

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 1**

1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor Kenneth Schwartz at 7:00 p.m. on June 20, 2016, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The members present were Ken Schwartz, David Phillips, Nancy Caviston, Brenda McKinney, Rodrick Green, Lisa Lewis and Alex Williams.

4. ADOPTION OF AGENDA

It was moved by McKinney seconded by Green adopt the agenda as presented.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF MAY 16, 2016

It was moved by Green, seconded by Lewis, to approve the minutes of the regular Board meeting of May 16, 2016, as presented.

The motion carried by a unanimous voice vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

Kathleen Hubbs, N. Kenwyck, said that the same builders of the original Bromley Park Condos are going to finish building the two four-plexes in the condos. She said they original buildings they built have numerous problems, including leaking basements and drainage problems. She requested the Township make sure the new units are constructed properly.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 2**

Bill Secrest, Cherry Hill Road, said that the Southeast Michigan Land Conservancy (SLMC) was formed 25 years ago and they and other groups in the township have been very successful in preserving property in the township. There are about 2,500 acres preserved. The SLMC along with the Superior Land Preservation Society and the Township are sponsoring a 25 year celebration on July 9, 1 PM to 5 PM at the Township Hall. There will be food, music, special guests and more.

7. PRESENTATIONS

A. MARY ZUCCHERO, ANN ARBOR AREA CONVENTION AND VISITOR BUREAU

Mary Zucchero of the Ann Arbor Area Convention and Visitors Bureau (AAACVB) made a presentation to the Board about the AAACVB. The AAACVB works to bring more meetings, events and visitors to Washtenaw County. Their board includes 24 members with representation from almost every community in Washtenaw County. AAACVB has a Community Tourism Action Plan (CTAP) grant program, which awards up to \$10,000 for every community and require a 20% match. Superior Township was awarded the grant for way-finding signs and landscaping in the hamlet of Dixboro.

B. VALBRIDGE PROPERTY ADVISORS, MARKET STUDY

Nick Groves of Valbridge explained the market study that his firm completed at the request of the Township for use in reviewing the Sutton Ridge- Redwood Area Plan Amendment. The study included six areas sites and almost 100 sales records. Mr. Groves said they samples were of similar homes and neighborhoods as the area around the proposed Sutton Ridge-Redwood site but they were not able to find an exact “nested community” for comparison.

Residents of the area had numerous questions and concerns about the study, i.e.: there was not data, the sample did not include a nested community, the study samples were different than the Sutton Ridge development and area, the study did not include statistical analysis of a scientific nature (mean, mode, median, etc.), the summary did not indicate a positive outcome for communities near apartment complexes. Mr. Groves indicated that in order to respond to all of the resident’s concerns, it would take a much more involved and expensive study. The conclusion of the study was indicated on page 19: “Based on the empirical data collected and analyzed, there is no evidence that leased fee ownership of medium and high density residential properties positively or negatively affects the prices of neighboring single family residences.”

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 3**

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following: 1. Standard and Poor recently completed a review of the Township's bond rating. It remained rated at AA due to good economy, strong budgetary performance and good liability controls. The rating on the YCUA/Superior Townships Sanitary Sewer bond was downgraded to AA- due to indicators related to Ypsilanti Township. Superior Township's bond rating is comparable to any community in Washtenaw County and would help to secure bonds at a low interest rate. 2. Hyundai filed an with the Michigan Tax Commission that their building and property is over assessed. They are seeking a significant reduction. Their IFT tax abatement ends in 2017. 3. DTE will be providing an estimate for adding street lights along MacArthur Boulevard. Supervisor Schwartz will have more information at the July board meeting. 4. Supervisor Schwartz and Dave Phillips met with residents of Timberwood Court, Tanglewood subdivision and a representative of the Washtenaw County Road Commission to discuss the residents petitioning to establish a special assessment district to repair the roads. The cost for Timberwood is around \$100,000 and the cost for Tanglewood is about \$550,000. This would be the first SAD for road repair in the Township and it is expected that the Township would contribute a percentage of the total cost. 5. Township officials will be meeting with a potential purchaser of Danbury Manor Apartments. They have requested information on the PILOT and other issues. 6. The Dixboro Farmers market is open every Friday evening and has been very successful. 7. The courts off of Vorhies were seal-coated. 8. There is a home on Panama that will be listed on the County tax sale. Supervisor Schwartz recommended that the Township purchase the property and sell it to Habitat for Humanity.

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

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

The motion carried by unanimous voice vote.

C. FINANCIAL REPORTS ALL FUNDS PERIOD ENDING APRIL 30, 2016

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 4**

Board members discussed the various revenues and expenditures for the first quarter. Some of the salaries, supervisor, accounting, assessing, treasurer and fire department are at 30-34%. Some activities are above budget, i.e.: roads, professional services and need budget amendments.

It was moved by Lewis, seconded by Green, that the Superior Township Board receive the financial report.

The motion carried by unanimous voice vote.

8. COMMUNICATIONS

A. EMAIL FROM ALYSSA GURKEY, SUTTON RIDGE – REDWOOD REZONING

It was moved by Caviston, seconded by Green, that the Superior Township Board receive the email from Ms. Gurkey.

The motion carried by unanimous voice vote.

9. UNFINISHED BUSINESS

A. ORDINANCE 174-18, SUTTON RIDGE – REDWOOD ACQUISITION LLC, AREA PLAN AMENDMENT

Township Attorney, Fred Lucas, addressed the Board and the audience at length about the area plan amendment. He addressed the need to amend the Development Agreement for Phase 1 and 2 of the Bromley Condos; the Letter Agreement signed by the Bromley COA; the issues relating to form of ownership and the fact that homes and condos in the area are already being leased; the need to make a decision with a rational basis for the action taken; the need for facts to prove a deleterious effect on neighboring properties; information on the selection and purpose of the Valbridge market study; the key issue is the form of ownership; the proposed changes to the proposed area plan; and, aspects of regulatory taking. He responded to numerous questions from the board and the audience.

Some Board members expressed concerns about the amount of information contained in the Valbridge study and other documents and requested additional time for study.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 5**

It was moved by Lewis, seconded by Green, for the Board to postpone action on Ordinance No. 174-18, Sutton Ridge-Redwood Acquisition LLC, Area Plan Amendment until the Board meeting of August 15, 2016 and to schedule discussion on the issue at the July 18, 2016 Board meeting.

The motion carried by unanimous voice vote.

10. NEW BUSINESS

A. RFP FOR TOWNSHIP WEBSITE DESIGN AND HOSTING

Clerk Phillips explained that the Township has used Washtenaw County's Zope website and hosting for about 15 years. It was free. The County is ending this service and the Township will have to transition to a new website by the end of 2016. Clerk Phillips wanted the new clerk to be involved in the process of selection and training to load items on to the website. Due to time constraints, it is necessary to start the bid process now. Clerk Phillips drafted an RFP, which he will post on the Township website and on BidNet/MITN, which is a website that many communities around the state and country use to post their RFP's. This posting results in more exposure, more transparency and provides an opportunity for all vendors to know about the RFP and bid on the project. He encouraged the Township to improve the bidding process and to use BidNet/MITN. The RFP contains background information, technical specifications, vendor background information and insurance requirements.

It was moved by Green, seconded by McKinney, for the Board to approve Superior Township RFP 2016-001, Website Design and Hosting and to approve posting it.

The motion carried by unanimous voice vote.

B. RESOLUTION 2016-09, RECOGNIZING RETIREMENT OF KEITH LOCKIE

Board members spoke in support of Mr. Lockie and the work he performed for the Township.

It was moved by McKinney, seconded by Green, for the Board to approve the following resolution:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

RESOLUTION 2016-09

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 6**

JUNE 20, 2016

**A RESOLUTION RECOGNIZING THE RETIREMENT OF KEITH LOCKIE
AND HIS YEARS OF HONORABLE SERVICE WITH SUPERIOR TOWNSHIP'S
PARKS, UTILITY AND ACCOUNTING DEPARTMENTS**

WHEREAS, on February 17, 1998, Keith Lockie began his career with Superior Township as the Administrator for the Parks and Recreation Department; and,

WHEREAS, Under Mr. Lockie's direction and stewardship the Superior Township Parks and nature preserves significantly improved in appearance and functionality. His sense of fairness and professionalism established excellent relations with his employees, the Township Board and the Park Commission; and,

WHEREAS, as a result of this outstanding performance the Township Board appointed Mr. Lockie as the accountant for the Utility Department; and,

WHEREAS, Mr. Lockie demonstrated repeated excellence by managing crucial financial functions including accounts payable, accounts receivable and the annual financial utility department audit. In 2003 he assisted the elected officials by preparing documents necessary to finance a \$3.5 million joint fire and utility bond. He assisted with the refinancing of the \$6 million YCUA/Wiard Road Sanitary Sewer Interceptor bond, and the \$3.5 million fire and utility bond. Additionally, he also assisted with submitting and administration of the State of Michigan energy efficiency and conservation block grant, which resulted in the renovation and improvements to the utility department administration building and the Township Hall; and,

WHEREAS, Mr. Lockie also assisted with specialized accounting and financial functions of numerous other Township projects including the oversight of grants for non-motorized trails and analyzing costs and benefits of the Township's health care plans; and,

WHEREAS, under his leadership the Utility Department met the standards set forth by the Michigan Department of Environmental Quality to become a certified water and sanitary systems operator,

WHEREAS, because of the continuing trust and respect for Mr. Lockie by the Township board, and because he had established himself as a highly competent, skilled, professional and invaluable asset to the Township, he was appointed to the office of Financial Controller for the Township; and

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 7**

WHEREAS, as Controller he reorganized the Township's accounting and reporting practices elevating the Township's financial practices into a state of the art model of efficiency, accuracy and transparency; and,

NOW THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees recognizes, salutes and applauds the career of Keith Lockie, and the Superior Township Board of Trustee can justifiably state that his body of work will leave a lasting legacy of accomplishment and proficiency; and,

BE IT FURTHER RESOLVED that the Superior Township Board of Trustees takes great pleasure in congratulating Keith Lockie on this retirement from Superior Township and herewith expresses its sincere gratitude for the invaluable contributions Keith Lockie has made to the various Superior Township departments and the community of Superior Township.

BE IT FUTHER RESOLVED that this resolution will be recorded in the permanent minutes of the Superior Township Board of Trustees and that copies will be sent to Keith Lockie to share with his family.

The motion carried by unanimous voice vote.

C. RESOLUTION 2016-10, BROOKSIDE STREET CRACK SEALING

Supervisor Schwartz explained that the crack sealing was needed to prolong the life of the asphalt and that this was a good price.

The following resolution was moved by McKinney, seconded by Green:

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

**RESOLUTION TO ACCEPT BID FROM
HUTCH PAVING FOR SEAL CRACK
FOR BROOKSIDE SUBDIVISION**

Resolution Number: 2016-10

Date: June 20, 2016

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 8**

WHEREAS, the Brookside subdivision is in Superior Township and located south of Geddes east of Harris and north of Stamford; and,

WHEREAS, the roads for Brookside are in fair to good condition and not yet deteriorated and can be rehabilitated with an application of crack seal; and,

WHEREAS, to crack seal the roads in Brookside will lengthen the useful life of the roads and lower costs for the township in the long run; and,

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves Hutch Paving to crack seal the public roads in the Brookside Subdivision in the total amount of \$18,176.00 payable from general fund line item 101-446-866-000, roads.

The motion carried by unanimous voice vote.

D. ORDINANCE NO 191, PROPERTY MAINTENANCE ORDINANCE, FIRST READING

It was explained that the Township needed to update its adoption by reference of the International Property Maintenance Code to the 2015 edition.

The following resolution was moved by Green, and seconded by Lewis:

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

ORDINANCE NUMBER 191

**ORDINANCE FOR THE ADOPTION OF THE 2015 PROPERTY MAINTENANCE
CODE
WHICH REPEALS AND REPLACES ORDINANCE NUMBER 153 ADOPTION OF
THE 2000 PROPERTY MAINTENANCE CODE**

An Ordinance of the Charter Township of Superior adopting the 2015 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 9**

fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and repealing Ordinance Number 153 of the Charter Township of Superior and all other ordinances or parts of laws in conflict therewith.

The Board of Trustees of the Charter Township of Superior does ordain as follows:

Section 1. Adoption of International Property Maintenance Code. That a certain document, three (3) copies of which are on file in the office of the Clerk of the Charter Township of Superior, being marked and designated as the *International Property Maintenance Code, 2015* edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Charter Township of Superior, in the State of Michigan for regulating and governing the conditions and maintenance of all property, essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Code Amendments. The following sections are hereby revised:

A. Section 101.1. Insert: Charter Township of Superior, Washtenaw County, State of Michigan

B. Section 103.5. Deleted and replace with the following:

The Township Board may establish by resolution a schedule of fees for activities and services performed by the department in carrying out its responsibilities under this code. Such schedule may be amended from time to time. Fee schedules shall be published in the manner as required by law and except as otherwise provide by law, shall be effective on the day after publication.

C. Section 106. Deleted and replace with the following:

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed responsible of a civil infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 10**

institute the appropriate proceeding at law or in equity to restrain, collect or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

D. Section 112.4. Delete and replace with the following:

Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines and prosecution per sections 106.3 and 106.4.

E. Section 302.4. Delete and replace with the following:

Weeds. *Premises and exterior property* shall be maintained free from weeds or plant growth in accordance with the Charter Township of Superior Ordinance No. 179, Turf Grass, Weeds and Brush.

F. Section 304.14. Insert for the first "DATE" "April 1". Insert for the second "DATE" "November 1"

G. Section 602.3. Insert for the first "DATE" "January 1". Insert for the second "DATE" "December 31"

H. Section 602.4. Insert for the first "DATE" "January 1". Insert for the second "DATE" "December 31"

Section 3. Repealer. That Ordinance Number 153 of the Charter Township of Superior entitled Ordinance for the Adoption of the 2000 Property Maintenance Code Ordinance Number 153 and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 11**

Section 4. Severability. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Charter Township of Superior Board of Trustees hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Sections 5. Preservation of Actions. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just of legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. Publication. That the Charter Township of Superior Clerk is hereby ordered and directed to cause this legislation to be published in the manner as required by law and except as otherwise provide by law, shall be effective on the day after final publication.

Ayes: Schwartz, Phillips, McKinney, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

The motion carried

E. PROPOSAL TO REPLACE WINDOWS AND TRIM AT TOWNSHIP HALL

Board members had questions about the differences between the windows quoted and felt there should be more than one bid.

It was moved by McKinney, seconded by Williams to postpone action on the purchase of new windows for the Township Hall until the next Board meeting.

The motion carried by unanimous voice vote.

F. GROWING HOPE INVOICE FOR MOBILE FARM STAND

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 12**

Brenda McKinney said Growing Hope requested the Township share in the cost of operating their mobile vegetable stand one day a week. She said they requested \$3,000 but the Township is paying them \$1,200. They accept Bridge and Snap cards.

It was moved by Lewis, seconded by Green, for the Board to approve the invoice from Growing Hope in the amount of \$1,200.

The motion carried by unanimous voice vote.

G. MTA ANNUAL DUES, 7/1/2016 TO 6/30/2017

Board members discussed the advantages of belonging to the Michigan Township Association.

It was moved by McKinney, seconded by Green, to approve the invoice for the annual dues from the Michigan Township Association in the amount of \$5,491.96

The motion carried by unanimous voice vote.

H. TRANSIENT AND AMUSEMENT ENTERPRISES APPLICATIONS FOR THE SUPERIOR LAND PRESERVATION SOCIETY CELEBRATION OF 25 YEARS

Sandi Lopez, SLPS, explained the celebration, which is scheduled for July 9, on the grounds of the Township Hall. Board members indicated their support of the event.

It was moved by Green, seconded by Lewis, that the Township Board has deemed the application accepted by the Township for review.

The motion carried by unanimous voice vote.

12. PAYMENT OF BILLS

There were no Bills for Payment.

It was moved by Lewis, seconded by Green that the Record of Disbursements be received.

The motion carried by a unanimous voice vote

13. PLEAS AND PETITION

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2016
ADOPTED MINUTES
PAGE 13**

There were no pleas and petitions.

14. ADJOURNMENT

It was moved by McKinney, seconded by Green, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 10:40 pm.

Respectfully submitted,

David Phillips, Clerk

Kenneth Schwartz, Supervisor