

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
AUGUST 19, 2019
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 7:00 p.m. on August 19, 2019, 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, Meghan Winslow, Lisa Lewis, Brenda McKinney, Ken Schwartz, and Alex Williams.

Absent:

4. ADOPTION OF AGENDA

It was moved by Caviston supported by Lewis, to adopt the agenda with the addition of adding support for Washtenaw County Road Commission Resolution 2019-34:

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JULY 15, 2019

It was moved by Caviston supported by Findley, to approve the minutes of the regular Board meeting of July 15, 2019, as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

- Ellen Karuth inquired about care of wild grass growing across ditches. Supervisor Schwartz advised one more mowing is expected for the season at an undetermined date.
- William McFarland expressed his support for the Washtenaw County Road Commission.
- Richard Stickel of 1690 Stephen Drive voiced his concern to receive more Township Service in reference to roads, grass, and snow removal.

7. PRESENTATIONS AND PUBLIC HEARINGS

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Supervisor Schwartz acknowledged Washtenaw County Administrator Gregory Dill and Commissioner Ricky Jefferson.

- A. Administrator Gregory Dill presented a brief discussion of County services and funding. Mr. Dill expressed he is inquiring and listening to issues that concern all within the County. He asked if there were concerns that he could deliver back to the County Board. Questions were presented concerning mental health. Mr. Dill indicated mental health is being reviewed in correlation to funding and budgets.
- B. Commissioner Ricky Jefferson, expressed the County Board wants to do better with communication. He indicated the County wants to ensure communication is effective in delivering information to citizens. Trustee Caviston shared her concerns about roads and where the Township stance will be if funds go into one pool. Mr. Jefferson indicated he would take what he heard from Superior Township back to the Board of Commissioners.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- Dixboro Pavillion is complete. The grand opening will be October 11, 2019.
- The last Farmers Market will be October 12, 2019.
- The grand opening for Staebler Farms will take place on October 13, 2019.
- The County Park Commission met concerning a multi-purpose building, that will have a site to be rented to the Michigan Folks School.
- There will be a meeting with HUD regarding Sycamore Meadows. One of the agenda items is staffing. The Township is only involved with the inspections.
- Huron River Watershed Council had a meeting concerning development and controlling phosphorus levels as well as total maximum daily load.
- Harvey Wax, from Pear Sperling Liggins & Daniels, P.C is going to send a proposal on updating the personnel manual for September. Trustee Caviston inquired about the cost to update the manual. She expressed concern that the cost is too much and there should not be major changes to the manual.
- Trustee Winslow inquired about the PDR Ordinance status. Supervisor Schwartz explained that Clerk Findley found the ordinance and it will be placed on the website.
- County Parks had a meeting about the Connecting Community \$600,000 grants available this year. Prospect to Berkshire will require 100% allocation (which the County Parks do not fund 100% of projects). Therefore, the Township will need other funders. The preliminary engineering will be completed in a few weeks so that we can consider a Transportation Alternatives Program TAP Grant.
- There was a condition of consent that the Township placed to retain land for the pump station before County Parks was allowed to purchase. County Parks submitted the condition to their attorney for review and the Township's interest is in place. Trustee Willaims asked if the lift station at Prospect Point will be eliminated because

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it could save money on maintenance. Supervisor Schwartz stated there have not been any issues at Prospect Point at this time.

- Clerk Findley asked for details for the Harvest Lane Block Party. Supervisor Schwartz asked Bernedia Word from the Parks and Recreation to give an update since Parks & Recreation are supporting this event. Commissioner Word stated the event will take place on Saturday, August 24, 2019, from 1:00 p.m – 4:00 p.m. at Harvest Moon Park. Harvest Moon is located at Harvest Lane and Wiard. She indicated flyers were circulated. Clerk Findley also asked if the street will be blocked off. Treasurer McKinney shared the event will take place in Harvest Moon Park without blocking off the street. Grant funding is responsible for the hotdogs, buns, chips, plates, cups, and water. Congress Woman Debbie Dingell and Senator Jeff Irwin and several Commissioners will also be present. Supervisor Schwartz advised the event will also showcase the improvements in area.

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

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

The motion carried by unanimous vote.

C. UTILITY DEPARTMENT FINANCIAL REPORTS PERIOD ENDING JUNE 30, 2019.

It was moved by Lewis supported by Caviston, to receive the Utility Department Financial reports Period Ending June 30, 2019.

The motion carried by unanimous vote.

D. CONTROLLER'S REPORT, 2nd QUARTER, 2019

It was moved by Winslow, supported by Caviston, to receive the Controller's Report, 2nd Quarter, 2019.

The motion carried by unanimous vote.

9. COMMUNICATIONS

A. SUPERIOR TOWNSHIP PARKS & RECREATION FAMILY KICKBALL DAY

Information Only

The Family Kickball Day is an annual event held at Oakbrook Park from 11:00 am – 2:00 pm held on Septemeber 14, 2019.

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10. UNFINISHED BUSINESS

None

11. NEW BUSINESS

A. HURON RIVER WATER COUNCIL MEMBERSHIP DUES 2019

The approval of the following invoice was moved by Lewis supported by Winslow.

The motion carried by unanimous vote.

**B. RESOLUTION 2019-26, A RESOLUTION TO APPROVE AN AGREEMENT
BETWEEN SUPERIOR TOWNSHIP AND THE WASHTENAW COUNTY ROAD
COMMISSION FOR WARREN ROAD CULVERT REPLACEMENT**

Supervisor Schwartz explained the Township agreed to pay for half of the primary engineering for the Warren Road culvert. The cost is \$4,000. The replacement came in at \$62,000 considerably lower than expected.

The following resolution was moved by Lewis supported, by McKinney.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN SUPERIOR
TOWNSHIP AND THE WASHTENAW COUNTY ROAD COMMISSION FOR
WARREN ROAD CULVERT REPLACEMENT**

RESOLUTION NUMBER: 2019-26

DATE: AUGUST 19, 2019

WHEREAS, the Washtenaw County Road Commission (WCRC) temporarily repaired a culvert in Superior Township on Warren Road between Vorhies and Curtis Roads in 2016; and

WHEREAS, the WCRC has offered to replace the temporary culvert with a permanent culvert replacement; and

WHEREAS, the Township is required to finance 50% of the culvert improvement by law; and,

WHEREAS, the new culvert will improve traffic safety on Warren Road.

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THEREFORE, BE IT AGREED that the Township approves the agreement to finance 50% of the construction costs for the Warren Road culvert replacement project in an amount estimated at \$30,500.00, and approves the Superior Township Supervisor to sign the necessary agreements and the funds for the road improvements will be debited from G.L. 466-866.

I, Lynette Findley, 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 August 19, 2019 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

The resolution carried by unanimous vote.

C. RESOLUTION 2019-27, A RESOLUTION TO ADOPT A WATER SERVICE CONTRACT WITH YPSILANTI COMMUNITIES UTILITY AUTHORITY

Supervisor Schwartz explained the water service contract expired last year. The contract is standard as with other community. The adoption will control the water agreement for the next 20 years.

The following resolution was moved by Lewis supported, by Winslow.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO ADOPT A WATER SERVICE CONTRACT WITH YPSILANTI
COMMUNITIES UTILITY AUTHORITY**

RESOLUTION NUMBER: 2019-27

DATE: AUGUST 19, 2019

WHEREAS, this Board is authorized by statute to accept and approve a waste service contract with Ypsilanti Communities Utility Authority to supply public drinking water to the Superior Township Utility Department (STUD); and,

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WHEREAS, the Superior Township Board finds the proposed contract is reasonable and necessary based upon the current and anticipated residential and commercial growth in Superior Township over the next twenty years.

NOW THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby approved the Water Service Contract with the Ypsilanti Community Utility Authority and authorizes the Supervisor and Clerk to execute said contract.

I, Lynette Findley, 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 August 19, 2019 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

Roll Call:

Ayes: Findley, Lewis, Caviston, Schwartz, McKinney, Winslow, William

Nays: None

Absent: None

The resolution carried by unanimous vote.

D. RESOLUTION 2019-28, A RESOLUTION AMENDING THE RATES, FEES, AND CHARGES RELATED TO WATER SERVICES PROVIDED BY THE TOWNSHIP'S UTILITY DEPARTMENT

Supervisor Schwartz explained Ypsilanti Community Utility Authority (YUCA) is passing along a 2.5 % increase in water consumption charges to the Township. The increase will be a 3.5% increase in which 1% of that covers the endpoint user fee on every water bill. The endpoint is a device on the meter that communications will the cell tower. The increase will be effective on September 1, 2019.

The following resolution was moved by McKinney supported, by Winslow.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

RESOLUTION NUMBER: 2019-28

DATE: JULY 15, 2019

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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 Ann Arbor Township has increased the charge for water by 1.03%, and sewer by 3.24% and

WHEREAS, the Superior Charter Township Utility Fund may not operate at a deficit, and

WHEREAS, after an analysis of the effect of the new charges for water, it was determined that it would be adequate to increase our water rates by 1.01%, and sewer rates by 3.24% 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 water systems shall be amended per the attached Schedule A; and

BE IT FURTHER RESOLVED that this Resolution and attached schedule 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.superiortownship.org - with notice of such in *The Ann Arbor News*, a newspaper of general circulation in the Township qualified under state law to publish legal notices, said rate changes shall be **effective immediately** upon publication thereof.

I, Lynette Findley, 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 August 19, 2019 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

The resolution carried by unanimous vote.

E. RESOLUTION 2019-29, A RESOLUTION APPROVING CONTRACT WITH HUTCH PAVING FOR ASPHALT REPLACEMENT AT FIRE STATION NUMBER 2

Chief Chevrette explained the approach coming into the fire station has collapsed. The condition will cause damage that will require new springs for the trucks. Hutch Paving provided the best proposal. Supervisor Schwartz advised Hutch Paving does good work.

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The following resolution was moved by McKinney supported, by Findley.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION APPROVING CONTRACT WITH HUTCH PAVING FOR
ASPHALT REPLACEMENT AT FIRE STATON NUMBER 2**

RESOLUTION NUMBER: 2019-29

DATE: AUGUST 19, 2019

WHEREAS, the Superior Township Fire Department Number Two has a defective asphalt driveway in need of replacement; and,

WHEREAS, the Fire Chief is recommending this replacement occur before winter; and,

WHEREAS, Hutch Paving has proposed the repairs to correct the defective asphalt driveway, and,

NOW THEREFORE BE IT RESOLVED, that the Superior Township Board of Trustees, approves the proposed contract with HUTCH PAVING to construct a replacement driveway not to exceed \$34,218.00 to be paid from fire reserve funds.

I, Lynette Findley, 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 August 19, 2019 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

The resolution carried by unanimous vote.

**F. RESOLUTION 2019-30, APPROVING CONTACT WITH OHM FOR INSPECTION
AND ADMINISTRATION SERVICES FOR THE MACARTHUR BOULEVARD
WATER MAIN**

Supervisor Schwartz explained the resolution is for the water main replacement contract, administration, and construction engineering. He asked George Tsakoff of OHM to present

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details. George advised the low bid for the contract was \$795,000. D&D Water & Sewer is a good contractor for a project of this size. OHM's proposal is for contract administration. The work will start in October and may finish early next year. If there is a water main break due to the weather it will be repaired at no charge. The following resolution was moved by Lewis supported, by Winslow.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION APPROVING CONTACT WITH OHM FOR
INSPECTION AND ADMINISTRATION SERVICES FOR THE
MACARTHUR BOULEVARD WATER MAIN**

RESOLUTION NUMBER: 2019-30

DATE: AUGUST 19, 2019

WHEREAS, the Superior Township Utility Department owns and maintains a (12) inch asbestos cement water main located on the north side of MacArthur Boulevard between Harris Road and Wiard Road; and,

WHEREAS, this segment of the water main is over 3,200 feet in length, was installed to service the war housing during World War II and has not been replaced and,

WHEREAS, the water main is subject to numerous breaks every year and has reached the end of its useful service life; and,

WHEREAS, replacing the water main will increase water service reliability and safeguard fire flows to the multi-unit apartment building known as Sycamore Meadows and Danbury on the green.

WHEREAS, this segment of water main was identified for replacement within (5) five years in the Superior Township Capital Improvement Program dated 12/27/2017 as submitted to the MDEQ.

NOW, THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves the proposed contract with OHM Advisors to inspect and provide administrative services pursuant to the MacArthur Boulevard water main replacement project.

I, Lynette Findley, 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 August 19, 2019

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and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

The resolution carried by unanimous vote.

G. RESOLUTION 2019-31, HUTCH PAVING AGREEMENT FOR TANGLEWOOD ESTATES

Supervisor Schwartz suggested that work is completed by Hutch Paving in Area # 1 (Green) \$15,600 and Area #2 (Pink) \$19,344 according to the map provided. The other two areas should be completed next year.

The following resolution was moved by McKinney, supported by Lewis.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO ACCEPT BID FROM HUTCH
PAVING FOR REPAVING TANGLEWOOD STREET**

RESOLUTION NUMBER: 2019-31

DATE: AUGUST 19, 2019

WHEREAS, Tanglewood subdivision which is served by public roads in Superior Township needs repair; and,

WHEREAS; Hutch Paving has extensive experience in supplying paving and associated work to the Township for many years; and,

WHEREAS, the Township requested a bid from repairs from Hutch delineating various roads to be repaired and the associated prices.

NOW, THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves Hutch Paving to repair and replace the designated roads in the Tanglewood subdivision.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

Date Certified

The resolution carried by unanimous vote.

H. HARVEST LANE SEWER LINING & 2020 PIPE AND MANHOLE

George Tsakoff of OHM explained that Harvest Lane sewer lining and various pipes throughout the Township were included in the proposal improvements to stay in alignment with the SRF loan milestones. Supervisor Schwartz explained the project budget is coming at \$1,170,000. He recommended holding off on the work. Treasurer McKinney stated she does not like always putting off work scheduled to take place in Harvest Lane. Supervisor Schwartz explained completing the sewer lining will not bring up the property values. Trustee Williams advised he would like to see a break down of the \$1,200,000 in the September meeting.

The motion to table the discussion on Harvest lane as moved by McKinney, supported by Findley.

I. RESOLUTION 2019-33, RESOLUTION APPROVING GLEN OAKS DEVELOPMENT AGREEMENT

Supervisor Schwartz explained the agreement allows Glen Oaks to proceed with an office building development.

The following resolution was moved by William, supported by Lewis.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

A RESOLUTION APPROVING GLEN OAKS DEVELOPMENT AGREEMENT

RESOLUTION NUMBER: 2019-33

DATE: AUGUST 19, 2019

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WHEREAS, on June 27, 2018, the Township approved, by action of the Superior Township Planning Commission, the final site plan for the STPC #18-12, Glen Oaks Cooperative Office Addition, dated May 29, 2018, as revised, with conditions ("**Final Site Plan**"), and all conditions of the Final Site Plan have been satisfactorily met; and

WHEREAS, the Developer desires to develop an office building at the existing site of Glen Oaks Cooperative located at 1351 Stamford Boulevard between MacArthur Road and Harris Road, (the "**Development**") as more particularly described in the attached **Exhibit A**; and

WHEREAS, the Developer is developing the office building pursuant to the Superior Township Zoning Ordinance No. 174, as amended, and other applicable law; and

WHEREAS, the Developer desires to build all necessary on-site infrastructure for the Development, including but not limited to: water mains, sanitary sewers, stormwater management system, sidewalks, parking lots, and similar amenities in the Development (**the "Site Improvements"**); and

NOW THEREFORE, BE IT RESOLVED that in consideration of the mutual premises and covenants contained therein the Superior Township Board of Trustees hereby approves the development agreement for the Glen Oaks Cooperative Office Addition subject to minor changes being administratively approved by the Township Zoning and Building Official and the Township Supervisor.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

Date Certified

J. RESOLUTION 2019-34, RESOLUTION OF SUPPORT FOR THE WASHTENAW COUNTY ROAD COMMISSION

Supervisor Schwartz stated

The following resolution was moved by Lewis, supported by McKinney.

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**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

A RESOLUTION OF SUPPORT FOR THE WASHTENAW COUNTY ROAD COMMISSION

RESOLUTION NUMBER: 2019-34

DATE: AUGUST 19, 2019

WHEREAS, the Washtenaw County Road Commission (WCRC) has served townships in Washtenaw County for 100 years, and despite being chronically underfunded by the State of Michigan for over two decades, the WCRC has utilized revenues to plan, build and maintain the county road system; and

WHEREAS, there is now an effort to review folding the WCRC into a county department by resolution of the Washtenaw County Board of Commissioners; and

WHEREAS, Superior Township has historically benefitted from the current relationship with the WCRC precisely because the organization is based on engineering principles and not political demands from local leaders; and

WHEREAS, it will be unfair to elected county commissioners that represent cities to decide infrastructure decisions which primarily affect townships. This has the potential to create divisions between the county and the townships reminiscent of the police services lawsuit; and,

WHEREAS, while MCL 224.6(7) has been the law for years, there has been no serious county planning or financial analysis, that included townships, to evaluate whether making the WCRC a county department is feasible, desirable or will result in improvements or costs savings; and it would be bad policy to absorb the WCRC without extensive analysis and collaboration with townships, MDOT, and other transportation agencies; and,

WHEREAS, Superior Township appropriates hundreds of thousands of dollars per year from township general fund sources for road improvements. A county commission takeover of the roads will result in political demands upon the Washtenaw County Board of Commissioners to pay for local road improvements in townships with county funds from townships that have failed to adequately plan financially for expensive infrastructure improvements, thus transferring local financial problems and hardships to the county with potential financial consequences similar to the Sylvan Township sewer debt.

NOW THEREFORE BE IT RESOLVED, Superior Township asserts that the current road commission structure of government is the one most likely to administer highway funds in a fair and consistent manner, and which will require each township to carefully rely on its own financial wherewithal to meet local road improvement projects in their own jurisdiction over and above the projects funded by Public Act 51 and federal highway administration sources.

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Lynette Findley, Township Clerk

Date Certified

The motion carried by unanimous vote.

12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by Lewis, supported by Caviston, to receive bills for payment and record of disbursements in the amount of \$915,521.41.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

None

14. ADJOURNMENT

It was moved by Lewis, supported by McKinney that the meeting be adjourned at 8:56 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor