

**THE VILLAGE OF DEXTER
CITY CHARTER COMMISSION
MINUTES OF THE WEDNESDAY, JANUARY 22, 2014 MEETING**

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 PM by Chairman Hansen at the Copeland Board Room located at 7714 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL: Phil Arbour, Jack Donaldson, John Hansen, Matt Kowalski (arrived at 7:43), Phil Mekas (left at 7:48), Mary-Ellen Miller, Thom Phillips, Michael Raatz, and James Smith.

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; and Carol Jones, Village Clerk.

C. APPROVAL OF THE AGENDA

Motion James Smith; support Jack Donaldson to approve the agenda for January 22, 2014.

Unanimous voice vote approval with Kowalski absent.

D. APPROVAL OF THE MINUTES

1. Regular Meeting – January 15, 2014

Motion James Smith; support Phil Arbour to approve the minutes of the Regular Meeting of January 15, 2014 as amended with the correction on page 2 Section 2.13 should be (d) not (bd) and on page 3 Section 3.01 adding a *s* to officer in the first line.

Unanimous voice vote approval with Kowalski absent.

E. PREARRANGED PARTICIPATION

Donna Dettling, Village Manager – Invited Guest to Discuss Article III

F. PUBLIC HEARINGS

None

G. CHARTER CONSTRUCTION – SECOND READINGS

None

H. CHARTER CONSTRUCTION – FIRST READING

1. Discussion of: Article III – Administrative Services

Motion James Smith; support Jack Donaldson to approve the first reading of Section 3.04 – City Manager – Function and Duties

The City Manager shall be responsible to the council for the proper management and administration of the affairs of the city. The City Manager shall:

- (a) Appoint and remove employees of the city, make recommendations to the council relative to the appointment and removal of administrative officers of the city as referenced in Section 3.01, and set employees compensation with the budget adopted by the council.
- (b) Supervise and coordinate the work of all the administrative offices and Departments of the city except the work of the City Clerk, City Treasurer and City Assessor as dictated by state constitution or statute.
- (c) Be the main point of communication and dissemination of information from the City Attorney.
- (d) See that all laws and ordinances enforced.
- (e) Prepare and administer the annual budget under policies formulated by the council, have budget control responsibility, and keep the council advised as to the financial condition and needs of the city.
- (f) Furnish the council with information concerning city affairs and prepare and submit such reports as may be required or which council may request.
- (g) Make recommendations to the council relative to all agenda items, except as directly related to his or her employment.
- (h) Subject to any employment ordinance of the city, he or she shall employ or be responsible for the employment of all city employees and supervise and coordinate the personnel policies and practices of the city.
- (i) Establish and maintain or appoint an authorized representative to establish and maintain a central purchasing service and the City Manager shall act as the purchasing agent for the city.
- (j) Attend all meetings of council with the right to be heard in all council proceedings but without the right to vote.

(k) Possess such other powers as may be granted to or required of him or her by council, so far as may be consistent with the provisions of law.

(l) Establish any rules necessary to carry out any of the foregoing duties.

(m) Perform such other duties in connection with the office as may be required by law, ordinance or by city council

Unanimous voice vote approval with Kowalski absent.

Motion Mike Raatz; support Phil Mekas to approve the first reading of Section 3.05 – City Manager – Removal

The City Manager serves at the pleasure of the city council and may be removed by an affirmative vote of not less than five (5) of its members.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Jack Donaldson to approve the first reading of Section 3.06 – City Clerk

(a) The City Clerk shall be the clerical officer of the council and shall keep its journal in English. The City Clerk shall keep a record of all actions of the council at its regular and special meetings and shall certify all ordinances and resolutions adopted by the council. The City Clerk shall be appointed by the City Manager with advice and consent of council. The appointment shall be ~~mad~~ made on the basis of education, ability, training and experience.

(b) The City Clerk shall have the power to administer all oaths required by law and by the ordinances of the city and shall be custodian of the city seal, and shall affix the same to documents required to be sealed. The City Clerk shall be the custodian of all papers, documents, and records pertaining to the city, which are not entrusted to some other city officer or department by city charter, ordinance or law. All records of the city shall be made available to the general public in compliance with the Freedom of Information Act, MCL 15.231 to 15.246. He or she shall give the proper officials ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements to which the city is a part and shall notify the council of failure of any officer or employee required to take an oath of office or furnish any bond required of him or her. The City Clerk shall be the chief election officer for the city.

(c) The City Clerk shall perform such other duties in connection with the office as may be required by law, ordinance or resolutions of the council, or by the City Manager.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Phil Mekas to approve the first reading of Section 3.07 – City Treasurer

(a) The City Treasurer shall have the custody of all moneys of the city and all evidences of value or indebtedness belonging to or held in trust by the city. The City Treasurer shall keep and deposit all moneys or funds in such manner and only in such places as allowed by the investment policy adopted by council, and shall report the same to the City Manager. The City Treasurer shall be appointed by the City Manager with advice and consent of council. This appointment shall be made on the basis of education, ability, training and experience.

(b) The City Treasurer shall have such powers, duties and prerogatives in regard to the collection and custody of state, county, school district, city taxes and other taxing entities' money as are provided by law.

(c) The City Treasurer shall disburse all city funds in accordance with provisions of law and this charter.

(d) The City Treasurer shall establish and maintain a general accounting plan which will conform to such uniform accounting standards as may be required by law.

(e) The City Treasurer shall perform such other duties in connection with the office as may be required by law, the ordinances or resolutions of the council, or by the City Manager.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Phil Mekas to approve the first reading of Section 3.08 – City Assessor

(a) The City Assessor shall possess all the power vested in and shall be charged with the duties imposed upon the assessing officer of a city by law. The City Assessor shall be appointed or contracted for by the City Manager with advice and consent of council. The selection shall be made on the basis of proper certification by the state assessor's board, education, ability, training and experience.

(b) The City Assessor shall make and prepare all regular and special assessment rolls in the manner prescribed by law or ordinances of the city.

(c) The City Assessor shall perform such duties as may be prescribed by law or the ordinances of the city, or by the City Manager.

(d) The City Assessor shall be secretary of the Board of Review.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Phil Mekas to approve the first reading of Section 3.09 – City Attorney

- (a) The City Attorney shall act as legal advisor and be responsible to the council. The council shall appoint him or her on the basis of education, ability, training and experience.
- (b) The City Attorney shall be the legal advisor and counsel for the city.
- (c) The City Attorney shall prepare or review ordinances, regulations, contracts, bonds and other such instruments as may be required by this charter, the council, or the City Manager and shall promptly give his or her opinion as to the legality thereof.
- (d) The City Attorney shall prosecute ordinance violations and shall represent the city in cases before the courts and other tribunals. In such instances as the council shall direct, he or she shall defend officers and employees of the city in actions arising out of the performance of their official duties.
- (e) Upon the City Attorney's recommendation, or upon its own initiative, the council may retain special legal counsel to handle any matters in which the city has an interest, or to assist the City Attorney.
- (f) The City Attorney shall perform such other duties in connection with the office as may be prescribed by this charter, the council or by contractual agreement.
- (g) The City Attorney shall comply with the Michigan Rules of Professional Conduct of the Michigan State Bar Association.
- (h) The City Attorney serves at the pleasure of the city council and may be removed by an affirmative vote of not less than four (4) of its members.

Unanimous voice vote approval with Kowalski absent.

Motion Mike Raatz; support Mary-Ellen Miller to approve the first reading of Section 3.10 – Police Protection and Fire Protection

- (a) The council shall provide for, establish and maintain police protection to enforce all laws, ordinances, and codes of the city through the creation of a police department, public safety department or by contracting police services by intergovernmental agreement.
- (b) The council shall provide for, establish and maintain a fire department and rescue services within the administrative division of the city. The council shall have power to enact such ordinances and to establish and enforce such regulations

and enter into intergovernmental or contractual agreements as it shall deem necessary.

(c) If the city operates its own police and/or fire department, the police chief and/or fire chief shall be appointed by the City Manager, with advice and consent of council, on the basis of education, ability, training and experience. The City Manager shall supervise these department chiefs and have authority of dismissal.

Unanimous voice vote approval with Kowalski absent.

Motion Thom Phillips; support James Smith to approve the first reading of Section 3.11 – City Planning Commission; Zoning and Zoning Board of Appeals

(a) The council shall maintain a city planning commission in accordance with and having all the powers and duties granted by the provisions of law relating to such commissions, and this charter including but not limited to the Michigan Planning and Enabling Act, and all other intergovernmental planning and zoning statutes which it deems beneficial to the health, safety and general welfare of the city.

(b) The council shall maintain a zoning ordinance in accordance with the provisions of the Michigan Zoning Enabling Act relating to such ordinances and this charter. The ordinance shall provide that zoning be coordinated with the work of the city planning commission.

(c) The members of the Planning Commission and Zoning Board of Appeals shall be appointed by the Mayor subject to confirmation by the council and shall be residents of the city. Their appointment, functions and duties shall be in accordance with statute and city ordinance.

Unanimous voice vote approval.

Motion James Smith; support Jack Donaldson to approve the first reading of Section 3.12 – Planning and Zoning Administrator

The Planning and Zoning Administrator shall enforce the city zoning ordinances and will receive functional and administrative supervision from the City Manager. The Planning and Zoning Administrator shall be appointed by the City Manager, with advice and consent of the city council, on the basis of education, ability, training and experience. The City Manager shall supervise and have the authority of dismissal.

The Administrator or his or her designee shall:

(a) Issue all notices and orders to insure compliance with zoning ordinances and recommend prosecution if necessary;

(b) Process all applications related to zoning compliance, site plans, special land use permits, and zoning variances;

- (c) Prepare documents, agenda, and supporting information for the planning commission and zoning board of appeals meetings;
- (d) Assess all fees authorized by state statute, city ordinance or city resolution;
- (e) Prepare and/or assist in developing a master plan; and
- (f) Perform all other duties as may be prescribed by state law, the ordinance and resolutions of the city council or as directed by the City Manager.

Unanimous voice vote approval with Mekas absent.

Motion Jack Donaldson; support Phil Arbour to approve the first reading of Section 3.13 – Other Public Authorities, Board or Commissions

- (a) The council may create such entities as may be needed for the public health, safety and well-being of the city.
- (b) The council may enter into contracts and agreements to establish those public authorities, joint boards and commissions, cooperative agreements, and other similar entities and arrangements as may be permitted that they determine to be in the interests of the city.

Unanimous voice vote approval with Mekas absent.

I. OTHER ITEMS AS REQUESTED BY COMMISSIONERS

Discussion held on the proposed future meetings. A change was suggested for the January 29 meeting to meet with Village Treasurer/Finance Director Marie Sherry and move the second reading on Article III to February 5.

J. AGENDA PREPARATION FOR THE NEXT MEETING

Charter Commission Attorney Tom Ryan will be attending on January 29.

K. NON-ARRANGED PARTICIPATION

None

L. ADJOURNMENT

Motion Jack Donaldson; support James Smith to adjourn at 8:28 PM.
Unanimous voice vote approval with Mekas absent.

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: January 29, 2014