

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
MARCH 15, 2021
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 7:01 p.m. on March 15, 2021 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 Supervisor Ken Schwartz, Clerk Lynette Findley, Treasurer Brenda McKinney, Trustee Nancy Caviston, Trustee Lisa Lewis, Trustee Bernice Lindke, and Trustee Rhonda McGill. All board members stated they were present in Superior Township.

Absent: None

4. ADOPTION OF AGENDA

It was moved by Trustee Lindke supported by Treasurer McKinney, to adopt the agenda with the addition of adding: "B. Announcement from Treasurer McKinney", "C. Trustee Lindke Liaison Report on Parks and Recreation Commission Meeting" under Communications, and changing Resolution 2021-12, Fire Department Grant's Marching Funds to Ratify Payment instead of Authorize Payment.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF FEBRUARY 16, 2021

It was moved by Trustee Caviston supported by Trustee Lewis, to approve the minutes of the regular Board meeting of February 16, 2021 with the correction of changing site plans to utility permits in the Supervisor's report.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

Supervisor Schwartz read a script required by the Open Meetings Act regarding Public Comment and/or Public Hearing.

A. CITIZEN COMMENTS

None

7. PRESENTATIONS AND PUBLIC HEARINGS

A. MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION

Supervisor Schwartz called the public hearing open at 7:09 p.m. Mr. Lance Pierce raised his hand to voice his concerns about the bike path. Mr. Pierce's family has been in Dixboro for over 50 years. Mr. Pierce is opposed to having a sidewalk on the south side of Plymouth Road. This bike bath is in very close proximity to the bedroom and front windows of his home. Mr. Pierce voiced concerns regarding the older trees in his yard and his neighbor's yard. Mr. Pierce suggested connecting the path to the sidewalk on the north side of Plymouth Rd. or utilizing

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Church St. Mr. Pierce was encouraged by Supervisor Schwartz to put his comments in writing and submit it to Clerk Findley to be added to the packet that will be submitted to Lansing.

George Tsakoff with OHM Advisors explained there has not been any preliminary engineering on the route. He stated they will be looking at both the north and south side of Plymouth Rd.

The public hearing closed at 7:17 p.m.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- There was a court hearing last Friday. Salem Township filed a show cause motion against Superior Township regarding granting them the permit for the Salem Sewer. The court denied the motion, and the case is still pending. The court made no determination. The court indicated to the attorneys that the Board of Trustees would be allowed to do their job before judicial review. In January, the Township received \$30,000 towards escrow for OHM to begin to review the engineering that has been submitted. Salem Springs was denying OHM any access to the small physical plant. With the help of the court, this has been resolved and OHM will be analyzing the physical plant in Salem Township on April 1st. OHM will make a report on the engineering and present it to the Board. The Board will take into consideration the engineering and other impacts to the community as a result of the sewer. The Board will decide whether to allow the sewer or not. The law in this case is the County Road Commission and the Township have joint jurisdiction over construction of sewers in the road right-of-way. The Road Commission has indicated they will not issue a permit unless Superior Township issues a permit. The Township has not made that decision yet, but the Board is getting close to having to decide. The Township has a right to refuse issuance of the permit, but it must be based on reasonable objection. The vote on this matter will hopefully be in May.
- There has been an effort by the City of Ypsilanti to remove the Peninsular Paper Dam for 2.5-3 years now. There is a Peninsular Working Committee that Supervisor Schwartz is a part of because there are six property owners in Superior on the Huron River Reservoir which backs up to the Peninsular Paper Dam. Most of the Superior Township citizens are opposed to the removal. The City of Ypsilanti cannot receive liability insurance in the case of a dam break. The Township will be insisting on any bad soils be revealed and the floodplain be reseeded and properly vegetated. Feasibility study on the Peninsular Paper Dam was completed in September 2018. The Ypsilanti City Council authorized the dam removal in early 2019. The DNR in September 2020 authorized a grant of \$330,000 to be awarded to an engineering firm to complete a removal and redesign analysis. If everything goes according to the City of Ypsilanti's time frame, it will probably be 2022 before removal.
- There will be funds available to southeastern Michigan from the stimulus package President Biden signed last week. Supervisor Schwartz has reached out to Congresswoman Dingell about what the funds can be spent on. He has not heard a response yet. The amount is 1.2% of the total package which amounts to around \$3.2 million.
- The executed contract from Republic Waste was received about 2-3 weeks ago. During the process of obtaining the signed contract, they fulfilled all obligations of the bid contract. This was not good administration on Republic's side. This contract will expire next September. The Board will have to decide whether they will go out for bids. The Township has always been in the average of what other jurisdictions pay. If the Township decides to change providers, there is quite a bit of work to get everything changed. Trustee Lindke asked if there will be a working group to help decide. The Township is looking for good service and reasonable rates. Trustee Lindke expressed some concerns about the Board not knowing about the signed contract being obtained. Supervisor Schwartz stated Clerk Findley and Treasurer McKinney were aware of this and he had mentioned it to the Board on several

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occasions. Clerk Findley expressed some concerns about Republic's customer services being moved to a call center in Indiana.

- Clerk Findley, Treasurer McKinney, and Supervisor Schwartz met with the staff of Office of Community Economic Development (OCED) of Washtenaw County regarding the MacArthur Blvd cross walk. The OCED is pushing for a mid-block crosswalk so the citizens of Sycamore Meadows can cross to the playground safely. The Washtenaw County Road Commission has not approved this yet. The cost of the crosswalk has not been determined but will probably cost 3-4 years of the Community Development Block Grant (CDBG) funds. This year, Juan Bradford is requesting to use one of the CDBG funds to install a sidewalk from the Community Park parking lot to the bridge and to use last year's funds to repair the tennis courts. The Township was awarded a U.S. Forestry Service Grant for 74 trees down MacArthur Blvd and will pay \$150/per tree, anything over \$150, the Township will have to cover. A nice 2-inch caliper tree costs about \$250/tree, so Supervisor Schwartz will be requesting to use CDBG funds to offset that costs for this year. Once the Township hears from the Washtenaw County Road Commission about the crosswalk, the cost will be determined. In the meantime, Supervisor Schwartz has requested the Washtenaw County Road Commission to make the Harris Rd and MacArthur Blvd a three-way stop. Right now, it is only a stop going south on Harris Rd. In 2016, OHM provided a bid to the Township on extending a sidewalk from the corner of Harris Rd. and MacArthur Blvd. to the front of the branch library. The total cost of this was about \$40,000 four years ago. Clerk Findley asked for clarification on the funds going to the Community Park improvement this year instead of the MacArthur Blvd mid-block cross walk. Treasurer McKinney voiced concerns about the funds not going back into the neighborhoods every year. The grant increased to \$32,000 for this year. The tennis courts in Community Park next to Glen Oaks Apartments are receiving \$30,000 in improvements which is using last year's money. The fund will have about \$35,000 in it once the tennis courts and sidewalk are completed.
- The library groundbreaking will be April 7th at 3 p.m. at the Harris Road site.
- There has been an incident with one of the Township's firefighters. The Chief and Supervisor Schwartz are recommending he be discharged. The Fire Chief and Supervisor has decided to allow this firefighter to resign so he is able to receive his benefits pay, and the Township would give him a neutral reference. Trustee Lewis thanked Supervisor Schwartz for keeping the Board informed. Supervisor Schwartz explained the Fire Department's shifts.
- On the first Saturday in March, the tornado siren on Prospect and Geddes failed the initial test. Supervisor Schwartz authorized West Shore to replace the battery.
- Board of Review was last week, Monday, Tuesday, and Thursday. The Assessor had a family emergency last week, so the Board of Review will be completing their task this week.
- Marijuana Revenue report was sent to the Board. Some of the Trustees showed interest in reviewing the Township's Marijuana Ordinance. Supervisor Schwartz voiced his support on having a micro-grow business in the Township. Sam Pernik who is an advocate for Marijuana in Michigan suggested finding a couple farmers in the Township.
- The Board of Trustees meeting in April will likely be via Zoom. We will determine month-to-month whether the meetings are virtual or in-person. Trustee McGill voiced wanting to be vaccinated before resuming in-person meetings. Trustee Lewis reminded the Board even when people are vaccinated, we need to still wear masks and socially distance. Treasurer McKinney voiced only wanting to be around people who are vaccinated.
- Washtenaw County has not responded on what the county offices are doing in relation to opening the offices to the public. Ypsilanti Township and Pittsfield Township have re-opened to the public. Superior Township offices will continue to remain closed until further notice.

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

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

The motion carried by unanimous vote.

9. COMMUNICATIONS

It was moved by Clerk Findley supported by Treasurer McKinney, to receive letter of communication from U.S. Census Bureau.

The motion carried by unanimous vote.

A. LETTER FROM U.S. CENSUS BUREAU

Supervisor Schwartz voiced he is not sure how the Census will be impacted.

B. ANNOUNCEMENT FROM TREASURER MCKINNEY

Treasurer McKinney announced her Deputy, Vickie Kooyers will be retiring April 9th, Becky El-Assadi will be appointed Deputy April 8th-July 1st, and the permanent Deputy will begin July 1st.

**C. TRUSTEE LINDKE LIAISON REPORT ON PARKS & RECREATION
COMMISSION MEETING**

The roster for special events for Superior Township Parks and Recreation has been completed. The interview process for the open Parks Maintenance Supervisor is underway. The sub-committee for the Schock Park discussion has been put on the agenda for the Board of Trustees meeting in April. Supervisor Schwartz proposes once the Ypsilanti District Library is completed, a new fire station could be built, and the Township could gift the old fire station to the Parks and Recreation Department.

10. UNFINISHED BUSINESS

None

11. NEW BUSINESS

A. RESOLUTION 2021-10, BUTLER SIDE STREET MAINTENANCE AGREEMENT

Supervisor Schwartz explained to the Board the special assessment District was created 20 years ago to maintain the subdivision. This resolution is to give Mr. Butler a 3% increase for his work. He would start April 15th unless the weather continues to be nice, he would then start on April 1st.

The following resolution was moved by Treasurer McKinney supported by Trustee Caviston.

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

**A RESOLUTION FOR APPROVAL TO ENTER INTO A STREET-SIDE
MAINTENANCE AGREEMENT WITH MR. BUTLER FOR THE OAKBROOK AND
WASHINGTON SQUARE SUBDIVISION COMMON AREAS**

RESOLUTION NUMBER: 2021-10

DATE: MARCH 15, 2021

WHEREAS, Superior Charter Township is a Michigan municipal corporation that

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provides public services to residents of Superior Charter Township, and

WHEREAS, a Special Assessment District was created to provide funding for street-side maintenance in the Oakbrook and Washington Square subdivisions located in the Township, which includes cutting the grass and other maintenance of the common areas, and

WHEREAS, the Township Board has the responsibility to approve, execute and administer agreements to provide for such street-side maintenance, and

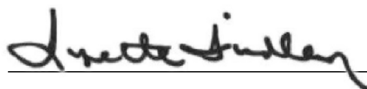
WHEREAS, Mr. Robert Lee Butler has worked as an independent contractor for the Township for many years, and

WHEREAS, the Township has been extremely satisfied with the performance of Mr. Butler;

NOW, THEREFORE BE IT RESOLVED: that the Superior Township Board approves the Agreement for 2021 with Mr. Robert Lee Butler for side-street maintenance in an amount not to exceed \$22,666.50 and authorizes the Township Supervisor to sign the Agreement, and that the cost of this agreement is to be taken from the Side Street Maintenance Fund, G.L. Account No. 220.

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 Charter Township of Superior Board held on March 15, 2021 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

_____

03/15/2021

Date Certified

Roll Call:

Ayes: Clerk Findley, Trustee Caviston, Trustee Lewis, Trustee McGill, Trustee Lindke, Treasurer McKinney, and Supervisor Schwartz

Nays: None

Absent: None

The resolution carried by unanimous vote.

B. RESOLUTION 2021-11, BUILDING DEPARTMENT CONTRACTUAL INSPECTOR PAY RATE

Supervisor Schwartz explained the permit fees would not increase. The increase for inspector pay rate would come out of the \$800,000 Building Department Fund.

The following resolution was moved by Treasurer McKinney supported by Trustee Caviston.

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

**RESOLUTION TO APPROVE BUILDING DEPARTMENT CONTRACTUAL
INSPECTOR PAY RATE**

RESOLUTION NUMBER: 2021-11

MARCH 15, 2021

WHEREAS, the Township's Building Department utilizes two contractual inspectors who are paid on a per-inspection basis; and,

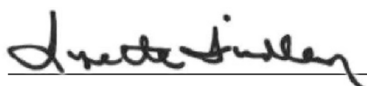
WHEREAS, the Township's contractual inspectors (Ed Manier and John Diefenbacher) have been with the Township for many years, use their own vehicles for inspections, and are not entitled to any benefits that employees receive;

WHEREAS, for the Township to remain competitive with the pay rate, Rick Mayernik, Building/Zoning Official, is proposing the Board to consider increasing the current pay rate of \$35 per-inspection to \$40.00 per-inspection. The Township's Building Department is on very good financial footing and would not need to raise permit fees to offset the proposed increase.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees authorizes the pay increase of \$40.00 per-inspection for the Township's two contractual inspectors.

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The resolution carried by unanimous voice vote.

C. RESOLUTION 2021-12, FIRE DEPARTMENT GRANT'S MATCHING FUNDS

Supervisor Schwartz changed authorize payment to ratify payment due to this invoice being paid last month.

The following resolution was moved by Treasurer McKinney supported by Clerk Findley.

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

**RESOLUTION TO RATIFY PAYMENT TO ANN ARBOR TOWNSHIP FIRE
DEPARTMENT FOR THE SUPERIOR TOWNSHIP FIRE DEPARTMENT'S
GRANT'SMATCH FUNDS**

RESOLUTION NUMBER: 2021-12

DATE: MARCH 15, 2021

WHEREAS, the Superior Township Fire Department participated in a County Wide Regional FEMA grant; and

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WHEREAS, Ann Arbor Township Fire Department is the fiduciary for this grant.

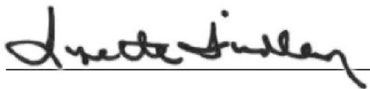
WHEREAS, the grant was awarded in late 2020 and will help replace the Fire Department's Holmatro Rescue Tools which are approaching 20 years old. The tools include two Jaws Spreaders, two Jaws Cutters, three Rams, one Power Supply, and two Chain Sets with mounting brackets.

WHEREAS, the total cost for the tools is \$71,822.24. The Fire Department's 10% match, or share, is \$6,529.29.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees authorizes the payment of \$6,529.29 to Ann Arbor Township Fire Department.

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The resolution carried by unanimous voice vote.

D. RESOLUTION 2021-13, SUPPORT FOR THE ANN ARBOR GREENBELT PRESERVATION PROGRAM

Supervisor Schwartz explained the Ann Arbor Greenbelt is looking for partners. There are two parcels that are being proposed which are the DeForest and Fishbeck properties. There was a typo in the first whereas, the 75.5-acre parcel should be changed to 71.5-acre parcel. The Greenbelt will be deciding in April but are asking for contribution from the Township out of the General Fund reserves and Legal Defense fund/PDR millage.

The following resolution was moved by Treasurer McKinney supported by Clerk Findley.

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

**A RESOLUTION OF SUPPORT FOR THE ANN ARBOR GREENBELT
PRESERVATION PROGRAM TO ACQUIRE PARCELS IN SECTION 21
AND SECTION 4 OF SUPERIOR TOWNSHIP**

RESOLUTION NUMBER: 2021-13

DATE: MARCH 15, 2021

WHEREAS, in an email communication from Remy Long, Ann Arbor Greenbelt coordinator, he indicated that the Greenbelt was interested in acquiring the development rights to a 71.5-acre parcel in section 21 and a 63.30-acre parcel in section 04 through the Greenbelt and the county Natural Areas Preservation Program (NAPP); and,

WHEREAS, parcel one is identified as parcel I.D. number J-10-21-300-015 a/k/a the DeForest property consisting of 71.5 acres located on the northwest corner of Stommel and Vreeland and contains farmland, wetlands, remnant prairie habitat and an intermittent stream; and,

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WHEREAS, parcel two is identified as parcel I.D. number J-10-04-200-004 a/k/a as the William and Betty Fishbeck property consisting of 63.30 acres located on Joy Road 1/2 mile east of Vorhies Road and contains woodlands, farmland, wetlands, and a large marsh; and,

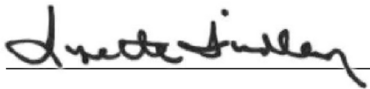
WHEREAS, Washtenaw County Ordinance No. 128 requires that properties considered for acquisition through the NAPP be reviewed by the local unit of government and the Greenbelt encourages matching local investment.

WHEREAS, to incentivize the purchase of the parcels and to increase the scoring of the parcels for preservation, an allocation of \$250.00 per acre; ½ from fund 204 and ½ from the General Fund is appropriate for an appropriation of \$16,850.00 from each fund.

NOW THEREFORE, BE IT RESOLVED, the Superior Township Board agrees that the two parcels under consideration is suitable for acquisition and preservation through the Ann Arbor Greenbelt Program and the Washtenaw County Natural Areas Preservation program. The Board further agrees that the parcels contain significant natural features, farmland, and open space, and that the Board authorizes the administrative staff to offer to the Ann Arbor Greenbelt program a donation of \$250.00 per acre.

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Roll Call:

Ayes: Trustee Lewis, Trustee Lindke, Trustee Caviston, Clerk Findley, Trustee McGill, Treasurer McKinney, and Supervisor Schwartz

Nays: None

Absent: None

The resolution carried by unanimous vote.

E. RESOLUTION 2021-14, APPROVE THE APPLICATION TO THE MICHIGAN NATURAL RESOURCES TRUST GRANT

George Tsakoff mentioned earlier that the route and project estimate are conceptual. The project is estimated \$480,000. The grant application is due at the end of this month. Supervisor Schwartz mentioned sending an email to residents in Dixboro to obtain letters of support. The Township paid OHM \$5,000 to do the analysis. If the grant is approved, the Township does not necessarily have to take the grant funds. The Ann Arbor Township Supervisor informed Supervisor Schwartz about the bid opening for this pathway.

The following resolution was moved by Trustee Lindke supported by Trustee Caviston.

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

**A RESOLUTION TO APPROVE THE APPLICATION TO THE MICHIGAN NATURAL
RESOURCES TRUST FUND GRANT**

RESOLUTION NUMBER: 2021-14

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WHEREAS, the Charter Township of Superior adopted an updated Recreation Master Plan (2017); and

WHEREAS, the Recreation Master Plan has identified several priorities, one of which is a connection along Plymouth Road from the western Township limit at Dixboro Road to existing widened roadway shoulders starting at M-153, and

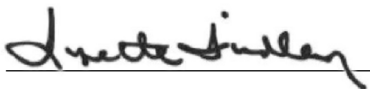
WHEREAS, a connection between the western Township limit and M-153 is desired not only by local residents, but would provide non-motorized access to recreation activities in the Village of Dixboro and Marshall Nature Area, as well as connect to a future planned extension of the Matthaei Botanical Gardens Regional Trail (by others), and

WHEREAS, the 2021 Michigan Natural Resources Trust Fund (MNRTF) has grant funds available for the construction costs of the proposed path, and

NOW, THEREFORE, BE IT RESOLVED that the Township of Superior hereby resolves to take all actions necessary and authorizes submission of a 2021 Michigan Natural Resources Trust fund (MNRTF) development grant application titled, "Plymouth Road Pathway" for \$300,000, and further resolves to make available its financial obligation amount of \$178,000 (~37%) of a total \$478,000 project cost, during the 2022-2023 fiscal year.

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The resolution carried by unanimous voice vote

F. MOTION TO PAY MIDEAL ANNUAL MEMBERSHIP

The motion was moved by Treasurer McKinney supported by Trustee Lewis.

The motion carried by unanimous voice vote.

G. MOTION TO APPOINT A MEMBER TO ZONING BOARD OF APPEALS

Supervisor Schwartz explained Tom Brennan III has been on the Planning Commission for six years and is being recommended to join the Zoning Board of Appeals as the Planning Commission representative member.

The motion was moved by Treasurer McKinney supported by Trustee Lewis.

The motion carried by unanimous voice vote.

12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by Treasurer McKinney supported by Clerk Findley, to receive bills for payment and record of disbursements.

Supervisor Schwartz informs the Board of the Pre-Payments Resolution draft but needs to discuss information with Juan Bradford in Parks and Recreation Department.

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Trustee Lindke asked about the pre-payment for the Movies on the Green. Juan Bradford, Parks and Recreation Director explained the invoice will cover the July, August, and September events. Supervisor Schwartz explains this is an example of what needs to be discussed with legal counsel on how this invoice should be paid. There was discussion about how the Board should process payments. The policy is being reviewed and updated and will be brought to the Board next month.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

- There have been nine citizens selected for the Master Plan Committee. Supervisor Schwartz will be reaching out to those selected via email in the next couple weeks. There will need to be two Board of Trustees members and two Planning Commission members to serve on the Master Plan Committee. Trustee Lindke and Clerk Findley expressed interest on serving the Master Plan Committee. The appointments will be brought to the Board next month.

14. ADJOURNMENT

It was moved by Trustee McGill supported by Clerk Findley, that the meeting be adjourned. The motion carried and the meeting adjourned at 8:49 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor