

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
SEPTEMBER 16, 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 7:02 p.m. on September 16, 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, Lisa Lewis, Brenda McKinney, Ken Schwartz, and Alex Williams.

Absent: Meghan Winslow

4. ADOPTION OF AGENDA

It was moved by Lewis, supported by McKinney, to adopt the agenda with revisions to include: Harvest Lane, unfinished business, Marijuana Ordinance, and County Parks Resolution.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF MONTH AUGUST 19, 2019

It was moved by Caviston supported by Lewis, to approve the minutes of the regular Board meeting of August 19, 2019, as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

Ellen Kurath suggested the purchase of a motor grader would be a good investment and an alternative to maintaining the ditches. Supervisor Schwartz advised the Washtenaw County Road Commission will only do grading when they complete dust control which takes place three times a year. He also shared even if the Township paid the County Roads, they could not take on the task. He has considered a used motor grader, however the Township would have to hire a contractor to operate the equipment. New graders are very expensive.

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7. PRESENTATIONS AND PUBLIC HEARINGS

None

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- The pavilion is completed. There will be an official dedication of the pavilion at the Dixboro Village Green on October 11, 2019, at 5:00 p.m. CTAP funds will be used to pay for a plaque similar to the McFarland plaque in the township hall.
- On October 12, 2019, from 1:00-3:00 p.m. there will be a grand opening with a ribbon-cutting at Staebler Park. There will be a multi-purpose building which will be the site campus for the Folks School.
- Bill and Lisa Ford made a \$17,000 donation to the Folks School for the special ventilation required for the blacksmith studio.
- The application for Connecting Communities project has been submitted.
- There was a meeting with the Road Commission and the County Board concerning a ½ mill proposal for four years that will be on the ballot in the 2020 General Election. There will be another meeting that anyone can attend.
- Supervisor Schwartz, Treasurer McKinney, and Nancy Mason met with Amy Karbo from Ann Arbor Destination concerning an audit to take place of the CTAP money in the next couple of weeks.
- There was a meeting with AATA about the Purchase of Service Agreement (POSA). They are getting communities to join as charter members. They are also exploring route expansions and also options of partnerships that will be beneficial to seniors and people that are disabled.
- The Township's I.T. Company (Nimble) is in the process of being sold to TAZ Networks of Brighton. The employees at Nimble will be absorbed into TAZ Networks and Logan will remain the Township's primary contact. The Township will have to enter into a service contract in the October meeting.
- While attempting to obtain a waiver to the highway access management plan to put in a driveway to the pump station, it was discovered that the original location would have been situated in the middle of a wetland. County Parks agreed that we could move the pump station down the road to another location with the stipulation that the Township will assist with the development of a driveway and parking spots. There will be some cost not originally anticipated but, it will be less than remediation.
- The M153 finalized safety plan will be adopted. State Representative Ronnie Peterson is on the subcommittee for appropriations and is facilitating the plan with MDOT.
- Supervisor Schwartz and Clerk Findley had a meeting with Sycamore Meadows, the County Office of Economic Development, County Health, Southeast Legal Services, and residents due to HUD being forced to make corrections to the physical structures. The units are not in compliance and 95% of the units failed inspections. Examples of

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non-compliance included the absence of smoke detectors and other issues more significant.

- The Parks Commission was contacted to consider the possibility of allowing the Township to take over the maintenance and the planning of Schock Park. It would be beneficial to the Parks budget.

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

It was moved by Findley, supported by McKinney, that the Superior Township Board receive all reports.

The motion carried by unanimous vote.

9. COMMUNICATIONS

A. PAT SHREWSBURY RESIGNATION LETTER

It was moved by McKinney, supported by Lewis, to receive the resignation letter of Pat Shrewsbury.

The motion carried by unanimous vote.

B. TREASURER'S MEMO REGARDING ONLINE 2018 TAX COLLECTION

Treasurer McKinney wanted to update the Board of Trustees of how much is being collected online and the cost associated with the online service.

10. UNFINISHED BUSINESS

A. HARVEST LANE SEWER UPDATE

George Tsakoff of OHM provided an update on the Harvest Lane Sewer. George explained the project manager at EGLE and the manager of the SRF process is entering the point of environmental assessments. The ratings for Harvest Lane are related to operations and maintenance and not structural integrity. The maintenance issues are the result of root balls and root intrusions that can be resolved with flushing and heavier maintenance to get the debris out of the pipe. The recommendation would be to focus on the identified issues and repair from the Townships general fund due to there may be an issue to justify the funding from SRF. OHM can complete engineering. The other projects are on target for SRF funding as they have a high critical structural integrity rating. Trustee Williams inquired if a contractor would need to do cutting to the pipes in the problem areas. The response was "yes", cutting will take place in targeted areas with shallow cuts. Treasurer McKinney questioned if the pipes are cleaned out, can the utility department maintain. The answer was the utility department will have the ability to maintain the repairs. Trustee Williams inquired if there were the possibility of sinkholes. George indicated historically it has not been an issue and is the measure of what can be expected but, sinkholes cannot be totally ruled out. Supervisor Schwartz indicated there was a report of a sinkhole that was investigated several years back. The hole was filled with sand and has not been an issue since that time.

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11. NEW BUSINESS

A. RECEIVE THE PRELIMINARY BUDGET: ALL FUNDS

Supervisor Schwartz explained Keith Lockie, the Controller put together most of the budget. He worked on the general fund, Mary Burton, Utility Administrator worked on the utility fund, and Juan Bradford, Parks Administrator put together parks budget. There will be a 3% increase across the board for everyone. The Truth and Taxation will be scheduled for the next meeting.

It was moved by Findley, supported by Lewis, to receive the preliminary budget reports. The motion carried by unanimous vote.

B. SCHEDULE TRUTH-IN-TAXATION PUBLIC HEARING OCTOBER 21, 2019

Supervisor Schwartz explained the public hearing will cover both the budget and truth-in-taxation hearing on October 21, 2019.

It was moved by McKinney, supported by Williams for the Board to approve conducting the Public hearing on October 21, 2019.

The motion carried by unanimous vote.

C. RESOLUTION 2019-35, GEDDES ROAD FUND TERMINATION

Supervisor Schwartz stated the auditors suggested the termination of the fund. The suggestion is the result of the Budget and Accounting Act which says the fund will be closed by a resolution. The fund balance will be transferred to the General Fund.

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

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

A RESOLUTION ADOPTING GEDDES ROAD FUND TERMINATION

RESOLUTION NUMBER: 2019-35

DATE: SEPTEMBER 16, 2019

WHEREAS, the Geddes Road Fund (SAD 224), is no longer active and is no longer collecting or dispersing funds; and,

WHEREAS, per the recommendation of our audit firm the fund should be closed, and any remaining balance transferred to the General Fund.

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NOW, THEREFORE, the Geddes Road Fund is hereby closed, and the Township's accountant shall transfer the balance to the general fund. A portion of the money, to be determined, will be put in a restricted fund balance entitled Geddes Road Improvement Fund.

The resolution carried by unanimous vote.

CERTIFICATION STATEMENT

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 September 16, 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

D. RESOLUTION 2019-36, CONTRACT WITH D&D WATER & SEWER, INC FOR THE CONSTRUCTION OF THE MACARTHUR BOULEVARD WATER MAIN

Supervisor Schwartz stated the bid from D&D was \$80,000 less than the closest bid and \$300,000 less than the most expensive bid. Supervisor Schwartz asked George Tsakoff to speak about the contract with D&D. George explained, the contractor will be able to move forward by mid-October and according to the weather they may have to finish in spring. Trustee Williams inquired about the \$100,000 difference in the water supply. It was explained the less expensive bid had to meet the job specifications to get the job done. The contractor will still need to complete samples as well as bacteria testing even with the dollar difference.

The following resolution was moved by Williams supported by Lewis.

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

**RESOLUTION APPROVING CONTACT WITH D&D WATER AND
SEWER, INC. FOR CONSTRUCTING THE MACARTHUR BOULEVARD
WATER MAIN**

RESOLUTION NUMBER: 2019-36

DATE: SEPTEMBER 16, 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,

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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 D&D Water and Sewer Inc. to construct the replacement water main in an amount not to exceed \$795,595.00 to be paid from utility reserve funds.

Roll Call:

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

Nays: None

Absent: Winslow

The motion carried by unanimous vote.

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E. RESOLUTION 2019-37, WASHTENAW COUNTY/SUPERIOR TOWNSHIP ANIMAL CONTROL CONTRACT RENEWAL, 2019-2020

Supervisor Schwartz stated the Animal Control Contract is the same as it has been in years past. It has been \$10,000 every year since 2014.

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

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WASHTENAW COUNTY, MICHIGAN**

ANIMAL CONTROL CONTRACT WITH WASHTENAW COUNTY

RESOLUTION NUMBER: 2019-37

DATE: SEPTEMBER 16, 2019

WHEREAS, the Superior Township Board of Trustees is authorized by statute to enter into a contract with Washtenaw County for animal control expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby approve the animal control contract with the County of Washtenaw as presented and authorizes the Supervisor to execute the same on behalf of the Township.

The resolution carried by unanimous vote.

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Lynette Findley, Township Clerk

Date Certified

**F. RESOLUTION 2019-38, ACCEPTANCE OF DEBIT AND CREDIT CARDS FOR
PROPERTY TAX AND UTILITY BILL PAYMENTS**

Supervisor Schwartz asked Treasurer McKinney or Mary Burton of the Utility Department to provide feedback on the payments. It was explained by Treasurer McKinney that many residents desire to pay tax bills and utility bill with a debit or credit card. Mary advised that the third party charges are a convenience fee to process the payment, and is not charged by the Township. The customer is prompted to accept the convenience charge. The customer can come in and pay with cash or check at no charge.

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

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

**ACCEPTANCE OF DEBIT AND CREDIT CARDS FOR
PROPERTY TAX AND UTILITY BILL PAYMENTS**

RESOLUTION NUMBER: 2019-38

DATE: SEPTEMBER 16, 2019

WHEREAS, the Superior Charter Township Treasurer and Utility Administrator advises to accept credit and debit cards for any payment of any kind including, but not limited to taxes, utility bills, fines, interest, penalties, special assessments, fees, rates, charges or money due and

WHEREAS, a payer desiring to pay by credit or debit card shall solely bear the cost of the convenience fee charged by the third-party vendor to be incurred through use of a credit or debit card and

WHEREAS, the Treasurer and Utility Administrator has determined it would be in the best interest of Superior Charter Township to allow payers to utilize credit and debit card payment options with no cost or expense obligations by the third-party vendor to Superior Charter Township.

NOW, THEREFORE, the Superior Charter Township Board hereby approves acceptance of credit and debit card payments as recommended by the Treasurer and Utility Administrator.

The resolution carried by unanimous vote.

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Lynette Findley, Township Clerk

Date Certified

**G. RESOLUTION 2019-39, PURCHASE OF SERVICE AGREEMENT (POSA) ANN
ARBOR TRANSPORTATION AUTHORITY(AATA) OCTOBER 2019 AND
SEPTEMBER 2020**

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Supervisor Schwartz stated the contracts previously were updated every three years however now the renewal is annual. There is an increased cost of 2.3%. Trustee Lewis asked if residents that use the route had an opportunity to provide feedback. The response was public hearings take place to get public feedback. Supervisor Schwartz will send an email and copy Trustee Lewis asking if surveys can be taken from bus riders.

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

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

**RESOLUTION AMENDING PURCHASE OF SERVICE
AGREEMENT WITH ANN ARBOR TRANSPORTATION AUTHORITY**

RESOLUTION NUMBER: 2019- 39

DATE: SEPTEMBER 16, 2019

WHEREAS, the Charter Township of Superior is operating under a Purchase of Service Agreement (POSA) with the Ann Arbor Transportation Authority (AATA) for public transportation services within Superior Township; and,

WHEREAS, the AATA is now offering an amendment to the POSA to include the following services:

October 1, 2019 – September 30, 2020
A Full-Year Operating Route 42

Costs

1. Capital Charge for New Bus \$12,500.00
2. A-Ride Service \$20,883.04
3. Service Hours \$56,759.03

Total Costs

10/1/2019 - 9/30/20 \$90,142.07

WHEREAS, many citizens of Superior Township are dependent upon public transportation to commute to school, work, church and other activities; and,

WHEREAS, it is in the public interest to provide improved bus and demand response transportation services to the residents of Superior Township.

NOW, THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees fixed-route approves the purchase of service agreement (POSA) amendment with the Ann Arbor Transportation Authority (AATA) for a term beginning on October 1, 2019, through September

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30, 2020.

BE IT FURTHER RESOLVED that the payment for contractual services with AATA for fixed-route services shall be appropriated from budget line item G.L. 101-2 550-864.000 and that the payment for contractual services with AATA for services for the demand response (A-Ride) shall be appropriated from budget line item G.L. 101-550-864.025.

The resolution carried by unanimous vote.

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H. RESOLUTION 2019-40, AMEND CUSTOMER FEE SCHEDULE LIST

Supervisor Schwartz requested Mary Burton from the Utility Administrator to give details on the fee schedule change. Mary advised the fee schedule has not been updated over many years. The fees did not cover the utility cost for the suppliers. The example Mary provided was meters cost \$899 in comparison to the old fee schedule which shows the charge was only \$450. The Township would absorb the extra expense for the meter.

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

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

AMENDED CUSTOMER FEE SCHEDULE LIST

RESOLUTION NUMBER: 2019-40

DATE: SEPTEMBER 16, 2019

WHEREAS, the Superior Charter Township Customer Fee List no longer covers the base expenses that the Utility Department pays out for parts, labor, services, etc., and

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WHEREAS, there are customer expenses that are being solely absorbed by the Utility Department and

WHEREAS, the Utility Administrator recommends the expenses be passed on to the customer in order to offset sole responsibility to the Utility Department.

NOW, THEREFORE, the Superior Charter Township Board hereby approves the updated Customer Fee List as recommended by the Utility Administrator.

The resolution carried by unanimous vote.

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Date Certified

I. WATS ANNUAL DUES

Supervisor Schwartz stated the dues have remained the same for years.

It was moved by Lewis, supported by McKinney, to approve the WATS 2020 membership dues of \$1000.

The motion carried by unanimous vote.

J. PROHIBITION OF MARIJUANA ORDINANCE 193

Supervisor Schwartz stated the ordinance was introduced in December but the Board of Trustees held off on decisions until the rules were established. Attorney Fred Lucas made the recommendation the Board introduce the ordinance in the September meeting. If the Township does not opt-out then any establishment can come in and start growing. If the Board opts out of the ordinance the people have the right to a referendum on the decision. There are over twenty (20) marijuana provisional centers in Superior Township. All of the Township in the surrounding areas have opted out. If an ordinance is not established by November 1st the Township will not be able to control where marijuana is grown. Sandy Lopez stated she wrote an ordinance that has not been reviewed for decision. Supervisor Schwartz stated he would email the ordinance she wrote to the board members. Trustee Williams expressed he is for growing in the Township but understands about not knowing the rules. He would want to review the ordinance in a couple of months when the rules are established. The ordinance listed on the website will be removed.

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The motion to introduce the marijuana ordinance was moved by Lewis, supported by Williams.

Roll Call:

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

Nays: None

Absent: Winslow

**K. RESOLUTION 2019-41, THE APPROVAL OF THE APPLICATION FOR
WASHTENAW COUNTY PARKS FOR FUNDING OF THE PLYMOUTH ROAD AND
PROSPECT ROAD NON-MOTORIZED PATHS**

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

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

**THE APPROVAL OF THE APPLICATION FOR WASHTENAW COUNTY PARKS
FUNDING OF THE PLYMOUTH ROAD AND PROSPECT ROAD NON-
MOTORIZED PATHS**

RESOLUTION NUMBER: 2019-41

DATE: SEPTEMBER 16, 2019

WHEREAS, Superior Township has applied to the Washtenaw County Parks Commission to assist with funding for the construction of non-motorized paths on Prospect Road from Geddes to Berkshire, and on Plymouth Road from Cherry Hill Road to Dixboro House Restaurant; and,

NOW, THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves of such application for funding.

The resolution carried by unanimous vote.

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12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by McKinney, supported by Caviston, to receive bills for payment and record of disbursements in the amount of \$1,182,746.77.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

None

14. ADJOURNMENT

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

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor