

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, MARCH 14, 2011

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 PM by President Keough at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL: President Keough-absent

J. Carson

D. Fisher

J. Smith

P. Cousins

J. Semifero

R. Tell

Also present: Donna Dettling, Village Manager; Carol Jones, Village Clerk; Courtney Nicholls, Assistant Village Manager; Blair Selover, Administrative Public Works Superintendent; Kurt Augustine and Dan Schlaff, Department of Public Works, Christine Phillips and Rhett Gronevelt, Orchard, Hiltz and McCliment; Pat Cousins, Dexter District Library; Matt Kowalski, Dexter Planning Commission; Jason Bibby, URS; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – February 28, 2011
2. Work Session – February 26, 2011

Motion Semifero; support Smith to approve the minutes of the Regular Council Meeting of February 28, 2011 and the minutes of the Work Session of February 26, 2011.

Unanimous voice vote for approval

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Smith; support Semifero to approve the agenda as presented.

Unanimous voice vote for approval

F. PUBLIC HEARINGS

Action on each public hearing will be taken immediately following the close of the hearing

None

G. NON-ARRANGED PARTICIPATION

None

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. February Citation List
4. Letter from Comcast
5. SEMCOG dues letter

I. REPORTS

1. Community Development Manager – Allison Bishop

Ms. Bishop submits her report as per packet.

2. Administrative Public Works Superintendent – Blair Selover

Mr. Selover submits his report as per packet. In addition Mr. Selover highlighted the following: training has slowed down due to staff shortage, the sludge dewater system is working well, budget training is wrapping up, the department has done a lot of preventative maintenance ison streets, Broad Street light seems to working OK now, 5th well is up and running but Fluoride is not in use yet, still working on safety issues, and will have recommendations for both areas when term is complete.

3. Boards, Commissions. & Other Reports-“Bi-annual or as needed”

Library Board Representative – Pat Cousins

Mrs. Cousins submits her report as per packet. Mrs. Cousins highlighted the activities at the Library from October through February.

Planning Commission – Matt Kowalski

Mr. Kowalski reported that the Planning Commission is working on various ordinance amendments such as the sign revisions, dog and animal ordinance and medical marihuana; Capital Improvement Plan; trail work and Mill Creek Park; Complete Streets; and have had one site plan for review. Coming up will be updating the Master Plan for the Baker Road Corridor and Ann Arbor Road Corridor. Mr. Kowalski thanked staff for the clean street and addressing citizen complaints.

Washtenaw Area Transportation Study Policy Rep – Jim Carson

Mr. Carson gave an update on the County transportation plan of Smart Hub, Door to Door and Rail. He announced that there will be a meeting in April of elected officials to get more information on the plan.

4. Subcommittee Reports

Old DAPCO Site Redevelopment Team – Notes from February 14 meeting

Downtown Fire Detection - None

Economic Preparedness – in process of being scheduled

Facilities – March 21 at 5 p.m.

Website – Update from March 8 meeting. On the 8th the committee started to review other websites and asked Council members to also review these sites and pass on comments. The next meeting was scheduled for March 22 but will need to be rescheduled

5. Village Manager Report

Mrs. Dettling submits her report as per packet. Mrs. Dettling gave the following verbal update: the employee on medical leave should be back in early April which is earlier than expected and interviewing to fill Larry's position will begin next week.

6. President's Report

Mr. Keough submits his report as per packet. In addition Mr. Keough thanked all for attending the workshop last Saturday; the Regional Fire Team will be talking about a transition plan at the next meeting; attended the Washtenaw Economic Club luncheon and heard the University of Michigan Chief Economist speak about new jobs for Michigan; and reminded Council that he will be late for the March 28th meeting.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$358,258.93

Motion Fisher; support Smith to approve item 1 of the consent agenda.

Unanimous voice vote for approval

At 8:27 PM a recess was taken and the meeting resumed at 8:32 PM.

K. OLD BUSINESS-Consideration and Discussion of:

1. Discussion of: Medical Marihuana Related Zoning Ordinance Amendments
Articles 2, Definitions, of the Village of Dexter Zoning Ordinance – Add Medical Marihuana Dispensary and Medical Marihuana Home Occupation.
Article 3, General Provisions of the Village of Dexter Zoning Ordinance – Amend Home Occupations and add Medical Marihuana Home Occupation.
Article 8, Special Land Uses, of the Village of Dexter Zoning Ordinance – Add Medical Marihuana Dispensary and special land use regulations for Medical Marihuana Dispensaries.
Article 14, General Business (C-1) District, Special land Uses - Add Medical Marihuana Dispensary.
Chapter 22, Section 22-10, Municipal Civil Infraction, of the Village of Dexter General Code – Add fines for Medical Marihuana Dispensary violations.

Discussion included but was not limited to the following: a) Allison to provide a follow-up on research requested at the last meeting; b) pass a moratorium; c) meet in a regional collaboration as a large group to share thoughts and ideas on how to work on such an issue; d) question posed as to the length of time to reach a decision and delaying a decision; and e) proposing a possible meeting for Thursday, March 31 for regional collaboration.

2. Consideration of: Extension of the Medical Marihuana Dispensary Moratorium

Motion Fisher; support Smith to extend the moratorium for 120 days until July 19, 2011 and to meet in a regional collaboration.

Ayes: Cousins, Fisher, Smith, Semifero, Tell, Carson and Keough

Nays: None

Motion carries

3. Discussion of: Road and Right of Way Policy

Discussion included but was not limited to the following: this is a major change in roadways in the Village, need for public input and discussion, won't happen fast because of the cost, use policy as a guideline, don't have the money to support road projects to meet right-of-way requirements, have there been traffic counts done on streets, wait on the policy until we have a road project to do, need for community input and information, and use best management policies.

Motion Fisher; support Smith to adopt the draft on the Road and Right-of-Way Improvement Policy updated March 8, 2011.

Ayes: Smith, Semifero, Fisher and Keough

Nays: Tell, Carson and Cousins

Motion carries 4 to 3

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Subdivision Connector Site Plan

Motion Semifero; support Smith based upon the information received from the applicant, reflected in minutes of this meeting, and in conformance with Section 21.04(E)3 of the Village of Dexter Zoning ordinance, the Village Council finds the Subdivision Connector Site Plan meets the requirements for approval of the combined site plans. In make this determination, the following additional consideration shall apply: approval of Village staff, engineers and permitting authorities.

Ayes: Semifero, Tell, Fisher, Carson, Cousins, Smith and Keough

Nays: None

Motion carries

2. Consideration of: Bid Award for the 2011 Residential Tree Planting Program

Motion Carson; support Fisher to award the 2011 Spring Tree Planting contract to Ann Arbor Landscape in the amount not to exceed \$6000.

Ayes: Tell, Carson, Cousins, Smith, Fisher, Semifero and Keough

Nays: None

Motion carries

3. Consideration of: Request to purchase a Kubota Utility Vehicle from Boullion Sales for an amount not to exceed \$22,950.

Motion Smith; support Carson to approve the purchase of a Kubota Utility Vehicle from Boullion Sales for an amount not to exceed \$22,950.

Ayes: Carson, Cousins, Fisher, Smith, Semifero, Tell and Keough

Nays: None

Motion carries

4. Discussion of: Scope of Services from Orchard, Hiltz & McCliment to complete a State Revolving Fund project plan for storm water projects and apply for an S2 grant

Discussion included but was not limited to the following: what are the priorities – piecemeal or bonding and discuss this item at the April 2 Work Session.

5. Discussion of: Liquor License Request Process

Ms. Nicholls presented a rationale for developing a Liquor License transfer application.

M. COUNCIL COMMENTS

Carson	None
Tell	None
Smith	Will be attending the Michigan Municipal League Workshop on Friday on incorporation to become a city and will be a participate on the panel at the workshop
Jones	Invited all to attend the Dexter Pioneer Art Fair on Saturday and a Rock Chalk Jayhawk cheer!
Fisher	None
Semifero	Light seems to be working now at Broad and Main
Cousins	Contemplating bringing a new business item to the next meeting to ticket parking on street extensions.

N. NON-ARRANGED PARTICIPATION

None

O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING LABOR NEGOTIATIONS AND POTENTIAL PURCHASE OF PROPERTY IN

ACCORDANCE WITH MCL 15.268 Sec.8(c)

Motion Smith; support Fisher to move into closed session at 10:15 PM for the purpose of discussing labor negotiations and potential purchase of property.

Ayes: Cousins, Fisher, Smith, Semifero, Tell, Carson and Keough

Nays: None

Motion carries

Motion Smith; support Fisher to leave closed session at 11:14 PM.

Ayes: Smith, Semifero, Tell Carson, Fisher, Cousins and Keough

Nays: None

Motion carries

P. ADJOURNMENT

Motion Smith; support Fisher to adjourn at 11:15 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: March 28, 2011

**RESOLUTION TO EXTEND
RESOLUTION #2010-14**

RESOLUTION #2011-4

**RESOLUTION TO IMPOSE A
TEMPORARY MORATORIUM ON
THE USE OF PROPERTY AND
STRUCTURES IN THE VILLAGE FOR
DISPENSING OR CULTIVATING
MARIHUANA**

**Village of Dexter
County of Washtenaw
State of Michigan**

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, held on the 14th day of March, 2011, Eastern Daylight Time.

PRESENT: Members: Cousins, Semifero, Fisher, Smith, Tell, Carson and Keough

ABSENT: Members: None

The following preamble and resolution were offered by Member Fisher and supported by Member Smith:

WHEREAS, on August 23, 2010 the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), adopted resolution #2010-14, titled a "Resolution to Impose a 120 day Moratorium on the use of property and structures in the Village for the dispensing or cultivation of marihuana"; and

WHEREAS, on December 13, 2010 the Village Council adopted resolution #2010-14 titled a "Resolution to Impose a 90 day Moratorium on the use of property and structures in the Village of Dexter for the dispensing or cultivation of marihuana" from December 21, 2010 to March 21, 2011; and

WHEREAS, the current moratorium expires on March 21, 2011; and

WHEREAS, the Village Council has received a recommendation from the Planning Commission for the consideration of Zoning Ordinance and General Code amendments; and

WHEREAS, the Village Council has additional questions and desires collaborate with surrounding jurisdictions to ascertain the best and safest path to compliance with the Michigan Medical Marihuana Act, MCL 333.26423(d) in order to protect the public health, safety and welfare; and

WHEREAS, the Village Council directed staff to contact surrounding jurisdictions leadership to discuss the idea of regional collaboration on compliance with the Michigan Medical Marihuana Act, MCL 333.26423(d);

RESOLVED, that Village Council hereby extends the moratorium temporarily prohibiting the initiation of the use of any property in the Village as a facility for dispensing marihuana for medical or any other purpose for 120 days, in conjunction with the continued study and revision of the Village Zoning Ordinance or other ordinances regarding this issue and the regional collaboration initiative being explored with surrounding jurisdictions;

RESOLVED, that this moratorium does not apply to the following:

- A dwelling unit (as defined by the Zoning Ordinance) where a qualifying patient under the Act resides and is cultivating up to the maximum number of marijuana plants permitted by the Act for personal use or possesses up to the maximum amount of marihuana permitted by the Act for personal use.
- A building or structure (as defined by the Zoning Ordinance) other than a dwelling unit where no more than one qualifying patient under the Act is cultivating up to the maximum number of marijuana plants permitted by the Act for personal use or possesses up to the maximum amount of marihuana permitted by the Act for personal use.
- A dwelling unit or other building or structure where no more than one primary caregiver under the Act is cultivating up to the maximum number of marihuana plants permitted by the Act for assisting a qualifying patient or possesses up to the maximum amount of marijuana permitted by the Act for assisting a qualifying patient.

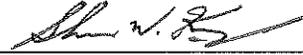
BE IT FURTHER RESOLVED, that this moratorium expires on July 19, 2011.

AYES: Cousins, Fisher, Smith, Semifero, Tell, Carson and Keough

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED THIS 14th DAY OF MARCH, 2011



Village President – Shawn W. Keough

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on the 14th day of March, 2011.



Village Clerk – Carol J. Jones

Village of Dexter
Road and Right-of-Way Improvement Policy
March 14, 2011

This policy shall serve as a working guide to future road and right-of-way improvement projects within the Village of Dexter. This policy is hereby set forth to help establish significant, but not absolute, consistency throughout the Village with respect to roadway widths, parking within the public right of way, drainage within the right-of-way and restoration of right of ways resulting from projects that involve the rehabilitation and/or reconstruction of Village Streets. The policy is supported by the Village's current Engineering Standards, Master Plan, Capital Improvement Plan and Code of Ordinances.

The primary goals of this policy are described as follows:

1. To establish consistency in planning for a minimum width for all Village Streets during projects involving the rehabilitation and/or reconstruction of Village Streets.
2. To create reasonable opportunity for on street parking on Village Streets (i.e. – not on the grass, gravel shoulder or greenbelt areas) in a safe manner.
3. To create a reasonably consistent aesthetic look and function along each street with respect to driveways, sidewalk, alley entrances and greenbelt areas.
4. To recognize the difference between Major and Local Streets
5. To incorporate complete streets practices whenever possible to insure safe right-of-ways, including provisions for new sidewalks and accessible walkways for all pedestrians.

The following criteria shall be considered when determining the road width and street configuration for street rehabilitation and/or reconstruction projects:

1. The primary functions of the roadway
2. The need for parking along the street
3. The current use of the roadway and right-of-way (i.e. traffic patterns, volumes, proximity to schools, businesses, etc..)

All Major Streets shall be striped to delineate a minimum of two independent lanes of traffic. Striping of local streets can be done in areas of higher traffic volumes or where lane markings create a safer overall street network.

The roadway and right-of-way improvements consistent with this policy include:

1. 27 foot minimum width asphalt or concrete roadways without curb and gutter; 28 foot minimum width from back of curb to back of curb for roads with curb and gutter
2. Elimination of gravel surface shoulders as parking areas
3. When an existing paved drive approach is removed, it will be replaced with the material that was removed; if the material removed was gravel it will be replaced with asphalt
4. 5 foot wide concrete sidewalk along at least one side of the roadway.

It is envisioned that a 27 ft wide minimum width will provide safe opportunity for most of the Village's local street network, while providing opportunity for parking on the street on one side of the roadway. In some cases, the minimum width may need to be wider to accommodate additional lanes of traffic, parking on more than one side of the roadway or to facilitate key turning movements for large vehicles. In other cases, the road width may need to remain narrower due to narrow right-of-ways or existing conditions. Huron Street is an example of a right-of-way that would require a narrower road width. Each street should be evaluated independently prior to the design/construction of each street to establish proper road widths and design criteria that provide a safe roadway and satisfy the functional use of the roadway in that area of the Village.

Parking in the Right-of-Way

On street parking within the Village right-of-ways will be primarily parallel parking. Angle parking can be incorporated into the street design in the downtown areas, generally within the DDA district boundary. 90 degree parking should be avoided and eliminated on most local streets. The Village will notify and work with residents/commercial businesses that have historically had 90 degree parking of the Village's intent to complete a road improvement project without 90 degree parking.

Residents and businesses are encouraged to park within their driveways whenever possible or use delineated on street parking areas.

Parking on greenbelt and/or grass areas within the right-of-way is prohibited consistent with the Village's code of ordinances.

Additional Right-of-Way Improvements

Whenever possible, new sidewalk should be installed, at least along one side of the right-of-way, during rehabilitation and/or reconstruction projects. The recommendations provided in the Village's recent crosswalk study should be reviewed and incorporated into the sidewalk designs whenever possible.

It is recommended that concrete curb and gutter is evaluated and incorporated as part of the rehabilitation or reconstruction on streets where parking is anticipated to be quite common. This will help prevent parking on the grass areas and help maintain the integrity of the edge of pavement in high frequency parking areas. Current examples of this could include, but is not limited to, portions of Broad Street, Fifth Street between Broad and Dover, Fourth Street near Central Street, and Hudson Street near Main Street, etc. In general, some of the streets closer to the downtown area have historically had a higher frequency of on-street parking. This parking should be maintained as an element of the creative design of these streets.

Drainage improvements should be incorporated into the street design as appropriate. The goal is to have positive drainage within the right-of-way whenever possible. For curbed roadways, storm sewer improvements should be completed along with the pavement improvements. In areas with no curb and gutter, culverts and swales will be used along local streets to appropriately collect and transport storm water runoff.

Review of Future Street and Right-of-Way Projects

Upon completion of preliminary design plans, the plans shall be presented to the Planning Commission for their review and comment, similar to the process that the Village has used for park, pathway and other recent improvement projects.