

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING MINUTES
MONDAY, JUNE 16, 2008**

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 7:30 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

Present: Supervisor Michael Moran, Clerk Rena Basch, Trustees John Allison, Randolph Perry and Claudia Sedmak.

Absent: Treasurer Della DiPietro and Trustee Richard Dieterle.

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

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

III. APPROVAL OF MINUTES

Corrections to the 5/19/08 minutes: On page 2 under item V.B. in the second line strike “their” and insert “the neighbors” and after “concerns” strike the remaining sentence and insert “the Planning Commission discussed these concerns at length.” On page 3 under item H.1. in the first line strike “\$960” and insert “\$9600”. **Perry moved approval of the May 19, 2008 minutes as amended. Sedmak seconded the motion which was adopted unanimously.**

IV. AUDIT FISCAL YEAR

Ken Palka of Pfeiffer Hanniford & Palka presented the audit for the 2007 fiscal year. Palka explained that the audit consists of financial statements, a one page letter of comments, and graphs. Palka recommended the Board approve an official investment policy as to what the Treasurer invests into, and that there be more than one signature approving CD investments. The general fund total revenues were approximately \$1,322,000 with expenditures of \$1,337,000. Palka said this was a small decrease of \$14,582 resulting in a positive variance of \$69,723 with an overall general fund balance of \$2.4 million. The new public safety fund will not be recognized as revenue until 2008. The fire operating fund started the year with a \$532,000 balance and had an increase of \$147,000 leaving a fund balance of \$679,000. The building department fund had an increase of \$54,000 and the farmland preservation fund started the year with \$331,000 in revenues with expenses of \$39,000 resulting in an increase in the fund balance of \$299,000. Palka concluded with a presentation of the pie chart graphs for general fund revenues and expenditures, general fund balance, and cash and cash equivalents throughout the Township’s various funds.

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Zoning Ordinance Amendment

Moran said this is a response from several requests regarding temporary structures and most recently from The Traditions regarding the possibility of a temporary sales trailer. The Township attorney said this is a revision to the existing ordinance to clarify when there can be temporary dwellings as temporary structures, to add language for temporary construction structures and the addition of a new section for temporary sales buildings. The amendment meets with the Zoning Administrator’s approval and the Planning Commission has recommended approval to the Board. The Township attorney added that she has incorporated changes

recommended by Perry in the final revision. **Allison moved approval of the zoning ordinance amendment section 74-4 revision dated June 16, 2008 with changes to item d on page 3. Perry seconded the motion which was adopted unanimously.**

B. Annexation

Moran indicated this is a request by the owners to release .123 acres of parcel I-09-35-375-008 to consolidate with a larger parcel known as 3094 Newcastle. Basch advised the Board this is a driveway that the Assessor recently found that had never been annexed when the rest of the parcel annexed. **Basch moved to grant the petition for release for annexation by Ronald and Samantha Mucha for parcel I-09-35-373-008. Allison seconded the motion which was adopted unanimously.**

C. Special Event Permit, Conway Appeal

Moran said Conway is appealing the Building Inspector's denial for a special event permit. The Building Inspector denied the permit because Conway did not apply 60 days in advance as required by the Township ordinance. Representatives from Conway explained they were not able to apply for the permit 60 days in advance because they were not in the Township. The special event is for Conway's 25 Anniversary followed by a signing ceremony coupled with an open house for employees and the community. The Township attorney noted the township needs to be named as an additional insured in the certificate of insurance. **Perry moved to grant the appeal with conditions indicated by the Fire Chief and with an amendment to the certificate of insurance naming the township as an additional insured. Sedmak seconded the motion which was adopted unanimously.**

D. Economic Development Corporation

Moran indicated this is a request by The Traditions project that the Township establish an EDC to permit issuance of tax-exempt bonds. Brown, bond counsel with Dykema Gossett PLLC, said under the federal tax code the bonds have to be issued by a conduit bond issuer. Brown indicated the Township would serve as a conduit to issue the tax free bonds for the benefit of qualifying projects. The EDC would be controlled by the Board and the township would not be liable for the bonds. The Township attorney suggested a provision of the federal statute be included in the purpose section of the EDC which promotes forestry, agricultural sectors, and helping to reduce urban sprawl and protection of farmland. The bonds would be established in two series with the first series of 15 million issued by Washtenaw County and a second series of 100 million issued by the Township. Brown explained the 501 (3) (c)€ is a non-profit organization and does not affect property taxes. Brown added the acceptance of the EDC application does not bind the Township other than setting a public hearing. **Perry moved to approve the resolution receiving application for incorporation of the economic development corporation of the Charter Township of Ann Arbor and set a public hearing for July 21, 2008. Basch seconded the motion which was adopted unanimously.**

E. KLB Corporate Center

Anthony Antone explained the owners of the KLB Corporate Center are requesting to un-bank 140 land-banked parking spaces. Antone said Dominos was suppose to be the single user of the center but the deal fell apart and the owners have gone through several years of trying to lease the property. Recently they have successfully leased 132,000 square feet of space to Conway with two half floors left equaling 66,000 square feet. They have reached a deal with Conway to bus in employees for training days and town hall meetings. Antone requested the Board unbank the 140 parking spaces so they can have three parking spaces per one thousand square feet in

order to lease out the remaining balance of the space. Moran said under the PUD provision there is not currently an occupant or a demonstration of a compelling need to unbank the 140 parking spaces. Moran added the PUD agreement would have to be amended in order for the Board to take any action. Allison said he doesn't recognize the use has changed and that it is still predominately a corporate headquarters. Perry said the issue could be resolved by a lease agreement with a maximum of three per one thousand square feet. Basch said it was her impression the building would be for a single user instead of a multi tenant building. Sedmak said she sympathizes with the owners' situation in trying to lease out the remaining space with limited parking but agreed that the Board should revisit the PUD agreement before taking any action. **Antone indicated he did not want to re-open the PUD agreement.** **Perry moved to unbank 140 parking spaces. Motion failed for lack of support. Allison moved to table. Motion failed for lack of support. Perry moved to deny to unbank 140 parking spaces. Allison seconded the motion. The motion passed with Basch and Perry opposed.**

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

VI.A. Utility Rates

Controller Gerry Kruse presented the 2008 rates that reflect increases from the City of Ann Arbor. Kruse explained the increases in costs are because of cost changes from the City of Ann Arbor. **Perry moved to approve the water and sewer rates as proposed. Allison seconded the motion which was adopted unanimously. Allison moved to approve the resolution that connection fees and rates will be reviewed each year by the Board after receipt of information from the City on changes in City fees and rates. Existing Township rates and fees will remain in effect until changed by the Board. Perry seconded the motion which was adopted unanimously.**

F. General Development Plan

Due to the late hour and the need to address issues in the draft GDP the Board decided to hold a special meeting for the purposes of discussing the GDP on June 25, 2008 from 7 to 9 p.m.

VI. APPOINTMENTS, RESOLUTION, REPORTS, DISCUSSIONS

B. Urban County Cooperative Agreement

The Township attorney said her only concern under the agreement is that the Township is committed for three years with no option to terminate. **Basch moved to participate in the Washtenaw County Urban County federal assistance program during the period of July 1, 2008 to June 30, 2012. Sedmak seconded the motion which was adopted unanimously.**

C. Michigan Township Association

Moran indicated this is a request for payment of annual dues. **Allison moved to approve \$5,512 for annual dues plus legal defense discretionary assessment to MTA. Basch seconded the motion which was adopted unanimously.**

D. Washtenaw County Road Commission

Moran advised the Board that they can participate jointly in the improvement of Joy Road with Northfield Township with reimbursement at no less than \$10,000 per year for five years **starting in 2009.** **Perry moved to participate jointly with Northfield Township in the repair of Joy Road from Pontiac Trail to Dixboro with the understanding the Township would advance**

the costs and be paid back at a rate of not less than \$10,000 per year. Sedmak seconded the motion which was adopted unanimously.

E. Joint Resolution of Township and City to adjust for annexation

Moran indicated this is a resolution to establish annual population adjustments through annexation. **Allison moved approval of the joint resolution establishing annual population adjustments through annexation conditioned upon review by Clerk Basch. Perry seconded the motion which was adopted unanimously.**

F. Supervisor's Report

Moran reported he appeared before the Greenbelt Board and argued that they should agree to assign the easements to the Township on properties pursuant to opportunities assigned to the Greenbelt, ~~and when those are actualized; the City should assign the easements to the Township.~~ The Greenbelt Board agreed unanimously to approve his request and is moving forward in pursuing eligible PDR properties. Moran said he continues to address police services issues and continues to discuss the issue of the parking lot at the WCC health and fitness building.

G. Clerk's Report

Basch requested the Board approve payment of membership dues for the Huron River Watershed Council. **Basch moved to continue to be a member of the Huron River Watershed Council and pay dues in the amount of \$441.50. Allison seconded the motion which was adopted unanimously.** Basch also reported the Election Commission must meet before July 15, 2008 and scheduled a meeting for July 11, 2008.

H. Treasurer's Report

DiPietro submitted a written report to the Board.

I. Planning Commission

Allison reported on the Planning Commission meeting held on June 2, 2008. The minutes were included in the Board's packets.

J. Public Safety

1. Fire Department

Ericson updated the Board on the capital improvement plan and requested payment of the Argus invoice for the SCBA. **Basch moved to pay Argus for the SCVA in the amount of \$18,633.71. Sedmak seconded the motion which was adopted unanimously.** Ericson also reported on discussions with Barton Hills regarding coverage for a golf event in September.

2. Sheriff's Department - Sergeant P. Cook submitted a written report to the Board.

K. Utilities Department

Judkins reported on the capital improvement plan and the City of Ann Arbor's sanitary sewer mitigation requirements.

L. Building Department - John Hamlin submitted a written report to the Board

M. Farmland and Open Space Preservation Board

Allison reported on the FOSPB meeting held on May 27, 2008. The minutes were included in the Board's packets.

N. Approval of Claims Listing

Basch moved approval of the claims listing for June 2, 2008 in the amount of \$81,043.19. Allison seconded the motion which was adopted unanimously. Allison moved approval of the claims listing for June 11, 2008 in the amount of \$41,306.30. Basch seconded the motion which was adopted unanimously.

VII. INFORMATIONAL ITEMS - Items were included in the Board's packets.

VII. NON-AGENDA ITEMS - None

VIII. PUBLIC COMMENTS – None

X. ADJOURNMENT

Basch moved to adjourn the meeting at 10:20 p.m. Sedmak seconded the motion which was adopted unanimously.