

**ANN ARBOR CHARTER TOWNSHIP  
BOARD OF TRUSTEES MEETING  
MINUTES OF MEETING  
MONDAY, JULY 17, 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 7:30 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, Della DiPietro and Gene Ragland.

Absent: Trustee Richard Dieterle

Also Present: Township Attorney Sandra Sorini Elser, Fire Chief Rick Ericson, Utilities Superintendent Rick Judkins, [Township Engineer Damien Wetzel](#) and Controller Colleen Coogan.

The Board adjourned to closed session at 6:30 p.m. to discuss the Township Attorney's opinion letter. The Board reconvened to open session at 7:30 p.m.

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

**III. APPROVAL OF MINUTES OF JUNE 19, 2006 REGULAR BOARD MEETING AND JUNE 28, 2006 SPECIAL BOARD MEETING**

Corrections to the 6/19/06 minutes: Under Audit Report in the second to last sentence on page one strike “generous size” and insert “sizable” and strike “due to” and insert “to account for”. Under Clerk's Report in the fourth line change the date to “July 17” and strike “precincts” and insert “ballot styles”. **DiPietro moved approval of the June 19, 2006 minutes as amended. Basch seconded the motion which was adopted unanimously. DiPietro moved approval of the June 28, 2006 minutes. Ragland seconded the motion which was adopted unanimously.**

**IV. BUDGET REPORT**

Coogan presented a review of the budget for the period of January 1, 2006 through June 30, 2006. Coogan stated there is nothing out of the ordinary for the revenue and expenditure report and interest income is rising and will increase by 5% instead of the projected 3% by the end of the year. Property tax numbers are not finalized at this point due to Board of Review and Michigan Tax Tribunal changes. Board of Trustees service contracts are above budget and accounting expenses somewhat exceed the original budget due to software conversion, training staff on the new software and assisting the new Deputy Treasurer with the second cycle of taxes. Under Building Repair and Maintenance the roof repair cost of \$1,182 was not budgeted and under central charges office remodeling expenses to date are \$17,700. Under miscellaneous accounts department 400 for the Planning Commission was budgeted at \$440 but actually came in at \$975 due to convention expenses. The Building Department Fund is over budget on permit and inspection fees because the Township only records as income the percentage for a project earned this year. Under the Utilities Fund the connection fee income is

overstated until the issue with the City of Ann Arbor is resolved. Coogan informed the Board she is not requesting an amended budget at this time.

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

**A. Public Hearing on creation of an Industrial Facilities District at KLB Earhart Corporate Center**

Robert Carson was present representing the Petitioner. Carson stated this is the next first step in the process to create an Industrial Facilities District but is not an approval of the use of the district until after an application is filed. Carson indicated he has participated in meetings with the State of Michigan and the potential user is Google's AdWords ~~which is~~ division ~~of Google~~. Carson stressed this is a necessary step in order to maintain negotiations and to be able to present a more concrete proposal by way of an application.

Moran stated he has had discussion with Google representatives. Moran said a number of sites are being explored by Google in several different locations and they have not settled on Ann Arbor Township or this particular site. Moran indicated in order for the applicant to move forward and explore this site the Township needs to establish an industrial facilities district.

Moran opened the public hearing at 7:55 p.m.

Eulalia Stewart, 4040 Danford Road: Stewart stated she lives in the Ayrshire neighborhood which is near the development and expressed concern regarding the appropriateness and size of the development.

Katherine Choals, 4037 Danford Road: Choals stated she lives in the Ayrshire neighborhood and is concerned if this district is approved the possibility of another developer taking over the site and what type of activity may occur. Choals also expressed concern over lights and noise but stated Google would have a lot to offer Ann Arbor Township.

Moran closed the public hearing at 7:58 p.m.

Allison commented it is-would be exciting and good to have Google as a permanent resident of Ann Arbor Township and is hopeful something can be worked out on this site or some other site in the Township. Allison said this is a difficult site due to an existing PUD agreement and it would need some creative solutions. Allison stated it is necessary to ensure the resolution is specific and relative to Google.

DiPietro thanked the residents and neighborhood for coming forward with their questions and concerns and for following the status of this project. DiPietro said the question raised regarding what this industrial district will do for other potential users has been one the Board has discussed and the approach taken by the Board is to target this industrial district use for Google. DiPietro commented Google would be a good resident in Ann Arbor Township and would like to make sure this site works for all parties.

Ragland stated he is in favor of the establishment of the industrial facilities district and by the Board approving the district it would open the door to discussions and honest dialogue.

Basch commented this is a tremendous opportunity for a world renowned tenant in Ann Arbor Township but considers this as a first step. Basch stated because this tenant has a reputation for being so creative and innovative they may be able to help resolve issues and concerns.

Moran said he would not generally approve a tax abatement for a spec building however it is possible and permitted in this case. Moran stated there are several issues which would need to be resolved however this company would be a valuable citizen in the Township. Given the proposal and nature of the proposed tenant he would support the establishment of an industrial facilities district solely for the purpose of a Google application. Moran indicated given the event the Board does not approve the application Google is willing to withdraw and terminate the industrial facilities district resolution.

The Township Attorney stated the Petitioner has agreed on the record not to file an industrial facility exemption certificate for the property in the event the application is not for Google's proposed use.

**Allison moved approval establishing an Industrial Facilities District with modifications proposed by the Township Attorney. Basch seconded the motion which was adopted unanimously.**

**C. ZC-3-05 Silverman, Northbrooke, Request for Private Road Permit-Public Hearing and Discussion of Easement Variance.**

Moran stated the PUD and area plan the Board approved includes two private roads, one in the northern development and one in the southern development. The Township ordinance requires if a private road intersects or connects with another private road then the private road has to be built to Class A standards. Moran said in both instances only a "T" or a "tail" connects to another private road and it is not anticipated to connect later to public roads. The developer has indicated a willingness to build to Class A standards however a Class A road would have a 66 foot wide easement versus the 30 foot wide easement proposed.

Moran opened the public hearing at 8:15 p.m.

Jean Wyman, 2154 East Joy Road: Wyman expressed concern over the Melton property which was subdivided and has an easement through several sets of property that is common land. The agreement when the property was subdivided was that there would be only one drive. Wyman expressed concern if there are any changes in road widths additional properties may be allowed and she wants to ensure the agreement for one drive stands.

Moran closed the public hearing at 8:17 p.m.

Steve Robinson representing the Petitioner stated there would be only one drive.

Allison commented this request should not impact the one drive and the private road will not go through the easement.

**Basch moved approval to grant the right of way variance from 66 feet to 30 feet for the Silverman Northbrooke PUD. DiPietro seconded the motion which was adopted unanimously.**

**B. AZ-3-06 Request for Release for Annexation**

Moran indicated this is a request by owner, Zion Lutheran Church, for release of .67 acre parcel #09-30-461-003 at West Liberty and Ridgemor Drive to permit connection to City Utilities for development. **Allison moved approval of the annexation contingent upon verification that taxes have been paid. Ragland seconded the motion which was adopted unanimously.**

**D. Amendment to Zoning Ordinance to Regulate Private Wastewater Treatment Systems Using Conditional Use Standards.**

Moran informed the Board the Planning Commission held a public hearing on July 5, 2006 and there were no public comments. Moran said this is the ordinance which requires applications for PWS to be handled either as a conditional use permit or in PUD use and conditional use standards. The Planning Commission has recommended approval. **Allison moved approval of the Zoning Ordinance Amendment for the Private Wastewater Treatment Systems contingent upon satisfaction that it has been appropriately public noticed.**

**E. Private Wastewater Treatment Systems Ordinance**

Moran stated this is the second reading of the proposed ordinance to regulate PWS. Moran said the provisions requiring permitting by the Township are inspections throughout the time of installation and construction. The establishment of financial deposits by the developer to assure there are sufficient funds to replace failing systems. Point of sale on notification to buyers so they know what it is they are buying into and criminal and civil penalties. The Planning Commission held a public hearing on July 5, 2006 and there were no public comments. **Ragland moved approval for the Board to adopt the Private Wastewater Treatment Systems Ordinance. Allison seconded the motion which was adopted unanimously.**

**VII. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS**

**A. Discussion of Planning Commission Recommendation re Soil Erosion Permitting and Inspection**

Damien Wetzel, Township Engineer and Phil Maly of Stantec presented a bullet point presentation for soil erosion permitting and inspection by Stantec rather than by the County. Wetzel stated the County currently only has a two person staff to handle all soil erosion control measures throughout the entire County. Wetzel said the County's workload has increased drastically within the last five years and they do not have the

resources to adequately inspect and enforce soil erosion control. Stantec currently permits and inspects soil erosion control measures for Pittsfield Charter Township and the City of Novi. An organizational structure was presented in which Damien Wetzel would be the administrator of the soil erosion control measures under the ordinance. Once an application is approved, Phil Maly would be the Field Services Manager responsible for managing all inspections along with Ted Meadows, Construction manager and three senior construction technicians. Maly gave a brief overview on training, developing a plan and ordinance, permit process, plan review, escrow accounts, inspections, pre-construction meetings and enforcement.

Allison commented it was high time the Township took on the responsibility of soil erosion control and that the Township can no longer rely on the County to do the job. DiPietro said she agrees with Allison and the Township needs a comprehensive process in place to deal with soil erosion control measures. Ragland asked if there were any costs associated with the additional service. Wetzel informed the Board the costs for the additional service are passed on to the developer and therefore are the permittee's costs.

**Allison moved approval to establish the Township as a Soil Erosion and Sedimentation Control body and to ask the Township Attorney and Township Engineer to develop a ordinance, fee structure, inspections and enforcement for the next Board meeting. DiPietro seconded the motion which was adopted unanimously.**

**B. Discussion of Stantec Proposal for GIS Mapping of Utilities**

Damien Wetzel Township Engineer, John Piatt Surveying Manager, and Heather Dermeyer GIS manager, presented a bullet point presentation for GIS mapping of utilities. Wetzel commented the most important need is for accuracy and assisting Miss Dig in the locating process of utilities. Wetzel said there is liability as a Township to locate utilities in the County or private right of way and there is only a window of tolerance. Wetzel stated if the utilities are not marked within that window of tolerance than the Township is liable for any damages or repair. Dermeyer addressed the need for change in the Utility Department, explained how the system works, the benefits of the system and related GIS project experience by Stantec. Piatt addressed the geographic referenced data and how data is adjusted to the Michigan Continuously Operating Reference System for statewide adjustment.

DiPietro commented she understands the value of an electronic system versus a paper system however she expressed concern about the costs of maintaining and updating the system. Ragland commented he is totally in favor of the system and that the Township needs to move forward on this. Moran commented he believes this is something the Township needs to do however he is not sure if the cost structure is reasonable and according to Township policy, if the costs exceed \$20,000 it may need to go out for bid.

**DiPietro moved approval to defer to the Utilities Committee for review and recommendation. Allison seconded the motion which was adopted unanimously.**

**C. Discussion of New Utilities Administrative Fee and Permit**

Judkins advised the Board this is a new permit application for utility construction for water and sewer, storm water and private road. The Township Attorney stated she would like the opportunity to review and revise the permit form. **Ragland moved approval to table the permit application for utility construction pending legal review by the Township Attorney. Basch seconded the motion which was adopted unanimously.**

**D. Supervisor's Report**

Moran reported the Township office remodeling is moving along and he continues to deal with issues with the County regarding the Sheriff Department and negotiations with Google representatives.

**E. Clerk's Report**

Basch reported the Township received hundreds of Absentee Voter applications and the Township has issued one hundred Absentee Voter ballots.

**F. Planning Commission**

Allison reported on the Planning Commission meeting held on July 5, 2006. The minutes were included in the Board's packets

**G.1. Public Safety – Fire Department**

Chief Ericson reported the fire ordinance is 95% complete but he is still waiting for final language from the attorney.

**G.2. Public Safety – Sheriff Department**

No report.

**H. Utilities Department**

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 they are near closing on the Kapp deal.

**K. Approval of Claims Listing**

**Allison moved approval of the claims listing for 7/03/06 in the amount of \$69,275.12. DiPietro seconded the motion which was adopted unanimously.**

**DiPietro moved approval of the claims listing for 7/13/06 in the amount of \$43,197.01. Basch seconded the motion which was adopted unanimously.**

**Ragland moved approval of the claims listing for 7/14/06 in the amount of \$661.15. Allison seconded the motion which was adopted unanimously.**

**VII. INFORMATIONAL ITEMS**

Items were included in the Board's packets.

**IX. NON-AGENDA ITEMS**

Allison commented about the new zoning enabling act 15 day minimum notice requirement for public hearings and suggested a 21 day notice would be more appropriate and adequate for notifying residents. Basch commented she finds it burdensome and very hard to meet the 21 day notice and that it creates more opportunity for errors.

**X. PUBLIC COMMENTS**

Eulalia Stewart commented that she asked the WCRC to extend the apron at the entrance to the Ayrshire neighborhood.

**IX. ADJOURNMENT**

**DiPietro moved approval to adjourn the meeting at 10:23p.m. Allison seconded the motion which was adopted unanimously.**

---

**Rena Basch, Township Clerk**