

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
REGULAR MEETING  
OCTOBER 21, 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 October 21, 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: 0

**4. ADOPTION OF AGENDA**

It was moved by McKinney supported by, Lewis, to adopt the agenda with revisions to include: Chief Chevrette presenting acknowledgment certificates to citizens Ryan and Rickie Hughes under presentations and public hearing, as well as Building and DocuWare presentation by Rick Mayernick.

The motion carried by a unanimous vote.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF SEPTEMBER 16, 2019**

It was moved by Caviston supported by Findley, to approve the minutes of the regular Board meeting of September 16, 2019, as presented.

The motion carried by a unanimous vote.

**6. CITIZEN PARTICIPATION**

**A. CITIZEN COMMENTS**

- Ellen Kurath presented soil data for the Rock Property located in Superior Township.

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**7. PRESENTATIONS AND PUBLIC HEARINGS**

**A. FIRE CHIEF CHEVRETTE**

Chief Chevrette presented two certificates of commendation to Ryan Hughes and Rickie Hughes for life-saving actions in a house fire on August 15, 2019, at 1600 Stephens Drive in Superior Township. Both men pulled Mr. Gregory from a smoked filled house before the fire department arrived. Mr. Gregory also expressed appreciation to the fire department, emergency medical services, and Ryan Hughes and Rickie Hughes for saving his life.

**B. COUNTY PARKS AND RECREATION**

Ginny Trocchio from Washtenaw County Parks Planning provided a presentation on the development of Stabler Park. She shared the site plans, with details that included architecture, walkways, parking, multi-purpose building, and Folks School. There is no specific groundbreaking date of the multi-purpose building, however, it will take place early in 2020. There were residents from Frains Lake that expressed concerns about the project due to broken promises including no use of the parks after dark. It was expressed that policy does not exist that will allow police presence to ensure intruders will not trespass onto private property.

**C. TRUTH-IN-TAXATION PUBLIC HEARING**

Supervisor Schwartz opened the 2020 Budgets and Truth-in-Taxation public hearing up for comments at 7:47 p.m. There were no comments. The hearing was closed at 7:48 p.m.

**D.**

**MASTER PLAN-BEN CARLISLE/WORTMAN ASSOCIATES**

Supervisor Schwartz introduced Ben from Carlisle Wortman Associates to provide a brief overview of the Master Plan. He provided a summary of a timeline from 2008 through 2010 with the need to address changes. Streamlining processes do not require the Master Plan loose site of Township values. Supervisor Schwartz also indicated the zoning ordinance was formed on a 1980's model. It is important to address current technology, solar energy, Dixboro updates, and reaffirm the Townships stance. The Master Plan update will include public input.

**E. DOCUWARE PRESENTATION BY RICK MAYERNICK FROM THE BUILDING AND PLANNING DEPARTMENT**

Rick expressed the need to eliminate the years of paper. The current position presents issues in locating important documentation in a timely manner. The building and planning department will implement the process with the goal of transitioning other departments into the DocuWare Software over time. Once the software is in place the process will begin with current documents being digitized working backward to enter older documents. Trustee Williams inquired on where the backups and servers will be housed. Allison Oleynik from the building and planning area expressed that the I.T department indicated there will be a backup server on site and an emergency server in a secondary location.

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**REPORTS**

**A. SUPERVISOR REPORT**

Supervisor Schwartz reported on the following:

- Salem Township has requested a permit for a sewer from Gotfordson to the YUCCA Treatment Plant. The plans were sent to Fred Lucas, Counsel and George Tsakoff, OHM. There will be a meeting with Salem Township on October 31st. Sandy Lopez volunteered to complete research groundwork.
- Dixboro Village Green's dedication had a good turn out with community spirit and great weather.
- Nimble has sold its business to TAZ Network out of Livingston County. There will be a meeting with the company's administrative staff regarding I.T. services.

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

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

The motion carried by a unanimous vote.

**9. COMMUNICATIONS**

**A. YPSILANTI CITY COUNCIL REMOVAL OF THE PENINSULAR DAM ON THE HURON RIVER**

Supervisor Schwartz explained Ypsilanti City is in the process of removing the Peninsula Dam. The result of this action will expose the bottomlands in Superior Township. The ponds will shrink down to the natural river channel causing the land that has been underwater for 70-80 years to be exposed.

It was moved by McKinney supported by Lewis, to receive the communication.  
The motion carried by a unanimous vote.

**10. UNFINISHED BUSINESS**

**A. ORDINANCE 193, TO PROHIBIT MARIHUANA ESTABLISHMENTS, SECOND READING**

Supervisor Schwartz explained Ordinance 193 prohibits marijuana establishments within the community. The first ordinance reading took place in September.

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The following motion was moved by McKinney supported by Williams to adopt Ordinance 193, To Prohibit Marihuana Establishments. Trustee Williams indicated due to state laws the Township is forced to adopt the ordinance. In the future as state laws are established and following referendums the ordinance may change. Trustee Caviston expressed concern about those that need medical marijuana having access. Supervisor Schwartz indicated the ordinance will not impact the availability of medical marijuana.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE NO. 193**

**Prohibition of Marihuana Establishments Ordinance**

*An Ordinance to prohibit marihuana establishments pursuant to the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal of 2018.*

**THE CHARTER TOWNSHIP OF SUPERIOR, WASHTENAW COUNTY, MICHIGAN  
HEREBY ORDAINS:**

**Section 1. Title.**

This ordinance shall be known as the "Charter Township of Superior Prohibition of Marihuana Establishments Ordinance."

**Section 2. Definitions.**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as may be amended.

**Section 3. Prohibition on Marihuana Establishments.**

Superior Charter Township, prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as may be amended.

**Section 4. Violations and Penalties**

- 4.1.** Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

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- 4.2.** A violation of this ordinance is a municipal civil infraction, for which the fines shall as set forth in the Superior Charter Township Municipal Penalty, Civil Infraction Penalty Ordinance., being Ordinance 162. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.
- 4.3.** Each day during which any violation continues shall be deemed a separate offense.
- 4.4.** In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
- 4.5.** This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

**Section 5. Severability.**

The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 6. Repeal.**

All ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

**Section 7. Effective Date.**

This ordinance shall become effective upon its publication (or publication of a summary thereof) in a newspaper in general circulation within the Charter Township of Superior.

YEAS: Winslow, Williams, Schwartz, McKinney, Lewis, Findley, Caviston

NAYS: 0

ABSENT: 0

**Ordinance declared adopted on October 21, 2019.**

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Kenneth Schwartz, Supervisor,

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Charter Township of Superior

**CERTIFICATE OF ADOPTION AND PUBLICATION**

I, Lynette Findley, the duly elected Clerk of the Charter Township of Superior certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Charter Township Board of the Charter Township of Superior on October 21, 2019, and published in the MLive Ann Arbor News, a newspaper circulated in the Charter Township of Superior on October 10, 2019.

\_\_\_\_\_  
Lynette Findley, Clerk  
Charter Township of Superior

**11. NEW BUSINESS**

**A. TREASURER'S REPORT, 2019 SPECIAL ASSESSMENTS**

Treasurer McKinney indicated the assessment was routine as provided every year. Supervisor Schwartz stated the Township is levying on side street maintenance. The motion to accept the Treasurer's 2019 Special Assessment report was moved by McKinney, supported by Williams.

The motion carried by a unanimous vote.

**B. RESOLUTION 2019-42, THE PURCHASE OF DOCUWARE RECORDS MANAGEMENT SYSTEM AND DOCUMENT IMAGING SOFTWARE**

Supervisor Schwartz advised the resolution presentation was provided earlier during the meeting. The following resolution was moved by McKinney, supported by Caviston.

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

**A RESOLUTION TO APPROVE THE PURCHASE OF DOCUWARE RECORDS  
MANAGEMENT SYSTEM AND DOCUMENT IMAGING SOFTWARE**

**RESOLUTION 2019-42**

**DATE: OCTOBER 21, 2019**

**WHEREAS**, the Township is required to retain certain records and documents in accordance with the State of Michigan record retention schedules.

**WHEREAS**, Digital document management software assists staff in locating files faster, reduces storage space costs and improves information security, and

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**WHEREAS**, Managing township records has dramatically increased the volume of paper documents being stored onsite, as well as the replication of documents, and

**WHEREAS** Freedom Of Information Act requests are time-sensitive and the purchase of DocuWare will significantly reduce the time spent locating documents.

**THEREFORE, BE IT AGREED** that the Township authorizes the purchase of DocuWare software from Applied Imaging, a Canon RD-6030C scanner, and an additional \$5,000.00 for initial contractual scanning of large scale plans, for a total cost not to exceed \$30,804.00.

The resolution carried by a 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 October 21, 2019 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

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Lynette Findley, Township Clerk

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Date Certified

**C. RESOLUTION 2019-43, NAMING A UTILITY CLERK/BILLING SPECIALIST**

Supervisor Schwartz advised Pat Shrewsbury will retire. Mary Burton explained that Landis Smith has worked part-time and will become permanent full time with expanded duties to include utility billing as well.

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION NAMING A UTILITY OFFICE CLERK/BILLING SPECIALIST**

**RESOLUTION NUMBER: 2019-43**

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**DATE: OCTOBER 21, 2019**

**WHEREAS**, the Superior Township Utility Department (STUD) has a Utility Office Clerk/Billing Specialist vacancy; and,

**WHEREAS**, Landis Smith was hired to perform the Utility Office Clerk duties as set forth by the Utility Administrator and has performed the duties brilliantly.

**NOW THEREFORE BE IT RESOLVED**, that the Superior Township Board of Trustees hereby hire Landis Smith as Utility Office Clerk/Billing Specialist at a wage of \$21.00 per hour.

The resolution carried by a unanimous vote.

**CERTIFICATION STATEMENT**

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Lynette Findley, Township Clerk

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Date Certified

**D. RESOLUTION 2019-44, 2020 MILLAGE RATES**

Supervisor Schwartz explained the rates calculated have a rollback. The millage increases are reflected for the first time in fire and law.

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

**CHARTER TOWNSHIP OF SUPERIOR  
BOARD OF TRUSTEE'S RESOLUTION**

**A RESOLUTION ADOPTING GENERAL APPROPRIATION ACT MILLAGE RATES:**

**RESOLUTION NUMBER: 2019-44**

**DATE: OCTOBER 21, 2019**

**WHEREAS:** The Charter Township of Superior Board of Trustee's has carefully reviewed the Township's current and projected financial needs, and

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**WHEREAS:** The Board of Trustee's recognizes its responsibility to the citizens of the Charter Township of Superior to carefully monitor the Township funds and provide necessary revenue to offset proposed expenditures, and

**WHEREAS:** The auditors suggested that millage rates for revenue should be by resolution, and

**THEREFORE BE IT RESOLVED:** that the Charter Township of Superior Board of Trustees adopt the millage by resolution.

**Roll Call:**

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

Nays: None

Absent: None

The resolution carried by a unanimous vote.

**CERTIFICATION STATEMENT**

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Lynette Findley, Township Clerk

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Date Certified

**E. RESOLUTION 201-45, 2020 BUDGETS ALL FUNDS**

Supervisor Schwartz explained the Controller Keith Lockie puts most of the budget together. The Township has a balanced budget and there will be a surplus at the end of the year. The following resolution was moved by Williams, supported by Winslow.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:  
2020 BUDGETS FOR ALL FUNDS**

**RESOLUTION NUMBER: 2019-45**

**DATE: OCTOBER 21, 2019**

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**WHEREAS:** the Charter Township of Superior Board of Trustee’s has carefully reviewed the Township’s current and projected financial needs, and

**WHEREAS:** the Charter Township of Superior Board of Trustees recognizes its responsibility to the citizens of Superior Township to carefully monitor the Township funds and provide for the needs of the Township, and

**WHEREAS:** the Board of Trustees of the Charter Township of Superior has carefully considered the projected revenues and expenditures for the coming year, and

**NOW THEREFORE BE IT RESOLVED:** that the Charter Township of Superior Board of Trustee’s adopt the proposed budgets for the 2020 calendar year: the General Fund Budget by activity dated October 21, 2019, the Fire fund Budget dated October 21, 2019, the Building Fund budget dated October 21, 2019, the Law Fund budget dated October 21, 2019, the Park Fund Budget dated October 21, 2019, the Utility Fund Budget dated October 21, 2019, The Streetlight Budget dated October 21, 2019, the Side Street Maintenance fund budget dated October 21, 2019, and the Hyundai Special Assessment Fund dated October 21, 2019.

Fund	Revenues	Expenditures	Transfers
General	\$2,103,772	\$1,739,782	\$363,990
Fire	2,409,668	2,127,916	281,752
Law	2,199,339	1,846,138	353,201
Building	398,200	345,957	52,243
Parks	334,159	334,159	-0-
Streetlights	87,115	87,115	-0-
Side street Maint.	22,646	12,300	10,346
Hyundai SAD	-0-	-0-	-0-
Utilities	4,216,640	4,100,311	116,329

**Roll Call:**

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

Nays: None

Absent: None

The resolution carried by a unanimous vote.

**CERTIFICATION STATEMENT**

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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.

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Lynette Findley, Township Clerk

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Date Certified

**F. RESOLUTION 2019-46, APPROVAL TO PURCHASE NEW UTILITY DEPARTMENT VEHICLES**

Supervisor Schwartz explained the purchase of utility vehicles is necessary as they are 15 years old with 250,000 miles. Mary Burton provided additional details to the need of new vehicles including the vehicles are constantly in the shop. Mary also advised the vehicles will be silver. The older vehicles will be sold.

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO APPROVE THE PURCHASE OF  
NEW UTILITY DEPARTMENT VEHICLES**

**RESOLUTION NUMBER 2019-46**

**DATE: OCTOBER 21, 2019**

**WHEREAS**, the Superior Township Utility Department currently owns and operates three (3) service trucks that are Ford F-250's model years 2003, 2005 and 2008; and,

**WHEREAS**, all three service vehicles are the department's primary vehicles used daily for service calls and maintenance.

**WHEREAS**, the vehicles should be replaced for the following reasons:

1. The vehicles are old, and repairs are becoming more frequent and costly due to the aging of vehicles.
2. When a vehicle is down for repairs, it limits and interferes with the department's productivity level.

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**NOW, THEREFORE, BE IT RESOLVED**, that the Superior Township Board of Trustees authorizes the Supervisor and the Utility Department Office administrator to execute the sales agreement to purchase vehicles as set forth in the MiDeal quotes from Gorno Ford an authorized MiDeal dealer located in Woodhaven, Michigan, for two (2) 2019 Ford F250 4x4 pick-up with service box totaling \$103,318 and one (1) 2019 Ford F250 4x4 regular body totaling \$32,020 and one (1) 2019 Ford Ranger 4x4 regular body totaling \$28,904, for a total cost of \$164,242; to be paid from utility department capital reserves.

The resolution carried by a unanimous vote.

**CERTIFICATION STATEMENT**

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\_\_\_\_\_  
Lynette Findley, Township Clerk

\_\_\_\_\_  
Date Certified

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

It was moved by McKinney, supported by Winslow, to receive bills for payment and record of disbursements in the amount of \$1,257,699.60.

The motion carried by a unanimous vote.

**13. PLEAS and PETITIONS**

None

**14. ADJOURNMENT**

It was moved by McKinney, supported by Caviston, that the meeting be adjourned. The motion carried and the meeting adjourned at 8:47 p.m.

Respectfully submitted,

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Lynette Findley, Clerk

Kenneth Schwartz, Supervisor