

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES
MINUTES OF MEETING MONDAY, JUNE 19, 2017**

I. CALL TO ORDER

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:36 p.m.

Present: Supervisor Michael Moran, Clerk Rena Basch, Treasurer Della DiPietro, Trustees John Allison, Ken Kohrs, Randolph Perry, and Claudia Sedmak.

Also Present: Controllers Becky Jacques and Colleen Coogan, Township Attorney Matt Rechtien, Township Engineer Eric Humesky, Township Planner Sally Elmiger, Fire Chief Mark Nicholai, and Utilities Director Rick Judkins.

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

III. APPROVAL OF MINUTES

Corrections to 5/15/17 minutes: On page 3 under item A in the 14th line strike “one’s” and insert “a landowner’s” and on page 5 under item K in the 4th line strike “a legitimate concern and is”.

Allison moved approval of the May 15, 2017 meeting minutes as amended. DiPietro seconded the motion which was adopted unanimously.

IV. FIRST QUARTER FINANCIAL REVIEW—Becky Jacques, Controller

Jacques presented the Township’s revenue and expenditure report for the period ending March 31, 2017. Jacques reported there are no budget amendments requested at this time. Jacques noted she is tracking legal fees as half of the amount budgeted has already been spent on special assessment work for the Tech Park roads, and will require a budget amendment later in the year. Jacques also reported the building permit revenue continues at a high level with current year revenue 125% higher than the same time last year. **DiPietro moved to accept the first quarter financial review as presented. Sedmak seconded the motion which was adopted unanimously.**

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Amendment to Zoning Code sections 70-71 Water Rates; 70-72 Connection Fees; to Add 70-81 Other Fees; To Amend 70-241 Sanitary Sewer Rates, and 70-242 Connection Fees; and Add 7-251 Other Fees—SECOND READING— Adopted by Board on First Reading May 15, 2017.

Attorney Rechtien reported there are two changes to the amendment since first reading under Section 70-71 subsection 2 inserting the word “net” and under subsection 4 inserting the word “usage”, with likewise changes to Section, 70-241 subsections 2 and 4, to reflect the methodology of the Utilities Committee. Perry explained the Township is permitted but not required to use a 5-year average. The Utilities Committee would recommend to the Board on a year-to- year basis whether to look back 3 to 5 years in order to smooth out increases for users so they see less fluctuations in their rates. Attorney Rechtien reported the original ordinance applied smoothing of rates to costs but not to usage, and now includes all three components of usage, costs, and wear and tear expenses with the proposed amendment.

Allison moved approval of Amendment to Chapter 70 – Utilities, Article II – Water System, Division 2 – Rates, Fees and Charges, to Amend Sections 70-71 Water Rates and 7—72 –

Connection Fees, and to Add Section 70-81 – Other Fees, and Article III – Sewer System, Division 2 – Rates, Fees and Charges, to Amend Sections 70-70241 – Sanitary Sewer Rates, and 70-242 – Connection Fees, and to add Section 70-251 – Other Fees on second reading. DiPietro seconded the motion which was adopted unanimously.

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

VI.A. Resolution Adopting Water and Wastewater System Rates and Fees

Perry explained the new connection fees are designed based on the current system and the system expected to be built over the next five years, which includes extending inged service for new users, university expansion, and the addition of a new water tank. Perry noted the new connection fees will not pay 100% of the costs, as the Township's reserve fund will contribute to a third of the costs ~~as a way to bring in new customers~~. Allison explained the other fees include the water and wastewater meter and material fees as pass through costs, and inspection and installation fees of \$150 plus any additional costs. It was also noted that the water and wastewater rates are the same as last year. **Perry moved to approve Resolution Adopting Water and Wastewater System Rates Fees with water of \$7.09 per 100 cubic feet and wastewater of \$7.30 per 100 cubic feet including other fees and new connection fees. Allison seconded the motion which was adopted unanimously.**

B. Amendment to Code sections 74-2, 74-461, 74,462, 74-463, 74-464, 74-547, 74-761, 74-763, 74-764 and 74-835 —Recommended for approval by Planning Commission at its meeting on March 6, 2017, tabled by Board of Trustees at April 17, 2017 meeting. The discussion this evening will be limited to Places of Worship.

DiPietro asked if a group is religious or spiritual in nature but is not a non-profit organization should the Township include them or identify them in the ordinance. Elmiger stated if a group is religious but is a for profit organization thean it's more of a commercial enterprise, and may be contrary to the ordinance to include them. Attorney Rechten advised a for profit religious organization would not be excluded as there is no distinction and would be protected under RLUIPA. Basch asked why Places of Worship are a conditional use in all residential districts. Elmiger advised the original ordinance was written that way, and there can be some neighborhoods where a church may not be a good fit due to traffic, parking, noise, lighting, etc. **DiPietro moved approval of Amendment to Zoning Code Sections 74-2, 74-461, 74-462, 74-463, 74-464, 74-547, 74-761, 74-763, 74-764 and 74-853. Basch seconded the motion. The motion carried with Perry opposed.**

VI. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

B. Discussion About Whether to Proceed with Township Parking Expansion, Including Review of Bid Amounts and Request from Stantec for Amendment to Contract for Engineering Services Related to that Project.

Moran reported the engineering services approved on June 10, 2016 have been spent due to re-engineering of the project and will require the an additional expense of \$15,000 for inspection work. In addition, bid amounts came in higher than expected and has increased the cost of project to about \$20,000 per parking space. Humesky advised the Township may get better pricing in the winter, as contractors are not as busy, and are less likely to hike their prices. Basch

suggested exploring other options, and to consider the possible alternative of moving the precinct to another building that could accommodate voters. Moran indicated he is open to exploring other alternatives but doesn't see a cheaper or feasible option. Moran recommended to defer for winter bidding with the goal of completing the work in time for the 2018 general election. **Basch moved to rebid the parking lot expansion to the next construction season with timing to be determined by the Supervisor. Kohrs seconded the motion which was adopted unanimously.**

C. Resolution Approving Purchase of Development Rights and Negotiation of Participation Agreement and Conservation Easement and Execution of Closing Documents for Parcel I-09-10-200-001 |

Allison reported this PDR is within the policy of the Township requiring a small farm conservation easement and affirmative agricultural easement. Basch noted the property is adjacent to already preserved land. **DiPietro moved to adopt the Resolution Approving Purchase of Development Rights and Negotiation of Participation Agreement, Purchase Agreement and Conservation Easement and Execution of Closing Documents dated June 19, 2017 Tax Parcel ID NO. I-09-10-200-001. Allison seconded the motion which was adopted unanimously.**

D. Discussion of New Method of Quality Evaluations of Township Gravel Roads

Moran reported he met with the WCRC in an attempt to get the Township a better plan instead of attacking visual problems. Moran noted previously there was no inventory rating system approved by the WCRC for unpaved roads until now. Moran provided the Board with an Inventory-Based Rating System for Unpaved Roads Field Guide but indicated he is unsure how it guides future work. Allison commented the structural adequacy is a good indication of the need for roadwork. Moran commented drainage improvements make a big difference but there's no point in doing so until the WCRC improves their process for drainage maintenance. Basch commented the WCRC is missing the methodology of how the roads are traveled, and should include a matrix that incorporates the number of trips or counting cars. Perry ~~recommended a comprehensive review of residents within the freeway ring~~ questioned whether we should do comprehensive roadwork for areas to be annexed. Allison emphasized the need for roadwork ~~outside-inside~~ the freeway ring and doesn't see annexation as criteria not to address them. Allison added these are long standing residents whose roads are in very poor shape, and the township has an obligation to treat them the same way. The Board agreed to consider establishing ~~a~~ special assessment districts and the possibility of forming a road committee to address future road improvements.

E. Michigan Townships Association, Request for Dues 7/1/17—6/30/18

Perry moved to approve the Michigan Townships Association annual membership dues invoice in the amount of \$5,513.59. DiPietro seconded the motion which was adopted unanimously.

F. SEMCOG Request for Dues 6/15/17 to 6/15/18

Perry moved to approve the Southeast Michigan Council of Governments annual membership dues invoice in the amount of \$742. Allison seconded the motion which was adopted unanimously.

G. Public Safety

1. Sheriff's Office - The Board received a written report from the Sheriff's Department.

2. Fire Department

Chief Nicholai submitted a written report to the Board on the department's activity for the month of May 2017. Chief Nicholai also requested Board approval of the lowest bid by Somerset paving for the concrete repair of driveway and apron at Station 2. **DiPietro moved approval of the lowest bid by Somerset Paving in the amount of \$5830 subject to insurance and authorizing Fire Chief to make sure engineering work lines up with new roadwork. Kohrs seconded the motion which was adopted unanimously.**

H. Utilities Department

Judkins submitted a written report to the Board on the department's activity for the month of May 2017. Judkins also requested Board approval for the purchase of the Trimble Geo 7 Explorer Centimeter Edition Bundle which will be reimbursed through the SAW grant. **Allison moved approval of the purchase of the Trimble GEO 7 Explorer Centimeter Edition Bundle and related software in the amount not to exceed \$15,000. Perry seconded the motion which was adopted unanimously.**

I. Supervisor's Report

Moran reported he continues to engage the MDEQ who is reluctant to address the dioxane plume problem, and he continues to work with EPA for a treatment evaluation under the federal priority list. Moran reported the \$300,000 grant for the Township's portion of the county's border to border trail is being held up, and may not be signed during this construction period due to recent legislative changes. Moran also reported he met with MIFFS staff responsible for Tilian. They are who is concerned with the poor condition of their barn walls, and are hoping the Township can contribute funds for wall and electrical improvements.

J. Clerk's Report

Basch reported her department has been busy purging records in accordance with current retention schedules, and the ZBA met in May and approved a new sign variance for DTE's solar array. Basch reported the State grant and licensing agreements for new voting equipment have been signed, and the Township will only be responsible for the cost of extra voting equipment and maintenance contract costs for years six through ten. Basch also reported the Township has been reimbursed by the school district for the cost of the May election, and the Township passed the May post-election audit by 100%.

K. Treasurer's Report

DiPietro reported summer tax bills will be mailed next week and that she is in need of suggestions for newsletter articles.

L. Planning Commission

Allison reported on the June 5, 2017 Planning Commission meeting. The minutes were included in the Board packets.

M. Building Department - Pace submitted a written report to the Board.

N. Farmland Preservation Committee

Moran reported there are two vacancies on the committee which need to be filled, and the reappointment of current members to staggered terms which terms are yet to be determined. Moran recommended the appointment of Jeremy Moghtader who has a background in the MSU organic farming program, and was one of the Township's first contact for the teaching aspect of organic farming at Tilian. Moran noted Moghtader is now the head of the U of M Botanical Garden student farm. **Allison moved to appoint Jeremy Moghtader to the Farmland Preservation Committee for a 3-year term. Basch seconded the motion which was adopted unanimously.** Allison reported on a recent meeting of the farmland board.

O. Approval of Claims Listings

Sedmak moved approval of the claims listing dated May 11, 2017 through June 1, 2017 in the amount of \$181,280.62. Kohrs seconded the motion which was adopted unanimously. Allison moved approval of the claims listing dated June 13, 2017 through June 14, 2017 in the amount of \$119,398.56. Kohrs seconded the motion which was adopted unanimously.

VI. INFORMATION ONLY ITEMS - None**VII. NON-AGENDA ITEMS****A. Emergent Health Partners, Inc., Fire Dispatching Service Agreement**

Moran reported this was previously tabled by the Board due to a number of concerns by counsel. Moran reported insurance amounts have been increased and he received evidence of umbrella coverage. Moran noted the contract is effective July 1st. **DiPietro moved approval of the Fire Dispatching Service Agreement between Emergent Health Partners, Inc. and Ann Arbor Charter Township in the amount of \$16,607.72 for the period of July 1, 2017 through June 30, 2018. Sedmak seconded the motion which was adopted unanimously.**

VIII. PUBLIC COMMENT|

Perry on behalf of the Village of Barton Hills thanked the Utility Department for their services.

IX. ADJOURNMENT - DiPietro moved to adjourn the meeting at 10:20 p.m.