

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, MAY 21, 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 and Utilities Superintendent Rick Judkins.

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

Perry moved approval to amend the agenda to advance item V.B. after the approval of minutes. Allison seconded the motion which was adopted unanimously.

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

Allison moved approval of the April 16, 2007 minutes. DiPietro seconded the motion which was adopted unanimously.

V.B. Set Public Hearings for Industrial Facilities District and Industrial Facilities Tax Exemption Application

Tim Robinson on behalf of Ann Arbor SPARK said Aastrom Biosciences has filed an industrial facilities tax exemption certificate application. Robinson explained this is an application only for personal property tax abatement. Robinson said the rule for personal property abatement requires a company to ask for the abatement within 6 months of placing the equipment in operation. Gerry Brennan the Chief Financial Officer of Aastrom Biosciences gave a brief overview of the company. Brennan said the company is located in Domino Farms and currently has 59 employees with plans to add an additional 10 employees in the next couple of years. Brennan explained Aastrom is part of a relatively new area of medicine called personalized medicine whereby they make a specific drug for a patient made with cells from the patient's own body. Brennan said the technology was originally developed at the University of Michigan over 15 years ago. Brennan stated Aastrom is a public company with over 120 million shares and 175 million in market capitalization. Brennan said they currently have pivotal trials that are ongoing in the United States to get FDA approval; for all of their trials the product is produced in Ann Arbor Township. **Allison moved approval to set two public hearings for June 18, 2007: for an Industrial Development District (IDD) for 24 Frank Lloyd Drive, Suite K 2000, and to consider Aastrom's IFT application. Dieterle seconded the motion which was adopted unanimously.**

V.C. Set a Public Hearing to Terminate the Industrial Facilities District for Domino Farms Phase VI.

Moran explained the Board had previously established an industrial facilities district for a possible tax abatement located in Phase VI of Domino Farms office park. Moran said the abatement never occurred and Domino Farms had agreed if it didn't occur it would be appropriate to terminate the district. Moran stated he was advised by the Township attorney in order to terminate the district the Board must hold a public hearing. **DiPietro moved approval to set a public hearing to terminate the industrial facilities district which had originally been established for Domino Farms Phase VI. Dieterle seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

- A. AZ-6-04** Request by owner for release for annexation of a 1.23 acre parcel, I -09-18-480-001, 2160 Newport Road, to connect to City utilities per contract. Moran explained the petition was filed in 2004 and then tabled because the owner was confused and thought she had to annex immediately.
- B. AZ-3-07** Request by owners for release for annexation of a 1 acre parcel, I -09-27-450-009, 314 Huntington Drive, to connect to City utilities per contract.
- C. AZ-4-07** Request by owner for release for annexation of a 0.26 acre parcel, I -09-16-372-001, 344 Hilldale Drive, to connect to City utilities per contract.
- D. AZ-5-07** Request by owners for release for annexation of I -09-27-125-004, 2814 Glazier Way, to connect to City utilities per contract.
- E. AZ-6-07** Request by owner for release for annexation of a 0.45 acre parcel, I -09-34-150-002, 3122 Geddes Road to connect to City utilities per contract.
- F. AZ-7-07** Request by owners for release for annexation of a 1.2 acre parcel, I -09-34-160-005, 3558 E. Huron River Drive to connect to City utilities per contract.
- G. AZ-8-07** Request by owner for release for annexation of a 3.12 acre parcel, I -09-34-180-010, 2901 Heatherway, to connect to City utilities per contract.
- H. AZ-9-07** Request by owners for release for annexation of a 0.85 acre parcel, I -09-35-175-003, 35751 East Huron River Drive, to connect to City utilities per contract.
- I. AZ-10-07** Request by owners for release for annexation of a 0.58 acre parcel, I -09-27354-006, 237 Pineview Court, to connect to City utilities per contract.
- J. AZ-11-07** Request by owner for release for annexation of a 0.4855 acre parcel, I -09-18-480-003, 2120 Newport Road, to connect to City utilities per contract.

Basch explained the Township has been processing annexations faster than what is actually required. Basch said when the Township approves a release for annexation she sends it to the City. Basch said the typical process is for the City to accept the petition and pass a resolution. The Township is notified of the City's acceptance and then should pass a resolution to release. Basch said it is the City's responsibility to send the packet to

the State Boundary Commission. Moran said because the Township handles the petitions administratively he recommended amending the Township's release process to make the motion to release the property subject to prior acceptance by the City. **Perry moved approval to release for annexation AZ 6-04, AZ 3-07, AZ 4-07, AZ 5-07, AZ 6-07, AZ 7-07, AZ 8-07, AZ 9-07, AZ 10-07 and AZ 11-07 subject to verification that the basis for the release is the contractual obligation to seek annexation pursuant to the utilities agreement and subject to prior acceptance by the City of Ann Arbor. Dieterle seconded the motion which was adopted unanimously.**

K. Purchase of Development Rights Ordinance

Moran informed the Board there were some minor word changes recommended by the Farmland Preservation Board, and the ordinance was approved by the Board on first reading in April. Moran said the ordinance is now before the Board for approval on seconding reading. **Allison moved approval of the PDR ordinance amendments. DiPietro seconded the motion which was adopted unanimously.**

L. Codification of Township Ordinances

Moran informed the Board the codification of Township ordinances is before the Board for approval on the first reading. **Basch moved approval of the first reading of the codification of Township ordinances on the portion of the police power ordinances. DiPietro seconded the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS

A. Fleming Creek

Moran said the notice of the public hearing and list of proposed fees were included in the Board's packets. Moran opened the public hearing at 7:58 p.m. There were no public comments. Moran closed the public hearing at 7:59 p.m. **DiPietro moved approval of Fleming Creek I & II Street lights assessment for 2007 at \$18.22 for Phase I, lots 1 through 76 and \$17.12 for Phase II, lots 77 through 198. Allison seconded the motion which was adopted unanimously.**

D. Washtenaw County Road Commission

Moran explained after the Board approved the contract with the WCRC for road repairs he was contacted by Dan Walters of the Foster Bridge Conservancy who noted some cracks in the road bed over the new bridge. The Conservancy contacted the WCRC and received a bid of \$2000 to repair the cracks. Moran said if the Board chooses to approve the additional work the WCRC can re-draft the contract to include the repair of the road bed cracks. Moran stated the Conservancy has agreed to reimburse the Township for the cost of the work. **Allison moved approval to request the Supervisor to work with the citizens for Foster Bridge Conservancy to amend the contract to include the repair of bridge and road bed cracks. Dieterle seconded the motion which was adopted unanimously.**

E. Huron River Watershed Council

Moran said this is a request by the Huron River Watershed Council for payment of annual membership dues of \$441.50. **Basch moved approval to continue participation**

in the Huron River Watershed Council and pay the annual Council membership dues of \$441.50. DiPietro seconded the motion which was adopted unanimously.

F. Michigan Townships Association

Moran said this is MTA's assessment of the Township's annual dues and a request for a contribution to the Legal Defense Fund. **Allison moved approval of the annual dues to the MTA in the amount of \$5432.00 and the legal defense discretionary assessment in the amount of \$162.96. DiPietro seconded the motion which was adopted unanimously.**

G. Building Department's Request to Raise Charge for Electrical Inspections

Moran explained the Township's electrical inspections are conducted by Ed Manier who is requesting a two dollar increase from \$28 to \$30. Moran said the last increase in his rate was in 1994 when it was raised from \$25 to \$28. **Dieterle moved approval to raise the fee from \$28 to \$30 for inspections. Allison seconded the motion which was adopted unanimously.**

H. Revenue and Expenditure Report

Moran advised the Board that Colleen Coogan was unable to attend tonight's meeting. Moran said if there is anything the Board wishes to question she will be able to attend next month's meeting. The Board discussed questions about grant fund revenues and expenditures under the fire fund account and computer software expenditures under the central charges account.

I. Supervisor's Report

Moran reported the Police Authority group continues to meet regularly and seven jurisdictions have contributed \$6800 each for the study. The Michigan State Police is looking to significantly cut back services by closing posts and discontinuing township general police work but no formal determination has been made. The WCC water loop discussions are continuing and they have explored the possibility of resolving the matter without condemnation proceedings. The US 23 rail plan continues to move forward but there will not be any rail service until September. House Bill No. 4780 is an effort to remove from township authority tax collections, elections and assessing from townships with a population of 10,000 or less. Moran said he sees this as a first step in an attempt to remove Townships altogether. MTA is asking all townships to contact their representatives to voice their opinion on this matter. Washtenaw County Transit Plan Deficiency Criteria is a study by WATS which is trying to determine deficiencies in the county transit system. Perry reported he attended a Rails to Trails Conservancy meeting which noted that Ann Arbor Township is one of 40 communities targeted to received 50 million in federal monies by 2010 assuming RTC's campaign to move the money from highways to non-motorized mode of transportation is successful.

J. Clerk's Report

Basch reported the Township spring newsletter was published in April and the website now includes ordinances. Basch reported she attended a records management workshop and recommended the Board adopt a specific email record retention policy.

K. Treasurer's Report

Forshee submitted a written report to the Board.

L. Planning Commission

Allison reported on the Planning Commission meeting held on May 9, 2007 and the workshop meeting held on May 14, 2007. The minutes were included in the Board's packets.

M. Public Safety

1. Fire Safety – No report.

2. Sheriff Department – Lieutenant Brian Filipiak submitted a written report to the Board.

N. Utilities Department

Judkins submitted a written report to the Board. Judkins requested approval to install by-pass connections at both lift stations. Judkins said the MDEQ now requires sanitary pump stations to have by-pass connections in the event there is a mechanical or electrical failure. Judkins stated the Utilities Committee recommended approval. **Allison moved approval of the contract with DiPonio & Morelli Construction not to exceed \$16,505.00 for the purpose of installing by pass connections at the Dixboro Road and Towsley Pump Stations. DiPietro seconded the motion which was adopted unanimously.**

O. Building Department

Dresselhouse submitted a written report to the Board.

P. Farmland and Open Space Preservation Board

Allison reported on the FOSPB meeting held on April 23, 2007. The minutes were included in the Board's packets.

Q. Approval of Claims Listing

DiPietro moved approval of the claims listing for April 3, 2007 in the amount of \$43,255.67. Allison seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for April 17, 2003 in the amount of \$2,056.84. Basch seconded the motion which was adopted unanimously.

DiPietro moved approval of the claims listing for May 1, 2007 in the amount of \$306,896.29. Allison seconded the motion which was adopted unanimously.

Allison moved approval of the claims listing for May 16, 2007 in the amount of \$58,220.62. Dieterle seconded the motion which was adopted unanimously.

VI. INFORMATIONAL ITEMS

Items were included in the Board's packets.

VII. NON-AGENDA ITEMS

Moran informed the Board the Township may lose three members of the Farmland Preservation Board due to annexation. Moran proposed that two members need not be Township residents and that it will be the only committee where residency is not a requirement.

VIII. PUBLIC COMMENT - None

IX. ADJOURNMENT

Forshee moved approval to adjourn the meeting at 9:14 p.m. Basch seconded the motion which was adopted unanimously.