Assistant be reduced from \$15.00 per hour to \$13.75 per hour. The costs of these adjustments will offset each other and will not require an increase in expenditures. There is adequate funding within the approved budget to cover these costs. The changes are a result of the restructuring of the positions and excellent job performance of the Deputy Treasurer.

It was moved by Caviston, supported by Green, to increase the salary of the Deputy Treasurer from \$16.83 per hour and reduce the salary of the Treasurer's Assistant from \$15.00 per hour to \$13.75 per hour.

Roll call vote:

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

Nays: None

The motion carried.

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E. GRADING OF NORTH PROSPECT PARK

The Supervisor solicited bids to fill the holes and ruts at North Prospect Park. The lowest bid was submitted by Superior Mow and Snow for \$1,050.00. The Supervisor recommended that the bid be accepted and that the work be supervised by the Parks Maintenance Supervisor.

It was moved by Williams, supported by Caviston, to accept the bid from Superior Mow and Snow to complete grading at North Prospect Park for the amount of \$1,050.00.

Roll call vote:

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

Nays: None

The motion carried.

F. NEWS YOU CAN USE FIREPLACE SAFETY

There have been a number of fires in Township homes, caused by faulty fireplaces. The Fire Marshall, Building Official and Supervisor drafted a letter to inform Township residents about the prevention of such fires. It will cost \$1,200.00 to mail the letter to every residence in the Township. The Supervisor is recommending the letter be sent to every residence in the Township.

It was moved by Williams, supported by Lewis, that the letter regarding fireplace safety be mailed to every single family residence in the Township and that staff look at including information on other topics such as burning or parking on streets on snow days.

Roll call vote:

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

Nays: None

The motion carried.

G. WATER AND SEWER RATE INCREASES FOR YCUA SERVICE AREA RESIDENTS

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YCUA notified the Superior Township Utilities Department (STUD) that YCUA is increasing the sewer rates to STUD by 3.5% effective as of the December, 2008 bill. STUD is proposing to pass through the same percentage increase to their customers which will result in an increase of about \$2.34 per quarter for an average residential bill. The increase will be effective on bills to Superior's customers dated November 1, 2008 and later.

It was moved by Williams, supported by Phillips, to approve the following amendment to the Resolution adopted on February 27, 1996:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
November 3, 2008**

**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**

WHEREAS, this Board is authorized by statute and by the provisions of Township Ordinance No. 169 to determine by resolution rates, fees and charges for services and benefits by Township's sewer and water systems, and

WHEREAS, Ypsilanti Community Utilities Authority has increased the charge for sewer by 3.5%, 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 per the attached Schedule A; and

BE IT FURTHER RESOLVED that the Township Clerk shall cause a certified copy of this Resolution, together with the attachment, 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 the attachment shall become effective on the day after such publication.

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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 November 3, 2007.

Kay Williams, Superior Township Clerk

Date Certified

**SCHEDULE A
November 3, 2008**

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

1. Service Rates:

- A. Water and sewer (including wastewater treatment) rates for Township customers served from the YCUA system.

Effective October 12, 2007

Water	\$3.455 per 100 cubic feet
Minimum quarterly billing	\$34.55 (1000 cubic feet)

Effective November 1, 2008

Sewer	\$2.657 per 100 cubic feet
Minimum quarterly billing	\$26.57 (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.

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**H. EMERGENCY ORDINANCE #176, AMENDMENT TO ORDINANCE #105
BURNING ORDINANCE**

The Township has recently received numerous complaints about people burning leaves and other yard waste. The complaints are primarily from residents of the subdivisions. These fires create a fire hazard and the smoke creates a health hazard. The Supervisor proposed an emergency Amendment to Ordinance #105-Burning Ordinance to prohibit open fires in certain areas of the Township. The Amendment will not prohibit burning in open fireplaces or recreational or non-commercial cooking of food.

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

**SUPERIOR CHARTER TOWNSHIP BOARD
WASHTENAW COUNTY, MICHIGAN
NOVEMBER 3, 2008**

**A RESOLUTION TO ADOPT AN EMERGENCY ORDINANCE TO REGULATE
OUTDOOR BURNING**

WHEREAS Superior Charter Township has an ordinance, Ordinance 105, adopted in 1989, which provides for the protection of the health, safety, and welfare of Township residents; protects property from exposure to the dangers of fire; minimizes unnecessary runs by the Township Fire Department; provides for the enforcement of the ordinance; and fixes penal fines for violations of the provisions of the ordinance.; and

WHEREAS the Township Board has reviewed Ordinance 105 and found that it no longer fully protects the health, safety, and welfare of certain residents who reside in areas, which, due to density, are particularly susceptible to smoke and fumes from burning; and

WHEREAS, this is the time of year when residents are burning leaves and other yard waste; and

WHEREAS the Township Board has determined that in order to alleviate the problem of burning in densely populated areas and causing the nuisance of smoke and fumes when the problem is most prevalent;

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NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board hereby adopts the following Ordinance 176, which amends Ordinance 105- Burning Ordinance, as an Emergency Ordinance, effective immediately:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE #176
AMENDMENT TO ORDINANCE 105 -BURNING ORDINANCE
AN EMERGENCY ORDINANCE**

THE CHARTER TOWNSHIP OF SUPERIOR ORDAINS:

Section 176.01. That Ordinance 105 – the Burning Ordinance be amended as follows:

Section 105.04 – Regulations (1) be amended to add

The Fire Chief or his representative may issue special permits for open fires in agricultural areas that will last more than one day.

Section 105.04 – Regulations be amended to add a new number 7.

7. Due to the density and the danger of fires spreading and smoke and fumes creating a nuisance, no permits shall be issued for any location in Sections 33, 34 or 35 of the Township, also portions of Section 36, with density (R-4) with four or more homes per acre.

Section 176.02 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 176.03. 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 Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk.

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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 Ordinance 175 adopted as an emergency ordinance for final reading at a regular meeting of the Superior Charter Township Board held on November 3, 2008.

11. PAYMENT OF BILLS

It was moved by McKinney, supported by Green, that the bills be paid as submitted the following amounts: Utilities Fund - \$26,951.31 for a total of \$26,951.31; 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 8:40 p.m.

Respectfully submitted,

Kay Williams, Clerk