

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, FEBRUARY 19, 2007**

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:30 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

Present: Supervisor Michael Moran, Treasurer Virginia Forshee, Clerk Rena Basch, Trustees John Allison, Richard Dieterle, Della DiPietro and Randolph Perry.

Also Present: Township Attorney Sandra Sorini Elser, Fire Chief Rick Ericson and Utilities Superintendent Rick Judkins.

II. CITIZEN PARTICIPATION

John Petz representing Domino Farms read a letter into the record from Paul Roney, President of Domino Farms Corporation, in general opposition to the Township's site plan zoning ordinance amendment. Roney said they have examined the amendments and believe them to be ill conceived, unwarranted and harmful. The intention of such wholesale changes to the ordinance is to complicate and burden the development process thus discouraging new projects from being brought into the community. The heighten level of detail in reporting which will be required under the proposed ordinance changes can serve no reasonable governmental interest but rather is clearly designed to raise the cost of doing business for companies and will impact all Township residents and taxpayers. The interests of Domino Farms are definitely not represented by these amendments. This proposal is consistent with the Board's history of resisting Domino Farms development plans, a clear pattern of obstruction which has extended over years and has impacted our property rights and financial interest disproportionately. Roney strongly urged the Board to re-examine this proposed action, as well as its general attitude toward growth and development.

Shawn Murray, Public Affairs Director, of the Home Builders Association of Washtenaw County, read a letter into the record in general opposition to the Township's site plan zoning ordinance amendment. Murray said the HBA cannot support the changes and that these changes will further hinder the economic climate of the region. These policies are completely counterproductive to efforts of those trying to promote and expand economic development in the Ann Arbor region. The HBA has had great concern about these changes considering the fact that no insight was solicited or obtained from the building community. The HBA feels it to be imperative that we all work together to better the economic climate throughout the region and is troubled at such an important time for the building industry and consumer that more regulatory barriers are being erected.

Moran commented the purpose of these amendments is not to erect any barriers nor have there been any ~~additional barriers erected~~ new regulations imposed. Moran encouraged the ~~emose~~ to compare the current-proposed requirements against the existing requirements ~~and to select aspects of the ordinance that are of concern rather than complaining of being left out of the~~

~~process to see that they are the same.~~ Moran also said the site plan amendment process has been published and has been the subject of workshop meetings for ~~some time~~ 10 months.

III. APPROVAL OF MINUTES OF JANUARY 16, 2007 BOARD MEETING

Corrections to the 1/16/07 minutes: On page 1 in the last paragraph third line strike “a former” and insert “is a current”. On page 3 under Supervisor’s Report in the seventeenth line after “space plan” add “for courts and jail facilities.” **Allison moved approval of the January 16, 2007 minutes as amended. DiPietro seconded the motion which was adopted unanimously.**

Basch moved approval to amend the agenda to advance item V. A. Allison seconded the motion which was adopted unanimously.

V. A. Appointment to Planning Commission

Moran informed the Board ~~this is of~~ an appointment of Lee Gorman to the Planning Commission to fill the term of Randy Perry. Moran asked the Board to confirm his appointment and included Gorman’s resume information in their packets. DiPietro asked Gorman why she was interested in serving on the Commission. Gorman said she has always been concerned about development in the Township being done cautiously and conscientiously and has been pleased with how the Township leadership has handled it in the past. Gorman said she understands the Township needs people to continue to do this and believes she has the skills and interest to do so. **Allison moved approval to accept Supervisor Moran’s recommendation to appoint Lee Gorman to the Planning Commission. Dieterle seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Part 80 Sanitary Sewer System Use Rate and Fee Ordinance Amendment

Moran informed the Board ordinance amendments A, B and C on the agenda are all police power ordinances which do not require a public hearing. All of the ordinances are required by the contract negotiated with the City of Ann Arbor. The Township is required to implement a supplemental sewer use ordinance which is basically a city ordinance and requires the Township to comply and everyone that hooks up to the sewer system to comply. These are the Township’s existing ordinances to make them comply with the water and sewer agreement and the new resolution adopted after the rate study. **Allison moved approval of Part 80 Sanitary Sewer System Use Rate and Fee Ordinance in the first reading. DiPietro seconded the motion which was adopted unanimously.**

B. Part 81 Supplemental Sewer Use Ordinance Amendment

Moran informed the Board this is a city ordinance required for use, connections and various other restrictions as required under the contract with the City of Ann Arbor. The Township Attorney advised the Board the purpose of this ordinance is to prohibit illegal discharges into the waste water treatment plant. Basch said if acronyms are to be used prior to listing their definitions that they should be spelled out first before using them in the ordinance. **Basch moved approval of Part 81 Supplemental Sewer Use Ordinance in the first reading. Allison seconded the motion which was adopted unanimously.**

C. Part 82 Water Supply System Use, Rate and Fee Ordinance Amendment

The Township attorney advised the Board these are basically the same changes to codify the new rates which were adopted by the ~~new resolution~~Board of the system and to make it consistent with the Township and City of Ann Arbor contract. **DiPietro moved approval of Part 82 Water Supply System Use Rate and Fee Ordinance in the first reading. Dieterle seconded the motion which was adopted unanimously.**

D. Zoning Ordinance Article XXII – 130.2200 – Site Plan Review

Moran reminded the Board the charge to the Planning Commission was to review the existing site plan requirements and development standards and to consolidate and eliminate any duplication so that all of the requirements for filing a site plan would clearly be stated. One of the purposes was to examine the existing ordinance structure and make the requirements more user friendly by requiring less up front for preliminary site plans, especially for large projects, ~~but with the understanding that preliminary site plan reviews~~ would not have the same guarantees as with the current ordinance. Moran said this purpose was not accomplished in that the preliminary versus final site plan requirements were not dramatically restructured.

Allison said the Planning Commission spent ten months of discussion on a lot of different issues. Allison pointed out the preliminary site plan is also the approval required for a PUD and CUP. To dramatically change the preliminary site plan would then require changes to the PUD and CUP ordinances.

Perry said the Planning Commission tried to simplify the site plan review process by bringing in the land development standards. He said two major revisions the Planning Commission made was improving the pre-application language to encourage builders and developers to meet with Township staff prior to submitting any formal plans to promote better applications; and moving some things from the preliminary site plan stage to the final site plan stage which has made the requirements of the preliminary site plan less onerous. The site plan review process was also driven by the Township Planning Consultant who concurred with the Planning Commission that ~~it simplified~~ the process for developers be simplified.

Moran said the problem he has with the ordinance is less substantive and more structural and that it is difficult to read. Moran said he would like to attempt to do some restructuring. The Board discussed several sections of the ordinance which were of concern. The Board discussed and debated whether or not the ordinance should be remanded to the PC. **Allison moved approval to table the site plan review ordinance. Dieterle seconded the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

B. Reappointment to Planning Commission

Moran said the Board had tabled the appointment of Kris Olsson for ~~more-another~~ terms to the Planning Commission due to concern over the annexation situation and the possibility of causing multiple vacancies in the Planning Commission. Olsson's term expired on July 1, 2005. Moran said Olsson continues to serve and will continue to serve until a successor is appointed. Moran asked the Board to confirm the reappointment of Olsson to the term ending July 1, 2008.

DiPietro moved approval to reappoint Kris Olsson to the Planning Commission. Allison seconded the motion which was adopted unanimously.

C. Request for Annexation Release Parcel I-09-20-252-005

Moran said this is a request that was started in 1984 to annex into the city but never happened due to a discrepancy in the legal description. Moran said a five year service agreement was signed and the city has been collecting the water and sewer rates while the Township has continued to collect property taxes. The legal description discrepancy has been corrected and the current property owners have asked the Township to complete the annexation process. **Allison moved approval for release of annexation parcel I-09-20-252-005. DiPietro seconded the motion which was adopted unanimously.**

D. Resolution Adopting Washtenaw Metro Alliance Plan for Coordination of Parkland and Open Space

The resolution was incomplete therefore the Board decided to table the matter until their next regular meeting. **Perry moved approval to table the resolution. Basch seconded the motion which was adopted unanimously.**

E. Resolution of Support for Lodi Township

Moran informed the Board this is a request for an area master planned for agriculture. Lodi Township has a request for 660 residential units on 112 acres which contravenes their general development plan and several other regional and local plans. Moran said this puts them in the same position as Ann Arbor Township but doesn't have the overlay of discharging into the middle Huron or TMDL problem. **Allison moved approval of the resolution of support for Lodi Township. DiPietro seconded the motion which was adopted unanimously.**

F. Appointment of Designate to Urban County Executive Committee

Moran said he serves on the Urban County Executive Committee which requires each Supervisor who attends to designate another person who can appear and vote on their behalf in the event that they are unavailable. Moran said Randy Perry has agreed to be that person and he is asking the Board to designate Perry as a substitute for the Urban County Executive Committee. **DiPietro moved approval to designate Randy Perry as an alternate to the Urban County Executive Committee. Basch seconded the motion which was adopted unanimously.**

G. Recognition Certificate

Moran informed the Board Boy Scout Troop 27 is requesting a certificate of recognition for new Eagle Scout Patrick Regan. **Allison moved approval of the certificate of recognition. Dieterle seconded the motion which was adopted unanimously.**

H. Supervisor's Report

Moran reported the latest draft of the County's PWS ordinance will be presented at the Board of Commissioners meeting on February 22, 2007 at 6:30 p.m. Moran said the County's ordinance doesn't change the Township's ordinance but instead adds an additional layer of protection. The Eastern Washtenaw Police Authority Study continues to meet and has received two statements of interest from companies who have experience in police and fire authorities. The Police Services Steering Committee continues to meet and according to discussions with the under sheriff

Townships are required to pay one sixth of the costs of a sergeant. The Washtenaw Metro Alliance continues to move forward for a central dispatch and there has been much discussion about helping the level of cooperation among various fire departments. According to the new state cable service statute the Township will continue to receive cable franchise fees however the cable companies will be able to offset any free service the Township receives from the costs. ATT has removed some of its equipment from the Fire Station 2 tower and the Township will be receiving a check for \$5000 for allowing them to leave the antenna and cable in place. Moran distributed a copy to the Board of the Washtenaw County Non-Motorized Transit Plan. Moran said he will be attending a US 23 Corridor Study meeting tomorrow and the Barton Drive exit issue may be up again for discussion.

I. Clerk's Report

Basch reported the Township is holding the storm water permit check. Moran said he doesn't have enough information at this point to present the issue. Moran said according to a recent court case Townships may not be required to pay for these costs. Basch reported she attended the Seeds of Prosperity conference which discussed the potential of Michigan agriculture to create jobs and to address public health, environmental and land preservation issues. Basch congratulated the Township's Farmland Board and Planning Commission for being ahead of the curve because there is now a strong recognition that the diversity of the agricultural economy is very important and there is a need for smaller non-commodity based farms.

J. Treasurer's Report

Forshee submitted a written report to the Board.

K. Planning Commission

Allison reported on the Planning Commission meeting held on February 5, 2007 and the workshop meeting held on February 12, 2007. The minutes were included in the Board's packets.

L. Public Safety

1. Fire Department

Ericson reported he attended a MDOT meeting regarding construction along US 23 and proposed lane closures beginning on March 1, 2007. Ericson presented an overview of the Fire Department's Capital Improvement Plan and the 2006 Incident Summary.

2. Sheriff Department

Lieutenant Filipiak submitted a written report to the Board.

M. Utilities Department

Judkins submitted a written report to the Board. Judkins reported public information meetings are scheduled for the Pinebrook Estates drainage district on March 1, 2007 and the Ayrshire special assessment district on March 13, 2007. Both meetings will be held at 7:00 p.m. at Town hall. Judkins thanked Clerk Basch for updating the website for storm water information.

N. Building Department

Gary Dresselhouse submitted a written report to the Board.

O. Farmland and Open Space Preservation Board

Allison reported the FOSPB meeting held on December 19, 2006. The minutes were included in the Board's packets.

P. Approval of Claims Listing

DiPietro moved approval of the claims listing for January 15, 2007 in the amount of \$43,282.23. Allison seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for January 19, 2007 in the amount of \$666.48. Basch seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for January 23, 2007 in the amount of \$311.58. DiPietro seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for February 1, 2007 in the amount of \$246,928.67. Dieterle seconded the motion which was adopted unanimously.

Dieterle moved approval of the claims listing for February 14, 2007 in the amount of \$57,829.91. Forshee seconded the motion which was adopted unanimously.

VI. INFORMATIONAL ITEMS

Informational items were included in the Board's packets.

VII. NON-AGENDA ITEMS

Moran requested Board approval of the 2007 Township attorney's hourly rate of \$175 and Colleen Coogan's hourly rate of \$65. **Allison moved approval of the rates for 2007 for Bodman for \$175 and Colleen Coogan for \$65. Dieterle seconded the motion which was adopted unanimously.**

Moran requested Board approval of the Dexter Ann Arbor run. Moran advised the Board a certificate of insurance has been filed with the Township. **Allison moved approval of the Dexter Ann Arbor run. Forshee seconded the motion which was adopted unanimously.**

Moran reported he has signed a contract with the Township Engineer with the provision under the designation of Damien Wetzel that he could be substituted by mutual consent. Moran also reported he has negotiated a new Assessor contract for three years with a 3.7% increase per year. Judkins reported the soil erosion ordinance is near completion for Board approval. Allison reported a new entity has been formed called the Fair Food Foundation which will be the largest sustainable agricultural food equity program in the country and will be located in the Ann Arbor area.

VIII. PUBLIC COMMENT - None**IX. ADJOURNMENT**

Forshee moved approval to adjourn the meeting at 10.01 p.m. Basch seconded the motion which was adopted unanimously.