

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
REGULAR MEETING  
JULY 17, 2017  
ADOPTED MINUTES  
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**1. CALL TO ORDER**

The regular meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 7:02 p.m. on July 17, 2017 at the Superior Township Hall, 3040 North Prospect, Superior Township, Michigan.

**2. PLEDGE OF ALLEGIANCE**

Supervisor Schwartz led the assembly in the pledge of allegiance to the flag.

**3. ROLL CALL**

The members present were Nancy Caviston, Lynette Findley, Rodrick Green, Lisa Lewis, Brenda McKinney, Ken Schwartz and Alex Williams.

Absent: None

**4. ADOPTION OF AGENDA**

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

The motion carried by unanimous vote.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF JUNE 19, 2017**

It was moved by Green, supported by Caviston, to approve the minutes of the regular Board meeting of June 19, 2017 as presented.

The motion carried by unanimous vote.

**B. SPECIAL MEETING OF JUNE 29, 2017**

It was moved by Lewis, supported by Caviston, to approve the minutes of the regular Board meeting of June 29, 2017 as presented.

The motion carried by unanimous vote.

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**6. CITIZEN PARTICIPATION**

- A. A township resident, is unhappy with the township's paid road and non-emergency services provided by Washtenaw County. He stated that a kid was running for four blocks with a string trimmer in his hand. He said that Stephens Drive is being used as a drag strip. He inquired about speed bumps being installed and Supervisor Schwartz directed him to the Washtenaw County Road Commission website and he further stated that speed bumps can be installed in a neighborhood as long as 75% of homeowners on the street approve and the WCRC has to agree that the area is appropriate for speed bumps. Supervisor Schwartz stated that there is a petition process for that and encouraged him to reach out to the WCRC staff. The petitioners would be assessed for the cost of the speedbumps. He inquired if there is a township ordinance that regulates minibikes due to them speeding on the street. The minibike operators are using Stephens to avoid MacArthur. Supervisor Schwartz said that he would pass the resident's concerns on to the Washtenaw County Sheriff's Department and would look up the Uniform Traffic Code to determine if minibikes are prohibited.

Another resident inquired about the feasibility of the Washtenaw County Sheriff Department periodically stationing a deputy at Stephens and Pine Court to deter speeders. He stated that in the fall a driver crashed into a tree on Stephens due to excessive speed. The first resident mentioned above stated that he was instructed in the past to put his own cameras up to document the activity. He also stated that one of the minibike riders flashed a firearm at him. Supervisor Schwartz suggested setting up speed enforcement zones to deter the speeders.

**7. PRESENTATIONS AND PUBLIC HEARINGS**

None

**8. REPORTS**

**A. SUPERVISOR REPORT**

Supervisor Schwartz reported on the following:

- While conducting zoning enforcement on Windsor Court, Mr. Peatry tripped over a piece of concrete and broke his ankle. We will know on July 25<sup>th</sup> a probable return date after a follow-up with his surgeon. In Mr. Peatry's absence ordinance enforcement will be handled by Supervisor Schwartz.
- Sava Farah (SavCo Hospitality), the restaurateur from Ann Arbor, has closed on the purchase of the old Roger Monk's/Lord Fox. RFC Financial Planning, LLC, who owned Roger Monk's/Lord Fox, is closing next month on the property at 5362 Plymouth which was approved to be a Bed & Breakfast. They are going to a smaller

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- building that accommodates their needs more. Farah is planning to make a major investment in the Roger Monk's/Lord Fox property and turn the location in to a major destination restaurant for the Ann Arbor area. Farah has plans to put a very large conservatory on the Fleming Creek side of the restaurant. It would be all glass and the restaurant would serve Sunday brunch and it would accommodate 200 people.
- Dixboro Green, LLC was awarded \$10,000.00 with the help of Treasurer McKinney through the Ann Arbor Convention Bureau for the construction of a pavilion that will go on the back of the one room school house. He was notified by Tom Friedman that they received another grant for \$5,000.00 from the Dixboro United Methodist Church, for a total of \$15,000.00 to go towards the pavilion. They will be coming to the Dixboro Design Review Board on July 25<sup>th</sup> to present the pavilion schematics and then they will meet with the Planning Commission and in August it should be presented to the board to set conditional use, hours of operation, noise levels, etc. The pavilion will be designed to host small concert events such as the farmer's market band.
  - Firefighter Chris Wiggins is resigning to take a job with the Northville Township Fire Department. He thinks that Wiggins is leaving to pursue upward mobility/career advancement opportunities. Chris has assured the chief that the FEMA grant for the fire truck will be complete before his departure. We may have to compensate him for some of his time. Trustee Lewis mentioned that Chris won an award. He received the Firefighter of the Year award from The Washtenaw 100. It was an award for \$2,500.00. Part of the proceeds, donated to the department, went towards building a custom dining table for the firefighters that seats 10 people. It has Superior Township Fire Department on it and firefighter names.
  - He received a communication from the attorneys for Rock Property, regarding Section 29 and north of there, that they have communicated with the administrative law judge in Lansing that is handling the case that they are going to negotiate a sale of the rights to the property or the property end fee to various governmental entities and that they are no longer pursuing their original plan. In line with that the Ann Arbor Green Belt with the Washtenaw County Parks have already started the application process. He tried to talk to Ginny Trocchio today, but she was out, to see if the owners actually came in and signed it. He found new buyers to come in and buy the farming rights that will be left after the development rights are purchased on a 102 acre parcel. Two township residents are interested in purchasing the rights. Matt Schuster is interested in buying the property south of Vreeland for a horse farm. Lou Ferris is interested in buying the property 119 acres north of Vreeland for a Piedmontese cattle herd. Neither property will have houses on them.

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**B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARKS COMMISSION MINUTES, SHERIFF'S REPORT**

It was moved by Caviston, supported by Green, that the Superior Township Board receive all reports.

The motion carried by unanimous vote.

**C. UTILITY DEPARTMENT FINANCIAL REPORTS PERIOD ENDING MAY 31, 2017**

It was moved by Lewis, supported by Green, to receive the Utility Department Financial reports Period Ending May 31, 2017.

The motion carried by unanimous vote.

**D. FINANCIAL REPORTS, ALL FUNDS as of MAY 31, 2017**

It was moved by Green, supported by Caviston, to receive the Financial Reports, All Funds as of May 31, 2017.

The motion carried by unanimous vote.

**9. COMMUNICATIONS**

A. None

**10. UNFINISHED BUSINESS**

**A. MOTION TO ACCEPT AMENDMENT TO SECTION 1(2)(B) OF THE SUPERIOR TOWNSHIP UTILITY ORDINANCE, ORDINANCE NUMBER 169, 2ND READING & ADOPTION**

The amended language reads: **The commercial property owner is responsible for normal wear and tear and any damage, for any cause, to the meter, the remote register or the wiring. Residential water meter replacement due to normal wear and tear shall not be the financial responsibility of the residential user.** This is replacing language that was ambiguous as to who was responsible for maintenance on commercial meters. The township, as a practice, has charged the cost of meter replacement for commercial usage (i.e., Hyundai and manufactured housing communities) back to the owners of the property. Large volume runs through those meters. They tend to wear out

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in 5 to 6 years where as a residential meter may last 20 to 25 years. This amendment clearly establishes whose financial responsibility it is for water meter replacement. The amendment was introduced at a special meeting on June 29, 2017.

The following motion was moved by Green, supported by Caviston, to approve adoption of an amendment to section 1(2)(b) of the Superior Township Utility Ordinance, Ordinance Number 169.

Roll Call Vote:

Ayes: Green, Caviston, McKinney, Schwartz, Findley, Lewis, Williams

Nays: None

The motion carried by unanimous vote.

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 upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Ordinance declared adopted on July 17, 2017.

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Kenneth Schwartz, Supervisor  
Superior Charter Township

**CERTIFICATION STATEMENT**

I, Lynette Findley, 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 special meeting held on June 29, 2017 and for final reading on July 17, 2017 and published on July 17, 2017.

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Lynette Findley, Clerk  
Superior Charter Township

**11. NEW BUSINESS**

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**A. VIBRANT LIFE SENIOR LIVING REQUEST ON ASSUMED WATER BILL  
(FORMER FAIRFAX MANOR)**

Supervisor Schwartz stated that the Fairfax Manor property notes were defaulted to HUD. HUD auctioned the notes to Vibrant Life, LLC and they ended up with a \$33,371.93 water bill that Rex Lanyi never paid. Dean Solden, president and owner of Solden Development Company, LLC, purchased the note with the liabilities. He has promised to bring the property up to code in order to regain its position in the community as a top notch assisted living/senior care facility. It will not be used to house mentally ill people. Mary Burton has done an investigation and written a report that concluded that Dean Solden helped the township out a great deal by buying the property and assuming the water bill and that the township should consider waiving the penalty of \$2,922.08 and working out a payment agreement for the \$33,371.93 for a 30 month payment plan where Vibrant Life would pay \$1,000.00 a month until paid in full.

The following motion was moved by Caviston, supported by Findley, to approve the Vibrant Life senior living request on assumed water bill.

The motion carried by unanimous vote.

**B. HURON RIVER WATERSHED COUNCIL DUES APRIL 2017 – MARCH 2018**

The following motion was moved by Caviston, supported by Lewis, to approve the Huron River Watershed Council dues April 2017 – March 2018 in the amount of \$746.93.

The motion carried by unanimous vote.

**C. SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (SEMCOG) DUES  
JULY 15, 2017 – JULY 15, 2018**

The following motion was moved by McKinney, supported by Caviston, to approve the Southeast Michigan Council of Governments (SEMCOG) dues, July 15, 2017 – July 15, 2018 in the amount of \$1,573.00.

The motion carried by unanimous vote.

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**D. ANN ARBOR SPARK ANNUAL SUPPORT FOR FISCAL YEAR 2017**

The following motion was moved by Findley, supported by Caviston, to approve the Ann Arbor SPARK Annual Support for Fiscal Year 2017 dues in the amount of \$1,000.00.

The motion carried by unanimous vote.

**E. ANN ARBOR/YPSILANTI REGIONAL CHAMBER DUES FOR FISCAL YEAR 2017**

The following motion was moved by Green, supported by Caviston, to approve the Ann Arbor/Ypsilanti Regional Chamber dues for Fiscal Year 2017 in the amount of \$355.50.

The motion carried by unanimous vote.

**F. GEDDES ROAD BOOSTER STATION DEMOLITION BID AWARDED TO UNIVERSAL CONSOLIDATED ENTERPRISES, INC.**

The project was bid by OHM to demolish the booster station located on Geddes Road. The project was originally bid by Jacob Rushlow, but the township only had one bidder. When George Tsakoff joined OHM the project was rebid and OHM reached out to contractors to generate interest and competition for the bid. OHM performed an environmental assessment of the building. It was determined that there was no asbestos in the building which contractors worry about and can affect bid price. The township received 5 bids for the rebid. The three lowest bidders were close in price. Universal Consolidated Enterprises, Inc. came in at \$49,757.00, Erie Construction, LLC came in at \$55,341.00 and Pitsch Enterprises, Inc. came in at \$64,675.00. It was a quick turnaround time for the recommendation, but OHM was able to contact some references for the lowest bidder. OHM will be involved in the construction phase to oversee the work.

The following motion was moved by Caviston, supported by Lewis, to accept the bid for Universal Consolidated Enterprises, Inc. in the amount of \$49,757.00.

Roll call: Ayes: Williams, Lewis, Findley, Schwartz, McKinney, Caviston, Green  
Nays: None

The motion carried by unanimous vote.

**G. CELL PHONE REIMBURSEMENT FOR ELECTED OFFICIALS**

Policy was established for cell phone usage reimbursements for elected officials.

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The following motion was moved by Green, supported by Caviston, to approve cell phone reimbursement rates in the amount of \$31.83 per month for a basic cell phone and \$50.57 per month for a smart phone.

The motion carried by unanimous vote.

**12. BILLS for PAYMENT and RECORD of DISBURSEMENTS**

It was moved by Caviston, supported by Lewis, to receive bills for payment and record of disbursements in the amount of \$798,702.79.

The motion carried by unanimous vote.

**13. PLEAS and PETITIONS**

Clerk Findley congratulated Trustee Green on his tenure as 2016 SEMCOG chair.

**14. ADJOURNMENT**

It was moved by Caviston, supported by Green, that the meeting be adjourned. The motion carried and the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor