

DEXTER VILLAGE COUNCIL  
REGULAR MEETING  
MONDAY, JUNE 27, 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

J. Carson

D. Fisher

J. Smith

P. Cousins

J. Semifero

R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Carol Jones, Village Clerk; Christine Phillips of Orchard, Hiltz & McCliment; Wayne Perry representing K-Space; and media.

**C. APPROVAL OF THE MINUTES**

1. Regular Council Meeting – June 13, 2011
2. Work Session Minutes – June 13, 2011

Motion Smith; support Cousins to approve the minutes of the Regular Council Meeting of June 13, 2011 and the Work Session Minutes from June 13, 2011.

Unanimous voice vote for approval

**D. PREARRANGED PARTICIPATION**

None

**E. APPROVAL OF THE AGENDA**

Motion Smith; support Fisher to approve the agenda with following changes:

Add additional information under item F-2, General Code or Ordinances – Chapter 54 and move Old Business Item K-4 Discussion of Medical Marihuana Dispensary Moratorium to K-1 and change K-1 to K-2, K-2 to K-3 and K-3 to K-4.

Unanimous voice vote for approval

**F. PUBLIC HEARINGS**

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

1. Amendments to the General Code of Ordinances 22-10a, Municipal Civil Infractions, Violations for Medical Marihuana Home Occupations

Will be considered under – Old Business K-2, K-3, and K-4

The hearing was opened at 7:34 PM. There were no comments from the audience. Council comments included questions regarding violations of the code, can a license be revoked and a comment on adding an extra line for address on the application form. The hearing was closed at 7:36 PM.

2. Amendments to the General Code of Ordinances, Chapter 54, Traffic and Vehicles

Consideration of: Amendments to the General Code of Ordinances, Chapter 54, Traffic and Vehicles

Consideration of: Fee Schedule for Chapter 54 Violations

The hearing was opened at 7:37 PM. There were no comments from the audience. The hearing was closed at 7:38 PM. Council comments included the mention of conflicts with the ordinances and how does the General Code match with the Road and Right of Way Policy.

Motion Semifero; support Carson to approve the Amendments to the General Code and Ordinances, Chapter 54, Traffic and Vehicles and the Fee Schedule for the Chapter 54 violations.

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

Nays: None

Motion carries

## **G. NON-ARRANGED PARTICIPATION**

None

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar
3. TheRide Newsletter
4. HRWC Membership Renewal
5. Comcast
6. Changes to Michigan Income Tax on Individuals

## **I. REPORTS**

### **1. Community Development Manager – Allison Bishop**

Ms. Bishop submits her report as per packet. Ms. Bishop updated on the following: a) there will be a pre-construction meeting on Thursday, June 30, for the Mill Creek Park; b) the Village purchased an advertisement in the Ann Arbor Visitors Guide in collaboration with the Dexter Chamber of Commerce at a cost of \$900; c) recommended installing directional signage in the parking lot behind the Dairy Queen and the old Pharmacy building at the back of the Main Street parking lot; and d) discussion on the contribution to the Gateway Initiative.

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

*Arts, Culture and Heritage Committee – Paul Cousins*

Trustee Cousins discussed the preview copy of a PowerPoint presentation of the Public Art Plan that will be presented at the July 11<sup>th</sup> meeting. Mr. Cousins also referenced Chelsea, Brighton and Holland as cities using public art.

3. Subcommittee Reports

Old DAPCO Site Redevelopment Team  
Downtown Fire Detection  
Economic Preparedness  
Facilities  
Website

5. Village Manager Report

Mrs. Dettling submits her report as per packet Mrs. Dettling gave the following verbal updates: a) concerns raised after the first Friday night Concert in the Park have been resolved; b) quarterly Council payment will occur on Wednesday; c) will not be on vacation for the next meeting as previously stated, will be going after the meeting; d) will have an update on the Orchard, Hiltz & McCliment/Tetra Tech/Village Staff meeting regarding the Waste Water Treatment Plant Operations at the next meeting; e) mentioned the Forest Street property that after demolition could put grass down or gravel the lot and also need to look at possible demolition of the house on the Dan Hoey property as it has fallen into disrepair with no one living in it; f) Trustee Cousins inquired as to the location of the raised gardens at the Community Garden; and g) Trustee Semifero inquired as to the amount budgeted for sewer repair on Grand Street .

6. President’s Report

Mr. Keough submits his report as per packet. Mr. Keough gave the following verbal updates: a) the June 24 meeting with Blackhawk Development has been rescheduled; b) at the Sate Boundary Commission Meeting on June 16<sup>th</sup>, Webster Township challenged the process and Dexter will be back on the agenda in August with a decision on the challenge; and c) met on June 22<sup>nd</sup> on the Bond Restructuring for the Downtown Development Authority on three bonds, the 2001 Bond can be re-financed and save \$5000-6000 per year over nine years, the Non-taxable Bond is not callable until 2017-2018 and were advised that it was not wise to change the Taxable Bond at this time. President Keough mentioned that due to forecasting and declining property values it may take some years to bring things back around.

**J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$64,977.30
2. Consideration of: Contract with Washtenaw Area Value Express for Door to Door Service – July 1, 2011 to June 30, 2012 in the amount Of \$12,000 (same funding level as 2010-2011)

3. Consideration of: Contract with Washtenaw Area Value Express for Community Connector Service – July 1, 2011 to June 30, 2012 in the amount of \$10,000 (same funding level as 2010-2011)
4. Consideration of: Request from the Dexter Daze Committee to hold the Dexter Daze Parade on August 13, 2011 from Inverness and Ann Arbor Streets to Main and Jeffords
5. Consideration of: Request from the Dexter Daze Committee to close Central Street from Main to 5<sup>th</sup> from noon on August 11 to noon on August 14

Motion Fisher support Smith to approve items 1, 2, 3, 4 and 5 of the consent agenda.

Unanimous voice vote for approval

Motion Cousins; support Fisher to suspend the rules in order to move item L-4, Consideration of: Combined Site Plan for K-Space to this part of the agenda.

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

Nays: None

Motion carries

**L-4 Consideration of: Combined Site Plan for K-Space**

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 K Space Associates combined site plan dated 5-18-11 meets the requirements for approval of the combined site plan. In making the determination, the following additional condition shall apply: Applicant shall address the pre construction concerns noted in the engineering consultant review dated June 1, 2011.

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

Nays: None

Motion carries

**K. OLD BUSINESS-Consideration and Discussion of:**

1. Discussion of: Medical Marihuana Dispensary Moratorium

Ms. Bishop reported that the recommendation is to extend the moratorium for another 12 months and to vote on this at the next Council meeting.

2. Consideration of: Recommendation from the Planning Commission on Medical Marihuana Related Ordinance Amendments

Article 2, Definitions of the Village of Dexter Zoning Ordinance – Add Medical Marihuana Home Occupation and

Medical Marihuana Home Use  
Article 3, General Provisions, of the Village of Dexter Zoning  
Ordinance – Amend Home Occupations and add Medical  
Marihuana Home Occupation

Motion Semifero; support Carson per section 23.06, Criteria for Amendment to the Zoning Ordinance Text the Village Council approves the amendments to Article 2, Definitions to add Medical Marihuana Home Occupation and Medical Marihuana Home Use and Article 3, General Provision to amend Section 3.05 Home Occupations and add Medical Marihuana Home Occupation due to Michigan Medical Marihuana Law of 2008.

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

Nays: None

Motion carries

3. Consideration of: Amendments to the General Code of Ordinances, Chapter 22-10a, Municipal Civil Infractions, Violations for Medical Marihuana Home Occupation

Motion Cousins; support Tell following the public hearing held on June 27, 2011 the Village Council moves to approve the proposed amendments to the General Code, Chapter 22, Municipal Civil Infractions, Section 22-10, Schedule of Fines to include Medical Marihuana Home Occupation Violations.

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

Nays: None

Motion carries

4. Consideration of: Fee Schedule for Application and Permits

Motion Cousins; support Carson to approve fee schedule for application and permit for Medical Marihuana Home Occupation Permit.

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

Nays: None

Motion carries

5. Consideration of: Revised Scope of Services from Orchard, Hiltz & McCliment for the Main Street Resurfacing Project

Motion Smith; support Fisher to approve the Scope of Services from Orchard, Hiltz & McCliment for the Main Street Resurfacing Project in the amount of \$13,500 for preliminary engineering design services and an additional \$1,500 for pavement core samples for a total of \$15,000.

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

Nays: None

Motion carries

At 9:15 PM a recess was taken and the meeting resumed at 9:20 PM.

**L. NEW BUSINESS-Consideration of and Discussion of:**

1. Consideration of: State Revolving Fund Project Plan

Motion Smith; support Semifero be it resolved that, the Village of Dexter formally adopts the State Revolving Project Plan and agrees to implement the selected alternative (Alternative No. 1A for sludge handling process and Alternative No.1 for the grit handling process and instrumentation and controls upgrade). Be it further resolved, that the Village Manager, a position currently held by Donna Dettling, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

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

Nays: None

Motion carries

2. Consideration of: Fiscal Year 2010-2011 Budget Amendments

Motion Cousins; support Smith to approve the Budget Amendments for the fiscal year 2010-2011 as presented to Council.

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

Nays: None

Motion carries

3. Consideration of: Fiscal Year 2011-2012 Budget

Motion Carson; support Smith to approve the Budget for the fiscal year 2011-2012.

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

Nays: None

Motion carries

5. Consideration of: Proposal for Final Design Services from Orchard, Hiltz & McCliment for Central Street Improvements-Phase 1 from Second Street east to Mast Road Bridge in an amount not to exceed \$28,000

Motion Smith; support Fisher to approve the proposal for final design services from Orchard, Hiltz & McCliment for the Central Street Improvements – Phase 1 from Second Street east to the Mast Road Bridge in an amount not to exceed \$28,000.

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

Nays: None

Motion carries

## **M. COUNCIL COMMENTS**

Cousins	Announced that the Top of the Park activities are going well, the weather has been great and this weekend Strange Fruit will perform.
Tell	None
Fisher	Gave a preliminary report that \$20,000 was raised for Gordon Hall at the Civil War Days.
Jones	Will not be able to attend the next work session due to the Dexter Daze meeting and reported as to how this year's shirt design came about.
Smith	None
Semifero	None
Carson	None

## **N. NON-ARRANGED PARTICIPATION**

None

## **O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL PURCHASE OF PROPERTY AND PENDING LITIGATION IN ACCORDANCE WITH MCL 15.268 Sec. 8**

Motion Smith; support Carson to go into closed session at 9:36 PM for the purpose of discussing potential purchase of property and pending litigation.

Ayes: Smith, Semifero, Tell, Carson, Fisher, Cousins and Keough  
Nays: None  
Motion carries

Motion Smith; support Fisher to leave closed session at 9:40 PM.

Ayes: Semifero, Tell, Fisher, Carson, Cousins, Smith and Keough  
Nays: None  
Motion carries

## **P. ADJOURNMENT**

Motion Smith; support Carson to adjourn at 9:41 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

Approved for Filing: July 11, 2011

**Village of Dexter Resolution 2011-2a**

**Resolution of Adoption  
Fiscal Year 2011-2012 Budget**

At a regular meeting of the Village Council of the Village of Dexter held at the Dexter Senior Center – 7720 Ann Arbor Street, called to order by President Keough on June 27, 2011 at 7:30 p.m. the following resolution was offered:

Motion by: Carson                      Seconded by: Smith

Whereas, a detailed revenue and expenditure plan has been presented in accordance with all applicable Village, State and Federal statutes; and

Whereas, a public hearing was held on June 13, 2011 on the proposed budget;

Now, Therefore Be It Resolved, that the attached budget for July 1, 2011 through June 30, 2012 is hereby adopted and made a part of this resolution.

Ayes: Carson, Cousins, Tell, Fisher, Smith, Semifero, Keough  
Nays: None  
Absent: None

RESOLUTION DECLARED ADOPTED THIS 27<sup>th</sup> DAY OF JUNE 2011

  
\_\_\_\_\_  
Carol J. Jones  
Village Clerk

2011-21

**A RESOLUTION ADOPTING A FINAL PROJECT PLAN  
FOR WASTEWATER SYSTEM IMPROVEMENTS AND  
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

**WHEREAS**, the Village of Dexter recognizes the need to make improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the Village of Dexter authorized Orchard, Hiltz & McCliment, Inc. to prepare a Project Plan, which recommends the rehabilitation of the anaerobic digestion process to be supplemented with a geotube for additional storage, the rehabilitation of the existing aerated grit chamber with the addition of a new screen, and an upgrade of the existing instrumentation and controls to allow for remote monitoring and control of wastewater treatment components; and

**WHEREAS**, said Project Plan was presented at a Public Hearing held on June 13, 2011 and all public comments have been considered and addressed;

**NOW THEREFORE BE IT RESOLVED**, that the Village of Dexter formally adopts said Project Plan and agrees to implement the selected alternative (Alternative Nos.1A for sludge handling process and Alternative No. 1 for the grit handling process and instrumentation and controls upgrade).

**BE IT FURTHER RESOLVED**, that the Village Manager, a position currently held by Donna Dettling, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Yeas: Smith, Carson, Cousins, Tell, Fisher, Semifero, Keough

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by the Village Council on June 27, 2011.

BY: Carol J. Jones Village Clerk  
Name and Title (please print or type)  
Carol J. Jones 6/28/2011  
Signature Date



# VILLAGE OF DEXTER - FEE SCHEDULE

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WHEREAS, the Village Code requires that fees be paid for applications to the Village for various permits and further provides that the fees for most of these such permits shall be established from time to time by resolution of the Village Council; and

WHEREAS, the Village Council desires to revised permit fees effective as of October 12, 2009.

NOW, THEREFORE, be it resolved that effective October 12, 2009, and revised on October 11, 2010, the fees for the following permits required under the Village Code shall be as follows:

1. Zoning Compliance Applications
  - a) Residential Home.....\$50.00
  - b) Multi-Family/Commercial Build out/Industrial/Quasi-Public.....\$100.00
  - c) Remodel (Commercial or Residential) /Deck/Fence.....\$25.00
  - d) Temporary Structure.....\$25.00
  
2. Sign Permit.....\$50.00
  - a) Sandwich Board Sign Permit.....\$25.00
  - b) Temporary Sign / Banner Permit (not over road).....\$15.00
  - c) Banner Permit (over road).....\$200.00
  
3. Zoning Board of Appeals
  - a) Residential.....\$250.00
  - b) Non-Residential.....\$350.00
  - c) Meeting attendance by consultant.....\$150.00
  
4. Rezoning (Zoning Ordinance/Map Amendments).....\$750.00 + \$40.00/acre + Deposit
  
5. Special Meeting – Planning Commission.....\$600.00
  
6. Special Use Application/Permit.....\$350.00 + \$5.00/acre
  
7. Site Plan Review Fees\*
  - a) Preliminary Site plan.....\$600.00\* + \$50.00/acre + Deposit
  - b) Final Site Plan.....\$900.00\* + \$50.00/acre + Deposit
  - c) Combined Site Plan.....\$1100.00\* + \$50.00/acre + Deposit

\*Includes \$100.00 Dexter Area Fire Department Review

  - d) Administrative Review.....\$350.00
  
8. PUD Area Plan Review\*.....\$1000.00 + \$50.00/acre + Deposit  
Major or Minor Site Plan Amendment Determination.....\$300.00
  
9. Subdivision (Plat) Review\*
  - a) Tentative Preliminary.....\$400.00 + \$5.00/lot + Deposit
  - b) Preliminary.....\$200.00 + \$3.00/lot + Deposit
  - c) Final Plat.....\$200.00 + \$2.00/lot + Deposit
  
10. Conceptual Plan Review.....\$50.00/hour
  
11. Demolition Permit.....\$50.00
  
12. Lot Split/Combination/Boundary Adjustment.....\$350.00
  
13. Annexation Request.....\$1000.00 + Deposit

- 14. Home Occupation Permit.....\$50.00  
Medical Marihuana Home Occupation Permit.....\$100.00
- 15. Park and Park Facility Use Permit.....\$25.00 (Resident), \$150 (Non-Resident)
- 16. Outdoor Seating Permit.....\$25.00 (one time) + Special Land Use fee
- 17. Right of Way Permit.....Varies (see ordinance)
- 18. Special Event Form.....\$50.00
- 19. Parking Space Contribution.....\$2500.00
- 20. Multiple Animals (4 or More).....\$100 (first time) + \$25 annually

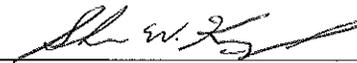
\*SITE PLAN REVIEW DEPOSIT.....\$3000.00

Deposit: Covers services of Village Consultant (Engineers and Planners) for site plan review, as well as legal fees incurred related to the project. Additional costs beyond the deposit shall be required upon depletion of initial required deposit. The applicant shall receive a refund of any portion of the deposit that is not allocated.

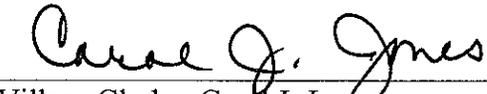
The above fees represent the amount to be paid by the owner/applicant at the time the application is submitted. The fees are intended to cover the costs incurred by the Village for personnel, publishing, and printing. If a deposit is required, it is intended to cover any and all consultant fees (including engineering, planning, and legal fees). If the deposit collected is not depleted by the consultant fees the balance will be returned to the owner/applicant.

Adopted April 29, 1997  
Amended November 10, 1997  
Amended October 12, 1998  
Amended May 10, 1999  
Amended June 10, 2002  
Amended March 28, 2005  
Amended April 10, 2006  
Amended November 12, 2007  
Amended October 12, 2009  
Amended October 11, 2010  
Amended June 27, 2011

**RESOLUTION DECLARED ADOPTED THIS 27<sup>th</sup> DAY OF JUNE, 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 27<sup>th</sup> day of June, 2011.

  
Village Clerk – Carol J. Jones



## VILLAGE OF DEXTER - FEE SCHEDULE

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

WHEREAS, the Village Code requires that fees be paid for violations of Chapter 54 – Traffic and Vehicles, in conjunction with the Michigan Vehicle Code as adopted by reference, and further provides that the fees for these violations be established from time to time by resolution of the Village Council;

NOW, THEREFORE BE IT RESOLVED, that effective June 27, 2011 the fees for the following violations shall be as follows:

Violation	Within 14 Days - All Fees in US Dollars	After 14 Days - All Fees in US Dollars
Overtime Parking	10.00	15.00
No Parking Here to Corner	10.00	15.00
No Parking Anytime	10.00	15.00
No Parking Between Signs	10.00	15.00
No Parking 2:00 a.m. to 6:00 a.m.	10.00	15.00
No Stopping or Standing	10.00	15.00
Parked on Lawn Extension	10.00	15.00
Double Parking	10.00	15.00
Within 15 feet of Fire Hydrant	25.00	45.00
Parked on Sidewalk	10.00	15.00
Left to Curb	10.00	15.00
Blocking Driveway	10.00	15.00
Blocking Crosswalks	10.00	15.00
Blocking Alley	10.00	15.00
Blocking Traffic	10.00	15.00
Blocking Sidewalk	10.00	15.00
Within 30 feet of Stop/Yield Sign	10.00	15.00
Handicapped Parking	75.00	100.00
Over 12 inches from Curb	10.00	15.00
Improper Parking on One-Way Street	10.00	15.00
No Parking Fire Lane	10.00	15.00
No Parking This Side of Street	10.00	15.00
Snow Removal	25.00	30.00
Ahead of Setback Line	10.00	15.00
Abandoned Vehicles	25.00	30.00
Occupying Two Spaces	10.00	15.00
Angle Parking Only	10.00	15.00
Other	10.00	15.00
In Intersection	10.00	15.00
Within 20 Feet of Crosswalk	10.00	15.00
Improper Storage	10.00	15.00
Truck/Bus in Residential Area	10.00	15.00
Private Property	10.00	15.00
Exceed One Commercial Vehicle in Residential Area	10.00	15.00

Violations of Chapter 54 Article VI:

- \$5.00 for the first offense
- \$25.00 for the second offense occurring within a one year period from the first violation
- \$100.00 for the third offense occurring within a one year period from the first violation

Carol J. Jones, Village Clerk