

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
MARCH 7, 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 March 7, 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, Brenda McKinney, Nancy Caviston, Rodrick Green, Lisa Lewis, and David Phillips.

**4. ADOPTION OF AGENDA**

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

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF FEBRUARY 21, 2005**

It was moved by Williams, supported by Lewis, to approve the minutes of the regular Board meeting of February 21, 2005, as amended.

The motion carried.

**6. CITIZEN PARTICIPATION**

**A. JILL MOREY – YPSILANTI DISTRICT LIBRARY**

Jill Morey, Director of the Ypsilanti District Library, and Jean Nelson, Linda Gurka, Marcia Phillips, Rick Roe and Sheveve Caudill, members of the Library Board, gave a presentation on the benefits of becoming a part of the Library's legal district boundaries. The Township voters in the Plymouth-Canton, Willow Run and Ypsilanti School districts would have to approve a millage of 1.5116 mills (Ann Arbor School District voters already pay a millage to the Ann Arbor District Library). Superior residents would not pay on the current library bond. Currently the Township contracts with the Library for library services for \$46,000.00 per year and 1,202 residents have up-to-date library cards. Other out-of-

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district users of the library pay \$135.00 for library services. A time-line for activities to put the millage on the August 2006 Primary Ballot was prepared for the Board. The next step is to appoint a joint planning committee.

**B. PUBLIC HEARINGS**

**1) PROSPECT POINTE PHASE 1 STREETLIGHTS**

It was moved by Williams, supported by Phillips, that the Public Hearing to establish a special assessment district for street lighting for Prospect Pointe Phase 1 Subdivision be opened.

The motion carried.

The Detroit Edison Company has prepared a plan for streetlighting in Prospect Pointe Phase 1 consisting of thirteen (13) poles and lights to be owned and installed by Detroit Edison with full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair for an initial annual charge of \$3,791.27 or \$35.10 per lot.

No one spoke.

It was moved by Lewis, supported by McKinney, that the Public Hearing be closed.

The motion carried.

**2) BROOKSIDE OF SUPERIOR III STREET LIGHTS**

It was moved by Williams, supported by Lewis, that the Public Hearing to establish a special assessment district for street lighting for Brookside of Superior III Subdivision be opened.

The motion carried.

The Detroit Edison Company has prepared a plan for streetlighting in Brookside of Superior III consisting of four (4) poles and lights to be owned and installed by Detroit Edison with full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair for an initial annual charge of \$1,193.00 or

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\$9.18 per lot. The number of lights proposed is in accordance with the approved landscape plan.

No one spoke.

It was moved by Caviston, supported by Lewis, that the Public Hearing be closed.

The motion carried.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on four items:

1. The Supervisor and Trustees are concerned about the Park Ranger and his duties. There seems to be little accountability for his time. The Park Commission is considering hiring a third part-time employee to cut the grass while the Ranger doesn't seem to be very busy. The Park Director has received bids for mowing the parks for \$59,000.00. It costs the Commission more than \$90,000.00 to mow the grass if the Park Ranger salary and benefits are considered.

After a general discussion, it was moved by McKinney, supported by Lewis, that the Superior Charter Township Board request that the Park Commission justify the work schedule of the Park Ranger regarding winter and summer activities; further that the Commission eliminate two of the summer part-time positions for grass cutting and assign the full-time Park Ranger to fill that roll. Failure to comply may result in budget reduction for current and future budgets.

Phillips mentioned that if the contract for mowing was let out, the savings would not be just in salaries, but also in equipment.

Green suggested that a full cost analysis be done for the grass cutting.

Jan Berry, Chair of the Park Commission, agreed that the Commission needed to justify the cost of the Park Ranger.

The motion carried unanimously.

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2. On March 21, 2005, the Board will meet in closed session for discussion of current lawsuit involving ACO, Inc at 7:00 p.m. with Fred Lucas, Attorney defending the Township in the ACO, Inc. lawsuit.
3. The Annual Meeting with the Road Commission will be at the beginning of the April 18 regular Board meeting.
4. The proposed Jail Millage failed by a margin of 2-1 and the County has not yet determined how the jail will be improved. The obvious plan would be to take the 0.5 mills that currently helps to subsidize the County Sheriff Road Patrol. If that happens, the cost of a deputy will increase to approximately \$145,000.00 to possibly \$160,000.00 per unit. The Township would need to investigate starting our own police department or collaborate with neighboring municipalities for a regional department. The Board discussed the issue and directed the Supervisor to continue to actively seek alternatives to the Sheriff Department and bring back options for discussion so that the Township could be ready to make an informed decision prior to the end of the current police service contract which expires on December 31, 2005.

**B. DEPARTMENTAL REPORTS : FIRE DEPARTMENT, BUILDING DEPARTMENT, OHM MONTHLY UPDATE, PLANNING COMMISSION REPORT, PARK COMMISSION MINUTES**

It was moved by Caviston, supported by Green, that the Fire Department Report for February 2005, the Building Department Report for February, 2005, OHM Monthly Update dated February 28, 2005, the Planning Commission Report dated February 28, 2005, and the Park Commission minutes for January, 2005, be received.

The motion carried.

**C. DECEMBER 2004 FINANCIAL STATEMENTS - ALL FUNDS**

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the December 2004 Financial Statements for all funds: General, Fire, Law Enforcement, Parks and Recreation, Streetlights, Payroll, Trust and Agency, Utilities, Building, Grounds Maintenance, and Fire Construction Bond Fund.

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Phillips noted that most fund balances rose in 2004; the Fire Department did not but they built a new building.

The motion carried.

**8. COMMUNICATIONS**

There were none.

**9. OLD BUSINESS**

**A. RESOLUTION – PROSPECT POINTE PHASE 1 STREET LIGHT**

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

**CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN**

**PROSPECT POINTE SUBDIVISION PHASE 1  
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT**

**RESOLUTION NO. 2**

**WHEREAS**, pursuant to Public Act 246 of 1931, as amended, this Board has tentatively declared its intention to provide street lighting within Prospect Pointe Subdivision Phase 1; and

**WHEREAS**, this Board has caused to be prepared plans showing the street lighting improvements to be added and the location thereof; and

**WHEREAS**, this Board has tentatively designated the special assessment district against which the cost of all such street lighting is to be assessed;

**WHEREAS**, after due and legal notice, this Board met on March 7, 2005, and heard all persons interested on the question of creating the amended district and defraying the expenses of the district by special assessment; and

**WHEREAS**, as a result of the foregoing, this Board believes the project to be in the best interests of the Township and the District proposed to be established therefore;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

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1. This Board determines to provide a street lighting system within Prospect Pointe Subdivision Phase 1, such street lighting system consisting of Thirteen (13) poles and lights to be owned and installed by the Detroit Edison Company with full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair.

2. The cost of installation of such system shall be borne by the developer of said Prospect Pointe Subdivision Phase 1.

3. This Board hereby approves the plans for the street lighting of the streets within the Special Assessment District described in paragraph 4 below for an initial annual charge of \$3,791.27, or \$35.10 per lot.

4. This Board hereby finally determines to create a Special Assessment District against which all of said cost shall be assessed which shall consist of all of the lands in Prospect Pointe Subdivision Phase 1, consisting of lots 1 through 108, and directs the Supervisor to make a special assessment to defray said cost by assessing the sum of \$3,791.27, or \$35.10 per lot, against such lands in a column provided therefore in the regular tax roll for the year 2005, which special assessment is hereby confirmed.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

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

Nays: None

The motion carried.

**RESOLUTION DECLARED ADOPTED.**

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Kay Williams, Clerk  
Charter Township of Superior

Dated: March 7, 2005

**CERTIFICATE**

I, Kay Williams, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board for Superior Township, County of Washtenaw, State of Michigan, at the regular meeting held on March 7, 2005, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

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Kay Williams, Clerk  
Charter Township of Superior

Dated: March 7, 2005

**B. RESOLUTION – BROOKSIDE OF SUPERIOR III –  
STREET LIGHTS**

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

**CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN**

**BROOKSIDE OF SUPERIOR III  
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT**

**RESOLUTION NO. 2**

**WHEREAS**, pursuant to Public Act 246 of 1931, as amended, this Board has tentatively declared its intention to provide street lighting within Brookside of Superior III; and

**WHEREAS**, this Board has caused to be prepared plans showing the street lighting improvements to be added and the location thereof; and

**WHEREAS**, this Board has tentatively designated the special assessment district against which the cost of all such street lighting is to be assessed;

**WHEREAS**, after due and legal notice, this Board met on March 7, 2005, and heard all persons interested on the question of creating the amended district and defraying the expenses of the district by special assessment; and

**WHEREAS**, as a result of the foregoing, this Board believes the project to be in the best interests of the Township and the District proposed to be established therefore;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**1.** This Board determines to provide a street lighting system within Brookside of Superior III, such street lighting system consisting of Four (4) poles and lights to be owned and installed by the Detroit Edison Company with full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair.

**2.** The cost of installation of such system shall be borne by the developer of said Brookside of Superior III.

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3. This Board hereby approves the plans for the street lighting of the streets within the Special Assessment District described in paragraph 4 below for an initial annual charge of \$1,193.00 or \$9.18 per lot.

4. This Board hereby finally determines to create a Special Assessment District against which all of said cost shall be assessed which shall consist of all of the lands in Brookside of Superior III, consisting of lots 242 through 371, and directs the Supervisor to make a special assessment to defray said cost by assessing the sum of \$1,193.00 or \$9.18 per lot, against such lands in a column provided therefore in the regular tax roll for the year 2005, which special assessment is hereby confirmed.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

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

Nays: None

The motion carried.

**RESOLUTION DECLARED ADOPTED.**

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Kay Williams, Clerk  
Charter Township of Superior

Dated: March 7, 2005

**CERTIFICATE**

I, Kay Williams, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board for Superior Township, County of Washtenaw, State of Michigan, at the regular meeting held on March 7, 2005, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

**C. ORDINANCE 164 – AMENDMENT TO UTILITY  
ORDINANCE – FINAL READING**

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



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**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE #164**

**AN AMENDMENT TO THE SUPERIOR CHARTER TOWNSHIP UTILITY  
ORDINANCE**

BE IT ORDAINED BY THE CHARTER TOWNSHIP OF SUPERIOR:

- (1) That Section 54-194 (b) of the Superior Charter Township Code of Ordinances shall be revised as follows:

(b) No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the director and on payment of a surcharge, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

**COMPATIBLES**

Surcharge Threshold   Upper Limits

300 mg/l	756 mg/l	5-day BOD (Biochemical Oxygen Demand)
350 mg/l	2366 mg/l	Total SS (Suspended Solids)
600 mg/l	1530 mg/l	COD (Chemical Oxygen Demand)
13 mg/l	63 mg/l	Total Phosphorus
25 mg/l	452 mg/l	Ammonia-Nitrogen

**INORGANICS**

No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

1.0 mg/l	Arsenic
0.0017 mg/l	Beryllium
0.100 mg/l	Cadmium
4.0 mg/l	Chromium (Total)
3.0 mg/l	Copper
1.0 mg/l	Cyanides

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0.3 mg/l Lead  
Nondetectable Mercury  
3.0 mg/l Nickel  
0.12 mg/l Silver  
3.0 mg/l Zinc

**ORGANICS**

1.1 mg/l Bis (2-Ethylhexyl) phthalate  
0.55 mg/l Total Phenols  
Nondetectable Polychlorinated biphenyls (Nondetectable per U.S. EPA method 608. Any detectable sample exceeds this limit.)

- (2) This ordinance shall take effect and be in full force upon the eighth day following publication of second and final reading in the *Ypsilanti Courier*.

**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 final reading at a regular meeting held on March 7, 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  
February 21, 2005

Kay Williams, Clerk

Roll call vote:

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

Nays: None

The motion carried.

**10. NEW BUSINESS**

**A. RESOLUTION – JOIN MERS HEALTHCARE SAVINGS PLAN**

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The Township adopted a retirement health plan in October, 2003, but it requires yearly actuarials and unknown budget expenditures in the future. Since the plan was adopted, other, better plans have been developed. Susan Mumm, Accountant and Human Resources Director, was present to explain the new plan to the Board.

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
MARCH 7, 2005**

**A Resolution To Rescind “Resolution To Establish HealthCare Benefits” Adopted on January 20, 2004 (A Revised Version of “Resolution To Establish Retirement Healthcare Benefits” Adopted on 10/6/03) and Enroll Superior Township Non-Union Employees in the MERS Health Savings Plan**

WHEREAS the Resolution to Establish Retirement HealthCare Benefits passed on October 2003 and revised on January 2004 has created unanticipated problems regarding long term financial liabilities, budgeting, and financial reporting,

WHEREAS the Township has the legal right to amend its personnel policies and employee benefit plans as necessary, so long as accrued benefits are not diminished and contract rights are not impaired,

NOW THEREFORE BE IT RESOLVED, that Superior Board of Trustees does hereby rescind its Resolution to Establish Healthcare Benefits originally adopted October 6, 2003 and revised on January 20, 2004.

WHEREAS the Township has been advised by its legal counsel that the scope and duration of public employee retirement benefits is contentious and is currently the subject of litigation, with certain legal issues being unresolved,

WHEREAS the Township prefers to resolve potential claims by negotiation and settlement wherever possible so as to avoid cost, delay and disruption, and not become involved in future litigation on this matter,

WHEREAS the Township wishes to offer plan start-up money to those employees who enter into a binding release agreement in respect to claims associated with the foregoing rescission,

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NOW THEREFORE BE IT RESOLVED THAT, the Township hereby offers the following Resolution to join the Municipal Employees Retirement System [MERS] Health Care Savings Plan effective May 1, 2005 to replace the resolution it is rescinding:

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WASHTENAW COUNTY, MICHIGAN  
MARCH 7, 2005**

**A RESOLUTION TO JOIN THE MERS HEALTHCARE SAVING PLAN**

WHEREAS the Township has found it necessary to rescind its previously adopted resolution regarding retirement health care benefits and replace it with a plan for accumulating funds for post-retirement health care,

WHEREAS The Michigan Municipal Retirement System (MERS) is a reputable organization whom the Township also uses for its pension plans, and is offering a plan that appears to suit the Township's needs,

WHEREAS The Michigan Municipal Retirement System offers a great deal of flexibility in designing their Health Saving Plans enabling the Township to design a plan tailored to its needs and which will address the problems involved in transitioning from our former plan,

WHEREAS plan start-up money is being offered to certain employees in consideration of their release of legal claims associated with rescission of the previously offered Retirement Health Care Plan,

WHEREAS the Township recognizes that a future change in Vesting Schedule could jeopardize the money employees receive as start-up money for the plan,

WHEREAS, the Township recognizes that this change in retirement health care benefits makes the "30 Years of Service--No Age Requirement" rider for the MERS Defined Benefit Pension Plan valuable to some employees where it served no advantage with the previously adopted plan,

THEREFORE BE IT RESOLVED THAT, effective 5/1/05 Superior Township shall enroll all of its full-time non-union employees in the MERS Health Savings Plan with the following plan benefits:

Mandatory Employee Contribution:	2%	Beginning first payroll after official adoption of this plan.
Employer Contribution:	\$100/month	Beginning January 2006*

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\*Plan Start-up Money shall be given in 2005 in lieu of the \$100/month.

The employer contribution shall be reviewed annually by the Board of Trustees. The board, at its discretion, shall increase the employer annual contribution to compensate for inflation or increases in health care costs. The board shall also maintain the right to decrease the amount, or freeze any raises, based on the financial position of the Township, or in light of expanded health care coverage by the federal or state government.

Vesting for Employer Money:

After six years of full-time employment: 25%  
After nine years of full-time employment: 50%  
After twelve years of full-time employment: 75%  
After fifteen years of full-time employment: 100%

The date of hire used to determine vesting schedule shall be the day the employee began full-time regular employment with Superior Township. This date may differ from the hire date used for sick and vacation day benefits for people who converted from part-time status or temporary status to regular full-time status.

Current full-time employees who enter into release agreements shall have a lump sum of start-up money deposited in their accounts according to the following schedule, based on years of service as of 12/31/05.

Years 1-14 of Service	\$ 1,200.00/year
Years 15-19 of Service	\$ 8,000.00/year
Years 20-25 of Service	\$ 11,000.00/year

This plan start-up money shall be deposited within 10 working days from the date of adoption of this plan.

There shall be no additional deposit for the fiscal year 2005.

In order to receive the start-up money, employees must sign a Release in Settlement of Disputed Claims in a form approved by Township legal counsel, which states that in consideration of the start-up money being deposited in the employees account, the employee unconditionally releases the Township from future claims or litigation regarding this matter.

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The Superior Township Board of Trustees hereby declares that the agreed upon vesting schedule of fifteen years shall be a binding contract between the Township and all non-union full-time employees actively employed by the Township as of 4/1/05 not to be amended by future board action. The board reserves the right to change the vesting schedule applicable to employees hired after 4/1/05.

The Township shall add the "30 Years of Service-No Age Requirement for Retirement" rider to the MERS Defined Benefit pension plan for non-union employees as part of this Retirement Health Care Plan Transition Agreement. The increased cost of this addition (estimated to be about 1/2% ) shall be split between employee/employer in the same manner the regular pension plan cost is split.

Roll call vote:

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

Nays: None

The motion carried.

**B. EQUALIZER SOFTWARE UPGRADE FOR BUILDING DEPARTMENT**

The building department is currently using an old version of the Equalizer Building Department software for permit issuance and recording permit activity. Until recently, they have been unable to upgrade to the new equalizer building department software due to the limitations of the server and their individual PC's.

The server and many of the PC's are scheduled to be replaced shortly. As soon as all of the new hardware is in place, the Building Official, Rick Mayernik, would like to have Jeff Howe from BS&A Software come to install the new program. He will insure that a correct installation occurs (5 PC's and 3 laptops) and that no records are lost or destroyed in the process. Additionally, Jeff will train department staff on the new software while he is here.

BS&A software submitted a proposal for the installation and training which totals \$1,150.00 dollars and they anticipate that they will be working for two days.

It was moved by McKinney, supported by Phillips, that the Superior Charter Township Board authorize the expenditure of up to \$1,150.00

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dollars the BS&A software upgrade and installation for the Building Department.

Roll call vote:

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

Nays: None

The motion carried.

**C. PERSONNEL MANUAL UPDATES**

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Personnel Manual be amended by adding the following:

**Section 1.4 Overtime.**

a) Superior Charter Township generally attempts to discourage overtime. Overtime is paid to hourly employees only, and is defined as a work week over 37 ½ hours (or a workweek over 40 hours for Utility Dept employees). The Township will normally compensate eligible employees at one and one-half (1 1/2) times their regular rate of pay. The Township reserves the right to pay straight-time rather than overtime if an employee uses benefit time during the week constituting a work week over 37 ½ hours (or 40 hours Utility Dept) and has thus not physically worked more than 37 ½ hours (40 hours Utility Dept). Straight time shall be paid in lieu of overtime if the use of the benefit time created the need for the-overtime, and the employee is deemed to be exhibiting excessive absenteeism as determined by the Department Head or Township Supervisor.

b) All hourly employees who are required to work on days designated as official holidays of the Township shall be paid double time for hours worked.

**Section 3.2 Hire Dates**

a) The date on which an individual begins employment with Superior Township shall serve as his/her "initial hire date." Subsequent hire dates shall be assigned if employees change status from part-time to full-time or from temporary to regular.

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Beginning 4/1/05 if an employee changes status and is assigned a new hire date, this new date shall be used for calculating benefits such as vacation and sick time, education and longevity bonuses, and for determining vesting schedule for retirement health care benefits and determining years of service for pension benefits.

b) Hire dates and benefits days accruals for all employees who convert from part-time to full-time after 4/1/05 shall be dealt with as follows: When an employee converts from permanent part-time status to permanent full-time status, all sick and vacation benefits he/she has accrued to the day of conversion shall be prorated and added to his/her benefit bank. He/she shall then be given a new full-time hire date which shall be used to calculate all future benefits. Employees who converted from part-time to full-time or from temporary to permanent status before 4/1/05 shall continue to use their initial hire date for accruing all benefits except MERS pension and MERS Health Savings Plan which shall use the employee's full-time hire date.

**Section 3.3 Conversion from Permanent Part-time to Permanent Full-Time Status**

a) As described in the paragraph above, an employee who converts from part-time to fulltime status after 4/1/05 shall be given a new full-time hire date. All part-time benefits shall be prorated and deposited in the employees benefit bank, and all future benefits shall accrue based on the new full-time hire date.

Roll call vote:

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

Nays: None

The motion carried.

**D. HIRE OHM FOR ENGINEERING FOR UTILITY  
MAINTENANCE FACILITY**

The Utility Department requested Board authorization to proceed with contracting with Orchard, Hiltz & McCliment, Inc. (OHM) for the civil engineering portion of the Utility Maintenance Facility Project at a proposed cost, not to exceed \$35,000.00.



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As the Township's engineering firm, OHM is very familiar with our planning process, permitting requirements and design standards. In view of the complexity of the site and the utility work that will be needed, the Department feels it would be most cost effective to contract directly with them for this portion of the project, rather than with CDPA Architects, Inc. This would also eliminate any review costs associated with the design.

CDPA has agreed to exclude any of the work either designed or specified by OHM from their fees to the Township. Once the construction contract portion of the project has been awarded, a review of the items listed on the construction proposal will be done. A determination of whether an item on that proposal is or is not part of the civil engineering portion of the project will be made at that time.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board authorizes the Utility Department to contract with Orchard Hiltz & McCliment, Inc. (OHM) for the civil engineering portion of the Utility Maintenance Facility Project at a proposed cost, not to exceed \$35,000.00.

Roll call vote:

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

Nays: None

The motion carried.

**E. WAIVE CONNECTION FEES TO OBTAIN EASEMENT  
FOR SECTION 36 PROJECT**

The Utility Department requested Board authorization to waive the Trunk and Transmission, Tap and Availability Fees for both water and sewer for a single residential home located at 1722 Ridge Road. In exchange, the Township will be granted two underground easements that are critical to the Section 36 Utilities Improvement Project.

The two easements are:

- 1) A 27 foot permanent easement for sanitary sewer installation and maintenance
- 2) A 20 foot temporary construction easement that would terminate

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on the date the contractor completes the Section 36 Utilities Improvement Project.

The Project, which is being funded by developers through development agreements with the Township, will help offset future capital improvement costs. It will also provide water and sanitary sewer service to parcels within this section of the Township's water and sewer service district.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board authorize the Supervisor to sign the utility easement agreement between Superior Charter Township and the estate of Anna Mullins-Johnson by and through her Conservator, Annette Coleman, in which the Utility Department will waive the Trunk and Transmission, Tap and Availability Fees for both water and sewer for a single residential home located at 1722 Ridge Road in exchange for the Township being granted two easements that are critical to the Section 36 Utilities Improvement Project: 1) a temporary construction easement and 2) a permanent underground easement for Superior Charter Township utilities allowing ingress and egress for maintenance with restoration of landscape as needed.

Roll call vote:

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

Nays: None

The motion carried.

**F. PURCHASE 2.56 ACRES ON MacARTHUR FOR UTILITY MAINTENANCE FACILITY SITE**

The Utility Department requested Board authorization to proceed with the purchase of a 2.56 acre parcel of land at a cost of \$80,000. The parcel is located on MacArthur Boulevard and is adjacent to the Township-owned parcel that will be used for the construction of the Utility Maintenance Facility.

This parcel of property is the only remaining developable site that borders the Maintenance Facility property. Acquiring this parcel would insure that it would not be developed in the future for a use that would conflict with the functions of a Utility Department Maintenance Facility.

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The recent purchase of a parcel of property from Ypsilanti Schools, located at LeForge and Clark Roads, was very similar in both size and in the fact that it was also located within our utility service area. The appraisal of that property valued it at \$87,000.00. Because of these similarities, we recommend that we purchase this parcel from the owner for an agreed upon price of \$80,000.

It was moved by McKinney, supported by Green, that the Superior Charter Township Board authorize the Utility Department to proceed with the purchase of a 2.56 acre parcel of land on MacArthur at a cost of \$80,000.

Roll call vote:

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

Nays: None

The motion carried.

**G. HIRE ZELISSE BUILDING FOR RENOVATION OF  
FORMER FIRE STATION 1 LOCATED AT THE  
TOWNSHIP HALL**

The Supervisor requested bids from several firms to contract for the renovation of the former Fire Station 1 to accommodate the Sheriff deputies and provide a lunch room for the staff. Only David Zelisse, a Township resident, submitted a bid. Rick Mayernik, Building Official, reviewed the bid and made comments.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board authorize the Supervisor to sign the Acceptance of Proposal from Zelisse Building to renovate the former Fire Station 1 area of the Township Hall for a base bid of \$7,875.43, acceptance of Alternate No. 1 for \$3,029.25, reject the panic bar upgrade, acceptance of Alternate No. 2 with the condition that the contractor paint any sections of the grid damaged by tile removal, that locksets be "lever" style and with the understanding that the bid does not include electrical, mechanical and plumbing; further that 40% of the bid be paid upon delivery of "doors, door hardware, and framing materials".

Roll call vote:

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

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Nays: None

The motion carried.

**H. PARK RECREATION BUILDING**

The Park Commission met on Saturday, March 5, to discuss the proposed new Park Building at Fireman's Park. The Utility Department would use the present Park Building at Prospect and Clark and pay the Park Fund the appraisal amount of \$275,000.00 for the present Park Building. The Clerk has been working with various builders, trying to obtain the best possible building for the \$275,000 appraisal price. OHM has been helping and CDPA volunteered to draw up the attached plan (for free). As Fireman's Park is zoned R-4, we need to apply to the Planning Commission for a conditional use.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board submit an application to the Planning Commission for a conditional use to build a Park & Recreation Building on Fireman's Park; further that the administrative staff determine the cost estimate for both the building plan submitted by the Clerk and the plan submitted by the Park Commission and bring both estimates to the Board for deliberation.

McKinney noted that the Clerk had done a tremendous amount of work to bring the project to this point.

The motion carried.

**I. WASHTENAW DEVELOPMENT COUNCIL 2005 AGREEMENT**

The Washtenaw Development Council wrote to thank the Township for support in 2004 and request payment of the pledge for 2005.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board authorize the Supervisor and Clerk to sign the 2005 Agreement with the Washtenaw Development Council for \$1,000.

The motion carried unanimously.

**J. RESOLUTION – MAINTAIN CDBG AND SECTION 8 FUNDING**

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

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**RESOLUTION URGING THE FEDERAL GOVERNMENT TO MAINTAIN  
CDBG AND SECTION 8 FUNDING TO COMMUNITIES**

WHEREAS, President Bush has presented to Congress his FY '06 budget and it proposes a 50% cut in CDBG funding and a graduated 30% cut in Section 8 funding to communities across the nation;

WHEREAS, President Bush's proposed budget would make significant cuts in many community development programs, including Section 8 and the Community Development Block Grant program, and would transfer the CDBG program from the Department of Housing and Urban Development to the Department of Commerce's proposed *Strengthening America's Communities Grant Program*;

WHEREAS, this proposed Commerce Department program does not explicitly provide funding for prevention of poverty and job loss, and proposes significant cuts to federal programs that have supported these activities in the past;

WHEREAS, in response to the President's proposed cuts in these programs, Congressman Dingell has called them "morally irresponsible" and Senators Clinton, Kerry, Kennedy, Corzine, Lautenberg, Schumer, and Durbin have sent a letter to President Bush protesting such massive cuts;

WHEREAS, cuts in these programs will negatively affect moderate and low income residents and private landlords in Washtenaw County;

NOW, THEREFORE BE IT RESOLVED, that the Superior Charter Township Board opposes President Bush's proposed changes to, and cuts in funding for, Section 8, CDBG and other community development programs;

BE IT FURTHER RESOLVED, that the Superior Charter Township Board urges Congress to reject any changes to and cuts in CDBG- Section 8 and other community development funding, recognizing the immediate and severe consequences such cuts will have on low and moderate income residents; and

BE IT FURTHER RESOLVED, that the Superior Charter Township Board directs the

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Clerk to forward a copy of this resolution to President Bush, Senators Carl Levin and Debbie Stabenow, and Congressman John Dingell.

**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 March 7, 2005.

Roll call vote:

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

Nays: None

The motion carried.

**K. ROLLING OAKS CUL-DE-SAC APPROVAL**

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

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**A RESOLUTION TO APPROVE THE CUL-DE-SAC IN ROLLING  
OAKS SITE CONDOMINIUM**

WHEREAS, Rolling Oaks Site Condominium Area Plan was approved on July 6, 2004; and

WHEREAS, the preliminary site plan was approved by the Planning Commission on July 19, 2004; and

WHEREAS, the development is in accordance with the adopted Growth Management Plan and fits in well with the surrounding land use; and

WHEREAS, after careful review and the consideration of Superior Charter Township staff and consultants, the Township approves of the proposed layout of the site; and

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WHEREAS, the Township Fire Marshal approved the site plan as referenced in a letter dated August 7, 2004; and

WHEREAS, the Township feels that the density of the development is low enough to allow for adequate access in response the emergency situations; and

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board approves the length of the cul-de-sac called Timber Knoll Circle for Rolling Oaks Site Condominium.

THE RESOLUTION WAS DECLARED ADOPTED.

**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 March 7, 2005.

Kay Williams, Superior Charter Township Clerk

Roll call vote:

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

Nays: None

The motion carried.

**L. RESIGNATION OF STANLEY STEWART FROM THE PLANNING COMMISSION**

Stanley Stewart has resigned from the Planning Commission effective immediately because of pressing personal business.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Boar accept the resignation of Stanley Stewart from the Planning Commission with regret effective immediately.

The motion carried.

**11. PAYMENT OF BILLS**

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It was moved by Caviston, supported by McKinney, that the bills be paid in the following amounts: General Fund - \$3,025.00 for a total of \$3,025.00.

The motion carried.

**12. PLEAS AND PETITIONS**

There were none.

**13. ADJOURNMENT**

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

The motion carried and the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Kay Williams, Clerk