

**ANN ARBOR CHARTER TOWNSHIP  
BOARD OF TRUSTEES MEETING  
MINUTES OF MEETING  
MONDAY, JUNE 18, 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** – No citizen signed up for participation.

**III. APPROVAL OF MINUTES**

**DiPietro moved approval of the May 21, 2007 minutes. Allison seconded the motion which was adopted unanimously.**

**IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING**

**A. Soil Erosion and Sedimentation Control Ordinance**

Moran explained this is the second reading of the SESC ordinance which was approved on first reading at the Board's April 16<sup>th</sup> meeting. Moran said the Township has proposed to take over SESC issues because the County is significantly understaffed and has drafted its own ordinance to permit SESC. Moran stated the ordinance has been reviewed and approved by the Michigan Department of Environmental Quality. The Township attorney advised the Board the fee schedule is exactly the same as approved on first reading. **Allison moved to approve on second reading the Soil Erosion and Sedimentation Control Ordinance including approval of the fee schedule and application forms. DiPietro seconded the motion which was adopted unanimously.**

**B. Codification of Township Ordinances**

Moran explained this is the second reading of the police power ordinances and the adoption of the zoning ordinance codification that was previously recommended by the Planning Commission. The Township attorney said the resolution is an adoption of the code and repeal of all other codes and elicits the ordinances since September of 2006 which still need to be included. **DiPietro moved approval of the ordinance to adopt and enact the new code for Ann Arbor Charter Township providing for the repeal of certain ordinances not included therein. Allison seconded the motion which was adopted unanimously.**

**V. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS**

**A. Public Hearing on the termination of Industrial Facilities District**

Moran explained this was a district which was created in Phase 6 of Domino Farms when it was contemplated that ProQuest may locate there. The district was never followed up with an application for an exemption. Jon Petz on behalf of Domino Farms acknowledged on the record receipt of notice of the public hearing. The Township attorney advised the Board there is no exemption certificate in place and the Township has the authority to terminate the district after holding a public hearing.

Moran opened the public hearing at 7:46 p.m.

Jim Harmon Assistant Director of Engineering with the WCRC stated the WCRC fully supports the termination of the existing industrial development district for the Phase 6 connector of the Domino Farms office park and rigorously objects to its continuation, its enhancement or any other privilege extended to Domino Farms. Harmon stated Domino Farms has not fulfilled the conditional site plan approval granted by the Planning Commission on June 2, 2003 which was reduced to a development agreement between the Township and Domino Farms on July 9, 2003. Harmon said the Planning Commission required Domino Farms to receive approval from the WCRC for the Phase 6 project including its entrances onto Earhart road. Harmon indicated a traffic study conducted by Domino Farms' engineers determined that Earhart Road would be adversely impacted by the increase in traffic generated from the Phase 6 connector however; the WCRC has been unable to secure an agreement with Domino Farms to mitigate the adverse traffic impact.

Moran closed the public hearing at 7:49 p.m.

Jon Petz stated Harmon's comments are not germane to this specific issue. Petz confirmed there have been on-going communication with the WCRC but the WCRC has not provided Domino Farms with a final answer. Domino Farms is looking to partner in this process but doesn't believe it is solely Domino Farms' obligation considering the improvements the WCRC is seeking. Petz said the development agreement required improvements to the Plymouth Earhart intersection which have been completed and to voluntarily enter into improvements on Earhart Road.

The Township attorney advised the Board of a minor change to the resolution which indicates the petitioner acknowledges service and waives any objection to that service. **Perry moved approval of the resolution subject to the change noted by counsel. Dieterle seconded the motion which was adopted unanimously.**

#### **B. Public Hearing to establish an Industrial Facilities District**

Moran explained this is a request to establish an industrial facilities district in a portion of Phase 5 of Domino Farms, 24 Frank Lloyd Wright Drive, Lobby K, Suite 2000 for Aastrom Biosciences. Moran indicated the Township has sufficient information to establish a district. Moran opened the public hearing at 7:59 p.m. There were no public comments. Moran closed the public hearing at 8:00 p.m. **DiPietro moved approval of the resolution to establish an industrial facilities district for Domino Farms Phase 5**

**and the actual offices as outlined in the attachment. Basch seconded the motion which was adopted unanimously.**

**C. Public Hearing regarding Application for Tax Abatement**

Moran explained this is an application for exemption for personal property filed by Domino Farms on behalf of Aastrom Biosciences for a district established in Lobby K, Suite 2000, Domino Farms part of Phase 5.

Tim Robinson with Ann Arbor SPARK noted the dollar value and beginning date for the construction period has changed. Robinson said some of the equipment was removed because equipment can't be abated that was in place before the district was established or requested.

Jerry Brennan Chief Financial Officer for Aastrom Biosciences stated the company started in Ann Arbor Township in 1991 and has technology that was developed out of U of M. The company's focus is regenerative medicine which uses technology to take a patient's own bone marrow derived stem cells and develop patient specific therapies which will regenerate bone, vascular, cardiac and neural tissue. Brennan said they are currently conducting preclinical and clinical trial work. Brennan stated Aastrom currently has 67 employees and are the biggest bio-tech company in Ann Arbor and in southeast Michigan. Brennan said they have a new clean room which allows them to produce cells for standards required for phase 3 clinical trials and they produced their first cells in the new facilities on June 13<sup>th</sup>.

Moran advised the applicant under the Township's abatement policy they do not generally grant abatements for office furniture and personal computers. Brennan explained the NBS furniture is a combination of specially made office pieces for the laboratory and case work for the office space. Moran informed the Board the abatement policy guides their decision making but does not have to be strictly adhered to. **DiPietro moved approval of the application for industrial facilities tax exemption certificate including office furniture as indicated for \$1,370,286.00 for a period of 6 years under the terms established in the application by state law and in the agreement. Dieterle seconded the motion which was adopted unanimously.**

**D. Application by AT&T for Local Video Franchise Agreement**

The Township attorney advised the Board of two recent changes to the current resolution dated June 18<sup>th</sup>. The Township attorney said she included the City reserving the right to challenge the statute and that signage of the agreement is subject to the terms of the resolution. **Allison move approval of the resolution. DiPietro seconded the motion which was adopted unanimously.**

**E. Resolution rescinding request to establish Drainage District at Pine Brooke Estates**

Moran informed the Board after the Township petitioned the WCDC to establish a drainage district the Pine Brooke Homeowners Association determined they could save a significant amount of money by making private repairs to the drain tiles. The adjoining

property owner Otto Moehrle is willing to lay a new line across his property and the Township has agreed to pay a portion of the new drainage tile. The resolution rescinds the drainage district on the basis of the decision by the President of the Homeowners Association. **DiPietro moved approval to adopt the resolution withdrawing the request of the WCDC to create a drainage district over the Pine Brooke area. Dieterle seconded the motion which was adopted unanimously.**

#### **F. Utility Rates**

Moran informed the Board the City has approved the request by Sue McCormick Public Services Administrator for increases in the water and sewer rates charged to the Township. The Utilities Committee has reviewed the request and connection fees and recommends establishing the new rates starting in July. **Allison moved approval of the resolution adopting the 2007 water and wastewater system rate and fees. Perry seconded the motion which was adopted unanimously.**

#### **G. Sheriff's Contract**

Moran informed the Board under the Sheriff's contract the Township is obligated to establish the number of deputies for 2008-2009. A recent staffing study by the Sheriff's Department recommends 5 ½ deputies instead of 4 for optimum coverage. Moran recommended continuing with 4 deputies and advised the Board a decision needs to be made by July 1<sup>st</sup>. **Allison moved approval to accept Supervisor Moran's recommendation for 4 deputies for 2008 and 2009. Perry seconded the motion which was adopted unanimously.**

#### **H. Washtenaw County Consortium for Solid Waste**

**Perry moved approval of the resolution to pay the 2007 dues to Washtenaw County Consortium for solid waste. DiPietro seconded the motion which was adopted unanimously.**

#### **I. SEMCOG**

**Basch moved approval of the resolution to pay 2007 SEMCOG dues. Dieterle seconded the motion which was adopted unanimously.**

#### **J. Supervisor's Report**

Moran reported the US 23 Corridor Study continues and the City of Howell is on board with the rail issue and is willing to contribute money and effort at establishing a rail line from Howell to Barton Drive. The US 23 Corridor Land Use Subcommittee has met twice and adopted a resolution that all decisions made regarding the US 23 Corridor Study should be undertaken with the understanding on how they will effect land uses in the appropriate governmental districts. The police authority study continues to make progress and Moran said he is confident Virchow Krause will do a thorough job. Perry commended Moran for his work on the police authority study. In the Huron River Drive reconstruction the City is considering repairing the road with overlay or tearing it up. Moran asked Board members to mark their calendars for the July 2<sup>nd</sup> Planning Commission meeting to hear the presentation of the Huron River Watershed Council's study of the river.

**K. Clerk's Report**

Basch reported the Village of Barton Hills will be holding an election on September 11<sup>th</sup>. Basch said the Township has been receiving a number of complaints regarding the lack of dust control on Township roads. Basch said she received confirmation from the WCRC that all calcium chloride applications will be completed by June 25<sup>th</sup>. Basch also reported on the coffee hour with Pam Brynes held at town hall. Basch said no one showed up for the event but she was able to speak with Brynes about current house bills and requested the legislature concentrate their efforts on fixing the state budget.

**L. Treasurer's Report**

Forshee submitted a written report to the Board.

**M. Planning Commission**

Allison reported on the Planning Commission meeting held on June 4, 2007 and the workshop meeting held on June 9, 2007. The minutes were included in the Board's packets.

**N. 1. Fire Department**

Ericson reported final inspection of the ladder truck has been completed and he expects the truck to arrive next week. Ericson reported the Village of Barton Hills is planning to flush their hydrants and property owner Al Bloom installed a dry hydrant in his pond for the fire department to use as a water source to protect his house. Ericson reported the Department has started a promotion process and has finished testing. Ericson said he is recommending 4 people be promoted to the positions as outlined in his memo. **Dieterle moved approval to accept the Fire Chief's recommendation for promotions within the Department. DiPietro seconded the motion which was adopted unanimously.**

**N.2. Sheriff Department**

Lieutenant Brian Filipiak submitted a written report to the Board.

**O. Utilities Department**

Judkins submitted a written report to the Board which now includes topics for discussion. Judkins reported on the Ayrshire Special Assessment District, water reliability study and the WCC water main loop.

**P. Building Department**

Dresselhouse submitted a written report to the Board.

**Q. Farmland and Open Space Preservation Board**

No report.

**R. Approval of Claims Listing**

**Allison moved approval of the claims listing for June 1, 2007 in the amount of \$95,707.14. DiPietro seconded the motion which was adopted unanimously.**

**Allison moved approval of the claims listing for June 13, 2007 in the amount of \$78,999.39. DiPietro seconded the motion which was adopted unanimously.**

**VI. INFORMATIONAL ITEMS**

Items were included in the Board's packets.

**VII. NON-AGENDA ITEMS**

Perry reported the Village of Barton Hills voted to intervene in the Colt Farms case and to hire counsel and will be working with the Township and contributing financially to the effort. Moran reported a conference call is scheduled for this Wednesday to organize discovery time periods.

**VIII. PUBLIC COMMENT - None**

**IX. ADJOURNMENT**

**Forshee moved approval to adjourn the meeting at 10:08p.m. DiPietro seconded the motion which was adopted unanimously.**