

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
OCTOBER 19, 2020
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 Supervisor Ken Schwartz at 7:00 p.m. on October 19, 2020 on a Zoom Virtual Board Meeting.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

Absent: None

Supervisor Schwartz read a script that is required for all electronic meetings under the Open Meetings Act.

4. ADOPTION OF AGENDA

It was moved by Lewis supported by McKinney, to adopt the agenda.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF MONTH SEPTEMBER 21, 2020

It was moved by Williams supported by Lewis, to approve the minutes of the regular Board meeting of September 21, 2020 as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

None

7. PRESENTATIONS AND PUBLIC HEARINGS

It was moved by Lewis, supported by McKinney to open the 2021 Budgets and Truth-in-Taxation public hearing at 7:10 p.m.

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Supervisor Schwartz opened the 2020 Budgets and Truth-in-Taxation public hearing. There were no comments. The hearing was closed at 7:11 p.m.

8. REPORTS

A. SUPERVISOR REPORT

- Supervisor Schwartz reported that he would be off for a few weeks due to surgery. Laura Bennett will handle his duties while he is on leave.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARKS COMMISSION MINUTES, SHERIFF'S REPORT, TREASURER'S INVESTMENT REPORT AS OF JULY 31, 2020.

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

The motion carried by unanimous vote.

9. COMMUNICATIONS

None.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

A. ORDINANCE NO. 159, ORDINANCE AMENDING DANBURY PARK MANOR TAX EXEMPTION, FIRST READING,

Supervisor Schwartz announced that Steve Ripma, the attorney representing the new buyer of Danbury Park Manor, was present during the meeting. The purchase is being processed by MSHDA as opposed to Tax Credits. MSHDA reviewed the Ordinance and requested a couple of non-substantive changes.

Steve Ripma reported that MSHDA is providing the financing for Danbury Manor. MSHDA reviewed Pilot Ordinances, and has required some edits to the language. The final loan

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commitment should be received by next month and the final closing is scheduled for January 2021. Improvements to the interior of the units will be coordinated with the new owners.

Supervisor Schwartz said that Fred Lucas, the township's attorney and Steve Ripma negotiated the terms of the agreement. Fred stated the requirements made by MSHDA were insignificant.

The first reading of the following ordinance amendment was moved by McKinney, supported by Lewis.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
ORDINANCE AMENDING
DANBURY PARK MANOR TAX EXEMPTION ORDINANCE NO. 159**

First Reading: OCTOBER 19, 2020

Second Reading:

WHEREAS, the Michigan State Housing Development Authority (MSHDA) requires that Superior Township Danbury Park Manor Tax Exemption Ordinance 159 be amended to comply with MSHDA regulations.

WHEREAS, this amendment was introduced on October 19, 2020.

NOW THEREFORE, BE IT RESOLVED that the Charter Township of Superior ordains:

Section 1. Amendment to Section 159.03G.

Section 159.03 - Definitions, subsection G, is amended in its entirety to read as follows:

- G. Mortgage Loan means any state-aided or federally-aided mortgage as such terms are defined in the Act to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of the Housing Development.

Section 2. Amendment to Section 159.08.

Section 159.08 - Contractual Effect of Ordinance, is amended in its entirety to read as follows:

Notwithstanding the provisions of Section 15(a) of the Act to the contrary, a contract between the Township and the Sponsor, with the Authority as a third party beneficiary under the contract, to provide tax exemption and

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accept payments in lieu of taxes is effectuated by enactment of this Ordinance.

Section 3. Amendment to Section 159.10.

Section 159.10 – Duration, is amended in its entirety to read as follows:

It is the intent of the Township and Sponsor that this Ordinance shall remain in effect and shall not terminate so long as the Housing Development shall remain subject to income and use restrictions imposed by HUD or Section 42 of the LIHTC program or MSHDA.

It is further the intent of the Parties that in the event Housing Development is sold, transferred, or refinanced by the Sponsor or a related entity of the Sponsor, this Ordinance shall remain in full force and effect and without further action by the Sponsor or the Township to otherwise change, alter or amend this Ordinance.

Section 2. Saving Clause.

All provisions of Ordinance 159, the Superior Charter Township Danbury Park Manor Tax Exemption Ordinance, not amended by this ordinance remain in full force and effect.

Section 3. Publication and Effective Date.

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 - 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 _____, 2020.

Kenneth Schwartz, Supervisor
Superior Charter Township

The ordinance amendment first reading was carried by unanimous vote.

**B. RESOLUTION 2020-30, APPROVING CONTRACT WITH OHM FOR FINAL
ENGINEERING AND CONSTRUCTION ADMINISTRATION FOR THE PROSPECT
ROAD NON-MOTORIZED PATH**

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Supervisor Schwartz stated the total cost for final design and tap grant administration is \$38,000 and the contract administration and construction engineering is \$87,000. A connecting communities grant for \$125,000 was submitted to Washtenaw County Parks Commission.

The following resolution was by McKinney supported by Lewis.

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

**RESOLUTION APPROVING CONTACT WITH OHM
FOR FINAL ENGINEERING AND CONSTRUCTION ADMINISTRATION
FOR THE PROSPECT ROAD NON-MOTORIZED PATH**

RESOLUTION NUMBER: 2020-30

DATE: OCTOBER 19, 2020

WHEREAS Superior Township was awarded a \$429,000.00 grant by SEMCOG to construct a non-motorized path on Prospect Road from Geddes to Berkshire; and,

WHEREAS the township is required to provide a 30% match to the SEMCOG grant; and,

WHEREAS the township is required to complete the final engineering, inspection and contract administration in the total amount of \$125,000.00; and,

WHEREAS the township has applied to the Washtenaw County Parks Commission for a grant in the amount of \$125,000.00 to cover these costs through the connecting communities program.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves the proposed contract with OHM Advisors to prepare the final engineering, inspection and contract administration for the Prospect Road non-motorized path in the amount of \$125,000.00 to be paid from general fund reserves.

Roll Call:

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Ayes: Caviston, Williams, Winslow, McKinney, Schwartz, Lewis, Findley
Nays: None

The resolution carried by unanimous vote.

**C. RESOLUTION 2020-31, APPROVING THE AGREEMENT AMENDING AMENDED
AND RESTATED DEVELOPMENT AGREEMENT DATE MAY 13, 2013**

Supervisor Schwartz stated he did not have a copy of this agreement in his board book.

The resolution was tabled by McKinney supported by Lewis for the next meeting.

**D. RESOLUTION 2020-32, ADOPTING GENERAL APPROPRIATION ACT MILLAGE
RATES FOR 2021**

Supervisor Schwartz explained these are the rates Treasurer McKinney will levy in December 2021.

The following resolution was moved by Lewis supported by Caviston.

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

RESOLUTION ADOPTING GENERAL APPROPRIATION ACT MILLAGE RATES

RESOLUTION NUMBER: 2020-32

DATE: OCTOBER 19, 2020

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

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 adopts the millages on the attachment by Resolution.

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	TAXABLE VALUE	MILLAGE	TOTAL TAX REVENUE
GENERAL			
REG	\$693,099,985	0.8073	\$559,539
IFT	\$20,703,040	0.4036	\$8,355
FIRE	Voter-Approved		
REG	\$693,099,985	3.4902	\$2,419,057
IFT	\$20,703,040	1.7451	\$36,128
LAW	Voter-Approved		
REG	\$693,099,985	2.7423	\$1,900,688
IFT	\$20,703,040	1.3711	\$28,385

Roll Call:

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

Nays: None

The resolution carried by unanimous vote.

E. RESOLUTION 2020-33, ADOPTING GENERAL APPROPRIATIONS ACT: 2021 BUDGETS FOR ALL FUNDS

Supervisor Schwartz highlighted two line items that were not in last year’s budget, but are included in the 2021 budget: 1) \$25,000 for improvements on the Dixboro Green; and 2) \$125,000 for a match on the SEMCOG tap grant. Additionally, Parks and Recreation has requested a 4% increase instead of 3% due to expanded responsibilities on programming. State revenue sharing is remaining the same for 2021.

The following resolution was moved by McKinney supported by Caviston.

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WASHTENAW COUNTY, MICHIGAN**

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**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:
2021 BUDGETS FOR ALL FUNDS**

RESOLUTION NUMBER: 2020-33

DATE: OCTOBER 19, 2020

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 2021 calendar year: the General Fund Budget by activity dated October 19, 2020, the Fire fund Budget dated October 19, 2020, the Building Fund budget dated October 19, 2020, the Law Fund budget dated October 19, 2020, the Park Fund Budget dated October 19, 2020, the Utility Fund Budget dated October 19, 2020, The Streetlight Budget dated October 19, 2020, the Side Street Maintenance fund budget dated October 19, 2020, and the Hyundai Special Assessment Fund dated October 19, 2020.

Fund	Revenues	Expenditures	Transfers
General	\$2,184,620	\$1,882,240	\$302,380
Fire	2,546,821	2,258,335	288,486
Law	2,290,317	1,895,259	395,058
Building	307,700	306,163	1,537
Parks	320,480	320,480	-0-
Streetlights	81,428	81,428	-0-
Sidestreet Maint.	\$22,646	14,146	8,500
Utilities	4,495,482	3,907,951	587,531

Roll Call:

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

Nays: None

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The resolution carried by unanimous vote.

**F. RESOLUTION 2020-34, APPROVING OHM PROPOSAL FOR CLARK ROAD
SANITARY SEWER PUMP STATION REPLACEMENT PROPOSAL FOR
AMENDMENT TO DESIGN ENGINEERING SERVICE FEES**

Supervisor Schwartz stated that this request is to cover some of the costs that OHM incurred because of a few unforeseeable issues that had to be addressed during the design phase of the project. George Tsakoff from OHM explained the issues and stated the total engineering costs were \$130,000. They are requesting \$94,000 to cover most of the overage.

The following resolution was moved by Williams supported by Findley.

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

**RESOLUTION APPROVING OHM PROPOSAL FOR CLARK ROAD SANITARY
SEWER PUMP STATION REPLACEMENT PROPOSAL FOR AMENDMENT TO
DESIGN ENGINEERING SERVICES FEE**

Resolution Number 2020-34

DATE: OCTOBER 19, 2020

WHEREAS, OHM Advisors have submitted the amendment to outline additional scope of work tasks that were required related to the design for the full replacement of the Clark Road Pump Station, and

WHEREAS, the construction is now anticipated to be approximately \$3M. This is double the conceptual cost estimate from 2015 (\$1.6M) that the original design fee was based on. The original design fee was \$169,500, and

WHEREAS, OHM is requesting additional compensation in the amount of \$94,000 to assist in covering a portion of our additional cost during the design phase of this project, and

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves the proposed invoice with OHM Advisors dated September 15, 2020 in the amount of \$94,000 paid from the Utility Department reserves.

Roll Call:

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

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Nays: None

The resolution carried by unanimous vote.

G. TREASURER'S REPORT, 2020 SPECIAL ASSESSMENTS

It was moved by Lewis supported by Winslow to approve the 2020 Special Assessments.

Treasurer McKinney explained that the special assessments included false alarms, delinquent water bills, side street maintenance, ordinance violations, street lights and drains.

The acceptance of the 2020 Special Assessments was 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.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

- Trustee Williams began to say his farewell to the Board; however, he was reminded that he will still be a Trustee at the upcoming November meeting.
- Clerk Findley apologized for the omission of Resolution 2020-31 which was not in board member's board book and stated that it had been included in the online packet. Clerk Findley provided the board with updates on voters and the voting process. There are currently 12,149 registered voters in Superior Township, and since September 1st, 624 new voters have been registered. A total of 5,871 absentee ballots have been issued, and 58% of the ballots have been returned. There is a new ballot box located outside of the Utilities Building.

14. ADJOURNMENT

It was moved by Caviston supported by Lewis, that the meeting be adjourned. The motion carried and the meeting adjourned at 7:41 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor