

ANN ANBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, FEBRUARY 20, 2006

I. CALL TO ORDER

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 6:45p.m.at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

The Board adjourned to closed session at 6:45 p.m. to discuss pending litigation. The Board reconvened to open session at 7:30 p.m.

Present: Supervisor Moran, Treasurer Virginia Forshee, Clerk Rena Basch, Trustees Della DiPietro, John Allison, Gene Ragland, Richard Dieterle.

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

DiPietro moved approval to act on the settlement discussed during closed session. Allison seconded the motion. The motion carried with Ragland opposed.

II. CITIZEN PARTICIPATION

No citizen signed up for participation.

III. APPROVAL OF MINUTES OF JANUARY 17, 2006

Corrections to 1/17/06 minutes: On page 3 change item G1 to G and on page 4 after item J under non-agenda item add as item L. **DiPietro moved approval of the January 17, 2006 minutes with corrections. Ragland seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. AZ-19-05 Petition for release for annexation-Petition by owner, Sue Dean, to release 0.17 acre parcel 1-09-30-350-003 at 531 Burwood in order to take advantage of lower utility connection charges. Area A. Tabled by Board in June because of failure to pay taxes. Moran indicated this is pursuant to the Township's agreement regarding utility hook up's. Moran said the Township negotiated an amendment of the boundary agreement with the City of Ann Arbor to permit Township residents who live in various areas to connect to utilities and those in all except Area A to defer annexation to 12/31/07. Moran stated this parcel is in Area A and in order to take advantage of the City's reduced connection charges the Petitioner signed an agreement with the City of Ann Arbor. Moran said he confirmed the agreement with the City's engineers and that taxes have now been paid. **Allison moved the approval of the annexation request for 19-05. DiPietro seconded the motion which was adopted unanimously.**

B. ZC-3-05 Northbrooke-Resolution to approve PUD rezoning and area plan. The Planning Commission recommended approval at its December 2005 meeting. Moran indicated this item was tabled at last month's Board meeting so the Petitioner's attorney could review the proposed resolution. Moran said he has ~~not~~ heard from Petitioner's counsel. Moran said after contacting Steve Robinson there are no further comments at this time from Petitioner. Moran stated this is a PUD proposal in which the developer is proposing 20 units in the northern section north of Pontiac Trail and 38 units in the southern section south of Pontiac Trail including a donation of 153 acres to the Township to preserve in farmland in perpetuity. The Planning Commission recommended approval in December 2004, however, prior to the matter coming before the Board the Petitioner asked for it to be withheld and spent 9 months considering what they wanted to do. Petitioner then changed their proposal to include a Private Wastewater System instead of well and septic. Moran said since a PWS had never been considered by the Planning Commission the Board remanded it to the Planning Commission for consideration of the PWS. After substantial additional hearings the Planning Commission recommended with conditions approving the PUD rezoning and area plan. Moran stated the Utilities Committee has been working on a PWS ordinance and it is now in its 3rd draft. Moran indicated while Silverman has this proposal before the Board they are simultaneously proceeding in two contradictory ways with the same parcel. Moran said the Planning Commission has scheduled a public hearing in March for a request to rezone the northern section north of Pontiac Trail to one acre lots and on the south parcel a total of ten, ten acre splits. Board discussed moving forward on the PUD rezoning and area plan and the proposed resolution and noted items for revision.

Ragland moved approval to remove from the table the Resolution approving the PUD rezoning petition and area plan for Northbrooke. Allison seconded the motion which was adopted unanimously.

Allison moved approval of the Resolution approving the Northbrooke PUD rezoning and area plan with amendments to the draft Resolution of January 17, 2006 to February 20, 2006 and in item 3.2 change 10 days to 40 days; in item 3.26.1, page 7, after Township insert prior to approval of final site plan; in item 3.27, page 11, delete within 10 days of the date of this Resolution and insert within 21 days of the public hearing of the Lake Village petition; and in Recital A change ZC-1-04 to ZC-3-05. Basch seconded the motion which was adopted unanimously. Resolution attached.

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Planning Commission Appointment

Supervisor requests the reappointment of Kris Olsson and Diane O'Connell to 7-1-08. Ragland expressed concern over current members of various commissions and boards are in areas that are to be annexed to the City of Ann Arbor in 2008 and recommended the Board address this issue prior to reappointments. Moran indicated Diane O'Connell is not in the area subject to annexation but Kris Olsson and Peter Kotila are in the area subject to annexation. **DiPietro moved approval to reappoint Diane O'Connell to 7-1-08 to the Planning Commission and to table the reappointment of Kris Olsson until next month. Ragland seconded the motion which was adopted unanimously.**

Moran agreed to report back to the Board next month with a list of appointments subject to loss due to annexation.

B. Appointment-Zoning Board of Appeal

Supervisor requests the reappointment of Doug Price to 7-1-08. **Allison moved approval to reappoint Doug Price to 7-1-08 to the Zoning Board of Appeals. DiPietro seconded the motion which was adopted unanimously.**

C. Appointments-Farmland and Open Space Preservation Board

Supervisor request the reappointment of Oran Hesterman, Chuck Cares and Otto Moehrle to 3-1-09. **Allison moved approval to reappoint Otto Moehrle to 3-1-09 to the Farmland and Open Space Preservation Board and to table Oran Hesterman and Chuck Cares until next month. DiPietro seconded the motion which was adopted unanimously.**

D. Washtenaw County Mutual Fire Aid Agreement

Supervisor request authority to sign amended mutual aid agreement. The amendment adds technical rescue and urban search and rescue incidents as functions for possible deployment of mutual aid. **DiPietro moved to authorize Supervisor Moran to sign the amended mutual aid agreement. Basch seconded the motion which was adopted unanimously.**

E. Resolution to Approve Ann Arbor Township's participation in the Coalition for Action on Remediation of Dioxane

Supervisor requests adoption of resolution to approve his participation in CARD on behalf of township, an organization seeking remediation of pollution plume. **DiPietro moved approval of Ann Arbor Township's participation in this Coalition and for Supervisor Moran to act on behalf of the Township. Ragland seconded the motion which was adopted unanimously.**

F. Discussion and Possible Resolution-Washtenaw County Natural Areas Preservation Program

Moran indicated a parcel in the Township has made round 5 of the selection process. Moran stated he included the round 5 application in the Board's packet and material which identifies what the program is all about. Moran said a decision is not required at this time and Tom Freeman from County Parks is willing to appear at the Board's next meeting to discuss this proposal. Moran indicated it is an L shaped 10 acre parcel which was flushed out from the Greenbelt program. County is proposing a gravel drive with an area for six parking spaces. Moran stated the parcel is zoned RC but conditional use, public safety, and gating questions need to be addressed. **DiPietro moved approval to table. Dieterle seconded the motion which was adopted unanimously.**

G. Discussion and possible resolution regarding removing US 23 improvements from the State's deferred list

Request for support by Mike Cicchella, Supervisor of Northfield Township. Board discussed the Resolution and the possibility of a commuter rail system from Brighton to Ann Arbor. The Resolution for removing US 23 improvements off of the State's deferred list failed for lack of support by the Board.

H. Supervisor's Report

Moran updated the Board on the recent MTA Conference. Moran stated one of the sessions was on PWS and he has a store house of information from various sessions and that the Utilities Committee is on the 3rd draft of the PWS ordinance. Moran said Bill McFarlane advised him the PWS would accommodate a minimum of 20 units and a maximum of 60 units. Moran indicated the Utility Committee is in discussion again regarding Ayrshire and existing single family neighbors are circulating a petition trying to assure the Township would have support of 50 plus percent after a vote. Moran said the numbers look close and he has asked Township engineers to try to apply a rough formula to the costs the Township estimated to them in 2002 to bring it up to a rough approximation of what the costs would be today prior to any money being spent on engineering. Moran indicated Sheriff Road Patrol Committee meetings continue and he expects to meet with Bob Guenzel to learn what he is expected to recommend to the BOC. Moran said the Millage Committee has been meeting and has compiled a list of all properties subject to annexation and a list of all properties subject to annexation in 2007 pursuant to the utilities connection deferrals. He said Colleen is working on determining the amount of property tax loss. Moran stated the Committee has had discussion with Chief Ericson who would prefer the Township pursue a separate fire and police millage. Moran stated Chief Ericson has worked out a budget for the Fire Department's needs for 2012. Moran said the Committee is looking at what the Township would need for police in 2012 and at the same time verifying what the Township would lose in tax base subject to annexation in 2007, 2008 and beyond. Moran indicated the Committee is determining whether to pursue a joint or separate millage for police and fire.

I. Clerk's Report

Basch commented on the MTA Conference and found the seminar on millages very helpful. Basch said she is planning to write a letter of complaint to the MTA regarding another seminar that lacked scholarship. Basch said the May school board election candidates are out and the 800 megahertz language is available. Basch thanked Della for the Township newsletter and thanked Gene and Mike for their articles. Basch stated Damien and Rick provided utility specifications that have been put on the Township website.

J. Planning Commission

John Allison reported on the Planning Commission meeting held on February 6, 2006. The minutes were included in the Board members' packets. Ragland inquired about the \$4000 refund to Solid Rock Church. Moran and Basch indicated the refund was related to another matter and didn't involve the trees.

K.1. Fire Department

Chief Ericson indicated the Board adopted a Resolution supporting NIMS but he hadn't received a copy of the Resolution. Chief stated he provided the Board with a year end report. Chief noted response times went up a little bit from the previous year and the average paid on call fire fighter response is three and he would like to see this improve. Chief said the Township generally has five fire fighters on any given call. Chief stated the Township gives two times more than what is received in mutual aid and recommended the Township adopt a fire and safety code. Moran stated the Chief is proposing an ordinance that would allow the Township to write tickets for blocking fire lanes and obstructing hydrants.

K.2. Sheriff Department

Moran indicated the Board received the monthly report for January 2006 from Sergeant Mahalick.

L. Utilities Department

Judkins stated there are two issues involving the WCC. He said it is important to make sure the Planning Commission's conditions reflect approval of the City to provide additional water and in the second phase of the WCC project they can tear out mitigated trees per the Township ordinance without replacing them. Judkins said he has applied per contract for the 2% water credit with the City. Judkins stated the City has new fire line connection fees which total \$278,250 and Supervisor Moran is negotiating with the City over this matter. Judkins indicated the Township is a member of Community Partners for Clean Streams as part of the phase two storm water program, GIS updates from the County for 2006 are forthcoming, and he is working on the sewer bypass.

M. Building Department

Gary Dresselhouse submitted the annual written report to the Board.

N. Farmland and Open Space Preservation Board

John Allison reported the Board is anticipating a new round of FRPP funding and established the township round deadline for March 22, 2006. Allison indicated the Board approved the conservation easement final language that was received from Jim Marshall. Allison said Kapp is interested in signing the purchase agreement.

O. Approval of Claims Listing

Ragland moved approval of the claims listing for February 1, 2006 in the amount of \$158,941.60. Allison seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for February 16, 2006 in the amount of \$349,604.42. Dieterle seconded the motion which was adopted unanimously.

VI. INFORMATION

VII. NON-AGENDA ITEMS

Moran stated the Board just received recommendations from the Personnel Committee regarding salary increases and hiring the new employee for the Utilities Department.

DiPietro moved approval of the Personnel Committee's recommendation for salary increases for Township employees. Dieterle seconded the motion which was adopted unanimously.

DiPietro moved approval of the Personnel Committee's recommendation to hire Brian Boesel for the new position of Utility Technician to assist Rick Judkins at a starting salary of \$31,000 and is eligible for an increase of \$2000 at the time he obtains certification as a

Waterworks System Operator S3. Ragland seconded the motion which was adopted unanimously.

Ragland commented the Maple Road roundabout recommendation will be presented at the Ann Arbor School Board on March 8, 2006. Moran commented the MTA Speed Limit Presentation by the Michigan State Police will be held on February 23, 2006 at 7:00p.m. at Scio Township Hall.

VIII. PUBLIC COMMENT

A member from the audience commented on the Fire Program for kids. She said she had the opportunity to attend the program with her grandchild's preschool class and was very impressed with the program.

IX. ADJOURNMENT

Forshee moved to adjourn the meeting at 9:48p.m. Moran seconded the motion which was adopted unanimously.