

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
DATE AUGUST 21, 2023
APPROVED 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 August 21, 2023, at the Superior Charter Township Hall, 3040 North Prospect, Superior Charter 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 Supervisor Ken Schwartz, Clerk Lynette Findley, Treasurer Lisa Lewis, Trustee Nancy Caviston, Trustee Bernice Lindke, Trustee Rhonda McGill, and Trustee Bill Secrest.

Absent: None

4. ADOPTION OF AGENDA

It was moved by Trustee McGill supported by Trustee Lindke, to adopt the agenda with the addition of adding:

- Supervisor Schwartz added a bill for payment to LaSalle provided by Fred Lucas.
- Supervisor Schwartz asked for a friendly motion to move Citizen Participation to the 6th item.
- Trustee Lindke stated she feels Citizen Participation should be at the end so that all Township Business can be given proper consideration.
- Supervisor Schwartz stated the long-standing order of the agenda and agreed that the rules for the order of the agenda do need to be reviewed and updated.
- Clerk Findley provided the Board with the Open Meetings Act rules that govern the agenda. She stated the 2015 Board policy is out of compliance.
- Supervisor Schwartz stated that because there is a 30-year practice of having the agenda follow a certain order he feels the Board should get citizen feedback before making changes.
- Trustee McGill stated there needs to be a change and asked that due to the length of the agenda several items be tabled. She also suggested steps the Board needs to take to minimize the length of meetings.
- Supervisor Schwartz agreed with Trustee McGill, but that they are bound to the current rules. He added that he has spoken with residents who are dissatisfied with the way the meetings are run.

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- Fred Lucas, Township Attorney, stated that in other areas the Board has a time at the start of their meetings for resident comments on agenda items, and another time at the end of the meeting for general comments and that this sequence works well.
- Trustee Lindke asked why, if there are so many items, the Board does not move to two meetings a month.
- Fred Lucas explained what a consent agenda is.

It was moved by Supervisor Schwartz supported by Trustee Secrest to move citizen participation to item 6 and put Pleas and Petitions as item 13.

Trustee Lindke added that Citizen Participation be reserved for agenda items, and general comments be made during Pleas and Petitions.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. JULY 7, 2023, SPECIAL MEETING

It was moved by Trustee McGill supported by Treasurer Lewis, to approve the minutes of the special Board meeting of July 7, 2023, as presented.

The motion carried by unanimous vote.

B. JULY 17, 2023, REGULAR MEETING

It was moved by Trustee McGill supported by Treasurer Lewis, to approve the minutes of the regular Board meeting of July 17, 2023, with the addition of adding the word “personnel” to page 6.

The motion carried by unanimous vote.

C. JULY 24, 2023, SPECIAL MEETING

It was moved by Trustee Lindke supported by Trustee McGill, to approve the minutes of the regular Board meeting of July 24, 2023, as presented.

The motion carried by unanimous vote.

- Supervisor Schwartz suggested tabling the following closed session minutes.
- Clerk Findley pointed out the length of time that has passed since these meetings occurred and the necessity for the minutes to be approved.

It was moved by Trustee Lindke supported by Treasurer Lewis to go into a closed session at 7:22 p.m. to review minutes for closed sessions.

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Roll Call:

Ayes: Trustee Caviston
Trustee Lindke
Treasurer Lewis
Trustee Secrest
Supervisor Schwartz
Trustee McGill
Clerk Findley
Nays: None
Absent: None

The motion passed by unanimous vote.

At 7:29 p.m. the Board of Trustees meeting reopened.

D. FEBRUARY 6, 2023, CLOSED SESSION

It was moved by Treasurer Lewis supported by Trustee McGill, to approve the minutes of the closed session from the Board meeting of February 6, 2023, as presented.

The motion carried by unanimous vote.

E. MARCH 20, 2023, CLOSED SESSION

It was moved by Trustee McGill supported by Trustee Lindke, to approve the minutes of the closed session from the Board meeting of March 20, 2023, as presented.

The motion carried by unanimous vote.

6. PRESENTATIONS AND PUBLIC HEARINGS

A. WASHTENAW INTERMEDIATE SCHOOL DISTRICT (WISD) TRUSTED PARENT ADVISORS - MARGY LONG AND COLLEEN KLUS

- Collen Klus thanked the board for the grant to hold Parent Cafes in the community and gave an update.
- Kelly Goolsby, Trusted Parent Advisor, thanked the Board and spoke about the impact of the Parent Cafes on the families.
- Trustee McGill asked how to get donations to the families in need and asked if the information could be added to the Township website and social media.
- Supervisor Schwartz asked if any fathers attended the cafes.
- Collen Klus stated two attended.

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B. MIGHTY OAKS PROJECT/CLR - JAMALL BUFFORD AND JUSTIN HARPER

- Jamall Bufford thanked the Board and gave an update of the Mighty Oaks/CLR programs.
- Justin Harper added to the update.

C. YOUTH ARTS ALLIANCE - HEATHER MARTIN

- Heather Martin thanked the Board and gave an update on Youth Arts Alliance and the success due to the partnership with the library.
- Schwartz asked how the YAA lets the community know about the programs.
- Heather Martin stated they hand out flyers door to door, communicate through social media, and the local schools. She expressed her disappointment that the contract only included one ~~payment~~ year from ARPA funds.

D. PUBLIC HEARING FOR THE REZONING OF THE PROPERTIES BELOW FOR CLAY HILLS FARMERS MARKET

1. HARRIS ROAD PARCEL ID # J-10-35-200-009
2. 1850 HARRIS ROAD PARCEL ID # J-10-35-200-003
3. 9045 MACARTHUR BOULEVARD PARCEL # J 10-35-200-004

It was moved by Clerk Findley supported by Trustee McGill to ~~go~~ open the public hearing at 8:07pm.

The motion carried by unanimous vote.

- T.C. Collins gave a gave his history as a farmer and details about his plans for a Farmer's Market and Garden.
- Patricia Wells, Superior Charter Township, spoke in favor of rezoning the property.
- Crystal Lyte, Commissioner and Township resident, spoke in favor of the rezoning of the property.
- Kelly Goolsby, Washtenaw County, spoke in favor of rezoning the property.
- Jan Piert, Anns Way, spoke in favor of rezoning the property.
- Eric Eiser, City of Ypsilanti, volunteer for Willow Run Acres, spoke in favor of rezoning the property.
- Denese Meadows, Superior Charter Township, spoke in favor of rezoning the property.
- Patricia Wells, City of Detroit, spoke in favor of rezoning the property.
- Martha Davis-Merritts, Superior Charter Township, asked what the location of the property is and for the details of the rezoning.

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- Supervisor Schwartz described where the properties are and read off the rezoning changes for each of the three locations.
- Supervisor Schwartz asked T.C. Collins about beautification plans for the area.
- T.C. Collins stated they would be doing beautification including taking care of the bee and crabapple tree issues.
- Jan Piert explained the phases of planning.
- T.C. Collins gave closing remarks.

The Public Hearing was closed at 8:24pm.

7. CITIZEN PARTICIPATION

- Mary Garboden, Library General Manager, made positive comments about the programs run by CLR and YAA. She also thanked the Board for their support.
- Debbie Covington, Savannah Ct., invited the Board to the 30th anniversary of the African American Cultural and Historical Museum of Washtenaw County on September 10th, at 5p.m. and thanked Clerk Findley for purchasing tickets and sponsorship. (Via Zoom)
- Gerald Fisher, Attorney for Garrett's Space, clarified that they understand what step they are at within the process of rezoning the property for Garrett's Space, and stated they are using a Land Use Agreement to have a more detailed agreement beyond what the rezoning provided.
- Stephen Henley, Warren Rd, spoke in opposition to the rezoning of 3900 Dixboro Rd.
- Emily Adkison Hoyt, Warren Rd, said she is disappointed in the decisions the Board is making in terms of how money is spent, specifically money not being available for continuing programming, but money is available for legal matters from a two-year-old email.
- Jan Piert, Anns Way, said she appreciates when there is a discussion and having multiple opportunities for the citizens to comment.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- Washtenaw County Parks and Recreation Commission has agreed to host the easement on the Rock Property.
- Mid-Michigan Materials – Vella Pit, has petitioned EGLE to raise the amount of water they can move every day to 4,200,000 gallons per day and he added there is an opportunity on the EGLE website for the public to offer comments.

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- Lisa Hoenig, Ypsilanti Library, has asked to restructure the agreement for repayment of monies given for the Harris Rd widening project. They are proposing five, one-year payments instead of three. He anticipates she will attend the next Board meeting.
- Deputy Supervisor, Irma Golden, gave an update on the sidewalk repair project including the issues with the process, the steps she has taken to remedy those issues, possibly expanding the poverty exemptions, and proposed further solutions.
- Supervisor Schwartz explained the issue with the GPS process for identifying the locations that need to be repaired, stated Irma Golden has been resolving the problems, and that Geddes Ridge has not been marked properly.
- Supervisor Schwartz answered Trustee Lindke's question about how GPS identification works and informed her all the work was done by OHM.
- Irma Golden recommended Ordinance 150, Sidewalk Ordinance, be amended to state timeline, and that in the winter newsletter the Township residents are told the sidewalk repair requirements will be coming.
- Irma Golden asked that language be added to the contract in regard to any conflict of interest.
- Supervisor Schwartz disclosed that he has used Sean Pinkney on his personal property.
- Trustee McGill urged that the Board has in place all proper state requirements, insurance, and bonds any time there is business with a contractor.
- Supervisor Schwartz clarified that the contract was approved, after which Clerk Findley asked that the conflict-of-interest statement be added, and that Fred Lucas has drafted that addition.

B. LIASON REPORT ON PARKS & RECREATION COMMISSION MEETING

Trustee Lindke reported on the following:

- Submitted a written report.

C. COMMUNITY CENTER ADVISORY COMMITTEE

Clerk Findley reported on the following:

- The County is still working on the land purchase agreement.
- Stated her only other item is the resolution further down on the agenda.

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

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

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- Lindke expressed her concern about the number of false alarms.
- Treasurer Lewis stated she would take the necessary steps if the Board chooses to increase the fee schedule for false alarms.

The motion carried by unanimous vote.

E. FINANCIAL REPORTS, ALL FUNDS, PERIOD ENDING JUNE 30, 2023

It was moved by Trustee McGill supported by Trustee Lindke, that the Superior Charter Township Board receive the Financial Reports, All Funds, Period Ending June 30, 2023.

- Trustee Lindke asked about the amount in “accounts receivable other” compared to last year.
- Keith Locke, Controller, explained the discrepancy is due to the library.
- Trustee Lindke asked if Supervisor Schwartz has heard more from Washtenaw County Parks and Recreation about the trees from Hyundai.
- Supervisor Schwartz stated he expects to hear from them in September.
- Clerk Findley reminded the Board of their promise to donate some of the trees to Clay Hill Farms.
- Trustee Lindke asked Keith Locke if there was anything the Board should be aware of.
- Keith Locke responded “no.”

The motion carried by unanimous vote.

F. TREASURERS INVESTMENT REPORT, PERIOD ENDING JUNE 30, 2023

It was moved by Trustee Lindke supported by Trustee Secrest, that the Superior Charter Township Board receive the Treasurers Investment Report, Period Ending June 30, 2023.

- Treasurer Lewis reported that there was one investment that did not mature in time to be on the report.

The motion carried by unanimous vote.

9. COMMUNICATION

A. LETTER OF RESIGNATION FROM PARK'S COMMISSION FROM TERRY LEE LANSING

- Juan Bradford reported they have received two applications for the one opening.

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It was moved by Trustee Lindke supported by Clerk Findley, that the Superior Charter Township Board receive the resignation from Terry Lee Lansing.

The motion carried by unanimous vote.

B. LETTER REGARDING REZONING OF 3900 N. DIXBORO

C. LETTER REGARDING FIRE DEPARTMENT RESPONSE FROM TREASURER LEWIS

D. LETTER THANKING BOARD OF TRUSTEES FROM DEANO SMITH, HEAD OF UPPER SCHOOL FOR GREENHILLS SCHOOL

E. LETTER FROM BRENDA BAKER, RESIDENT, REGARDING REZONING OF 3900 DIXBORO RD.

(All letters and documents given at the table are attached to the end of these minutes)

10. UNFINISHED BUSINESS

A. DISCUSS WAGE STUDY

- Clerk Findley explained this item was on the agenda as a carryover from the last meeting.

B. ORDINANCE 174-26, ZONING ORDINANCE, SECOND READING AND MOTION

Supervisor Schwartz read the ordinance.

It was moved by Clerk Findley supported by Trustee McGill to adopt the amendment to Ordinance 174.

Roll Call

Ayes: Trustee Caviston
Trustee McGill
Treasurer Lewis
Supervisor Schwartz
Clerk Findley
Trustee Secrest
Trustee Lindke

Nays: None

Absent: None

The motion carried by unanimous vote.

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11. NEW BUSINESS

- Treasurer Lewis requested items B, C, and F are tabled.
- Trustee Lindke explained the need for item A, B and C and the urgency to keep it on the agenda for this meeting.

It was moved by Trustee Caviston supported by Trustee Secrest to table items A, B, C, and F until the October 16, 2023, Board of Trustees meeting.

- Fred Lucas stated Clerk Findley was correct in saying once the motion is made and seconded it can be amended, and comments can be made.
- Trustee Lindke and Clerk Findley expressed her concern about the running of the Utilities Department and that it should not be tabled at that time.
- Supervisor Schwartz disputed the statements that he has not supervised the Utilities properly.

Trustee McGill asked for a friendly motion supported by Clerk Findley to amend the motion to remove item A from the original motion.

Roll Call for friendly amendment.

Ayes: Clerk Findley
Trustee Lindke
Trustee McGill
Treasurer Lewis
Nays: Trustee Secrest
Trustee Caviston
Supervisor Schwartz
Absent: None

The motion passed by majority vote.

Roll Call for motion as amended.

Ayes: Treasurer Lewis
Trustee Caviston
Trustee Secrest
Supervisor Schwartz
Nays: Clerk Findley
Trustee Lindke
Trustee McGill
Absent: None

The motion passed by majority vote.

**A. RESOLUTION 2023-45, RESOLUTION TO MOVE THE SUPERVISION AND
OVERSIGHT OF THE UTILITY DEPARTMENT TO THE BOARD OF
TRUSTEES**

The following resolution was moved by Trustee Lindke supported by Trustee McGill with the addition of making Trustee McGill Utilities Department Liaison.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-45**

**RESOLUTION TO MOVE THE SUPERVISION AND OVERSIGHT OF THE
UTILITY DEPARTMENT TO THE BOARD OF TRUSTEES**

WHEREAS, the Board of Trustees (Board) of the Charter Township of Superior wishes to move the supervision and oversight of the Utilities Department to the Utility Department Superintendent and Utility Department Director positions; and,

WHEREAS, section 42.10 of the State of Michigan Charter Township Act provides the Township Board with the power to delegate certain duties of the Township; and,

WHEREAS, the Board wishes to assign the following functions and duties to the Superintendent of Utilities: 1) managing and supervising the operation of all Township utilities, and 2) seeing that all terms and conditions imposed in favor of the Township or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed.

WHEREAS, the Board acknowledges the need to have staff directly involved in contractual, administrative, and managerial aspects of the work of the Utility Department; and,

WHEREAS, the Superintendent and Director of the Utility Department will provide joint monthly Utility Department reports to the Board; and,

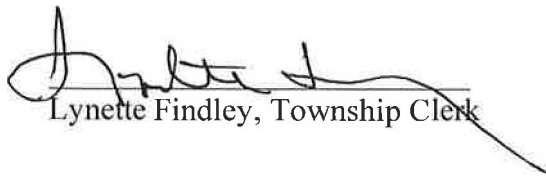
WHEREAS, the Board does not wish to continue to delegate supervision of the Utility Department to the Township Supervisor.

NOW, THEREFORE BE IT RESOLVED, that the Utilities Department will report directly to the Board of Trustees.

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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 August 21, 2023, 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

6/21/2023
Date Certified

Roll Call

Ayes: Trustee Caviston
Trustee McGill
Treasurer Lewis
Supervisor Schwartz
Clerk Findley
Trustee Secrest
Trustee Lindke
Nays: None
Absent: None

The resolution carried by unanimous vote.

B. RESOLUTION 2023-46, RESOLUTION TO PROMOTE MARY BURTON TO UTILITIES DIRECTOR

**~~CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-46~~**

~~RESOLUTION TO PROMOTE MARY BURTON TO UTILITIES DIRECTOR~~

~~WHEREAS, Mary Burton has been the Utility Department Administrator since October 16, 2017; and,~~

~~WHEREAS, Mary Burton has over 18 years of experience in the utilities field; and,~~

~~WHEREAS, she has an additional 17 years of experience in communications and administration; and,~~

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~~WHEREAS, Supervisor Kenneth Schwartz has served as the Utility Director since 2017; and;~~

~~WHEREAS, the Board acknowledges the need to have a staff person directly involved in the day to day contractual, administrative and managerial aspects of the work of the Utilities Department; and,~~

~~WHEREAS, there are many functions and tasks in the Utility Ordinance which need to be addressed; and,~~

~~WHEREAS, the Board is responsible to clearly define the person(s) to whom these functions and tasks are expected to be performed and hold that person accountable; and,~~

~~WHEREAS, the Board wishes to charge Mary Burton with all of the day to day administrative and managerial tasks; and,~~

~~WHEREAS, Mary Burton has served with distinction in her position with the Utilities Department; and,~~

~~WHEREAS, Mary Burton should be given both the title and commensurate salary for her work in the Utilities Department.~~

~~NOW, THEREFORE BE IT RESOLVED, that Mary Burton be appointed as Director of the Charter Township of Superior Utility Department with a starting salary of \$90,514, a 10% increase.~~

C. RESOLUTION 2023-47, RESOLUTION TO INCREASE PAY RATE OF RICKEY HARDING, UTILITIES SUPERINTENDENT

**~~CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-47~~**

**~~RESOLUTION TO INCREASE PAY RATE OF RICKEY HARDING, UTILITIES
SUPERINTENDENT~~**

~~WHEREAS, Rickey Harding has been the Superintendent of Maintenance since January 22, 2019; and,~~

~~WHEREAS, Rickey Harding has over 25 years of experience in the utilities field; and,~~

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~~**WHEREAS**, Rickey Harding has received the following certifications December 20, 2017: S-3 December 15, 2018: S-2, and June 13, 2019, S-1; and,~~

~~**WHEREAS**, section 42.10 of the State of Michigan Charter Township Act provides the township Board with the power to delegate certain duties of the township to a township superintendent; and,~~

~~**WHEREAS**, section 42.11 of the State of Michigan Charter Township Act notes that the Township Superintendent serves at the pleasure of the Board and must be a township resident; and,~~

~~**WHEREAS**, The Board wishes to assign the following functions and duties to the Township Superintendent position: 1) managing and supervising the operation of all township utilities, and 2) seeing that all terms and conditions imposed in favor of the township or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed.~~

~~**WHEREAS**, the Board acknowledges the need to have the Township Superintendent position directly involved in the technical field work of the Utilities Department and responsible for the duties as described above; and,~~

~~**WHEREAS**, the Board does not wish to continue to delegate supervision of the Utility Department to the Township Supervisor; and,~~

~~**WHEREAS**, it is the Board's responsibility to clearly define the person(s) to whom these functions and tasks are expected to be performed and hold that person accountable; and,~~

~~**WHEREAS**, Rickey Harding has served with distinction in his position as Superintendent with the Utilities Department; and,~~

~~**WHEREAS**, Rickey Harding should be given commensurate salary for his work in the Utilities Department.~~

~~**NOW, THEREFORE BE IT RESOLVED**, that Rickey Harding be given a salary of \$96,210, a 10% increase.~~

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D. RESOLUTION 2023-48, ANN ARBOR TOWNSHIP WATER & SEWER RATE INCREASE 2023

The following resolution was moved by Treasurer Lewis supported by Trustee Lindke.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-48**

ANN ARBOR TOWNSHIP WATER & SEWER RATE INCREASE 2023

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 14.30%, and sewer by 11.01%; 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 15.30%, and sewer rates by 11.96%; 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.

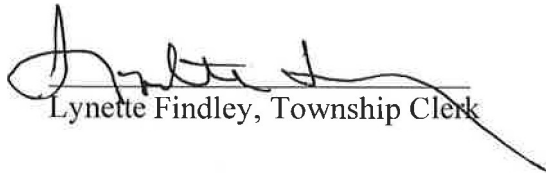
NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby determine that the fees for services and benefits furnished by the Township's water systems shall be amended per the attached Schedule A; and,

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.

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Lynette Findley, Township Clerk

8/21/2023
Date Certified

Roll Call

Ayes: Trustee Caviston
Trustee McGill
Treasurer Lewis
Supervisor Schwartz
Clerk Findley
Trustee Secrest
Trustee Lindke

Nays: None
Absent: None

The resolution carried by unanimous vote.

E. RESOLUTION 2023-49, YCUA WATER & SEWER RATE INCREASE 2023

The following resolution was moved by Trustee Lewis supported by Trustee McGill.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-49**

YCUA WATER &SEWER RATE INCREASE 2023

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, the Ypsilanti Community Utilities Authority has increased the charge for water by 4%, and the charge for sewer by 1.55%; and,

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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 and sewer, it was determined that it would be adequate to increase our water rates by 5.0%, and sewer rates by 2.69%; and,

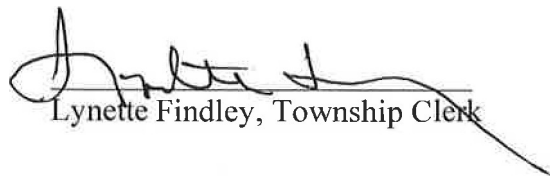
WHEREAS, this Board finds that the amended proposed schedule of fees is reasonable and necessary for the continuing operations of the Township Utility System and consistent with the past practices and policies of the Township.

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 and sewer 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 via MLive*, a newspaper of general circulation online in the Township qualified under state law to publish legal notices, said rate changes shall be effective immediately upon publication thereof.

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Lynette Findley, Township Clerk

8/21/2023
Date Certified

Roll Call

Ayes: Trustee Caviston
Trustee McGill
Treasurer Lewis
Supervisor Schwartz
Clerk Findley
Trustee Secrest
Trustee Lindke

Nays: None

Absent: None

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The resolution carried by unanimous vote.

F. RESOLUTION 2023-50, RESOLUTION TO NAME AN ACCOUNTANT/BILLING SPECIALIST FOR THE SUPERIOR TOWNSHIP UTILITY DEPARTMENT

**~~CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-50~~**

**~~RESOLUTION TO NAME AN ACCOUNTANT/BILLING SPECIALIST FOR THE
SUPERIOR TOWNSHIP UTILITY DEPARTMENT~~**

~~WHEREAS, the Superior Township Utility Department (STUD) after reviewing job roles and responsibilities of the Controller's office foresee an immediate need to train an employee in the role of Accountant who would serve as backup and support to the Controller; and,~~

~~WHEREAS, this position can be combined with the Billing Specialist responsibilities, which would be expanded to include general accounting work; and,~~

~~WHEREAS, the Superior Township Utility Department (STUD) will name an Accountant/Billing Specialist; and,~~

~~WHEREAS, the Superior Township Utility Department (STUD) recommends Aalea Skrycki to be promoted to this position as Accountant and Billing Specialist. She has been an employee of Superior Township for more than 17 years, beginning as an Administrative Assistant for the Treasurer's office for a short stint and soon moving up to Deputy Treasurer; and,~~

~~WHEREAS, Aalea Skrycki is qualified, capable and in times past, has filled in for the Controller to cover vacations. She holds a bachelor's degree in accounting and is willing to be fully trained in this capacity.~~

~~NOW THEREFORE, BE IT RESOLVED, the Superior Charter Township Board hereby approves Aalea Skrycki as Accountant/Billing Specialist for the Superior Township Utility Department at a wage of \$36.10 per hour an increase from her previous \$27.73.~~

G. RESOLUTION 2023-51, RESOLUTION TO AUTHORIZE SUBMISSION OF APPLICATION FOR MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY (LEO) COMMUNITY CENTER GRANT FOR CHENEY COMMUNITY CENTER

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The following resolution was moved by Trustee Secrest supported by Trustee McGill.

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WASHTENAW COUNTY, MICHIGAN
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RESOLUTION 2023-51**

**RESOLUTION TO AUTHORIZE SUBMISSION OF APPLICATION FOR MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY (LEO)
COMMUNITY CENTER GRANT FOR CHENEY COMMUNITY CENTER**

WHEREAS, the Charter Township of Superior Board of Trustees supports the submission of an application titled, Michigan Department of Labor and Economic Opportunity (LEO) Community Center Grant, for the Cheney Community Center at the parcel at 1500 Stamford, formerly Cheney Elementary School, and;

WHEREAS, the Charter Township of Superior Board of Trustees, in resolution 2023-25, has approved to commit \$797,952.52 of the American Rescue Plan Act (ARPA) funds to the development of the Community Center, and;

WHEREAS, the Cheney Community Center will be a haven that our diverse community can enjoy and feel safe in. With the commitment to the critical tenets of diversity, equity, and inclusion the Cheney Community Center will support, educate and cultivate the citizens in our community, offering unique, broad and effective programing, and;

WHEREAS, through the Michigan Department of Labor and Economic Opportunity (LEO) Community Center Grant, an organization can apply for a Capital Project Grant, a Program grant, or they can apply for both a Capital Project Grant and a Program Grant and the total request in all circumstances cannot exceed \$2,500,000.00.

1. Capital Project Grants

Projects could include but are not limited to: new construction, remodeling existing structures, purchasing land, purchasing equipment, purchasing and installing energy efficient heating and/or cooling equipment, installing renewable energy systems, weatherizing facility, replacing roof and windows, installing/updating recreation fields.

2. Program Grants

Project examples could include but are not limited to mentoring, STEM education, environmental justice activities, renewable energy information, disaster preparedness, outdoor education, before or after-school education, volunteer programs, youth volunteer efforts, career or workforce training, programming for women, recreational or athletic activities, senior activities, veteran support activities, food access, and wraparound services (health services, behavioral services, licensed childcare).

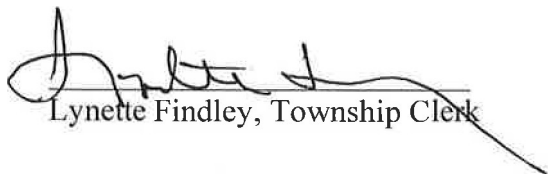
NOW, THEREFORE, BE IT RESOLVED that the Charter Township of Superior Board of Trustees authorizes the submission of application titled, Michigan Department of Labor

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and Economic Opportunity (LEO) Community Center Grant, for the Cheney Community Center for the total of \$2,500,000.00.00.

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 August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Trustee Caviston
Trustee McGill
Treasurer Lewis
Supervisor Schwartz
Clerk Findley
Trustee Secrest
Trustee Lindke
Nays: None
Absent: None

The resolution carried by unanimous vote.

H. RESOLUTION 2023-52, RESOLUTION TO ACCEPT THE BAKER TILLY MUNICIPAL ADVISORS, LLC PROPOSAL TO DEVELOP A COMPREHENSIVE WATER AND SANITARY SEWER RATE DESIGN STUDY

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-52**

**RESOLUTION TO ACCEPT THE BAKER TILLY MUNICIPAL ADVISORS, LLC
PROPOSAL TO DEVELOP A COMPREHENSIVE WATER AND SANITARY SEWER
RATE DESIGN STUDY**

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WHEREAS, Baker Tilly Municipal Advisors, LLC (“BTMA”) has submitted a proposal to the Charter Township of Superior Board of Trustees to develop a comprehensive water and sanitary sewer rate design study; and,

WHEREAS, BTMA is a leader in the municipal advisory space with more than 90 registered municipal advisors (“MA’s”). BTMA has the necessary resources, experience, and commitment to quality and timeliness that we require; and,

WHEREAS, the typical billing method for this service is quarterly bills until completion, but this can be negotiated with the Board. This fee includes all expenses incurred and up to four in-person meetings attended (additional meetings would be charged at \$1,500 per meeting above fee detailed below).

WHEREAS, BTMA has submitted the below schedule:

Timeline	Milestone
Month 1	– Project kick-off meeting – Develop mutually agreed-upon timeline and work plan
Months 2-3	– Review of data provided by Township staff – Fieldwork to finalize analysis of historical data, assumptions and forecasted results – Consultant draft and review preliminary report
Month 4	– Staff review of preliminary findings and recommendations – Preliminary findings presented to Township staff – Final reports presented to the Board
Month 5	-Public hearing and final approval of recommended water and sewer rates

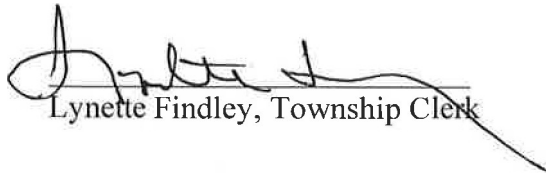
NOW, THEREFORE, BE IT RESOLVED, the Charter Township of Superior hereby accepts the proposal from Baker Tilly Municipal Advisors, LLC (“BTMA”) for this service for a fee not-to-exceed \$28,750.00.

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

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Superior Board held on August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Supervisor Schwartz
Trustee Secrest
Trustee McGill
Trustee Lindke
Treasurer Lewis
Clerk Findley
Trustee Caviston
Nays: None
Absent: None

The resolution carried by unanimous vote.

I. RESOLUTION 2023-53, RESOLUTION TO ACCEPT QUOTE FROM THREE BROTHER'S LAWN CARE FOR BRUSH REMOVAL AND STUMP GRINDING

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

- Trustee Lindke asked if there is a conflict-of-interest statement in the contract.
- Supervisor Schwartz stated no.
- Treasurer Lewis stated a conflict-of-interest should be standardized moving forward.
- Trustee McGill asked if this was the only quote and how the quoting process works.
- It was stated that there have been several occasions when the Board only receives one bid.
- Supervisor Schwartz stated capitol improvement bids go on BidNet.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-53**

WHEREAS, it is the desire of the Superior Charter Township Board to promote the well-being of its residents; and,

WHEREAS, the Township owned parcels at 1850 N. Harris Rd. and 9057 MacArthur Blvd. are in a state of neglect; and,

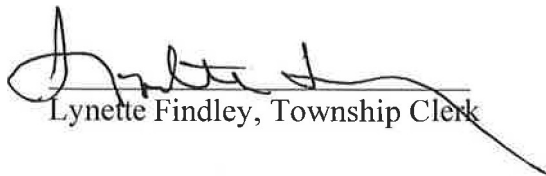
**CHARTER TOWNSHIP OF SUPERIOR BOARD
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WHEREAS, the Township has received a quote from Three Brother's Lawn Care, 2612 Newport Rd. Ann Arbor, MI, to clear brush and grind stumps for a total of \$26,600.00.

NOW, THEREFORE, BE IT RESOLVED the Superior Charter Township Board accepts the quote of \$26,600.00 from Three Brother's Lawn Care for cleanup of the parcels at 1850 N. Harris Rd. and 9057 MacArthur Blvd.

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 August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Treasurer Lewis
Trustee Caviston
Trustee Lindke
Supervisor Schwartz
Trustee Secrest
Clerk Findley
Trustee McGill

Nays: None
Absent: None

The resolution carried by unanimous vote.

J. RESOLUTION 2023-54 RESOLUTION TO APPROVE GARRETT'S SPACE, ZONING AND LAND USE AGREEMENT WITH CONSERVATION EASEMENT

- Fred Lucas stated there were last-minute changes to the Land Use Agreement. He added the planner (Ben Carlisle) had seen the new language and agreed to it.
- Gerald Fisher stated he also agrees with the new language.
- Fred Lucas read the changes as follows:
 1. Section 2.11, sub-paragraph 2, "and in compliance with Township Ordinances."
 2. Section 4.2, "Notwithstanding any other provision contained in this agreement the execution of this agreement by the parties does not relieve Garrett's Space from its obligation to comply with the due procedures for special district approval as set forth in section 7."

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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The following resolution was moved by Trustee Lindke supported by Trustee McGill.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-54**

**RESOLUTION TO APPROVE GARRETT'S SPACE, ZONING AND LAND USE
AGREEMENT WITH CONSERVATION EASEMENT**

WHEREAS, the Charter Township of Superior Board of Trustees have received a Zoning and Land Use Agreement from Garrett's Space for the property at 3900 Dixboro Rd; and,

WHEREAS, the Developer, Garrett's Space is developing a PC, Planned Community Special District, pursuant to the Superior Charter Township Zoning Ordinance No. 174, as amended, and other applicable law; and,

WHEREAS, a Zoning and Land Use Agreement presents a binding summary of use as related to a property that affected/interested parties agree to as it relates to the aforementioned; and,

WHEREAS, the property at 3900 Dixboro Rd. was rezoned from A2, Agriculture District to PC, Planned Community Special District in the July 17, 2023, Regular Meeting of the Charter Township of Superior Board of Trustees; and,

WHEREAS, the inherent flexibility encompassed in a PC, Planned Community Special District encourages an agreement that stipulates the expected use of the property by the property owner and any party that utilizes said property under this Special Zoning District; and,

WHEREAS, the Zoning and Land Use Agreement shall be binding upon the Township, the Developer of the Development, their successors-in-interest, and assigns.

NOW, THEREFORE, IT BE RESOLVED, in consideration of the premises and the mutual covenants of the parties described in this Agreement, and with the express understanding that this Agreement contains important and essential terms, the parties hereby agree as follows:

Superior Charter Township

ZONING AND LAND USE AGREEMENT

PC, Planned Community Special District

[Garrett’s Space]

THIS ZONING AND LAND USE AGREEMENT, effective as of the 21st day of August, 2023, is entered into according to the terms and provisions of the Charter Township of Superior Zoning Ordinance, as amended (“Zoning Ordinance”), for the governance of the Garrett’s Space land use and care center as a Special District under Article 7 of the Zoning Ordinance, PC, Planned Community Special District. The parties to this agreement are Superior Charter Township, a municipal corporation, 3040 North Prospect, Ypsilanti, MI 48198 (the “**Township**”), and Garrett’s Space, a non-profit corporation, 1400 Granger Ave, Ann Arbor, MI 48104 (“**GS**”).

RECITATIONS

Summary of Use

The parties recognize an unmet need for uses and facilities to provide support for young adults struggling with depression, anxiety, and/or suicidal ideation, and who are voluntarily seeking care and support from GS, and that these individuals may require assistance other than visits to a therapist or other help currently available. GS desires and intends to create a land use with a care center designed with the view of filling existing gaps in support for this population.

This land use is *not* intended as a “medical” facility that would provide treatment or other support for young adults (i) with psychosis or mania, (ii) who are imminently at high risk for suicide, (iii) who pose a threat to, or are at risk of, harming others, (iv) who are actively using substances that could significantly impair their judgment or lead to unsafe behaviors, or (v) who are subject to court-ordered or other involuntary treatment; and based on careful screening, such individuals identified with any of such conditions shall not be admitted for treatment for residential or day programming on the Property. Nor is the use proposed to be a state-licensed facility, but represents an “other managed residential facility” referenced as part of the residential use classification on the Land Use Table of Zoning Ordinance Article 4.

Rather, it is the intent of the Township to permit, and for GS to establish, a residential campus offering relatively short-term on-premises residential care, as well as day care, and provide a safe and holistically focused space for young adults struggling from the life-threatening challenges that arise due to depression, anxiety, and/or suicidal ideation, and who are voluntarily seeking care and support from GS.

PC Planned Community Special District – Intended to be Flexible

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It is agreed by the Township and GS that the unique nature of the proposed land use, and its rural residential character on a unified 76-acre property, is well suited and meets all of the enabling requirements for approval under the Planned Community (PC) Special District. This Special District encourages greater collaboration between the developer and the Township in the development process and allows additional freedom for the developer to take an even more creative approach to land use and development than otherwise permitted under the Zoning Ordinance. This Special District option also offers greater flexibility in the design of land development, maximizing the developer's ability to take advantage of natural topography, vegetation, watercourses, and other site features, which are all present on this one site. The approved development is shown on the approved Area Plan, attached, and is further described in this Agreement and the site plan.

This flexibility in design, development, and use is expressly authorized by the Michigan Zoning Enabling Act; and such authorization is applied in the Superior Township Zoning Ordinance with safeguards and standards including the requirement for conformity with the Master Plan and Growth Management Plan, so that a project approved under this permission becomes a planned use and avoids the legal shortcoming of so-called "spot zoning." By approving the proposed use as a Planned Community Special District, the use will be a rural residential use with accompanying components, consistent with and complimentary to the surrounding uses and area.

Intent of Township and Garrett's Space

The parties intend this Agreement, approved in accordance with Article 7 of the Zoning Ordinance, to be a part of Township approval and rezoning of the Property to PC, Planned Community Special District, for the use, development, and land use standards for the Property and development project shown on the Area Plan and to be shown on the Site Plan, and as described in this Agreement. This Agreement is also intended to specify binding terms and requirements on GS and the Township for the development and use of the Property.

AGREEMENT TERMS

Based on the Recitations stated above, and premised on the mutually binding terms and covenants of this Agreement, the parties **AGREE AS FOLLOWS:**

ARTICLE I

GENERAL ZONING, AREA PLAN, AND SITE PLAN TERMS

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- 1.1. **Recitations Part of Agreement.** The Recitations stated above are deemed to be an integral and binding part of this Agreement.
- 1.2. **The Property.** The property which is the subject of this Agreement consists of seven parcels totaling approximately 76 acres in the Township, commonly known as 3900 Dixboro Road, and more specifically described on Attachment 'A' to this Agreement (the "**Property**"). The several parcels shall, upon final site plan approval in accordance with this Agreement, be merged and become one unified parcel.
- 1.3. **Zoning District.** The Township approves the rezoning of the Property from A2, Agriculture District, to PC, Planned Community Special District for development and use in conformance with this Agreement.
- 1.4. **Requirements.** The Township Board, after public hearings, and following recommendation by the Planning Commission, finds that all of the requirements of the PC, Planned Community Special District are met.
- 1.5. **Area Plan.** The Zoning Ordinance requires an approved Area Plan for the development and use of the Property as a Special District under Article 7. The Township has approved the Area Plan for this development of the Property, which shall be binding on the Township, GS, and all successor owners of record of the Property. The Area Plan was approved following due notice and public hearing and is incorporated as part of this Agreement as Attachment 'B' ("**Area Plan**"). Approval of the Area Plan shall represent Township approval of the land use, general site layout, conceptual building design and location, and preliminary vehicular and pedestrian networks.
- 1.6. **Site Plan Approval.** The site plan, to be subsequently approved, shall conform to the approved Area Plan for this development, and must be reviewed and approved by the Township prior to site work on the Property ("**Site Plan**"), except that the Township, in its discretion, may administratively authorize the issuance of permits by the Building Official for preliminary site work to begin in connection with soil exploration, site clearing, entranceway improvements, and preliminary steps for on-site water and sanitary sewage disposal and storm water management (subject to any necessary approval by outside agencies).
- 1.7. **Conditions of Approval.** The approval of the Area Plan and subsequent approval of the Site Plan, for this development are subject to the terms and conditions specified in this Agreement.

- 1.8. **Duration of Approval.** The Property will be developed in phases, , as approved in the Area Plan and Site Plan and as provide in the Zoning Ordinance.
- 1.9. **Amendment.** The terms and provisions of this Agreement, including the Area Plan and Site Plan, shall be subject to amendment only as provided in this Agreement, and the Township’s Zoning Ordinance.
- 1.10. **Recordation.** This Agreement, or a recordable notice of this Agreement, shall be duly recorded by the Township at the Register of Deeds for the County of Washtenaw, State of Michigan.

ARTICLE II

DEVELOPMENT AND USE

- 2.1. **Development and Use.** The Property shall be developed and used in accordance with this Agreement, including approved plans reflected in the Area Plan and Site Plan, as the same may be modified in accordance with the terms of this Agreement.
- 2.2. **Permitted Use.** The principal use of the Property shall be a residential use as part of a 76-acre campus care center with a predominant residential setting, to provide care and support for the wellness and support needed by young adults struggling from depression, anxiety, and/or suicidal ideation, and who are voluntarily seeking care and support from GS. The setting provided by the Property, as approved for development and use, is intended to enhance such wellness and support, along with professionally programmed support designed to enhance healing through in-person connections and activities. The large open space, natural resource-rich environment carries out the fundamental intent of the Federal Fair Housing Act and Americans with Disabilities Act and related state law of enabling mainstream, or community-based, living, while concurrently fulfilling the intent of the Township Master Plan, which incorporates the Growth Management Strategies and Goals for large lot, open space and preservation in this Northwest, rural residential portion of the Township. The use also includes authorization to provide support to family members, friends, and allies of those receiving support. This land use is not intended as a “medical” facility that would provide treatment or other support for young adults (i) with psychosis or mania, (ii) who are imminently at high risk for suicide, (iii) who pose a threat to, or are at risk of, harming others, (iv) who are actively using substances that could significantly impair their judgment or lead to unsafe behaviors, or (v) who are subject to court-ordered or other involuntary treatment; and based on careful screening, such individuals identified with any of

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such conditions shall not be admitted for treatment for residential or day programming on the land.

Short-term, in-residence care is intended to be provided for up to 20 individuals who will reside on the property for a period of time expected to have a duration of approximately 30 days or less.

Day programming would be provided for approximately 10 or more individuals, however, to the extent programmed day care is provided to more than 10 individuals, the number of in-residence care individuals shall be reduced proportionately, so that the total number of persons receiving care on the Property at any time will not exceed 30.

Staffing is expected to be provided by up to 18 individuals, including administrators, and no less than two members of the staff would remain on the Property 24/7 when overnight guests are on the premises, with responsibility for care, safety and security, including monitoring resident whereabouts. These staffing levels shall be subject to the need to conform to applicable government regulation, as this may be changed from time-to-time.

- 2.3. **Accessory Uses.** GS is authorized to provide and facilitate the following accessory uses on the Property to support and enhance the principal use:
- (1) Teletherapy services and therapy.
 - (2) Support groups, grounding activities such as yoga, movement, mindfulness, meditation, and other somatic and artistic options and applications, such as journaling, healthy cooking, music, art, poetry, gardening, and the like. Individuals involved in these activities will consist of the 'not to exceed' 30 persons receiving care on the Property, as specified in Section 2.16(3).
 - (3) Walking trails.
 - (4) Interaction with farm animals subject to and as determined during site plan review.
 - (5) Case management support.
 - (6) Support for families.
 - (7) Creativity studio for such activities as music, dance, and art.
 - (8) Occasional special events, such as community, alumni, and family events, training (CEU), and fundraising.
- 2.4. **Primary Buildings.** The three primary buildings, as shown on the Area Plan, and more specifically on the Site Plan, for the use would be:
- (1) A main residential structure to be newly constructed ("**Residential Structure**") to accommodate the individuals receiving in-residence and outpatient care along with staff; and

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- (2) The existing residential structure on the Property, the interior of which would be modified to serve as an administrative office and for day-programming use (“**Administrative/Programming Structure**”).
- (3) Creativity studio for such activities as music, dance, and art.

2.5. **Accessory Structures.** Approved accessory improvements to be constructed and used include the following, as specified on the Area Plan and Site Plan, with area and height to be dictated by use, taking into consideration the height exceptions in Section 3.201 of the Zoning Ordinance:

- (1) Outdoor recreation areas and facilities to accommodate, among other things, basketball, volleyball and the like.
- (2) Barn and related facilities for therapeutic animals.
- (3) Small group pavilion.
- (4) Sheds for gardening and other outdoor activities used as part of the care mission.
- (5) Stream, wetland, and natural resources, which would be part of a preservation regime to be made part of care programming.
- (6) Walking trails, gardens, fire pit, and other outdoor focus areas for recreation and care programming.
- (7) Existing storage shed.

2.6. **Change to, or Addition of, Structures, Uses, and Improvements.** Changes to, or addition of, structures, uses, and improvements shall be reviewed and approved in the manner provided in the Zoning Ordinance.

2.7. **Conditions of approval to be met:**

- (1) All new and existing buildings and structures shall comply with the Area Plan and Site Plan, unless amended.
- (2) All new and existing buildings and structures shall comply with all building code standards, and applicant shall be required to apply and pay for all required permits.
- (3) Any permits required by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) relating to the Property shall be secured by the applicant prior to the commencement of any work.

2.8. Dedications and restrictions; easements and rights-of-way. All vehicular and pedestrian ways on the property shall be retained in private ownership. Easements for utilities are as shown on the Site Plan. GS shall be authorized, but not required, to establish other formal and informal restrictions, easements and rights-of-way applicable internally to some or all of the property, subject to administrative approval by Township Staff, and subject to documentation by Administrative Addendum to this Agreement.

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2.9 Open and common space and conservation easement protection; maintenance, and permitted activities within respective open space and conservation areas.

- (1) A substantial portion of the Property is shown as unimproved areas on the Area Plan. Areas restricted by deed restriction or conservation easement shall be restricted from use as provided below. Other areas shall be restricted from the development of new buildings or structures unless and until approved, either administratively or by the Planning Commission and Township Board, as applicable under the provisions stated in this Agreement; however, such other areas shall not be restricted for use if they are consistent with the intent and purpose of the approved land use and care center.
- (2) Areas of the Property restricted by deed restriction or conservation easement shall have a limited use in accordance with the terms of the respective restriction or conservation easement, as applicable, but shall otherwise shall not be restricted for use consistent with the principal and accessory uses permitted in this Agreement.
 - (a) Prior to the issuance of a certificate of occupancy for the main residential structure to be newly constructed, the areas on the Property which consist of a substantial amount of open and wooded space, regulated wetlands, wetland buffers, the pond, and the stream shall be placed under the protection of a conservation easement which shall, among other things, restrict some 58 acres of the Property from the construction of structures, but may permit underground utilities, septic drain fields, water wells, walking paths and elements, landscape installations and elements, drainage elements such as retention / detention; rain gardens, culverts, swales, or other facilities required for the land use approved in this Agreement, and shall require such areas to be maintained as specified as part of the terms of the conservation easement. Subject to approvals required by law, such areas shall not be restricted from customary use, such as hiking and nature observation. The Conservation Easement shall be for the benefit of the grantee entity, which may be the Township or an entity approved by the Township.
 - (b) Until the conservation easement is established, GS shall preserve from active construction and development the 58-acre area in the manner not inconsistent with the preservation described in paragraph (2)(a), above.

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(3) In all events, all areas on the Property shall be maintained in good faith consistent with the objectives of the care center and land use, and the requirements of this Agreement.

2.10 Entranceway Improvements. Roadway improvements shall be made at the entrance to the Property in the public right-of-way of Dixboro Road as required by the Washtenaw County Road Commission in the location shown on the Area Plan, and to be detailed on the Site Plan. On the Property, set back from the public right-of-way, there shall be a security gate for the protection of the residents. There is no current intention to place any type of occupied security structure at the entrance, however, if such intent should change based on experiences encountered, an administrative change for such purpose shall be submitted by GS, which shall be subject to review and approval by the administrative staff of the Township.

2.11 Water supply, sanitary sewage disposal, and other utility Facilities.

The Property is an existing lot or parcel which has been occupied, and thus considered an existing lot which has been served by on-site facilities. The use of on-site facilities will continue, with supplementation, all to be approved by other government agencies having jurisdiction.

(1) Water Supply. All on-site water supply facilities utilized on the Property shall be approved by the Washtenaw County Health Department.

(2) Sanitary Sewage Disposal. All on-site sanitary sewage disposal facilities shall approved by the Washtenaw County Health Department.

2.12 Storm water management. Storm water management system improvements, including grading, open ditches, and detention facilities, and related improvements, shall be developed and approved by the Washtenaw County Water Resources Commissioner's office, to be shown on the site plan.

2.13 Private on-site traffic circulation improvement design and management. The entranceway to the property shall be modified as directed by the Washtenaw County Road Commission, to be shown on the site plan. Internal traffic circulation improvements shall be private roads

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as shown on the site plan, maintained by GS, and shall be consistent with the Area Plan.

- 2.14 **Pedestrian circulation.** Private walking and hiking trails shall be established on the site, as shown on the site plan.
- 2.15. **On-site parking improvements** On-site parking improvements shall be provided to serve the respective principal and accessory structures, with locations and specifications as generally shown on the Area Plan, and to be specifically shown on the Site Plan.
- 2.16 **Development regulations, including area, set back, height, and the like.**
- (1) Building Setbacks from the respective parts of the perimeter of the site shall be a minimum distance from the:
 - a. Northerly property line: Minimum of 200 feet.
 - b. Easterly property line: Minimum of 200 feet.
 - c. Southerly property line (adjacent to M-14): Minimum of 50 feet.
 - d. Southwesterly property line (angling from the west end of the southerly line over to the south end of the westerly line: Minimum from Dixboro Road to the pond the setback is 200 feet, from the pond to the Southerly property line the setback shall be 50 feet.
 - e. Westerly property line (adjacent to Dixboro Road and portion of boundary extending to Southerly line): Minimum of 200 feet.
 - (2) Height: All buildings shall have a height within the range of two and one-half stories or 35 feet or less, with heights of specific buildings shown on the Site Plan.
 - (3) Density: The Residential Structure shall accommodate in-residence individuals and 10 day-programming individuals, along with limited staff to remain on-site for care and security purposes. Short-term, in-residence care is intended to be provided for up to 20 individuals who will reside on the property for a period of time expected to have a duration of approximately 30 days or less. Some of such care may be provided in the existing residence. Day programming would be provided for approximately 10 to 15 individuals, however, to the extent outpatient care is provided to more than 10 individuals, the number of

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
DATE AUGUST 21, 2023
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in-residence care individuals shall be reduced proportionately, so that the total number of persons receiving care on the Property at any time will not exceed 30. Occasional meetings during the hours of 9:00 am to 9:00 pm, may be scheduled on the Property, such as for community, alumni, family events, training (CEU), and fundraising.

- (4) Distances between buildings: The distance between the two primary buildings shall be a minimum of 60 feet, and distance between the Primary buildings and the Creativity Studio shall be a minimum of 40 feet.

2.17 Signage and lighting

- (1) Signage. A sign identifying the Property as the care center approved in this Agreement shall be displayed adjacent to the entrance to the Property, as shown on the Site Plan and approved through a Sign Permit. The specifications of the sign shall conform to the Township code for monument signs. In addition, bearing in mind that there will be individuals on the Property who will only be on site for a short period of time, and that the property is some 76 acres in area, wayfinding signs, which shall be exempt from sign permit requirements, shall be permitted on drives and walkways in locations determined by GS to be appropriate to facilitate efficient movement on the site, subject to compliance with the following standards:

- (a) Signs may be located along drives and walkways; and,
(b) Signs shall not exceed six square feet in area and four feet in height.

- (2) Lighting. Lighting shall be utilized around building entries (building and ground mounted), adjacent to the entranceway from Dixboro Road, and minimal parking lot lighting that will be down shielded and configured for a maximum of one foot candle over the parking fields. Lighting may also be utilized adjunct to the entrance road and walking trails, however no lighted signs shall be established immediately adjacent to neighboring residences. Lighting shall comply with Section 14.11 of the Zoning Ordinance and shown on the approved Site Plan.

- 2.18 Landscaping plan.** Landscaping shall be provided in compliance with Section 14.10 of the Zoning Ordinance and in accordance with a landscaping plan finalized as part of site plan review and approval.

ARTICLE III

PHASING AND AGREEMENT AMENDMENT

- 3.1 **Phasing of project development and use.** Phasing Plan to be reviewed and approved as part of the Site Plan review.
- 3.2 **Amendment to Area Plan or Site Plan.** Amendments to the Area Plan or Site Plan shall be reviewed and approved in the manner provided in the Zoning Ordinance.

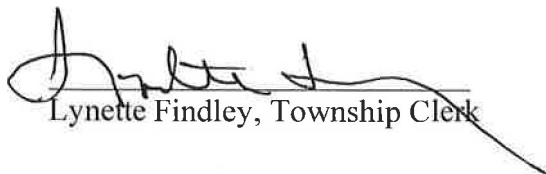
ARTICLE IV

EFFECTIVENESS

- 4.1 This Agreement shall become effective upon approval by and execution on behalf of the Superior Township Board, and execution on behalf of Garrett's Space, and shall then be binding on the Property; provided that, in the event the rezoning of the Property to PC, Planned Community Special District, does not take effect and is rejected under Section 402 of Act 110, PA 2006, as amended, or is invalidated by final judgment of a court having jurisdiction, or the use is not permissible due to action of an outside government agency, or by similar cause, then this Agreement, the Area Plan, and rezoning, and all restrictions arising from such Agreement, Plan, and rezoning, shall thereupon be null and void.

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 August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Clerk Findley
Trustee Lindke
Trustee McGill
Trustee Secrest

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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Trustee Caviston
Treasurer Lewis
Supervisor Schwartz
Nays: None
Absent: None

The resolution carried by unanimous vote.

The changes to the Land Use Agreement listed by Fred Lucas were not approved by the Board because they were not stated in the motion.

K. RESOLUTION 2023-55, RESOLUTION TO ACCEPT G2 CONSULTING GROUP, LLC PROPOSAL TO PREFORM A PHASE 1 ENVIRONMENTAL SITE ASSESSMENT

The following resolution was moved by Treasurer Lewis supported by Trustee Lindke.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023
RESOLUTION 2023-55**

**RESOLUTION TO ACCEPT G2 CONSULTING GROUP, LLC PROPOSAL TO
PREFORM A PHASE 1 ENVIRONMENTAL SITE ASSESSMENT**

WHEREAS, G2 Consulting Group, LLC (G2) has submitted a proposal to the Charter Township of Superior to perform a Phase I Environmental Site Assessment (ESA) for the two contiguous parcels of land located at 1850 Harris Road and 9057 MacArthur Blvd within Superior Township, Washtenaw County, Michigan; and,

WHEREAS, the purpose of the Phase I ESA is to ascertain the present risk of significant contamination of the soils or groundwater within the subject property; and,

WHEREAS, G2 will determine whether there are apparent indications, through visual inspections and regulatory record search, of improper handling, storage, or disposal of hazardous materials; and,

WHEREAS, the assessment will include a visual reconnaissance of adjoining properties to identify potential contaminant sources, which may adversely affect the subject property. The purpose of the investigation is to conduct an “all appropriate inquiry” into the ownership and uses of the property; and,

WHEREAS, the Charter Township of Superior shall provide a detailed survey of the subject property including property boundaries, legal descriptions, and structures; and,

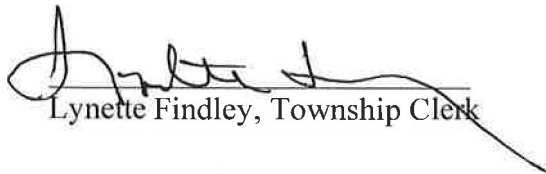
**CHARTER TOWNSHIP OF SUPERIOR BOARD
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WHEREAS, an electronic copy of G2's Phase I ESA report will be presented within 20-25 business days of receiving written notification to proceed and site access, with the agreed upon fixed fee of \$2,500.00. These fees do not include municipality/regulatory file review assessed fees, additional meetings, consultations, collection of any type of samples, hard copies of the report, or G2 obtaining Chain-of-Title work.

NOW, THEREFORE, BE IT RESOLVED, the Charter Township of Superior Board of Trustees accepts the proposal with the proposed fee not to exceed \$2,500.00.

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 August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Trustee Caviston
Treasurer Lewis
Trustee Lindke
Trustee McGill
Supervisor Schwartz
Trustee Secrest
Clerk Findley
Nays: None
Absent: None

The resolution carried by unanimous vote.

L. RESOLUTION 2023-56, RESOLUTION TO APPROVE BUDGET AMENDMENTS 2023

The following resolution was moved by Treasurer Lewis supported by Trustee McGill.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN
AUGUST 21, 2023**

RESOLUTION 2023-56

RESOLUTION TO APPROVE BUDGEMENTS 2023

WHEREAS, the Charter Township of Superior Board of Trustee's has carefully reviewed the Township's current spending, and

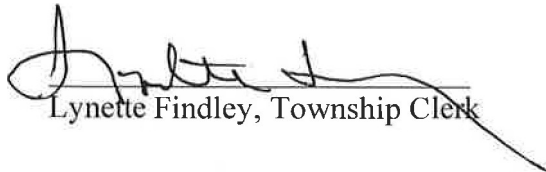
WHEREAS, the Charter Township of Superior Board of Trustees recognizes its responsibility to the citizens of the Charter Township of Superior to carefully monitor the Township funds and provide for the needs of the Township, and

WHEREAS, the Board of Trustees of the Charter Township of Superior has carefully reviewed the revenues and expenditures for 2023 and offers the following budget amendments.

NOW THEREFORE BE IT RESOLVED that the Charter Township of Superior Board of Trustees adopt the proposed budget amendments as set forth in the attached spreadsheet.

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 August 21, 2023, 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

8/21/2023
Date Certified

Roll Call

Ayes: Treasurer Lewis
Trustee Caviston
Clerk Findley
Trustee Lindke
Trustee McGill
Supervisor Schwartz
Trustee Secrest
Nays: None
Absent: None

The resolution carried by unanimous vote.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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M. MOTION TO APPROVE REIMBURSEMENT FROM T&A FUND – INFINITY HOMES

It was moved by Treasurer Lewis supported by Clerk Findley to approve reimbursement from T&A Fund to Infinity Homes.

Roll Call

Ayes: Clerk Findley
Treasurer Lewis
Trustee Lindke
Trustee Secrest
Nays: Trustee McGill
Supervisor Schwartz
Trustee Caviston
Absent: None

The motion carried by majority vote.

N. MOTION TO APPROVE MAINTENANCE OF ROUNDABOUT AT GEDDES

It was moved by Treasurer Lewis supported by Trustee McGill to table the item.

The motion carried by unanimous vote.

O. MOTION TO APPROVE INVOICE FOR SEMCOG DUES

It was moved by Treasurer Lewis supported by Trustee McGill to approve the invoice for SEMCOG dues.

The motion carried by unanimous vote.

P. MOTION TO APPROVE ADDITIONAL BUDGET APPROPRIATION OF \$58,400.00 TO 2023 PARK FUND

It was moved by Trustee Secrest supported by Clerk Findley to approve the additional budget appropriation of \$58,400.00 to 2023 Park Fund.

The motion carried by unanimous vote.

Q. MOTION TO INCREASE POVERTY EXEMPTION INCOME FOR TOWNSHIP SIDEWALK PROGRAM

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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**R. MOTION TO APPROVE THE ON-CALL PAY FOR SUPERIOR TOWNSHIP
UTILITY DEPARTMENT MAINTENANCE DEPARTMENT**

It was moved by Treasurer Lewis supported by Trustee McGill to approve the on-call pay for Superior Township Utility Department Maintenance Department.

Roll Call

Ayes: Treasurer Lewis
Trustee Caviston
Clerk Findley
Trustee Lindke
Trustee McGill
Supervisor Schwartz
Trustee Secrest
Nays: None
Absent: None

The motion carried by unanimous vote.

12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by Trustee Caviston supported by Trustee McGill, to receive bills for payment and record of disbursements with addition of LaSalle invoice from Attorney Fred Lucas.

- Fred Lucas explained that these bills are what Attorney Ron Deneweth is recommending the Township should pay to clear debt with LaSalle.
- Trustee McGill read the amounts: \$ 2555.00, \$2381.25, \$4491.25, and \$9055.00.

Roll Call:

Ayes: Trustee Caviston
Trustee Lindke
Treasurer Lewis
Trustee Secrest
Supervisor Schwartz
Trustee McGill
Clerk Findley
Nays: None
Absent: None

The motion passed by unanimous vote.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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13. PLEAS and PETITIONS

- Irma Golden requested to have her status changed to permanent part time.

14. ADJOURNMENT

It was moved by Trustee Lindke supported by Clerk Findley, that the meeting be adjourned. The motion carried and the meeting adjourned at 10:54 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor

Lynette Findley

From: Lynette Findley
Sent: Monday, August 21, 2023 2:26 PM
To: Board
Subject: FW: Address Concerns
Attachments: CHAPTER 6 Meetings.pdf; CHAPTER 6 Meetings.pdf

Importance: High

Good Afternoon All,

I would like to address the concerns raised by the Supervisor regarding moving the citizen participation.

According to the MTA "Authorities & Responsibilities" (attached), there is only a requirement to have a section for citizen comment. It does not mandate when in the agenda that this section happens. (MTA Authorities & Responsibilities 150) Secondly, we have the authority to decide and set the agenda for every meeting at our discretion since the law does not speak to nor require agendas in the first place. (MTA Authorities & Responsibilities 145) We can choose to set the agenda in a way that is the most amicable for the most parties involved as long we keep in the necessary portions that cannot be removed, such as the Citizens Participation. Please do not confuse the ability to move our citizens comment with the ability to remove it from the agenda. We are acting in accordance with our delegated authority to move any item that we see fit. I have heard from several people in our Township that have said that they would like to speak on other critical topics pertinent to the Township and have agreed to stay for the duration to be able to speak when allotted. I recognize and understand our Board Policy manual does reflect an agenda template, but the reality is that our Board Policy manual is far outdated and hasn't been summarily adhered to by the Township. We should consider updating it and not cherry-picking parts that fit our personal agenda.. I have listed just a FEW outdated policies below for your convenience:

Vehicle Use:

2.1 The Township pool vehicles and Township owned vehicles shall only be used for legitimate Township business. The vehicles shall not be used for lunch breaks or personal errands. Exceptions for lunch breaks shall be made only when the vehicle is needed for extended field use. When employees are required to be in the field more than three hours, lunch breaks may be taken using the Township pool vehicles and Township owned vehicles.

General Polices

2.1 Except as otherwise provided for in this policy, all purchases for services (unskilled, skilled and professional) require a written contract detailing the nature of such services and their associated costs prior to their purchase. Such service contracts/agreements must be initially approved by the Board and renewed by the Board as needed.

2.4 Time of Meetings Regularly scheduled meetings shall begin at 7:30 o'clock in the evening unless the Board shall by majority vote in session set a different starting time.

Attached are the documents referred to above.

I urge the Board to err on the side of representing the needs of our entire Township.

Moving Public Comment to the end, based on the law, would not present a legal issue.

Lynette Findley

CHAPTER 6: Meetings

session of a public meeting does not have to tell anyone that he or she is recording the meeting or get permission to do so.

A public meeting is a public forum, with little or no expectation of privacy (except for closed sessions), so public bodies should just assume that everyone in the room during open session is recording. Those recordings may be posted on the internet or social media—even live-streamed as the meeting is happening—or otherwise distributed or broadcast by private individuals or the media.

Public comment

The public has a right “to address a meeting of a public body under rules established and recorded by the public body.” (MCL 15.263) The public must have at least one opportunity to speak publicly at an open meeting, and this has come to be known as the “public comment period.”

Only one public comment period is required by law, but a township board may choose to provide additional public comment opportunities during its meetings.

A public body may adopt rules for the public comment period. According to Attorney General Opinion 5183 of 1977, “The rules regulating the right of public address may include such controls as the length of time any one person may be permitted to address the body, the portion of the agenda set aside for public address, and a requirement that persons wishing to address the public body identify themselves and make it known ahead of time that they wish to address the body in order to facilitate the planning of time allotments to various portions of the agenda.”

Attorney General Opinion 5183 stresses, however, that “these rules must be reasonable, flexible and designed to encourage public expression and not discourage or prohibit it.” For example, it is the opinion of the authors that a person cannot be refused the opportunity to speak during the public comment period required by the OMA if they do not identify themselves.

A public body may limit the amount of time it will allow each individual speaker to address the meeting. Note that this is not the length of the public comment period itself; it is the length of time an individual

“If the supervisor is not present, the township board, under the direction of the township clerk, shall elect by voice vote a member of the township board as a moderator of the meeting. The township clerk has the same powers and duties as the moderator until a moderator is chosen.” (MCL 41.72a) If the clerk is also not present, a board member who is present would lead the vote of a moderator (assuming there is a quorum present).

In a **charter** township, “The supervisor shall be the presiding and executive officer of the board.” (MCL 42.5)

“If the supervisor is absent from a meeting of the township board, the board shall appoint 1 of its members president pro tem for that meeting.” (MCL 42.5)

Agenda for township board meetings

The township board decides what its agenda will be for any meeting. The law does not address or require agendas—they are a best practice stemming from parliamentary procedure. An agenda is particularly valuable for keeping the meeting on course and letting the participants know all items to be covered. When followed and enforced, an agenda focuses discussion and assists in a timely adjournment.

A township board may adopt a policy that directs certain township staff to prepare a *tentative* agenda for any or all board meetings. It is not a statutory duty of any board office to prepare an agenda. The connection to the supervisor is that they moderate any township board meeting they are attending. But that does not mean the supervisor has statutory control over the agenda—it just means that the person who is the supervisor will likely have opinions on what amount or type of business can be done in the anticipated time, so it’s a good thing to involve them in the process.

If something warrants board attention or action, it should be placed on the meeting agenda per the township’s procedures for setting board meeting agendas. This assists the supervisor (or whoever establishes the tentative agenda in advance of the meeting) in arranging the agenda to ensure sufficient time to appropriately address the items, as well as giving the board members and staff time to consider information or materials prior to the meeting.

Sidewalk Recommendations

1. Recommend residents qualifying for the Superior Township Annual Income Allowance are exempt from being invoiced for defective sidewalks. Recommend each category increased by 5000. Board of Trustees to allocate \$30,000.00 to replace flags for residents who qualify.
2. Recommend inspecting Brookside and Bromley Park before the next Board of Trustee meeting. Give these residents to July 15th 2024 to replace. Allow the residence to July 30th of next year to replace. Bromley Park has sent a list for four consecutive years of defective sidewalk flags.
3. Recommend modifying sidewalk ordinance to include inspections every five years or board suggestion.
4. Communicate to homeowners during winter months the year sidewalk inspections will take place.
5. Approve the modified contract to include non-conflict of interest language.

**Parks and Recreation Commission Liaison Report
For Meeting July 24, 2023**

The following is a synopsis of the above identified meeting:

Chair Nahid Sanii-Yahyai:

- The Chair would still like to see a comprehensive policy on board/commission member appointments and corresponding stipends.
- She led a discussion re having a “clean-up day” in Superior Township and asked the commissioners if they wanted to host this event.
- There is a Parks and Recreation Commission vacancy as a result of Terry Lee Lansing moving out of Superior Township.

Director Juan Bradford:

- He reported that an emergency repair needed to be done on the 2001 Dodge pick-up.
- The director informed the Commission of his concern about staff safety while mowing two roundabouts within the township. In the future a contractor will be hired to mow these areas.
- Juan is also meeting with OHM Engineers for their advice on modifying the current bathroom in Fires Station 2 so park staff can use it without violating the firefighters’ privacy.
- Bids for the Fireman’s Park improvements are due Friday, July 28th.
- McLennan Landscaping cleared the brush along the trails at Cherry Hill Nature Preserve on July 13th & 14th.
- The Summer Playground Camp hosted by Washtenaw County ends Thursday, August 17th with the annual Kickball Challenge and Picnic at Ypsi Townships Community Park.
- The Washtenaw County Sheriff’s Shop with a Cop event will be held Thursday, August 3rd at Fireman’s Park.
- A new event, called “Owl Prowl” will be held on October 26th at the Cherry Hill Nature Preserve. A naturalist from the University of Michigan-Dearborn will lead the event.
- A \$405.00 donation was received from The Dixboro United Methodist Church to be used for recreation programming.

New Business:

- Movies in the Park event is scheduled for 8/12/23 at Oakbrook Park.
- Live! Here! Now! sponsored by the Ann Arbor Summer Festival, is planned for 8/24/23 in Fireman's Park.
- There is a vacancy on the Parks and Recreation Commission due to Ms. Lansing's resignation, and will be filled by the Township Board. Applications will be received through August 15th and interviews will take place at the next Parks and Recreation Commission Meeting on August 28th.
- A \$58,400 increase to the appropriations to the Parks and Recreation Department will be requested to support the salary and fringes needed to cover the director's full-time appointment.

Submitted by:

Bernice Lindke, Trustee and Liaison

CHANGE ORDER



Project: Charter Township of Superior - Hamlet Road Widening

Job Number: 0140-20-0030

Owner: Charter Township of Superior

Change Order Number: 1

3040 North Prospect Road

Date: 8/31/2022

Ypsilanti, MI 48198

Print Date: 9/1/2022

Contractor: ASI (Asphalt Specialists Inc)

1780 E Highwood

Pontiac, MI 48340

(248) 334-4570

Note:

TO THE CONTRACTOR:

You are hereby directed to comply with the changes to the contract documents This change order reflects work completed or anticipated.

OHM Advisors

34000 Plymouth Road

Livonia, MI 48150

(734) 522-6711

CURRENT PROJECT PLANS AND SPECIFICATIONS WILL BE ADHERED TO UNLESS SPECIFICALLY CHANGED BY THIS CHANGE ORDER DOCUMENT.

THE CONTRACT AMOUNT WILL BE CHANGED BY THE SUM OF:	\$278,900.52
Original Contract Amount:	\$330,502.98
Contract Amount Including Previous Change Orders:	\$330,502.98
Amount of this Change Order:	<u>\$278,900.52</u>
REVISED CONTRACT AMOUNT:	\$609,403.50

Accepted By

ASI (Asphalt Specialists Inc)

Date _____

Approved By

Ken Schwartz - Township Supervisor -
Charter Township of Superior

Date 9/2/22

Recommended By

George Tsakoff



George Tsakoff, PE, Principal

Date 09/02/2022

Difference of
\$58,901.42

the 12 acres of the Harris Road Property (the Donated Property) and sold it to the YDL for the sum of One Dollar (\$1.00).

- H. Based upon a preliminary agreement between the Township and the YDL regarding the repayment of costs incurred by the Township, the Township contracted with OHM Advisors in June of 2021 to provide contract administration and construction engineering services in connection with the road improvements required by the WCRC.
- I. The Township also accepted a bid from Asphalt Specialists, Inc. (ASI) for the required road improvements for an amount not to exceed \$330,502.08, subject to the Township receiving an acceptable repayment agreement with the YDL.
- J. The Township has reviewed and approved the preliminary and final site plan for the proposed branch library.
- K. On July 1, 2021, the Township issued building permits to the YDL for construction of the branch library.

Based upon the foregoing, it is agreed as follows:

1. The YDL will build a branch library on the Donated Property according to the plans submitted to and approved by the Township.
2. The YDL will reimburse the Township the following costs incurred by the Township in connection with the road improvements mandated by the WCRC;
 - 2.1. All costs charged by ASI.
 - 2.2. All costs charged by OHM, less the cost charged by OHM for preliminary engineering.
 - 2.3. All other costs related to the road improvements mandated by the WCRC or mutually agreed to by the parties.
3. When all road improvements have been accepted the WCRC, the Township and YDL will meet to settle and finalize the costs chargeable (the Reimbursable Costs) to the YDL.
4. The YDL shall be responsible for maintaining the parking lot and the commercial driveway as outlined in an easement agreement effective 11/16/20.
5. The YDL agrees to repay the Township the Reimbursable Costs in three (3) three equal annual installments, at two percent simple interest; the payments being due on or before January 1, 2023, January 1, 2024, and January 1, 2025. If paid in full before the first payment is due, the interest would be waived.

CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN

**RESOLUTION TO APPROVE THE OHM ADVISORS' PROPOSAL TO MAKE
PEDESTRIAN IMPROVEMENTS IN VACINITY OF NEW YPSILANTI DISTRICT
LIBRARY ON HARRIS ROAD**

RESOLUTION NUMBER: 2022-50

DATE: AUGUST 15, 2022

WHEREAS, , OHM Advisors has submitted a proposal for the engineering efforts and design, and contract document preparation for a new pedestrian crosswalk at the north leg of Harris Road and MacArthur Blvd intersection, restriping of existing crosswalk at east leg of the intersection, a mid-block pedestrian crossing with Rectangular Rapid Flashing Beacons (RRFBs) with push buttons approximately 650 feet west of Harris Road on MacArthur Blvd, a mid-block pedestrian crossing with RRFBs and center refuge island on Harris Road north of Barrington Dr, a new concrete sidewalk from existing concrete sidewalk along Barrington Dr. to the proposed mid-block crossing of Harris Road, and RRFBs with pushbuttons at the east leg of the Harris Road and MacArthur Blvd intersection; and

WHEREAS, similar plans to the proposed plans have been shared in meetings in which there was in attendance staff from the Township, OHM Advisors, and Washtenaw County OCED; and

WHEREAS, these proposed improvements have been communicated to the public in two informational community meetings, and public feedback was considered in these proposed improvements; and

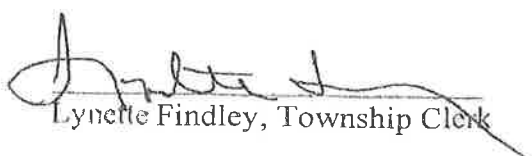
WHEREAS, final proposed improvement plans are also based on Washtenaw County Road Commission standards and state regulations, and are supported by the Washtenaw County Road Commission as an upgrade of the Harris Road widening project; and

WHEREAS, OHM request a budget of \$220,000 to ASI, Inc. for pedestrian crossing improvements along Stamford and Harris Rd corridors to aide pedestrian circulation to the new Ypsilanti District Library. This work should be incorporated into the existing contract for Harris Rd Widening project with ASL It is also resolved that a State Earmark as part of Michigan Enhancement Grants listed in Public Act 82 of 2021 of \$150,000 should be utilized for this work to offset Township cost.

NOW, THEREFORE, BE IT RESOLVED the Charter Township of Superior Board of Trustees hereby resolves to authorize the offset amount of \$70,000 to complete the work in this existing contract.

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 August 15, 2022, 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

8/15/2022
Date Certified

CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN

RESOLUTION TO APPROVE HARRIS ROAD WIDENING REPAYMENT
AGREEMENT FOR YPSILANTI DISTRICT LIBRARY

RESOLUTION NUMBER: 2021-32

DATE: JULY 19, 2021

WHEREAS, the YDL will build a branch library on the Donated Property according to the plans submitted to and approved by the Township.

WHEREAS, the YDL will reimburse the Township the following costs incurred by the Township in connection with the road improvements mandated by the WCRC;

- All costs charged by ASI
- All costs charged by OHM, less the cost charged by OHM for preliminary engineering.
- All other costs related to the road improvements mandated by the WCRC.

WHEREAS, when all road improvements have been accepted the WCRC, the Township and YDL will meet to settle and finalize the costs chargeable (the Reimbursable Costs) to the YDL.

WHEREAS, the YDL shall be responsible for maintaining the parking lot and the commercial driveway.

WHEREAS, the YDL agrees to repay the Township the Reimbursable Costs in three (3) three equal annual installments, at 2 percent simple interest; the payments being due on or before January 1, 2023, January 1, 2024, and January 1, 2025. If paid in full before the first payment is due, the interest would be waived.

WHEREAS, this agreement becomes effective after adoption by both governing boards and executed in writing by the respective representatives.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Superior Board of Trustees hereby approves to enter into an agreement with the Ypsilanti District Library for the Harris Road widening.