

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 20, 2015
ADOPTED MINUTES
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1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor Kenneth Schwartz at 7:00 p.m. on July 22, 2015, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

The Supervisor Schwartz led the assembly in the pledge of allegiance to the flag.

3. ROLL CALL

The members present were Ken Schwartz, David Phillips, Brenda McKinney, Nancy Caviston, Rodrick Green, Lisa Lewis and Alex Williams. .

4. ADOPTION OF AGENDA

It was moved by McKinney seconded by Green, to adopt the agenda with the addition of Contract with Emergent Health for fire dispatching as item l. and Resolution 2015-30, Purchase Agreement for Ibrahim Real Estate Party store as item m. under New Business.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JUNE 15, 2015

It was moved by McKinney, seconded by Caviston, to approve the minutes of the regular Board meeting of June 15, 2015, as presented.

The motion carried by a unanimous voice vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

About 20 people were in attendance because they thought the Sutton Ridge-Redwood Apartments Area Plan Amendment was on tonight's agenda. Supervisor Schwartz advised them that the item was not on tonight's agenda but would be on the Planning Commission's agenda of July 22, 2015. Supervisor Schwartz explain the process for the rezoning and offered those in attendance and opportunity to address the Board.

Gregg Pitt, E. Avondale, inquired about when would be best to address the Board

Keisha Blevins, E. Avondale, thanked the Board for explaining the process.

Paul Vuocolo, Wexford Drive, inquired about the process

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Cathy Smith, had questions about the taxes the proposed apartments would pay.

7. PRESENTATIONS

There were none.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following: Township officials met with the County Treasurer to discuss the Township exercising the Township's right-of-first-refusal to purchase a home on Wiard and one on Harvest Lane at the County tax sale. The homes will cost about \$10,000 each and the Township already has an agreement to convey the homes to Habitat for Humanity for rehabbing and updating. Habitat will reimburse the Township for 100% of the Township's costs. Growing Hope started to operate a fruit and vegetable stand one day a week at the corner of Harris and MacArthur. Supervisor Schwartz is expecting that there will be a meeting of the parties related to the Rock Property. He thinks Rock may want to sell the development rights and then sell the property for agricultural use. Today was the first day for Fire Chief Vic Chevrette.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARK COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT REPORT, ZONING REPORT

It was moved by McKinney, seconded by Caviston, that the Superior Township Board receive all reports.

The motion carried by a unanimous voice vote.

8. COMMUNICATIONS

There were no communications.

9. UNFINISHED BUSINESS

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**A. ORDINANCE NO. 174-17, FERRIS PROPERTY, REZONE FROM R-1 TO A-2,
FIRST READING**

Supervisor Schwartz explained that the applicant, Mr. Ferris, owns considerable property surrounding this six acre site. Mr. Ferris has cattle on the surrounding land and wants to also have the cattle on these six acres. Keeping cattle on the land is an accessory use for the current R-1 zoning and there is no home on the six acres. In order to allow the keeping of cattle as permitted use, Mr. Ferris requested the six acres be rezoned to A-2, which is consistent with his property to the north of the parcel. Clerk Phillips indicated no comments have been received since the first reading.

It was moved by McKinney, seconded by Lewis, for the Board to approve the second reading and adoption of the following Ordinance # 174-17:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE # 174-17

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended as follows:

SECTION I

Superior Charter Township Ordinance Number 174, designated Superior Charter Township Zoning Ordinance, adopted August 4, 2008 and effective August 14, 2008, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by rezoning the following described property at 3880 Vorhies Rd. in Superior Township, Washtenaw County, Michigan, from R-1 (Single-Family Residential District) to A-2 (Agricultural District)

Parcel Tax ID #: J-10-08-200-003

Legal Description: COM AT W ¼ POST OF SEC. THN 1164.0 FT IN W LINE OF SEC FOR A PL OF BEG, TH N 394.88 FT IN W LINE OF SEC, TH N 89 DEG 52'20" E 660.91 FT, TH S 0 DEG 15'40" W 396.36 FT, TH W 659.10 FT TOPL OF BEG, BEING A PART OF NW ¼ SEC. 8 T2S R7E 6.00 AC.

SECTION II

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This Ordinance shall be published in a newspaper circulated within the Township of Superior within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CERTIFICATION

I, David Phillips, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on June 15, 2015 and for final reading on July 20, 2015. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

Kenneth Schwartz, Supervisor

David Philips, Clerk

Ayes: Schwartz, Phillips McKinney, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

The motion carried.

10. NEW BUSINESS

A. RESOLUTION 2015-22, ADOPT ORDINANCE NO. 189, WHICH REPEALS AND RPLACES ORDINANCE NO. 179 PEDDLERS AND SOLICITORS LICENSE

Board members had concerns about the revised ordinance. Trustee Williams questioned if Sections 2 and 14.1 were legal as they prohibit the first amendment rights of solicitors. There were also concerns about if the ordinance applied to the Growing Hope vegetable stand, the Dixboro Farmer's market and other farm stands, farm markets or fixed stands. Board members requested to postpone action on the ordinance until these issues are clarified and to keep the moratorium on issuing solicitors-peddlers licenses in place.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

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**RESOLUTION TO ADOPT ORDINANCE NO. 189, PEDDLERS AND SOLICITORS,
WHICH REPEALS AND REPLACES ORDINANCE NO. 173 AND TO
APPROVE APPLICATION AND LICENSE FEES FOR A PEDDLERS AND
SOLICITORS LICENSE**

Resolution Number: 2015-22

Date: July 20, 2015

WHEREAS, the Charter Township of Superior was operating under Superior Township Ordinance 173, the “Superior Township Peddlers, Solicitors, and Transient Merchants Ordinance”, passed by the Superior Township Board of Trustees, effective July 28, 2008; and,

WHEREAS, on May 18, 2015 the Superior Township Board of Trustees approved a moratorium on issuing any new solicitors licenses and repealed Ordinance 173; and

WHEREAS, with the assistance of the Township Attorney, the administrative staff has prepared a draft Ordinance 189 to repeal and replace Ordinance 173;

WHEREAS, the proposed Ordinance 189 addresses vehicle insurance, vehicle safety, driving history and other areas lacking in Ordinance 173, and,

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves the adoption of Ordinance 189, Peddlers and Solicitors, which repeals and replaces Ordinance 179; and,

BE IT FURTHER RESOLVED that Superior Township Board of Trustees approves the non-refundable application fee of \$25.00 for the Peddlers/Solicitors License and an additional \$20.00 to be paid for the issuance of the Peddlers/Solicitors License.

A motion was made by Caviston, seconded by Green, to approve Resolution 2015-22. However, it was withdrawn by Caviston and a new motion was made by Caviston, seconded by Green, to postpone action on Ordinance 2015-22 until the next board meeting of August 17, 2015. Also, to extend the moratorium on issuing new Solicitors-Peddlers permits until after the August 17, 2015 meeting.

The motion carried by a voice vote with six Trustees voting aye and Trustee Lisa Lewis voting no.

**B. RESOLUTION 2015-23, APPROVE THE ANN ARBOR NEWS AS THE
NEWSPAPER OF RECORD FOR SUPERIOR TOWNSHIP NOTICES**

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Clerk Phillips reported that the Heritage Newspaper, Washtenaw Now edition was no longer being published. He provided pricing information and circulation information on the two available newspapers and recommended the Board approve the Ann Arbor News as the Township's newspaper of record for the publication of notices and announcements.

The following resolution was moved by McKinney, seconded by Williams:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

RESOLUTION TO APPROVE A NEWSPAPER FOR PUBLISHING NOTICES

Resolution Number: 2015-23

Date: July 20, 2015

WHEREAS, the Charter Township of Superior is required to publish various notices; and,

WHEREAS, the Township previously used the Heritage Newspapers, Washtenaw Now newspaper to publish all such notices; and,

WHEREAS, the Washtenaw Now newspaper ended publication on June 25, 2015 and is no longer publishing; and,

WHEREAS, MLive's Ann Arbor edition (the "Ann Arbor News") meets the requirements of MCL 42.9, is circulated in Superior Township, is available on-line for free and publication is less expensive than the Washtenaw County Legal News; and,

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves that all notices that require publication in a newspaper, shall be published in the Ann Arbor News.

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Superior, County of Washtenaw, State of Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Superior at a regular meeting held on the 20th day of July, 2015, the original of which resolution is on file in my office, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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IN WITNESS WHEREOF, I have set my official signature, this 21st day of July, 2015. _____



DAVID M. PHILLIPS, CLERK,
CHARTER TOWNSHIP OF SUPERIOR

The motion carried by unanimous voice vote.

C. RESOLUTION 2015-24, TOWNSHIP HALL PARKING LOT

Supervisor Schwartz explained that OHM reviewed the bids and indicated that the bid of Hutch Paving included extras. Supervisor Schwartz indicated that Hutch Paving did a very good job on the Utility Dept. Admin Building parking lot last year. He recommended Hutch.

The following resolution was moved by McKinney, seconded by Lewis:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO ACCEPT BID FROM
HUTCH PAVING FOR REPAVING
TOWNSHIP HALL PARKING LOTS**

Resolution Number: 2015-24

Date: July 20, 2015

WHEREAS, the Superior Township owns the township offices located at Cherry Hill and Prospect Roads; and,

WHEREAS, the south parking lot for visitor use at the township hall is deteriorated, in very poor condition, cannot be rehabilitated and is in need of total replacement; and,

WHEREAS, township parking lots are an important adjunct and ancillary use to the principal structures which needs to be properly managed to assure the longest possible life of the asset; and,

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WHEREAS, the Township visitor parking lot replacement project received three bid as follows:

- | | | |
|----|---------------|-------------|
| 1. | Hutch Paving | \$59,700.00 |
| 2. | D & H Asphalt | \$61,300.00 |
| 3. | Mr. Sealcoat | \$55,287.00 |

WHEREAS, the administrative staff requested the township engineer to evaluate the responses and the staff is recommending Hutch Paving of Warren, Michigan based upon the engineers report and past experience with the company; and,

WHEREAS, the replacement of the visitor parking lot was budgeted for the 2015 fiscal year in the amount of \$70,000.00 and will be paid from the general fund, G.L. 101-265-976.000.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves Hutch Paving to repair the utility offices parking lot in amount not to exceed \$59,700.00, plus an additional 10% discretionary funding to meet unexpected costs.

Ayes: Schwartz, Phillips McKinney, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

The motion carried.

D. RESOLUTION 2015-25, WATER AND SEWER RATE INCREASE

Supervisor Schwartz indicated that Ann Arbor Township increased the wholesale cost of water and sewer to the Township and that 100% of these costs were being passed on to the customers.

The following Resolution was moved by McKinney, seconded by Green:

SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
July 20, 2015
Resolution 2015-25

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Resolution Amending the Rates, Fees and Charges Related to Sewer and Water Services Provided by the Township's Utility Department

At a regular meeting of the Township Board of Trustees of Superior Charter Township, Washtenaw County, Michigan, held at the Township Hall of said Township on the 20th of July 2015, at 7:00 p.m. Eastern Standard Time, the following resolution was offered by McKinney and supported by Green.

WHEREAS, this Board is authorized by statute and by the provisions of Township Ordinance No. 169 to determine by resolution rates, fees and charges for services and benefits by Township's sewer and water systems, and

WHEREAS, Ann Arbor Township has increased the charge for water by 15.03% and for sewer by 15.73%, and

WHEREAS, the Superior Charter Township Utility Fund may not operate at a deficit, and

WHEREAS, after an analysis of the effect of the new charges for water and sewer, it was determined that it would be adequate to increase our rates by 100% of the increase the Township would be receiving, and

WHEREAS, this Board finds that the amended proposed schedule of fees is reasonable and necessary for the continuing operations of the Township Utility System and consistent with the past practices and policies of the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby determine that the fees for services and benefits furnished by the Township's sewer and water systems shall be amended per the attached Schedule A; and

BE IT FURTHER RESOLVED that this Resolution and attached schedule shall be published pursuant to Section 8 of the Charter Township Act being MCL 42.8 by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti 48198 and on the Township website – www.superior-twp.org – with notice of such in *The Ypsilanti Courier*, a newspaper of general circulation in the Township qualified under state law to publish legal notices, said rate changes shall be effective immediately upon publication thereof.

CERTIFICATION

I, David Phillips, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Superior Charter Township Board held on July 20, 2015.

David Phillips, Township Clerk

Date Certified

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The motion carried by a unanimous voice vote.

E. RESOLUTION 2015-26, LED STREET LIGHT REPLACEMENT IN PANAMA NEIGHBORHOOD

Supervisor Schwartz indicated that DTE's option 1 rebate may not be available next year and he was recommending upgrading the streetlights in the Panama neighborhood from high-pressure sodium to LED. The payback will be about 5.37 years. The Township will advance the amount needed but will be paid back by the special assessment lighting district. Once the district pays back the Township, their costs will be reduced.

The following Resolution was moved by McKinney, seconded by Williams:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO AUTHORIZE THE ADMINISTRATIVE STAFF OF SUPERIOR
TOWNSHIP TO ENTER INTO A CONTRACT WITH DTE FOR LED STREET LIGHT
REPLACEMENT IN THE WOODLAND 8,
COMMONLY KNOWN AS THE PANAMA NEIGHBORHOOD**

(WASHINGTON SQUARE SUBDIVISION)

RESOLUTION NUMBER: 2015-26

DATE: July 20, 2015

WHEREAS, the Charter Township of Superior provides street lighting to residents within the urban service district of the Township by utilizing special assessment districts; and,

WHEREAS, the Township's street lighting districts are composed of mercury vapor lamp lighting and high pressure sodium lighting; and,

WHEREAS, DTE is offering a special purchasing plan to Superior Township to replace the existing mercury vapor and high pressure sodium lighting fixtures with new light emitting diode (LED) lighting fixtures; and,

WHEREAS, LED lighting costs significantly less to operate, is more durable and casts a cleaner light with less shadow; and,

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WHEREAS, DTE has provided a quote for replacement of the 11 lighting fixtures attached to poles in the Woodland Acres Subdivision 8 (commonly known as the Panama Neighborhood) from high pressure sodium fixtures to new LED fixtures for the total replacement cost to the Township of \$2,838.00, and a new annual operating cost to the special assessment district in the amount of \$3,386.46, resulting in an annual operating savings to the residents of the special assessment district of \$485.65 (see exhibits attached); and,

WHEREAS, the improvements will be financed out of the savings for energy use for the special assessment district (approximately 5.37 years) until the improvements are fully paid and thereafter the annual special assessment charged shall be reduced to reflect actual annual electric usage.

NOW, THEREFORE, BE IT RESOLVED that the Superior Township administrative staff is authorized to execute any documents necessary with DTE to install LED lighting in the Woodland Acres Subdivision 8 which shall be paid from and reimbursed to the general infrastructure fund.

The motion carried by unanimous voice vote.

F. DIXBORO COMMUNITY FAIR TRANSIENT AND AMUSEMENT ENTERPRISE ACTIVITY PERMIT APPLICATION

Supervisor Schwartz indicated the application was basically the same as previous years.

It was moved by McKinney, seconded by Caviston, that the Board finds that the a Dixboro Village Green's application for a Transient and Amusement Enterprise Activity Permit meets the requirements of Section 6.05 of the Superior Township Zoning Ordinance and to accept the application for review by the Township.

The motion carried by unanimous voice vote.

G. RESOLUTION 2015-27, AUTHORIZE TOWNSHIP TO FILE A LAWSUIT AGAINST FAIRFAX MANOR

Board members expressed their concern about the living conditions Fairfax Manor provides for their residents-patients and the danger and nuisance the facility creates for the surrounding neighborhoods. Township officials explained their attempts to improve the situation through meetings with the owner of the facility, Rex Lanyi, State of Michigan officials and others. It is felt that for the good of the residents-patients and the community, the Township has no choice

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but to file suit. Board members agreed to amend the resolution to add a limit on how much can be spent without coming back to the Board for further approval.

The following Resolution was moved by McKinney, seconded by Caviston:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO AUTHORIZE THE TOWNSHIP ATTORNEY TO
COMMENCE LITIGATION AGAINST FAIRFAX MANOR
TO ABATE THE NUISANCE**

Resolution Number: 2015-27

Date: July 20, 2015

WHEREAS, Fairfax Manor is an assisted living center in Superior Charter Township; and,

WHEREAS, Fairfax Manor has failed to adequately or properly manage the facility or supervise the patients, resulting in an unusually high volume of police calls to the facility to address a number of serious issues; and,

WHEREAS, one of the biggest problems created by this lack of proper management and supervision is the common occurrence of patients walking away from the facility at all hours of the day and night without the knowledge of the staff; and,

WHEREAS, these walk-away patients pose a high risk to themselves and the residents of the Township, creating a public nuisance; and,

WHEREAS, despite requests to the management of Fairfax Manor to improve the management of the facility and the supervision of patients, the problems continue at the facility; and,

NOW THEREFORE, it is resolved that the attorneys for Superior Charter Township are authorized to commence suit in a court of competent jurisdiction asking the court to abate the nuisance and seeking an order requiring the management of Fairfax Manor to implement a plan to improve its management practices and patient supervision or face closure of the facility.

NOW THEREFORE BE IT FURTHER RESOLVED, the Township shall not spend more than \$30,000 on the lawsuit unless the issue is brought back to the Board of Trustees and the Board approves spending more money on the lawsuit.

Ayes: Caviston, Green, Lewis, Williams, Schwartz, Phillips, McKinney

Nays: None

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Absent: None

The motion carried, the Resolution was adopted.

H. RESOLUTION 2015-28, LEASE OF NEW POSTAGE METER AND FOLDING MACHINE

Treasurer Brenda McKinney explained that she recommends the Township terminate the lease of the Pitney Bowes postage meter and enter into a lease of a Neopost postage meter and mail assembly machine. She said it will be useful to fold and stuff the receipts for tax payments.

The following Resolution was moved by McKinney, seconded by Green:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

A RESOLUTION FOR APPROVAL FOR ENTERING INTO A PURCHASE ORDER AGREEMENT WITH NEOPOST/MAILFINANCE, INC. FOR A SIXTY MONTH LEASE OF A NEOPOST POSTAGE MACHINE AND NEOPOST MAIL ASSEMBLY MACHINE

RESOLUTION NUMBER: 2015-28

DATE: July 20, 2015

WHEREAS, a postage machine is necessary for the day-to-day operations of Superior Township, and

WHEREAS, a mail assembly machine will provide cost effective and efficient support to Superior Township staff and property owners, and

WHEREAS, the Adopted Policies of the Superior Township Board of Trustees requires Board approval for all Contracts and Board approval for purchases where the total amount of the purchase is over \$3,000.00, and

NOW, THEREFORE BE IT RESOLVED: that the Superior Township Board of Trustees approves the Purchase Order Agreement, WSCA/NASPO: ADSPO11-00000411-4/Michigan: 071B3200075, with Neopost/MailFinance, Inc. for the lease of the postage machine and mail assembly machine for 60 months and authorizes the Supervisor to sign the Agreement and execute the Contract.

The motion carried by unanimous voice vote.

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Ayes: Schwartz, Phillips, McKinney, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

The motion carried, the Resolution was adopted.

I. RESOLUTION 2015-29, MODIFY SETBACK FOR THE SCHOFIELD STABLES PROPERTY

The Board received a memo from Richard Mayernik, Building/Zoning Official, which outlined the request to modify the setback on the Schofield stable parcel. Supervisor Schwartz and Clerk Phillips explained that the setback was established by the Consent Judgment signed by the Township in 2010. Mr. Schofield has requested a reduction of the setback along Prospect Road in order to preserve pasture and to provide for a better, more visible site for the farm supply store he is planning to construct.

The following Resolution was moved by McKinney, seconded by Lewis:

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO APPROVE INCIDENTAL MODIFICATIONS
TO THE CONCEPT PLAN FOR THE HUMMAN, LLC AND NYR82, LLC V.
SUPERIOR TOWNSHIP CONSENT JUDGMENT**

Resolution Number: 2015-29

Date: July 20, 2015

WHEREAS, the Hummana, LLC and NYR82, LLC v. Charter Township of Superior Consent Judgment (the "Consent Judgment") was approved by Washtenaw County Circuit Court Judge Archie C. Brown on February 17, 2010 and signed by all parties; and

WHEREAS, the current owner, William J. Schofield Jr. (the "Owner") of the Subject Property and successor to the Consent Judgment is beginning to design and construct the farm supply store as allowed by the Consent Judgment; and,

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WHEREAS, during the design process the Owner has encountered difficulties with the 250' setback included on the property; and,

WHEREAS, Section 8, a, Restrictions, of the Consent Judgment allows for incidental modifications to the plan to be "shall be made and administratively approved without the necessity of amending this Consent Judgment"; and,

WHEREAS, as required by Section 8, a, Restrictions, of the Consent Judgment, the Owner has submitted the request in writing, "Agreement for Incidental Modification of Setback", which requests the 250' setback be changed to 200' from the right-of-way of Prospect Road for the farm supply store only; and,

NOW THEREFORE, BE IT RESOLVED, the Superior Township Board of Trustees hereby approves the requested modification as outlined in the "Agreement for Incidental Modification of Setback" and authorizes the Township Supervisor to sign the agreement.

The motion carried by unanimous voice vote.

J. RENEW SEMCOG MEMBERSHIP

Board members discussed the value of belonging to SEMCOG and indicated their support of continuing membership of SEMCOG.

It was moved by Caviston, seconded by Lewis, for the Board to approve continuing membership with SEMCOG and to approve the invoice of \$1,568.00 membership dues for July 15, 2015 to July 15, 2016.

The motion carried by unanimous voice vote.

K. RENEW WASHTENAW COUNTY CONSORTIUM FOR SOLID WASTE MANAGEMENT AGREEMENT

Trustee Williams explained the benefits of belonging to the Washtenaw County Consortium for Solid Waste Management.

It was moved by Lewis, seconded by McKinney, for the Board to approve continuing membership in the Washtenaw County Consortium for Solid Waste Management and to approve the dues payment of \$75.00 for 2015.

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L. RENEW HVA-EMERGENT HEALTH

Board members discussed the annual renewal of the service agreement with Emergent Health Partners for fire dispatching services.

It was moved by McKinney, seconded by Lewis, for the Board to approve the service agreement with Emergent Health Partners to provide fire dispatching services to the Township from July 1, 2015 to June 30, 2015 for a total fee of \$21,262.50

L. RESOLUTION 2015-30, SALES AGREEMENT FOR SUPERIOR PARTY STORE

The Superior Party Store located at 9045 MacArthur Boulevard is owned by Ibrahim Real Estate, LLC, 8233 Gitzen, Commerce Township, Michigan, 48382. The party store caught fire in July, 2010, experienced considerable damage and has remained vacant since then. Prior to the fire the party store was the subject of many complains. The Washtenaw County Sheriff's Department and Superior Township Fire Department had to respond to a high number of calls for service due to criminal behavior, injuries and accidents. The store had it liquor license suspended on at least two occasions. Residents of the area complained to the Township about the unkempt appearance, the loitering, the undesirable people it attracted and the nuisance it created. The Township cited the store for blight. Owners of the party store, Wilson and Ibrahim Shamoun approached the Township about the Township purchasing the property from them. Supervisor Schwartz worked with a relative of the Shamouns, Chanel R. Shamoun, who is an attorney with Garan Lucon Miller, P.C., Grand Blanc, MI to draft a purchase agreement on the property.

Copy of Purchase Agreement is attached.

Board members expressed support of the purchase as it will end a long time blight, nuisance and threat to the peace and safety of the community.

The following Resolution was moved by McKinney, seconded by Lewis:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO AUTHORIZE THE SUPERVISOR
TO EXECUTE THE SALES AGREEMENT CONTRACT BETWEEN SUPRIOR
TOWNSHIP AND IBRAHIM REAL ESTATE LLC**

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Resolution Number: 2015-30

Date: July 20, 2015

WHEREAS, Superior Township and Ibrahim real Estate LLC have agreed in principal for Superior Township to purchase the real property commonly known as 9045 MacArthur Blvd., Superior Township, MI 48198 and more specifically described as:

Commencing at the Northwest corner of Section, thence South 1° 47' 15" East 2151.7 feet, thence South 87° 56' 30" East 196.7 feet, thence North 4° 40' East 60 feet to the Point of Beginning, thence North 1° 47' 15" West 140 feet, thence North 88° 12' 45" East 280 feet, thence South 1° 47' 15" East 189.93 feet, thence Northwesterly 284.61 feet on the arc of a curve, radius 2230 feet, chord North 81° 40' 36" West 284.42 feet to point of beginning part of the Northwest ¼ Section 35 T2S R7E, containing 1.06 acres.

Tax ID No. J-10-35-200-004

WHEREAS, the Township is authorized by statute to purchase real estate pursuant to MCL 42.14; and,

WHEREAS, the purchase of the property resolves all outstanding litigation, disputes and legal claims of whatever nature that either party has or may have against the other; and,

WHEREAS, the purchase removes a serious case of blight from the Township and gives the Township and the Water Resources Commissioner control of all the property on the north side of MacArthur from MacArthur Blvd and Harris Road to MacArthur and Wiard Road.

NOW, THEREFORE, BE IT RESOLVED THAT the Superior Township Board of Trustees authorizes the Superior Township Supervisor to execute the sales agreement between Superior Township and Ibrahim real Estate LLC as set forth in the sales agreement and to pay for the purchase from the legal defense fund

The resolution was adopted by unanimous voice vote.

12. PAYMENT OF BILLS

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There were no Bills for Payment. McKinney, seconded by Lewis, to receive the Record of Disbursements.

The motion carried by a unanimous voice vote

13. PLEAS AND PETITION

Trustee Williams reported that a resident of the Oakbrook subdivision inquired with him on the getting speed bumps installed on Berkshire.

14. ADJOURNMENT

It was moved by Caviston, seconded by McKinney, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:00 p.m. .

Respectfully submitted,

David Phillips, Clerk

Kenneth Schwartz, Supervisor