

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING
MONDAY, FEBRUARY 15, 2010**

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 7:31 p.m. at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

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

Absent: Trustee John Allison.

Also Present: Township Attorney Sandra Sorini Elser, Township Planner Zak Branigan, and Fire Chief Rick Ericson.

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

III. APPROVAL OF MINUTES

Corrections to the 1/18/10 minutes: On page 2 under item D in the first line strike “rent to” and insert “live with”. **DiPietro moved approval of the January 18, 2010 meeting minutes as amended. Dieterle seconded the motion which was adopted unanimously.**

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

V.A. Presentation Regarding Status of WALLY

Michael Benham on behalf of the Ann Arbor Transportation Authority presented a power point presentation on the WALLY Rail Project. Benham explained one of the reasons for the proposed rail project is to provide relief to drivers from traffic congestion along US 23. Benham displayed a map showing the proposed passenger rail service on an existing freight line from Howell to Ann Arbor with stations planned for Howell, Genoa Township, Whitmore Lake, and Ann Arbor. Benham indicated 4 trains would run each day in both directions, and connecting buses in Ann Arbor will serve the University of Michigan’s North Campus and Medical Center, and downtown Ann Arbor. Benham provided a description of what the rail service would look like with upgrades to accommodate passengers and stations. Benham explained the benefits of rail service for commuters and the region, and how it is an efficient use of transportation resources. Benham also provided an overview of the rail project’s construction and operating costs along with information on how to learn more about WALLY. Benham concluded by answering questions from Board members.

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. Wind Energy Conversion Systems Ordinance

Branigan explained the recent revisions to the proposed WECS ordinance include correcting typographical errors, adding “Temporary Meteorological Towers” under section 74-604 for approval required, requiring a conditional use permit in all districts, adding language for the PUD approval process, and adding “emergency broadcast system” under the electromagnetic interference section, along with a proposed fee schedule. Board members and the Township attorney suggested some minor edits to the text. Moran indicated it is difficult to determine an

appropriate fee structure for a WECS until a site plan is received to see how much it's going to cost to review. Branigan recommended reviewing the fee schedule annually because technology is continually changing. **Basch moved approval of the WECS Amendments to Zoning Code Section 74-2 and Section 74-604 with changes discussed tonight. Sedmak seconded the motion which was adopted unanimously. Perry moved approval of the resolution approving the fee schedule for WECS pursuant to Chapter 74, Article V, Section 74-604 draft dated February 15, 2010. DiPietro seconded the motion which was adopted unanimously.**

DiPietro moved to advance item V.D. to the next discussed item. Sedmak seconded the motion which was adopted unanimously.

V.D. Tree Woodlands Ordinance

Moran called out for Board members opinion regarding the Planning Commission's recent practice of submitting ordinances that are not completed. Moran said he doesn't understand why these matters are coming before the Board. Moran added the Planning Commission is suppose to be an independent body and he would like their unvarnished opinion as to Board action. Basch agreed with Moran and indicated she would prefer a report from the Planning Commission instead of draft ordinance. The Township attorney explained the issue of a tree fund was a sticking point for the Planning Commission and they wanted the Board's opinion before holding a public hearing. The Board discussed at length the issue of a proposed tree fund and tree replacement for mitigation. Branigan explained the proposed increase in the ratio for tree replacement for mitigation is in keeping with neighboring jurisdictions which do it at a higher level. Branigan added the tree fund would be the last resort if mitigation is not possible. Moran and DiPietro expressed concern about doubling the required amount for tree replacement. Perry and Basch commented that they thought the proposed tree replacement is fair and is a real disincentive to remove trees. Moran recommended to the Township attorney that the Planning Commission consider the Board's concern over the proposed tree replacement and how the tree fund would be used.

B. Extension of PUD Approvals Ordinance Amendment

The Board discussed at length the latest revisions to the proposed amendments to clarify standards for extensions of PUD approvals. Board members recommended further revisions to the text. The Township attorney indicated she would incorporate the revisions discussed tonight so the Board can take action at their next meeting. **Basch moved to table the amendment to zoning code sections 74-542(j)(k) and (i) to clarify standards for extensions of PUD approvals. Sedmak seconded the motion which was adopted unanimously.**

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

A. Utilities Department Monthly Report

Judkins submitted a written report to the Board.

B. Public Safety

1. Fire Department

Ericson reported one of their rescues was in an accident and sustained some undercarriage damage and is being repaired. Ericson provided the Board with the department's incident summary and response times for 2009. Ericson also provided the Board with the department's capital improvement plan and the 2009 basic/fire data standard report for stations one and two.

2. Sheriff Department

Sergeant P. Cook submitted a written report to the Board.

E. 2010 Dexter-Ann Arbor Run

Moran indicated this is Ann Arbor Track Club's request for road closures for the 2010 Dexter-Ann Arbor Run proposed for June 6, 2010. Moran added the map and certificate of liability insurance is included in the request. The Township attorney expressed concern with the wording in the certificate of liability insurance and suggested amending it. **Sedmak moved to approve the road closures recommended in the request from the Ann Arbor Track Club for the Ann Arbor Dexter run subject to amending the certificate of liability insurance showing Ann Arbor Township as an additional insured. Dieterle seconded the motion which was adopted unanimously.**

F. Energy Efficiency Grant

Moran reported the Township has received a \$50,000 federal grant for governmental buildings to improve efficiency and requested the Board's approval to accept the grant. Moran thanked Basch and Branigan for their hard work on the grant application. **Basch moved to authorize the Supervisor to sign the documents necessary to receive the energy efficiency grant. Perry seconded the motion which was adopted unanimously.**

G. Supervisor's Report

Moran reported he negotiated a new contract with the assessment company which includes no increase for the first 2 years with a cost of living increase for the 3rd year but with a cap of 3%. Moran added the assessment contract was rewritten to indemnify the Village of Barton Hills. Moran indicated he is lining up bids for the initial energy assessment, and the Fire Department's improved ISO rating has resulted in homeowner's insurance savings. Moran reported he and Basch attended the MTA conference and found it valuable. Moran added there ~~may will~~ be a request on the August primary of whether there should be a constitutional convention: ~~on the~~ this ballot ~~question which~~ may result in substantial pressure to eliminate the duties of township government, and move toward a county type government. Moran also reported 2 companies are interested in the Flint Ink building and may be interested in tax abatements.

H. Clerk's Report

Basch reported the Township's current website provider is not interested in upgrading the site. Basch also reported that new legislation now allows for the transmission of absentee ballots by email to residents overseas and military personnel.

I. Treasurer's Report

DiPietro reported she is near the end of the tax year, the percentage of return on investments continues to drop, and March will be a busy month with the audit and Board of Review.

J. Planning Commission

The minutes of the Planning Commission's February 1, 2010 meeting were included in the Board's packets.

K. Building Department

Hamlin submitted a written activity report to the Board.

L. Farmland Preservation Committee

The minutes of the FOSPB's October 26, 2009, November 23, 2009, and January 25, 2010 meetings were included in the Board's packets.

M. Approval of Claims Listings

DiPietro moved approval of the claims listings for February 1, 2010 in the amount of \$274,461.22. Dieterle seconded the motion which was adopted unanimously. Dieterle moved approval of the claims listing for February 10, 2010 in the amount of \$36,023.94. Sedmak seconded the motion which was adopted unanimously.

Moran requested for auditing purposes that the Board pass a resolution authorizing him to sign the assessment contract. **DiPietro moved to authorize the Supervisor Moran to sign the assessment contract for the next 3 years with no increases in the first and second year with a cap of 3% in the third year or the cost of living as determined by the State of Michigan whichever is less. Dieterle seconded the motion which was adopted unanimously.**

VIII. INFORMATION ONLY ITEMS - Items were included in the Board's packets.

IX. NON-AGENDA ITEMS - None

X. PUBLIC COMMENT - None

XI. ADJOURNMENT

Basch moved to adjourn to closed session at 9:40 p.m. for the purpose of discussing PDR for 2010. The Board reconvened from closed session at 9:48 p.m. DiPietro moved to adopt the resolution authorizing Supervisor Moran to execute letters of intent for PDR draft dated February 9, 2010. Dieterle seconded the motion which was adopted unanimously. DiPietro moved to adjourn the meeting at 9:50 p.m.