

ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
TUESDAY, APRIL 18, 2006

I. ROLL CALL

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:32p.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, Della DiPietro, and Gene Ragland. Trustee Richard Dieterle arrived at the meeting at 8:35p.m.

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

II. CITIZEN PARTICIPATION – No citizen signed up for participation.

III. APPROVAL OF MINUTES OF MARCH 20, 2006

Corrections to the 3/20/06 minutes: On page 2, first paragraph sixth line, add a comma after “public” and insert “they” after “and”. On page 4 correct the spelling of “Ayershire” to “Ayrshire”. Under Supervisor’s Report add “Township” after “Ann Arbor” and change “is” to “on” after “grievance”. **DiPietro moved approval of the March 20, 2006 minutes with corrections. Allison seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. ZC-5-05 Silverman Lake Village

Request for zoning change of 14.93 acres from R-1 to R-2 and 18.22 acres from A-1 to R-2. Planning Commission recommends denial. Moran stated he received a letter this morning by fax from Mr. Carson and had forwarded copies to all board members. Basch said the deadline for submittal for the Board packet was last Wednesday and she didn’t have time to fully read the five page letter. Ragland said he had read the letter but didn’t have a chance to reflect upon it and was not prepared to discuss it today. Ragland stated the letter should be considered in conjunction with recommendation from the Planning Commission. **Ragland moved to table the Silverman Lake Village zoning change request. DiPietro seconded the motion which was adopted unanimously.**

B. ZC-3-05 Silverman, Northbrooke

Moran stated the Board previously recommended approval of PUD rezoning and area plan with conditions at its February 2006 meeting. Moran said the Board received a transmittal from Silverman expressing concerns regarding the conditions. Moran indicated he briefly spoke with Steve Robinson about possibly establishing a subcommittee to review the concerns. The Board supported the recommendation of a subcommittee to discuss the concerns regarding the conditions in the resolution. The Board agreed the 40 day requirement was unnecessary and it’s the Board’s intention to move forward on this item. The Board suggested two Board members and one Planning

Commission member should serve on the subcommittee. The Board discussed some key issues/concerns regarding confusion over the Planning Commission authority versus Board authority, farmland donation, PWS Ordinance and preliminary site plan standards. Basch reminded Robinson the conditions are necessary to ensure the Petitioner complies with all requirements. Basch asked Robinson what is Silverman's intent: Does Silverman want to move forward with the PUD or do they want to pursue other actions on the same piece of property? Steve Robinson was present representing Petitioner. Robinson stated it is Silverman's intent to pursue both the rezoning and the PUD simultaneously. **Allison moved approval to table the Silverman-Northbrooke proposal to allow a subcommittee made up of Supervisor Moran, Trustees Ragland and Allison and a Planning Commission member, to report back in two Board meetings. DiPietro seconded the motion which was adopted unanimously.**

C. AZ-2-06 Request for release for annexation

Owner requests release of 31.93 acres to obtain access to city utilities for development. Moran said the map includes the portion that was carved out that the Forshee family retains. Moran said the Township needs to ask the Petitioner to resubmit their request for annexation. **Allison moved to table the request for release for annexation. DiPietro seconded the motion which was adopted unanimously.**

D. P06SE0001, Special Use Permit, Barton Hills Fireworks Display

Moran stated the fees have been paid and Dresselhouse indicated all conditions have been met. Fire Chief Ericson asked to add a contingency to the permit making it contingent upon a site inspection by the Fire Department after the fireworks setup. **Allison moved approval of the Barton Hills Fireworks Display Special Use Permit contingent upon the Fire Department's inspection and approval of the setup prior to ignition. Ragland seconded the motion which was adopted unanimously.**

VII. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Wireless Washtenaw

Final draft of the agreement was included in the Board's packet. The Township Attorney said the draft has been approved by all entities; however, the Township's request for concurrent rights to terminate was not included. The Township Attorney said she emailed all Board members the proposed asset list; however, there is not enough information on the location of the antenna. DiPietro inquired about the participant being responsible for compliance with all lighting requirements of the FAA and the requirement to procure and maintain general commercial liability insurance. **Ragland moved approval of the Master Participation Agreement and Schedule 2 with contingencies added to Schedule 2 that the addition to Township assets shall not cause there to be an increase in insurance costs nor shall there be requirements for lighting. Basch seconded the motion which was adopted unanimously.**

B. Millage Committee Report

The Board discussed the Resolution authorizing the ballot proposal for the fire and police millage. Basch said the **basie-remaining** question is whether the Township can have a statement at the beginning of the ballot language which states the current fire millages

will expire. The Township Attorney said the sentence may be subject to legal challenges because it may imply the millage is a renewal. Moran suggested adding a sentence to the resolution that states if the first sentence is not approved the Board approves the remaining portion of the proposed ballot language. Richard Dieterle arrived at 8:35p.m. **DiPietro moved approval adopting the resolution dated April 18, 2006 with the following changes: In the title of the ballot language change “or” to “and”. In the eighth line strike the word “or” and add the word “and”. A Now Therefore clause is added which states in the event the approving body rejects the first sentence of the above ballot language the remaining ballot language shall be used. On page two in the second paragraph second sentence insert the word “to” after “Township”. Ragland seconded the motion. Roll Call Vote: Dieterle: Aye. Ragland: Aye. Moran: Aye. Allison: Aye. Forshee: Aye. DiPietro: Aye. Basch: Aye.**

C. Request for Funding-Huron River Watershed Council

The Watershed Council requests funding of \$472 for the annual council membership dues from 4/06 through 3/07. **Allison moved approval of funding for membership dues. DiPietro seconded the motion which was adopted unanimously.**

D. Discussion of 2006 Road Projects

Moran said he put a call in to Charlie Nielson to ask about sharing the cost of repairing Maple Road but he had not yet heard back from Nielson. Moran indicated there has been discussion amongst various township Supervisors about what to do about the increasing costs of chloride. Basch cited Clark and Hogback roads are in need of improvement. Allison cited Maple, Ford, Country Club, Landsdown, Woodland, Riverview and Blakeway roads are in need of improvement. **Allison moved to table the decision on 2006 road projects for one month. DiPietro seconded the motion which was adopted unanimously.**

E. Discussion regarding EnerCom, Inc. Proposal

Proposal for fixed cost contract for natural gas. Moran said the program is now closed and is not currently available because it was sold out.

F. Supervisor’s Report

Moran stated the East Medical Campus development plan is proposing to level out a pile of dirt and construct a temporary gravel parking lot. Moran said the Township may want to request that the University create a berm with the dirt to minimize impact to neighboring properties. Moran said he sent a copy to all Board members of a study of County wide services. Moran indicated the Township should have a private wastewater treatment system (PWS) Ordinance for first reading next month and the County continues to work on its PWS Ordinance and he will be attending a County meeting this week. Moran said the Utilities Department is working with the City of Ann Arbor and WCC on the water main loop to supply an emergency water system to WCC and the new fitness center. Moran indicated PALL is still drawing a lot of wells to see where the pollution plume is moving. The County, City of Ann Arbor, Ann Arbor Township and Scio Township are working on a draft document that will be sent to realtors, plumbers, heating contractors, and the like, informing them of their responsibilities of various portions of

the areas affected by pollution. Moran stated he past out a written presentation of the Washtenaw Metro Alliance Open Space plan to all Board members and they are interested in making a presentation to the Board. The Board agreed to schedule a presentation by the WMA for the June Board meeting and to include the Farmland and Open Space Preservation Board and the Natural Features Committee. Moran stated he will present the Board with a contract for the new Township engineer next month.

G. Clerk's Report

Basch informed the Board there is a May 2nd election. ~~and provided the Board with the County's flyer on their millage proposal.~~ Basch said the election commission met on April 6, 2006 and decided to ask to increase the pay of election inspectors from \$10 per hour to \$12 per hour. **Basch moved approval to pay election inspectors \$12 per hour including two hours to attend a training class. Allison seconded the motion which was adopted unanimously.** Basch said the Township received 40-50 absentee ballots; however, the permanent absentee ballot list is uncertain. Basch said she included a letter alerting absentee voters that in the future ballots may not be automatically sent out to them. Basch stated the website has been updated with engineering details and the public has requested Board members' emails be made available on the website. Basch indicated EMU's public administration program asked if the Township would be willing to be placed on a list of potential internship sites. Basch said the Township is currently updating their phone system to TDS Metrocom.

F. Planning Commission

Allison reported on the April 3, 2006 Planning Commission meeting. The minutes were included in the Board's packet.

G.1. Fire Department

Chief Ericson stated the Department is within one week of getting the new fire antenna mounted on top of the tower. Ericson said the Fire and Utilities Departments are doing GPS tracking of all fire hydrants. Ericson distributed the County's latest 800 megahertz flyer which is on the May 2nd ballot. Ericson stated there was a meeting on April 6, 2006 with the Metro Alliance regarding mutual aid services. Ragland attended the meeting and reported that the level of cooperation has been considerable for the past 30 years. Ragland said the main concern is to address big ticket items where a piece of equipment could be shared between municipalities and the need to have some identified response where a particular fire station is closer to an area than a fire station which has the authority to respond.

G.2. Sheriff Department

Sergeant Mahalick submitted a written report to the Board.

H. Utilities Department

Superintendent Rick Judkins submitted a written report to the Board.

I. Building Department

Gary Dresselhouse submitted a written report to the Board.

J. Farmland and Open Space Preservation Board

Allison reported on the March 27, 2006 FOSPB meeting. The minutes were included in the Board's packet.

K. Approval of Claims Listing

DiPietro moved approval of the claims listing for April 3, 2006 in the amount of \$78,702.74. Dieterle seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for April 13, 2006 in the amount of \$104,363.26. DiPietro seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for March 2, 2006 in the amount of \$235.00. Ragland seconded the motion which was adopted unanimously.

Ragland moved approval of the claims listing for March 22, 2006 in the amount of \$500.00. Basch seconded the motion which was adopted unanimously.

VIII. INFORMATIONAL ONLY ITEMS-None

IX. NON-AGENDA ITEMS

Moran informed the Board there is a new zoning act and he will provide the Board and Planning Commission with a copy. The Township Attorney stated Townships' can only grant use variances if their ordinances allow use variances before February 1, 2006.

X. PUBLIC COMMENT- None

XI. ADJOURNMENT

Forshee moved approval to adjourn the meeting at 9:37p.m. Ragland seconded the motion which was adopted unanimously.