

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES
MINUTES OF MEETING MONDAY, NOVEMBER 20, 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 7:34 p.m.

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

Absent: Trustees Ken Kohrs and Claudia Sedmak

Also Present: Township Attorneys Sandra Sorini-Elser and Sarah William, Fire Chief Mark Nicholai, Township Planner Sally Elmiger, and Utilities Director Rick Judkins.

II. CITIZEN PARTICIPATION

Robyn Pott commented she and her sister Ellen Pott are building a medical cannabis company and would like the Township to consider their business proposal. Pott reported she is a lawyer and public policy researcher that has spent the last 20 years working with families living in poverty, and recently spent six years at University of Michigan Law School directing and researching socially supportive programs for women and children in welfare. Pott commented she decided to make a career change to become a job creator, and sees the MMFLA as a resource for high skilled, well-paying, stable jobs. Pott indicated she came up with the idea of Pott Farms which will be a social work supportive job training program for people with barriers to employment. Ellen Pott explained Pott Farms is to be a craft cannabis company that produces small batches of individual crops under a greenhouse, maximizes the use of natural resources with zero waste, uses regenerative processes, and provides economic growth through the creation of jobs.

Allison moved to amend the agenda to advance item V.G. DiPietro seconded the motion which was adopted unanimously.

V.G. Resolution to Approve Contract with Stantec—to investigate feasibility of constructing an up to 2-million-gallon water storage tank and other structures on a parcel of land in the Ann Arbor Technology Park

Moran reported the Utilities Committee met prior to tonight's Board meeting and recommended approval of Stantec's proposal with the exception of a number of changes to the contract. Moran noted the Utilities Committee recommended the removal of all references to the owner's name including the background paragraph. Moran noted if the parcel in question becomes available to include in the feasibility study then the contract will be initiated. Moran also noted the proposal is a not-to-exceed fee of \$25,000 which includes any and all subconsultant fees or other project specific charges. Attorney Sorini reported she is currently investigating the title work on the property. **Allison moved approval of Stantec's proposal for Professional Engineering Services for Possible Water Tank, Booster Station, and Service Garage draft dated November 17, 2017 with the removal of the owner's name and background paragraph. DiPietro seconded the motion which was adopted unanimously.**

III. APPROVAL OF MINUTES

Corrections to 10/16/17 minutes: On page 2 under item IV in the 4th line after "fund" insert "expenditures"; on page 4 in the first line strike "citing" and insert "site location" and in the 6th

line after “Ordinance” insert “Moran reminded the Board that tonight’s approval was for concept only.”; on page 5 in the 1st line after “trails” insert “one each”. **Allison moved approval of the October 16, 2017 meeting minutes as amended. Basch seconded the motion which was adopted unanimously.**

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Amendment to Zoning Code, Sections 74-2, 74-427(a)(1), 74-461, 74-462, 74- 463, 74-464, 74-547, 74-592, 74-761, 74-763, 74-764, and 74-835, and Addition of Zoning Code Section 74-613 “Campgrounds”

Attorney Sorini summarized the proposed amendments to the Ordinance with respect to agricultural uses, mineral mining, recreation and places of worship. –Attorney Sorini noted charitable, philanthropic institution is similar to places of worship, and asked the Board if they wanted to permit it as a conditional use in all three districts, or only permit it as a conditional use under the R-C district. Allison noted that was not the recommendation of the Planning Commission. Basch commented it would make sense to permit it in all three districts like places of worship. **Perry moved to adopt the Amendment to Zoning Code, Sections 74-2, 74-427(a)(1), 74-461, 74-462, 74- 463, 74-464, 74-547, 74-592, 74-761, 74-763, 74-764, and 74-835, and Addition of Zoning Code Section 74-613 “Campgrounds”. Basch seconded the motion.** Allison indicated he is supportive of the zoning amendment with the exception of permitting charitable, philanthropic institution as a conditional use in the agricultural district because it’s quite different from places of worship and it’s not clear what it means or what it could be. **Perry moved to amend his motion to remove charitable, philanthropic institution in A-1 district as a conditional use and to insert “Washtenaw County” on page 15 in the last line between “the” and “Health”. Basch accepted the friendly amendment to the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSION

A. Resolutions Establishing Special Assessments for Street Lighting in Fleming Creek Subdivisions Nos. 1 and 2

DiPietro reported the resolutions are straight forward and the same as last year with a minimal increase in rates. Moran opened the public hearing at 8:05 p.m. There were no public comments. Moran closed the public hearing at 8:06 p.m. Perry recommended minor changes to the preamble of the resolutions. **Allison moved approval of Resolution Fleming Creek Subdivision No. 1 Street Lighting Assessment 2017 with a change in the preamble striking “Minutes of” and inserting “Resolution adopted at” and striking “were kept”. Basch seconded the motion which was adopted unanimously. DiPietro moved approval of the Resolution Fleming Creek Subdivision No.2 Street Lighting Assessment 2017 with a change in the preamble striking “Minutes of” and inserting “Resolution adopted at” and striking “were kept”. Basch seconded the motion which was adopted unanimously.**

B. Resolution Electing Exemption from the Requirements of the Publicly Funded Health Insurance Contribution Act for FY 2018

Moran reported the state has set limits on the amount of health care coverage provided by public employers to their employees. In the past the Township has found this to be inadequate and have negotiated contracts with the fire department and wishes to continue to treat its union and non-union employees similarly for the purpose of health care coverage. The Act allows the Board to exempt the Township from the requirements of the Act for the next succeeding year by a

resolution approved by a 2/3 vote of the Board. **Basch moved approval of the Resolution of the Ann Arbor Charter Township Board of Trustees Electing Exemption from the requirements of the Publicly Funded Health Insurance Contribution Act. Perry seconded the motion. Roll Call Vote: Allison yes, Basch yes, DiPietro yes, Moran yes, Perry yes. Motion carried.**

C. Discussion Regarding Health Care Premiums and Resolution to Permit Supervisor to Negotiate Renewal and Possible Additional Plan

Moran reported the Township's current BCBS plan increased by ~~50~~15.45%, with the stipulation per the union contract that the Township pays the first 5% of the increase, and any increase over and above that, is born by the employee. Moran explained the new rate changes under the policy also creates some disparity among employees. Moran also noted per the union contract if health care coverage increases over 8% it allows them to open it up for negotiation which they have done. Moran reported the union is meeting to see what plans they prefer and will report back to the Township. Moran explained there are a number of possibilities for dealing with the increase by exploring other plans to reduce costs. Moran noted he needs to notify BCBS by December 15th so he is in a race to get this done, but in no case, will the township exceed paying the 5% increase. Moran ask the Board to either authorize him to act or to hold a special meeting. **Perry moved to authorize the Supervisor to negotiate a renewal plan and or possible second health care plan. Allison seconded the motion which was adopted unanimously.**

D. Resolution Authorizing Building Official to Appoint Inspectors on Behalf of Township

Perry moved approval of Resolution Authorizing the Building Official to Appoint Inspectors on Behalf of the Township. DiPietro seconded the motion which was adopted unanimously. DiPietro seconded the motion which was adopted unanimously.

E. Resolution to Approve Letter of Amendment to Washtenaw County Police Services Contract—Amendment extends the contract through 2018 and sets a fee of \$160,650 per police services unit for 2018.

Moran reported \$121,000 was placed in the budget to cover the largest possible increase for 4 PSUs in the event this year or next year the County had to charge the full cost for a PSU, but was not necessary given the contract that was agreed to. Moran reported each year the contract is amended to add the additional year and to extend the term ending. Moran noted the only change in this contract is the addition under item 7 of \$160,650 per PSU for 2018, and under Article V with the ending date of December 31, 2018. **Allison moved to authorize the Supervisor to sign the contract with the Washtenaw County Office of the Sheriff. Basch seconded the motion which was adopted unanimously.**

F. Resolution to Accept and Approve the Report of the Compensation Commission—recommending salaries for elected officials for 2018 and 2019

Moran reported the Compensation Commission met on October 12th and reviewed the Compensation Commission Ordinance, compared township data within the county, interviewed the supervisor, heard a presentation from supervisor regarding other elected officials, reviewed historical consumer price indexes, and cost of living adjustments for 2015, 2016 and 2017. Moran noted the Board's only choice is to either accept or reject the recommendation. **Allison moved to accept the Compensation Commission recommendations for salaries for elected officials as**

indicated for 2018 and 2019. DiPietro seconded the motion which was adopted unanimously.

H. Resolution to Set Fees for Review of a Woodland Stewardship Plan and Amendment of a Tree/Woodland Removal Permit

DiPietro moved approval of the ~~Resolution Approving~~ Proposed Fees for Amendment of a Tree/Woodland Removal Permit and Woodland Stewardship Plan in the amount of 50% of the base fee of the original submittal if within 6 months of original submittal. It was clarified that after 6 months, a new permit application and a new fee would be required. Allison seconded the motion which was adopted unanimously.

I. Resolution to Renew Par Plan Liability Insurance Policies

Moran reported the proposed renewal represents an increase of .6% and includes the rider for terrorism coverage. DiPietro moved approval of the invoice from Decker Agency for the renewal of the Par Plan Liability Insurance Policies including the rider for terrorism coverage in the amount of \$56,053. Basch seconded the motion which was adopted unanimously.

J. Discussion Regarding Planning Commission Workshops on Medical Marijuana Opt-in Legislation

Allison reported the Board directed the Planning Commission a year ago to consider the MMFLA and held a couple of workshops to discuss the matter. Allison reported the Planning Commission is looking for the Board's feedback on the type and extent of public input such as a holding a public hearing or conducting a survey. Perry commented that the Board is putting the "cart before the horse" and needs to decided first whether to opt in or opt out. Allison referenced the workshop minutes from May and October and indicated the Planning Commission feels there's no pressure to act before December 15th. Allison reported the Planning Commission determined provisioning centers would be excluded because there are no commercial retail districts in the Township, but could allow for growers, processors, secure transporters, and safety compliance facilities as an acceptable light industrial use, provided there were no adverse impacts to the environment. Allison reported there is not a lot of information regarding impacts but it seems to be modest. Allison also reported the Planning Commission reviewed materials from MTA and MSU and have another workshop scheduled for January 9th. The Board indicated small craft operations like Pott Farms may be more appropriate for the Township and directed the Planning Commission to consider allowing growers in the agriculture (A) district and to continue discussions.

K. 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 October 2017.

L. Utilities Department

Judkins submitted a written report to the Board on the department's activity for the month of October 2017. Judkins also reported they had a water main break which resulted in a shut off of water to 4 residents for about four hours. DiPietro acknowledged and thanked Judkins and his crew for their hard work at repairing the water main break so quickly.

M. Supervisor's Report

Moran reported the EPA issued a letter regarding the Gelman facility in which they decided not to list the facility on the NPL but rather to assign an EPA official to review quarterly reports from the MDEQ for at least a year. Moran reported the Kaljean/Stiles resolution that ~~was the Township Board~~ approved in August has ~~been overlooked~~ **not been approved** by the WCPARC ~~and or the Natural Areas Technical Advisory Committee (WC has been reopened by~~ NATAAC). Moran noted the WCPARC is considering establishing an endowment fund of the remaining 15 million in funds for maintenance of parks, and is apparently reluctant to spend money on this property. Moran indicated if Township were to come up with an additional \$60,000 and a 5% contribution from the owners, it will reduce the county's portion to less than 30%, which may persuade the county to buy in. **DiPietro moved to authorize the supervisor to contribute up to an additional \$60,000, from that which was already authorized, for the purchase of development rights of tax parcels I-09-11-200-001, I-09-11-325-009 and I-09-10-450-004. Allison seconded the motion which was adopted unanimously.** Moran also updated the Board on the current status of Toyota's IFT application, and that he has received a number of requests for a mid-connection to the Dixboro Road Shared Use Trail.

N. Clerk's Report - Basch reported the November 7th special election went very smoothly with the new equipment, the only ~~exception of the new issue being 2~~ ballots stuck together because they ~~were~~ are thin paper ~~thin~~.

O. Treasurer's Report - DiPietro reported winter tax bills are ready and will be mailed soon.

P. Planning Commission - Allison reported on the November 13, 2017 Planning Commission meeting. The minutes were included in the Board packets.

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

R. Approval of Claims Listings

Allison moved approval of the claims listing dated November 1, 2017 in the amount of \$122,070.22. DiPietro seconded the motion which was adopted unanimously. DiPietro moved approval of the claims listing dated September 30, 2017 through November 14, 2017 in the amount of \$670,274.16. Basch seconded the motion which was adopted unanimously. Allison moved approval of the claims listing dated November 15, 2017 through November 16, 2017 in the amount of \$8472.12. Basch seconded the motion which was adopted unanimously.

VI. INFORMATION ONLY ITEMS - Allison reported the Farmland Board did not meet but did close on one PDR property on Warren Road.

VII. NON-AGENDA ITEMS

VIII. PUBLIC COMMENT

County Commissioner Michelle Deatrack reported the BOC has formed a broadband exploratory committee, and that the WCPARC needs the BOC's permission to implement an endowment fund for the maintenance of parks.

IX. ADJOURNMENT - DiPietro moved to adjourn the meeting at 9:56 p.m.