

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, AUGUST 21, 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 7:45 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 and Gene Ragland.

Absent: Trustees Richard Dieterle and Della DiPietro

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

II. CITIZEN PARTICIPATION

Chuck Cares expressed concern regarding parcel I-09-27-490-021 and the potential of the parcel becoming landlocked if parcels I-09-27-490-017, 018 & 019 are annexed into the City of Ann Arbor. Cares stated he purchased his property 45 years ago and there is currently only a pedestrian easement on his property.

Edward Powsner, 485 Riverview, expressed concern regarding the annexation of parcels I-09-27-490-017, 018 & 019. Powsner said he had offered to purchase the property several times in the past 30 years but was never able to arrive at an agreement with the owner. Powsner stated he doesn't know why the owner wants to annex the property. Powsner said he has heard the owner may want to develop 10 houses on the property which he thinks is a bit ambitious for that piece of land.

III. PRESENTATION BY MICHAEL FINNEY, PRESIDENT AND CEO OF WDC/SPARK

Michael Finney presented a bullet point presentation regarding the reorganization of the Washtenaw Development Council (WDC) and SPARK. Finney said the WDC and SPARK merged on July 31, 2006 to form a new organization named Ann Arbor SPARK but the WDC remains the surviving entity. Finney said the new organization's office will be located within the LDFA boundary. Finney stated SPARK must develop a comprehensive long term sustainable strategy that incorporates key partnerships and key relationships with MEDC, ETCS, LDFA, MichBio, universities and businesses are being developed. Finney said they have looked at over 100 business plans of start-ups and are currently working with 19 start-up ventures. Finney said SPARK looks at what resources a company is in need of and develops an outline and work plan for the company and then sets out to acquire those resources. Finney explained to the Board the merger committee, mission statement, board of directors, executive committee, and the merged organization of SPARK. Finney addressed the issues that are driving SPARK's efforts and what issues are holding back the Ann Arbor region. Finney outlined the five strategies of SPARK: 1) Build team Ann Arbor, 2) Increase marketing resources and capabilities, 3) Expand existing business base, 4) Generate for business attraction and 5) Support innovation

based entrepreneurial startups. In closing Finney explained the reasons why Ann Arbor Township should support SPARK's efforts.

IV. APPROVAL OF MINUTES OF JULY 17, 2006 BOARD MEETING

Corrections to the 7/17/06 minutes: Under Roll Call add "Township Engineer Damien Wetzel". On page 2 under the public hearing strike "next" and insert "first". Under Allison's comments strike "is" and insert "would be" and insert "or some other site in the Township" at the end of the sentence. In the second sentence strike "it" and insert "the use". **Ragland moved approval of the July 17, 2006 minutes as amended. Basch seconded the motion which was adopted unanimously.**

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. AZ-4-06 Request for Release for Annexation

Request by William Davis for release of 5.05 acres, parcels I-09-27-490-017, 018 & 019, at 3165 Geddes Road to obtain City sewer and water. Moran stated concerns have been expressed tonight regarding the owner's intent for parcel #021 and the effect of access if the other parcels are annexed. Moran said the Board may wish to table this item in order to address and resolve these issues. **Allison moved to table to clarify the issue of access for parcel I-09-27-490-021 and to clarify the legal description of the parcels requested to be annexed. Ragland seconded the motion which was adopted unanimously.**

Allison moved to amend the agenda to advance item VI. D. Basch seconded the motion which was adopted unanimously.

VI. D. Resolution to adopt 2006-2007 Water and Sewer Rates and Fees

Coogan reported the Utilities Committee met just prior to the Board meeting to discuss unexpected information from the City of Ann Arbor regarding water and sewer rates. Coogan said the Committee assumed a rate increase of 6 ½ %; however, they just received notice that the City is imposing a 12% increase in rates retroactively. Moran informed the Board the Utilities Committee is recommending not to impose the increase to residents retroactively but to provide notice to residents with their September bill with an effective date of January 1, 2007. Coogan stated the Township will absorb the rate internally at a cost of \$21,000 from the Utility Fund. **Allison moved approval to establish rates of \$3.03 per unit for water and \$3.23 per unit for sewer effective January 1, 2007. Ragland seconded the motion which was adopted unanimously.**

Coogan said the Utilities Committee is also requesting Board approval for the water and sewer connection fees. Coogan informed the Board that connection fees are based on residents buying into the system and the need to pay for the worth of the system. Coogan said connection fees are divided into two groups. The first group is those residents whom paid for the original system and are imposed increases due to subsequent purchases by the utility fund. The second group is those residents whom buy into the whole system. **Ragland moved approval of the 2006 connection fees for water and sewer as distributed effective immediately. Allison seconded the motion which was adopted unanimously.**

V. B. Amendment to Zoning Ordinance to Regulate Private Wastewater Treatment Systems Using Conditional Use Standards.

Moran informed the Board this item was previously approved by the Board at the July meeting however the newspaper was a day late in publishing the ordinance. The ordinance was published on August 6, 2006. Moran stated the Planning Commission recommended approval. **Allison moved to accept the Planning Commission's recommendation and approve the amendment to the zoning ordinance to regulate private wastewater treatment systems using conditional use standards. Basch seconded the motion which was adopted unanimously.**

E. Amendment to Zoning Ordinance to add Article IX

Moran informed the Board the new Zoning Enabling Act requires notice not less than fifteen days on any kind of public hearing. Moran said the Planning Commission recommends approval. **Basch moved to accept the Planning Commission's recommendation and approve the amendment to the zoning ordinance to add Article IX Public Notice and Public Hearing. Ragland seconded the motion which was adopted unanimously.**

C. Amendment to Zoning Ordinance Section 130.2503 Subsection F

Moran informed the Board this amendment allows for optional referral of Board changes to zoning ordinance amendments to the Planning Commission after the initial recommendation of the Planning Commission as permitted by the Zoning Enabling Act. Moran said the Planning Commission recommends approval. **Allison moved to accept the Planning Commission's recommendation and approve the amendment to zoning ordinance section 130.2503 subsection F. Basch seconded the motion which was adopted unanimously.**

D. Amendment to Zoning Ordinance Section 130.1115D.1.h.

Moran informed the Board this amendment provides for optional referral to the Planning Commission of changes in a PUD area plan desired by the Board after the initial recommendation of the Planning Commission as permitted by the Zoning Enabling Act. Moran said the Planning Commission recommends approval. **Ragland moved to accept the Planning Commission's recommendation and approve the amendment to zoning ordinance section 130.1115D.1.h. Forshee seconded the motion which was adopted unanimously.**

F. Ordinance for Adoption of the International Fire Code and NFPA Life Safety Code

Moran stated this ordinance was initiated by Chief Ericson for a uniform fire code and to implement procedures to enforce the code. The Township Attorney informed the Board this is a first reading of the ordinance. The Township Attorney added section 9 regarding fines and fee schedule and provide the Board with a resolution approving permit fees, violation fines and appointment of a fire code enforcement officer. Chief Ericson said the Department has three certified inspectors to issue citations and procedures will be in place for writing citations. The Board asked a series of questions of Chief Ericson

and discussed various revisions to the ordinance. Chief Ericson recommended increasing the permit fees from \$200 to \$250. **Allison moved approval of fees with modifications to permit fees and first reading of the adoption of the International Fire Code and NFPA Life Safety Code with minor changes as discussed. Ragland seconded the motion which was adopted unanimously.**

G. Special Assessments for Washtenaw County Drain

Moran said the Township has an assessment for the Pittsfield #3 Washtenaw County drain in the amount of \$6.93. **Ragland moved approval of the resolution for the 2006 special assessment for the Washtenaw County drain. Forshee seconded the motion which was adopted unanimously.**

VI. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

B. Resolution to adopt Private Wastewater System Permit and Fee Structure

The Township Attorney informed the Board this is a permit application for construction of private wastewater disposal system after the Township Board has approved the CUP/PUD for the project. Judkins said this is a construction permit with a checklist of all the requirements that must be met prior to issuance of the permit. The Board discussed various revisions to the permit application. **Allison moved approval of the proposed permit application for private wastewater disposal system as amended. Ragland seconded the motion which was adopted unanimously.**

C. Resolution to adopt Public Stormwater, Sanitary Sewer System and Water Permits and Fee Structure

The Board discussed various revisions to the permit application for public utility construction. **Ragland moved approval of the proposed permit application for public utility construction as amended. Allison seconded the motion which was adopted unanimously.**

E. Resolution to adopt Ann Arbor Township/City of Ann Arbor Participation Agreement for Kapp Purchase of Development Rights

Moran said he is requesting Board approval to sign the participation agreement with the City of Ann Arbor for the Kapp purchase of development rights. Moran indicated the participation agreement has been sign by Mayor Hieftje, Clerk Beaudry, Administrator Fraser and City Attorney Postema. **Allison moved approval for Supervisor Moran and Clerk Basch to sign the participation agreement with the City of Ann Arbor. Ragland seconded the motion which was adopted unanimously.**

Treasure Forshee left the meeting at 9:35 p.m.

F. Approval of WCRC contract to resurface Maple Road and Country Club Road

Moran said he is requesting Board approval to sign the contract with the WCRC for the resurfacing of Maple Road and Country Club Road. Moran stated the WCRC has agreed to split the cost for resurfacing reducing the amount from \$25,200 to \$12,600. **Allison**

moved approval for Supervisor Moran to sign the WCRC contract in the amount of \$12,600. Ragland seconded the motion which was adopted unanimously.

H. Washtenaw Metro Alliance

Moran said this is a request for funding for phase two of the WMA consolidated open space plan. **Ragland moved approval of payment of Ann Arbor Township's portion in the amount of \$2,250. Allison seconded the motion which was adopted unanimously.**

I. Washtenaw Area Transportation Study

Moran said this is a request for funding for 2005-06 and 2006-07 membership dues. Moran stated the 2005-06 dues had not been paid because the Deputy Clerk could not find the resolution approving payment. Allison said he thought the Township declined to pay the 2005-06 dues because WATS denied ~~inclusion-exclusion~~ of the Clark Road extension and improvements at Geddes Road and US 23. **Ragland moved approval of payment for the 2005-06 and 2006-07 membership dues. Basch seconded the motion. The motion carried with Allison opposed.**

J. Republic Contract

Moran said he has had discussions with Republic regarding their contract. Moran indicated Republic's contract expired in March but they have continued to provide services under the old contract. Moran stated Republic has only increased their fees once in the past three years and the increase was due in part because of the Township's request for a refund of fuel surcharge fees which Republic had no authority to impose. Republic is currently proposing a 3% increase but the increase will not take effect until January 1, 2007. **Ragland moved approval of the Republic Contract subject to negotiation of the 3% increase and review by the Township Attorney. Allison seconded the motion which was adopted unanimously.**

K. Supervisor's Report

Moran reported there is another dispute among the County and the Sheriff Department and there is potential for layoff of 35 sheriff deputies. Moran said the Township continues to resolve issues with the Silverman project and the MDEQ will be holding a public hearing on Colt Farms discharge permit application on September 5, 2006.

L. Clerk's Report

Basch reported there was very good voter participation in the recent election with a total of 950 voters. Basch said one AutoMark voting machine failed and had to be replaced by the State contractor in the middle of the day.

M. Planning Commission

Allison reported on the Planning Commission meeting held on August 9, 2006. The minutes were included in the Board's packets.

N. 1. Fire Department

Chief Ericson provided the Board with the Department's incident summary through July 2006 and the Capitol Improvement Plan through June 30, 2006.

N. 2. Sheriff Department

Lieutenant Toth submitted a written report to the Board.

O. Utilities Department

Rick Judkins submitted a written report to the Board.

P. Building Department

Gary Dresselhouse submitted a written report to the Board.

Q. Farmland and Open Space Preservation Board

Allison reported the FOSPB continues to meet and recently toured the Township in July. Allison said the Board is considering releasing scores to owners if they request it. Allison stated the Board is looking at small farm initiatives and is 30 -60 days from closing on the Kapp deal.

R. Approval of Claims Listing

Allison moved approval of the claims listing for August 3, 2006 in the amount of \$501,681.95. Basch seconded the motion which was adopted unanimously.

VII. INFORMATIONAL ONLY ITEMS

Items were included in the Board's packets.

VIII. NON-AGENDA ITEMS – None.

IX. PUBLIC COMMENT

A resident complimented the Board for their leadership and initiative on the public safety millage issue.

X. ADJOURNMENT

Ragland moved approval to adjourn the meeting at 10:11p.m. Basch seconded the motion which was adopted unanimously.

Rena Basch, Clerk