

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES
MINUTES OF MEETING MONDAY, OCTOBER 17, 2016**

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 7:33 p.m.

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

Absent: John Allison.

Also Present: Township Attorney Matt Rechten, Fire Chief Mark Nicholai, and Utilities Director Rick Judkins.

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

DiPietro moved to approve the agenda as amended with the addition of items V.F. G. and H. Kohrs seconded the motion which was adopted unanimously.

III. APPROVAL OF MINUTES

Basch moved approval of the September 19, 2016 meeting minutes as amended. DiPietro seconded the motion which was adopted unanimously.

Moran moved to advance agenda item V.D. Perry seconded the motion which was adopted unanimously.

V.D. Discussion Regarding Petition to EPA Requesting Preliminary Assessment of the Gelman Sciences, Inc. Site in Scio Township, MI.

Moran reported Scio Township will be considering the proposed petition at their October 26th Board meeting. Moran also reported on the Washtenaw County and City of Ann Arbor EPA Superfund meeting regarding the Gelman/Pall/Danaher 1,4 dioxane plume. Daniel Bicknell with Global Environment Alliance, LLC presented a brief overview of the petition requesting preliminary assessment of the Gelman Sciences, Inc. site on behalf of Ann Arbor Township, Scio Township and the Sierra Club noting the City and County are currently in gridlock over the matter. Bicknell reported even if the MDEQ changes the dioxane criteria it will not change the value they are dealing with because they are using a groundwater surface water interface value of 2800. Bicknell noted they are letting the plume flow until it hits the river which may possibly impact Ann Arbor Township wells to the east and Scio Township wells to the west. Bicknell also noted groundwater extraction is not working because the plume is past the extraction area. Bicknell also reported the supplemental information document included with the petition explains why the MDEQ has been unable to resolve the problem and why the consent judgement is flawed. The Board discussed the petition and expressed support of moving forward with filing

noting now is the time to act and that delay would be much more detrimental to the community. **DiPietro moved to approve Petition to the U.S. Environmental Protection Agency Region V Requesting Preliminary Assessment of the Gelman Sciences, Inc. Site Scio Township Michigan substantially in the form presented tonight with attachments with potentially minor changes as needed, and to direct the Supervisor to file the petition on the Township's behalf. Sedmak seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Marijuana Ordinance, Amendment to 74-2, 74-461 74-465 and Addition of 74-613, 74-614, 74-615

Moran reported the proposed amendments were recommended for approval by the Planning Commission on September 6, 2016 after holding a public hearing on the matter. Rechten reported the Medical Marijuana framework is still in place and is not affected by the new legislation that was just recently passed. Moran noted he has asked the Planning Commission for a firm recommendation regarding the opt-in or opt-out provisions before the Board takes action on the matter. **Perry moved approval of the Resolution Amending Zoning Code Sections 74-2, 74-461, 74-462 and 74-465 and adding Zoning Code Sections 74-613, 74-614, 74-615, and 74-616 Medical Marijuana Grow Operation in the form draft dated September 19, 2016. Kohrs seconded the motion which was adopted unanimously.**

B. Marijuana Ordinance, Addition of Article III, Section 18—Approved on First Reading by Board of Trustees 9-19-16

Basch moved to adopt on second reading Ordinance Amending Chapter 18 Businesses to add Chapter III Medical Marijuana Grow Operations. Sedmak seconded the motion which was adopted unanimously.

C. AZ-2-16 Release for Annexation, Owners of parcel I-09-34-150-010 request release for annexation—Owner plans to build residence on either this parcel or the one identified in item IV D, below. See provision of Boundary Agreement attached.

D. AZ 3-16 Release for Annexation, Owners of parcel I-09-34-150-011 request release for annexation. See above

Moran reported the petitions are by the same owner that wants to build on one of the two lots but initially filed applications for both lots because the city requested petitions be filed on any property owned within the city especially adjacent properties. Moran advised the petitioner to decide which lot he wants to build on and move to release that one and leave the other one in the Township until he decides to sell it, build on it, or to incorporate the two lots together. Moran noted they have exchanged emails and the petitioner has now requested the board table both petitions. Moran indicated the Board should decide how it wants to handle adjacent parcels for annexation by the same owner. Basch asked that the Board not make a blanket policy but rather handle these types of annexations on a case by case basis. **Perry moved to table AZ 2-16 and AZ-3-16. Basch seconded the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Request for METRO Act permit from Fiber Technologies Networks, LLC

DiPietro moved approval of the METRO Act Permit for Fiber Technologies Networks, LLC. Kohrs seconded the motion which was adopted unanimously.

B. Weather Warning Sirens, Request to Approve Additional Funding

Moran reported the Board previously approved \$105,000 for the cost of six weather warning sirens but has learned the final bill is expected to be \$108,100. Moran requested Board approval for additional funding of \$5000 to cover the total cost. **DiPietro moved approval of additional funding of \$5000 for the total bill not to exceed \$110,000 for the installation of six warning sirens. Kohrs seconded the motion which was adopted unanimously.**

C. West Shore Services—Contract for Inspection and Annual Maintenance of Weather Warning Sirens 2017-2020

Moran reported this is a 4 year contract for six sirens at \$425 per site for a total of \$2550 per year for inspection and maintenance. **Sedmak moved approval of the West Shore Services, Inc. Warning Systems Division Agreement for Inspection and Annual Preventative Maintenance for Community Alert/Notification System Four Year Period 2017 – 2020. DiPietro seconded the motion which was adopted unanimously.**

E. Resolution Approving Letter of Donation regarding Dixboro Road Trail

Moran requested Board approval of additional funding of \$50,000 for the Dixboro Road Shared Use Trail. Moran noted contributions are now sufficient to cover the costs of the project. DiPietro requested a portion of the funding be used from the expected tree mitigation for the parking lot expansion. **DiPietro moved approval of the additional \$50,000 for the Dixboro Shared Use Trail project with \$30,000 to be allocated from the expected tree mitigation for the Township's parking lot expansion. Kohrs seconded the motion which was adopted unanimously.**

F. Resolution Approving Easements for Dixboro Road Trail

Moran requested Board approval of the trail easements in the form presented tonight. **Sedmak moved approval of the trail easement and construction easement substantially in the form presented for the Dixboro Road Shared Use Trail. Basch seconded the motion which was adopted unanimously.**

G. Discussion Regarding Resolution of WATS for Support for Regional Transit Authority

Moran reported at the last WATS meeting the chair presented the proposed resolution in support of the regional transit authority but it was tabled so that jurisdictions could present the resolution to their respective Boards for approval. DiPietro expressed opposition to the resolution noting the benefits to Township residents are woefully less than the tax generated. Moran expressed

support of the resolution indicating it's an important issue for the region of southeast Michigan. Perry stated it's a total unrealistic proposal and that residents will be taxed for services they won't use. Basch expressed support of the resolution indicating there are nearly zero options for public transportation in the area. **Basch moved to approve WATS Resolution of Support for Regional Transit in SE Michigan. Moran seconded the motion. Motion failed with four opposed.**

H. Fleming Creek I & II Street Light Assessment

Perry moved to set a public hearing for November 21, 2016 for the Fleming Creek I & II Street Light Assessment. DiPietro seconded the motion which was adopted unanimously.

F. 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 September 2016.

G. Utilities Department

Judkins submitted a written report to the Board on the department's activity for the month of September 2016. Judkins also reported the Township received notice of approval of the SAW Grant application for wastewater asset management plan and design.

H. Supervisor's Report

Moran reported he attended a meeting at the WCRC regarding culvert repair and that there are a number of seriously compromised culverts in the County, however, the Township has only one culvert on Warren Road just east of Earhart Road where the weight limit has been reduced. Moran also reported Northfield Township has approved the use 550 tons of limestone for Joy Road to be matched by the Township.

I. Clerk's Report

Basch commended and thanked Moran for all his work on the Dixboro Shared Use Trail project. Basch reported annexations for three parcels on Dexter Road included four voters that were immediately transferred to the City. Basch reported the ZBA meets tomorrow to review a matter that was tabled regarding DTE signs around the solar array. Basch also reported the Election Commission met to appoint election inspectors and passed a resolution documenting their policies regarding delegation of duties. Basch also noted she is seeing an increase in the number of absentee voting that most likely will exceed 2012 numbers.

J. Treasurer's Report

DiPietro reported they now have a 2% delinquency with summer tax payments. DiPietro also

reported most bonds have already been called and it has been a challenge to keep funds invested appropriately.

K. Planning Commission

The October 3, 2016 Planning Commission meeting minutes were included in the Board's packets.

L. Building Department

Pace submitted a written report to the Board.

M. Farmland Preservation Committee

No report.

N. Approval of Claims Listings

Kohrs moved approval of the claims listing dated October 2, 2016 through October 3, 2016 in the amount of \$130,228.13. Sedmak seconded the motion which was adopted unanimously.

VI. INFORMATION ONLY ITEMS - None

VII. NON-AGENDA ITEMS - None

VIII. PUBLIC COMMENT

Commissioner Dan Smith reported it is unlikely the NAPP subcommittee will be making any significant changes to Ordinance 128.

IX. ADJOURNMENT

DiPietro moved to adjourn the meeting at 9:21 p.m.