

**Minutes of a Regular Meeting
Pittsfield Charter Township Board of Trustees, July 22, 2008
E.A. Jackson Morris Hall, The Robert A. Lillie Service Center
6201 W. Michigan Avenue, Ann Arbor, Michigan 48108**

Members Present: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Members Absent: None.
Others Present: Yolanda Holmes (Recording Clerk), Tim Robinson, Cheryl Luptowski, Mike Luptowski

1.0 Call Meeting to Order

Supervisor Walter called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance led by Supervisor Walter.

3.0 Roll Call – all members present.

4.0 Public Comment I

5.0 Public Hearings/Presentations

5.1 Public Hearing to consider an application for an industrial facilities exemption certificate for Tecumseh Products to be located at 1136 Oak Valley Drive.

Supervisor Walter opened the public hearing to consider an application for an industrial facilities exemption certificate for Tecumseh Products to be located at 1136 Oak Valley Drive.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to close the public hearing.

MOTION CARRIED.

6.0 Approval of Minutes

6.1 Request to Approve Minutes of the Regular Meeting held on July 8, 2008.

Motion by Treasurer Lirones, supported by Trustee Burhop, to approve minutes of the regular meeting held on July 8, 2008.

MOTION CARRIED.

7.0 Consent Agenda

8.0 Items from the Treasurer

9.0 Items from the Clerk

9.1 Receive the Revenue/Expenditure report for the month of June 2008.

Motion by Treasurer Lirones, supported by Trustee Burhop, to receive the revenue/expenditure report for the month of June 2008.

MOTION CARRIED.

9.2 Approve Payment of Payables, checks #63269 through #63400, for \$373,505.60.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve payment of payables, checks #63269 through #63400, for \$373,505.60.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.3 Resolution #08-36: Joint Resolution of Pittsfield Charter Township and City of Ann Arbor, Washtenaw County, MI, to adjust population counts.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to approve resolution #08-36: Joint Resolution of Pittsfield Charter Township and City of Ann Arbor, Washtenaw County, MI, to adjust population counts. (See attachment #1).

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.4 Resolution #08-37 to approve application of Tecumseh Products for an Industrial Facilities Exemption Certificate for a period of up to twelve (12) years to be determined by the Board.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve resolution #08-37 to approve application of Tecumseh Products for an Industrial Facilities Exemption Certificate for a period of up to seven (7) years or terms of the lease. (See attachment #2).

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

10.0 Items from the Supervisor/Assessor

11.0 Items from the Office of Public Safety

11.1 Receive the Monthly Summary of Offenses for the Police Department for the month of June 2008.

Motion by Trustee Burhop, supported by Trustee Brostrom, to receive the monthly summary of Offenses for the Police Department for the month of June 2008.

MOTION CARRIED.

11.2 Receive the Fire Department Incident Summary and Activity Report for the month of June 2008.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to receive the Fire Department incident summary and activity report for the month of June 2008.

MOTION CARRIED.

11.3 Motion to deny the request of Wolverine Alarm Company on behalf of Mr. and Mrs. Willy Monroe, 4810 Jasmine Court, Pittsfield Township, Ypsilanti, MI 48197, that the false alarm fees be waived.

Motion by Trustee Brostrom, supported by Treasurer Lirones, to deny the request of Wolverine Alarm Company on behalf of Mr. and Mrs. Willy Monroe, 4810 Jasmine Court, Pittsfield Township, Ypsilanti, MI 48197, that the false alarm fees be waived.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.4 Approve defensive tactics training for the police department through Shaykhet Training LLC., at a cost not to exceed \$5,365.60 and charge to the Schooling, Seminar, and Conference account #301-960.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve defensive tactics training for the Police Department through Shaykhet Training LLC., at a cost not to exceed \$5,365.60 and charge to the Schooling, Seminar and Conference account #301-960.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.5 Approve the repairs to the exterior of Station 1 to include flashings, wood trim, shingles, gutter repairs and screening to be completed by AH construction, at a cost not to exceed \$5,620.00, and charge to the fire department Building Maintenance account number 336-778.

Motion by Trustee Brostrom, supported by Trustee Burhop, to postpone the repairs to the exterior of Station 1 to include flashings, wood trim, shingles, gutter repairs and screening to be completed by AH construction, at a cost not to exceed \$5,620.00 and charge to the Fire Department Building Maintenance account number 336-778.

MOTION CARRIED.

11.6 Approve the request to test ground ladders and aerial devices for the fire department through Non-Destructive Testing at a cost not to exceed \$1,232.80, and charge to the Vehicle Maintenance and Repair account number 336-863.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to approve the request to test ground ladders and aerial devices for the Fire Department through Non-Destructive Testing at a cost not to exceed \$1,232.80 and charge to the Vehicle Maintenance and Repair account number 336-863.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.7 Receive and approve the promotion of Sergeant Greg Payeur to the rank of Lieutenant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to receive and approve the promotion of Sergeant Greg Payeur to the rank of Lieutenant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.8 Receive and approve the promotion of Sergeant Craig Liggett to the rank of Lieutenant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

Motion by Treasurer Lirones, supported by Trustee Burhop, to receive and approve the promotion of Sergeant Craig Liggett to the rank of Lieutenant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.9 Receive and approve the promotion of Fire Fighter Michael Chevrette to the rank of Sergeant effective July 22, 2008.

Motion by Trustee Burhop, supported by Trustee Brostrom, to receive and approve the promotion of Fire Fighter Michael Chevrette to the rank of Sergeant effective July 22, 2008.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.10 Receive and approve the promotion of Fire Fighter Jody Bach to the rank of Sergeant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

Motion by Trustee Burhop, supported by Treasurer Lirones, to receive and approve the promotion of Fire Fighter Jody Bach to the rank of Sergeant effective July 20, 2008, at a starting salary as identified in the current Fire Fighters labor agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.11 Authorize emergency repairs to the Department of Public Safety Microwave radio/communications link and replacement of radio equipment by State Electronics Co. at a cost not to exceed \$28,050.00, and charge to the 911 Service Fund – Capital Expenditure account # 261-970.

Motion by Treasurer Lirones, supported by Clerk Meyer, to authorize emergency repairs to the Department of Public Safety Microwave radio/communications link and replacement of radio equipment by State Electronics Co. at a cost not to exceed \$28,050.00 and charge to the 911 Service Fund – Capital Expenditure account #261-970.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.0 Items from the Department of Building Safety/Planning and Zoning/Utilities

12.1 Request enrollment in Principles of Economics II and Mathematical Analysis I (100% requested) for courses to be taken from September 1, 2008 to December 19, 2008 at a total cost of \$490.00 for Utilities Accountant Franklin.

Motion by Trustee Conner, S: Urda-Thompson, to approve enrollment in Principles of Economics II and Mathematical Analysis I (100% requested) for courses to be taken from September 1, 2008 to December 19, 2008 at a total cost of \$490.00 for Utilities Accountant Franklin.

MOTION CARRIED.

12.2 Approve Member Certification and Governing Body Resolution to permit Mr. Michael Luptowski to purchase MERS generic service credit, with the member employee, paying for the full and entire portion of the total estimated actuarial cost of additional credited service.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve Member Certification and Governing Body Resolution to permit Mr. Michael Luptowski to purchase MERS generic service credit, with the member employee, paying for the full and entire portion of the total estimated actuarial cost of additional credited service.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.3 Resolution #08-38 to assist the Washtenaw County Drain Commissioner with the Wellesley Gardens Drainage District.

Motion by Treasurer Lirones, supported by Trustee Brostrom, to approve resolution #08-38 to assist the Washtenaw County Drain Commissioner with the Wellesley Gardens Drainage District. (See attachment #3).

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.4 Receive letter of resignation from Housing Inspector Todd Thornsberry, effective July 30, 2008.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to receive letter of resignation with regret from Housing Inspector Todd Thornsberry, effective July 30, 2008.

MOTION CARRIED.

13.0 Items from the Parks & Recreation Department

14.0 Unfinished Business

- 14.1 Adopt on second reading, Ordinance 275 to amend Chapter 38, Article II of the Pittsfield Charter Township Code to remove the requirement to establish mowing dates each year and to limit vegetation height to ten inches.**

Motion by Trustee Conner, supported by Trustee Brostrom, to adopt on second reading, Ordinance 275 to amend Chapter 38, Article II of the Pittsfield Charter Township Code to remove the requirement to establish mowing dates each year and to limit vegetation height to ten inches. (See attachment #4).

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

15.0 New Business

- 15.1 Adjourn to executive session to discuss acquisition of easements.**

Motion by Treasurer Lirones, supported by Clerk Meyer, to adjourn to executive session to discuss acquisition of easements.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

Adjourned to executive session at 7:57 p.m.

Returned to regular session at 8:17 p.m.

- 15.2 Authorize Attorney Michael Woodworth to proceed as recommended by the Board of Trustees in executive session.**

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to authorize Attorney Michael Woodworth to proceed as recommended by the Board of Trustees in executive session.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

15.3 Authorize the Supervisor to sign the transfer agreement for the FRPP grant.

Motion by Trustee Conner, supported by Trustee Urda-Thompson, to authorize the Supervisor to sign the transfer agreement for the FRPP grant.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

16.0 Public Comment II-none.

17.0 Adjournment by Supervisor Walter at 8:19 p.m.

Yolanda Holmes, Department Assistant
Recording Clerk
Pittsfield Charter Township

Feliziana Meyer, Clerk
Pittsfield Charter Township

James R. Walter, Supervisor
Pittsfield Charter Township

MINUTES APPROVED AT THE PITTSFIELD CHARTER TOWNSHIP BOARD OF
TRUSTEES MEETING HELD AUGUST 12, 2008

JOINT RESOLUTION OF
PITTSFIELD CHARTER TOWNSHIP AND
CITY OF ANN ARBOR
WASHTENAW COUNTY, MICHIGAN

RES #08-36

WHEREAS, Certain properties located in Pittsfield Charter Township were annexed from said township to the City of Ann Arbor during 2007, by joint resolution of Township and City;

WHEREAS, The locations of said properties are contained within the following:

<u>Name of Property</u>	<u>Location</u>	<u>Effective Date</u>
England	3109 Cherry Tree Lane	5/8/07
Angelos	2950 Shady Lane	10/30/07

WHEREAS, Michigan law allows for the Township and City, by joint resolution of each governing body, to prorate state funds, monies or grants between the Township and City;

WHEREAS, It is necessary for Pittsfield Charter Township and the City of Ann Arbor to have prorated state revenue sharing funds; and

WHEREAS, In order for the State of Michigan to prorate such funds, it needs an agreed upon count of persons residing in the area annexed from the Township to the City;

RESOLVED, That the Pittsfield Charter Township Board of Trustees and the Ann Arbor City Council find that there were 4 people residing in the annexed areas, and the ratio of population between the annexed areas being 4 persons, and the remainder of the Township as determined by the 2000 Census shall be the basis for determining the proper pro rata share for any state funds, monies or grants hereafter distributable under Michigan law.

The foregoing Resolution was adopted at a meeting of the Pittsfield Charter Township Board held July 22, 2008, said Resolution being offered by Treasurer Lirones and supported by Trustee Brostrom, and the Ayes being: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter; and the Nays being: None; therefore, this Resolution is DECLARED ADOPTED.

Feliziana Meyer
Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Pittsfield, County of Washtenaw, State of Michigan, at a meeting held on July 22, 2008, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Feliziana Meyer
Township Clerk

The foregoing Resolution was adopted at a regular meeting of the Ann Arbor City Council on July 7, 2008, said Resolution being offered by Briere and supported by Rapundalo, and the Ayes being: Anglin, Briere, Easthope, Greden, Hieftje, Higgins, Kunselman, Lowenstein, Rapundalo, Suarez, Teall; and the Nays being None; therefore, this Resolution is DECLARED ADOPTED.

Jacqueline Beaudry
City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Ann Arbor City Council of the City of Ann Arbor, County of Washtenaw, State of Michigan, at a meeting held on July 7, 2008, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Jacqueline Beaudry
City Clerk

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RESOLUTION #2
TOWNSHIP RESOLUTION #08-37
RESOLUTION APPROVING APPLICATION OF TECUMSEH PRODUCTS FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE**

JULY 22, 2008

Minutes of a Regular Meeting of the Township Board of Pittsfield Charter Township, Washtenaw County, Michigan, held at the Township Administration Building located at 6201 W. Michigan Avenue, in said Township, on the 22nd day of July, 2008, at 7:30 p.m.

Members Present: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Members Absent: None

The following preamble and resolution were offered by Member Conner and supported by Member Urda-Thompson.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on April 22, 2008, the Pittsfield Charter Township Board of Trustees by resolution established an Industrial Development District for the property known as 1136 Oak Valley Drive, Pittsfield Township, Washtenaw County, Michigan; and

WHEREAS, Tecumseh Products has filed an application for an Industrial Facilities Exemption Certificate for real and personal property to be located at 1136 Oak Valley Drive, Pittsfield Township, Washtenaw County, Michigan; and

WHEREAS, before acting on said application, the Pittsfield Charter Township Board of Trustees held a hearing on July 22, 2008, at the Pittsfield Township Administration Building, 6201 W. Michigan Avenue, at 7:30 p.m., prior to the hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction at the facility and installation of new machinery and equipment had not begun earlier than six (6) months before July 22, 2008, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Pittsfield Charter Township; and

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of Pittsfield Charter Township that:

1. The Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates

PITTSFIELD CHARTER TOWNSHIP

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ATTACHMENT #2

previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of Pittsfield Charter Township, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in Pittsfield Charter Township.

2. The application from Tecumseh Products for an Industrial Facilities Exemption Certificate, on the following described parcel of real property situated within Pittsfield Charter Township Industrial Development District known as 1136 Oak Valley Drive, to wit:

(Unit 3, Valley Ranch Business Park Condominiums)

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of twelve (12) years for real property and twelve (12) years for personal property or terms of the lease.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

Feliziana Meyer, Clerk
Pittsfield Charter Township

DATED: July 22, 2008

PITTSFIELD CHARTER TOWNSHIP
Board of Trustees Meeting
Held July 22, 2008
ATTACHMENT #2

CERTIFICATE

I, Feliziana Meyer hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Pittsfield Charter Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on July 22, 2008, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Feliziana Meyer, Clerk
Pittsfield Charter Township

DATED: July 22, 2008

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RES #08-38**

**RESOLUTION TO ASSIST THE WASHTENAW COUNTY DRAIN COMMISSIONER
WITH THE WELLESLEY GARDENS DRAINAGE DISTRICT**

JULY 22, 2008

Minutes of a Regular Meeting of the Township Board of Pittsfield Charter Township, Washtenaw County, Michigan, held at the Township Administration Building located at 6201 W. Michigan Avenue, in said Township, on the 22nd day of July, 2008, at 7:30 p.m.

Members Present: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Members Absent: None

The following preamble and resolution were offered by Member Lirones and supported by Member Brostrom.

WHEREAS, the Wellesley Gardens Drain Drainage District was established as a Chapter 18 Drain on June 23, 2003, by virtue of an agreement between the developer, Pittsfield Development Group, LLC., and the Washtenaw County Drain Commissioner. The District, which lies in Section 23 of Pittsfield Township, includes Phase I and Phase 2 of the project. The fees and performance guarantee required by the "Agreement to Establish the Wellesley Gardens Drain Drainage District" were never collected from the developer. Phase 1 has been completed and is occupied. Most of the utilities and roads have been completed in Phase 2. J & J Management, Inc, the managing member of Pittsfield Development Group, LLC is no longer actively involved in the project; and

WHEREAS, other members of Pittsfield Development, LLC, represented by the Turner Group, have worked to resolve the issue of the uncollected fees and missing performance guarantee. They have provided record drawings and remitted the outstanding inspection fees, administrative fees and the permanent maintenance fund for Phase 1; and

WHEREAS, representatives of the Washtenaw County Drain Commissioner have determined that, given the status of Phase 2, a letter of credit in the amount of \$128,000, and inspection deposit of \$12,800 and a contingency deposit of \$12,800 are now required to meet the requirements of the agreement that established the Wellesley Gardens Drain Drainage District; and

WHEREAS, the Washtenaw County Drain Commissioner recognizes that construction activities on Phase 2 will probably be suspended for a significant period of time. Since both phases of the project appear to be stable and the storm water management system appears to be functioning correctly, the Washtenaw County Drain Commissioner would agree to a reduced amount of performance guarantee until construction resumes. The Drain Commissioner would accept a letter of credit in the amount of \$20,000 at this time provided that the Pittsfield Township Board of Trustees agrees to require the approval of the Washtenaw County Drain Commissioner before

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ATTACHMENT #3

any building permits are issued for any further construction on the Wellesley Gardens project;
and

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Township Board of Trustees hereby directs present and future Pittsfield Township officials and staff to withhold future building permits for the Wellesley Gardens Condominium project until approval is obtained from the Washtenaw County Drain Commissioner.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

Feliziana Meyer, Clerk
Pittsfield Charter Township

DATED: July 22, 2008

PITTSFIELD CHARTER TOWNSHIP
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Held July 22, 2008
ATTACHMENT #3

CERTIFICATE

I, Feliziana Meyer hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Pittsfield Charter Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on July 22, 2008, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Feliziana Meyer, Clerk
Pittsfield Charter Township

DATED: July 22, 2008

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ATTACHMENT #4

**PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE NO. 275
SECOND READING**

**AN ORDINANCE TO AMEND THE TOWNSHIP CODE TO UPDATE ARTICLE II OF
CHAPTER 38 OF THE PITTSFIELD CHARTER TOWNSHIP CODE TO REMOVE
THE REQUIREMENT TO ESTABLISH MOWING DATES EACH YEAR AND TO
LIMIT VEGETATION HEIGHT TO TEN INCHES**

Pittsfield Charter Township Ordains:

Section One: That Article II of Chapter 38 of the Pittsfield Charter Township Code is amended to read as follows:

ARTICLE II. PROHIBITED VEGETATION

Sec. 38-31. Responsibility

No landowner shall permit property to remain in a condition that violates this article.

(A.) It shall be the duty of any person(s) having supervision, control, or ownership of any lot, tract, or parcel of land, or any portion thereof, upon which weeds, as defined in this Article are growing:

- 1) Within platted subdivisions in which buildings have been erected upon 60 percent or more of the lots thereof, or
- 2) On parcels of land along paved streets in common usage within the township, to a depth of 165 feet beginning at the road right of way, or the depth of the ownership, whichever is the lesser to destroy said weeds before they reach a seed bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

(B.) Nothing in this Article shall apply to weeds growing in fields devoted to growing agricultural crops.

Sec. 38-32. Weeds

For the purpose of this Article, weeds shall include Canada thistle (*Cirsium arvense*), doddgers (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (ambrosia

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elator 1.), poison ivy (rhus toxicodendron), and poison sumac (toxicodendron vernix), or other plants which, in the opinion of the township board, is recognized as deleterious to health, safety or public welfare and recognized as a common nuisance.

Sec. 38-33. Vegetation Height

Grass, weeds or undergrowth shall not be permitted to grow to a height greater than 10 inches.

Sec. 38-34. Exceptions

The vegetation height limits of Section 38-33 shall not apply to:

- a) Agricultural crops
- b) Cultivated trees
- c) Cultivated shrubs
- d) Flowers or other decorative ornamental plants under cultivation
- e) Wildflowers
- f) Vegetation in woodlands or wetlands
- g) Cultivated Meadows
- h) Meadows in agricultural zones
 - (1) On portions of undeveloped property behind a wooded tree line.
 - (2) On portions of unsubdivided lands more than twenty-five (25) feet from a public sidewalk or a street open to the public.
 - (3) On portions of undeveloped lots in a subdivision less than sixty (60) percent developed lying more than twenty-five (25) feet from a public sidewalk or public street.

Sec. 38-35. Obstructions

Any bush, shrub, tree or other vegetation or portion thereof obstructing the line of vision or interfering with passage of pedestrians or motorists on a sidewalk, walkway, driveway or street is prohibited.

Sec. 38-36. Enforcement

(A.) In the event that a property covered by the provisions of this Article is not mowed, the Township Municipal Services Department shall send a notice by first class mail to the owner of record of said property, and to the occupant, if not the owner, advising them of the requirements of this Article and providing 15 days to comply with its provisions. One notice per parcel per season shall be deemed adequate notice for the entire mowing season.

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(B.) All properties not in compliance with this Article after the 15 day period provided in Section A, above, shall be mowed by the Township and charges billed to the owner of record. Any additional work required to mow the property such as litter removal will also be charged as provided.

(C.) Upon determination by the Township that the condition of a property is a violation of this Article and presents a potential threat to the public health, safety or welfare, the Township may waive the fifteen (15) day notification period required in Section A, above, and cause the violation to be immediately corrected with all costs assessed against the property and billed to the owner of record.

(D.) All charges which remain unpaid as of October 1, of the current year shall become a lien against the subject property and may be added to the tax rolls for the property.

Section Two: That Section 2-241 of Article VI of Chapter 2 of the Township Code is amended to read as follows:

Sec. 2-241. Schedule of civil fines established; general penalties and sanctions for violations of township ordinances; continuing violations; injunctive relief.

A schedule of civil fines payable to the bureau for admissions of responsibility by persons served with municipal ordinance violation notices is established as follows. Except as provided for in the schedule of civil fines, civil fines for violations shall be as follows:

<u>Name and Code Section</u>	<u>First Offense</u>	<u>First Repeat Offense</u>	<u>Second Repeat Offense</u>
Zoning Ordinance, 1-6(10)	\$100.00	\$250.00	\$500.00
Building Code, 6-31 et seq.	\$100.00	\$250.00	\$500.00
Electrical Code, 6-101 et seq.	\$100.00	\$250.00	\$500.00
Mechanical Code, 6-136 et seq.	\$100.00	\$250.00	\$500.00
Property Maintenance, 6-400 et seq.	\$100.00	\$250.00	\$500.00
Fire Prevention, 10-31 et seq.	\$100.00	\$250.00	\$500.00
Open Burning, 10-66 et seq.	\$ 25.00	\$100.00	\$250.00

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Parks & Recreation, 16-47	\$ 25.00	\$ 50.00	\$100.00
Property Identification, 6-351 et seq.	\$ 25.00	\$ 50.00	\$100.00
Sidewalks, 28-31 et seq.	\$ 25.00	\$ 50.00	\$100.00
Weeds, 38-34	\$ 25.00*	\$ 50.00*	\$100.00*
Wetlands, 8-209	\$1000.00	\$2,500.00	\$5,000.00
Fertilizer, (owner) 8-336 (applicator)	\$50.00 \$500.00	\$500.00 \$1,000.00	\$1,000.00 \$2,000.00

*in addition to mowing charges if any

- (1) Unless a violation of an ordinance of the township is specifically designated by ordinance as a municipal civil infraction, the violation shall be deemed to be a misdemeanor.
- (2) The penalty for a misdemeanor violation shall be a fine not exceeding \$500.00 (plus costs of prosecution), or imprisonment not exceeding 90 days, or both, unless a specific penalty is otherwise provided for the violation by ordinance.
- (3) The sanction for a violation that is a municipal civil infraction shall be a civil fine in the amount as provided by this article, plus any costs, damages, expenses and other sanctions, as authorized under chapter 87 of the act and other applicable laws.
 - a. Unless otherwise specifically provided for a particular municipal civil infraction violation by any ordinance, fine for a violation shall be \$50.00, plus costs and other sanctions, for each infraction.
 - b. Increased civil fines shall be imposed for repeated violations by a person of any requirement or provision of any ordinance. Unless otherwise specifically provided by ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:
 1. The fine for any offense that is a first repeat offense shall be \$100.00, plus costs.
 2. The fine for any offense that is a second repeat offense or any subsequent repeat offense shall be \$250.00, plus costs.
- (4) A violation includes any act prohibited or made or declared to be unlawful or an offense by ordinance; and any omission or failure to act where the act is required by ordinance.
- (5) Each day on which any violation of any ordinance continues constitutes a

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separate offense and shall be subject to penalties or sanctions as a repeat offense.

- (6) In addition to any remedies available at law, the township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of any township ordinance.

Section Three: This ordinance shall take effect upon its publication by summary in the Ypsilanti Courier.

Ayes: Brostrom, Burhop, Conner, Lirones, Meyer, Urda-Thompson, Walter
Nays: None
Absent: None

Adopted by the Pittsfield Charter Township Board of Trustees at a Regular meeting on the 22nd day of July, 2008.

James R. Walter
Pittsfield Township Supervisor

Feliziana Meyer
Pittsfield Township Clerk

First Reading:	June 24, 2008	Amended First Reading:	July 8, 2008
Ordinance Posted:	July 1, 2008	Ordinance Posted:	July 16, 2008
First Publication:	July 3, 2008	Amended Publication:	July 17, 2008

Second Reading:	July 22, 2008
Ordinance Posted:	July 30, 2008
Second Publication:	July 31, 2008
Effective Date:	July 31, 2008

State of Michigan)
) ss
County of Washtenaw)

I, the undersigned, the duly qualified Clerk of the Charter Township of Pittsfield, Washtenaw County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings taken by the Township Board at a Regular meeting held on the 22nd day of July, 2008.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 23rd day of July, 2008.

Feliziana Meyer
Pittsfield Township Clerk