

DEXTER VILLAGE COUNCIL  
REGULAR MEETING  
MONDAY, SEPTEMBER 26, 2011

**A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:31 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	P. Cousins
D. Fisher-arrived at 7:32 PM	J. Semifero
J. Smith	R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager, Carol Jones, Village Clerk; Rhett Gronevelt of Orchard, Hiltz & McCliment; Sgt. Gieske and Deputy Hilobuk, Washtenaw County Sheriff's Department; residents and media.

**C. APPROVAL OF THE MINUTES**

1. Work Session Notes – September 12, 2011
2. Regular Council Meeting – September 12, 2011

Motion Smith; support Carson to approve the minutes of the Work Session Notes of September 12, 2011 and the Regular Council Meeting of September 12, 2011 with one correction on page 7 add the words *to the original motion* following the word amendment in the second and third paragraph under item L5 Consideration of : Edison Street Sidewalk .

Unanimous voice vote for approval

**D. PREARRANGED PARTICIPATION**

Tom Covert – Edison Street Sidewalk

Tom representing the residents from Edison Street in Dexter thanked the consultants for their work in preparing the map showing the sidewalk 25 feet from homes. However, he expressed that residents are in support of the option on 1 foot off the 60 foot right-of-way and had residents show their preference by standing for the different options which included the side of the street where they would like the sidewalk placed.

**E. APPROVAL OF THE AGENDA**

Motion Smith; support Fisher to approve the agenda as presented with the addition of additional information under New Business L-2 and the addition of the phrase *and Jim Carson as alternate* to New Business L8.

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**

Sue Sherrill of 3435 Edison Street, Dexter spoke about using a standard for the proposed sidewalk which jogs back and forth does not seem very cost effective. She also mentioned that the east side of Edison Street would be a better choice as there are fewer homes and no telephone poles.

Evelyn Smith of 7810 Fifth Street, Dexter gave a history of her home. She talked about applying a standard to the older areas in the Village does not work and such a standard should be used in new construction areas. She would prefer the sidewalk to be 10-14 feet off the side of the road.

Jon Rush of 7930 Fifth Street, Dexter spoke in support of the residents on Edison Street sidewalk project and in the past the Village has been flexible.

Debra McHugh of 3545 Edison Street, Dexter agrees that the sidewalk is needed and prefers it to be 10-14 feet from the side of the road. She stated that she would be unable to use all of her driveway for parking if the sidewalk comes close to the house and this could be a safety issue as she would be parking on the street. She also addressed the issue of repaving the street if there is money saved by running a straighter sidewalk.

Lisa Phillips of 3360 Edison Street, Dexter reiterated what her email stated that she prefers the sidewalk to be 10-14 feet off the side of the road.

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar
3. Partner for Transit Newsletter
4. Wellhead Protection Grant Notification
5. Introduction to Transportation Asset Management Class Notification

## **I. REPORTS**

1. Washtenaw County Sheriff's Office – Sgt. Gieske and Deputy Hilobuk

Sgt, Gieske and Deputy Hilobuk spoke about the bus hub at the schools. The traffic issues from left hand turns off of Dan Hoey Road have been minimal and the district is still working on getting the optimal number of buses transporting bus riders from the high school. A question was asked regarding any other traffic issues and Deputy responded that there is less congestion on Baker Road with the use of the hub. Sgt. Gieske also spoke of parking issues at the Dexter Cider Mill and trying to resolve the issue on Huron Street by having the cider mill's

employee's park there. A question was raised on parking at Jenny's Market and Sgt. Gieske responded that this issue has been worked on this year.

## 2. Boards, Commissions. & Other Reports-"Bi-annual or as needed"

### *Gateway Initiative – Paul Cousins*

Information regarding the Gateway Initiative was provided in the packet. Trustee Cousins reported how the project will be funded and who will administer the project. Mr. Cousins also discussed the proposed agreement with Mark Lantz and the next meeting which will be held on October 4, 2011.

## 3. Subcommittee Reports

Old DAPCO Site Redevelopment Team

Downtown Fire Detection

Economic Preparedness

Facilities

*Website –Update from Proposal Opening - Jim Smith*

Trustee Smith reported that the Website Committee recently met and listened to six vendor presentations and narrowed the list to four. Those four will provide answers to questions and their pricing which are due tomorrow (September 27). The subcommittee will meet again on Thursday the 29<sup>th</sup>.

## 4. Village Manager Report

Mrs. Dettling submits her report as per packet. Mrs. Dettling gave the following verbal updates: a) Northern United Brewing Co. has contacted the Village about moving their facilities to the Grand Street site; b) Congressman Walberg's office has contacted the Village about a coffee meeting on October 3 and more details will follow; c) calendars are on the table and extras are available from the Huron River Watershed Council; d) an email was received this afternoon from Jeff Dagg of 8208 Bridgeway Drive, Dexter regarding the attention and excellent service provided by Dan Schlaff during the recent water main replacement at Westridge; e) need to have a topic for the October 20 Town Hall meeting and a question and answer session was suggested; f) need to set a public hearing for an industrial tax exemption for QED; g) 5 Healthy Communities held an event on Sunday, September 25 and Trustee Cousins spoke about the event and activities which was well attended. Mr. Cousins also spoke about a grant through the 5 Healthy Communities to obtain playground equipment for Warrior Creek Park; and h) an email was sent out with a link to the Economic Gardening Workshop held last week in Lansing and President Keough gave a brief overview of the workshop.

## 5. President's Report

Mr. Keough submits his report as per packet. Mr. Keough reported on the following: a) the Regional Fire Committee continues to meet with the next meeting on Wednesday and all representatives giving permission to send the agreement for the regional department for legal review. A question was raised as to the name of the department and that this had not been finalized as of yet; b) at the last Downtown Development Authority meeting a discussion was

held regarding the DAPCO property and extending leases to existing tenets and a question was raised on rent rates; c) met with Blackhawk Development regarding the property at Dan Hoey and Lexington to begin a dialogue regarding that property; and d) will be meeting with a potential candidate to fill the open position on the Downtown Development Authority.

#### **J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$148,062.43
2. Consideration of: Temporary Closure of portions of Dexter Ann Arbor Road and Baker Road from 1:30 p.m. to 2:30 p.m. for the Homecoming Parade on September 30, 2011

Motion Fisher support Smith to approve item 1 and 2 of the consent agenda.

Unanimous voice vote for approval

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

1. Consideration of: Edison Street Sidewalk

Previous Motions: From September 12, 2011

Motion Carson, Second Tell to place the Edison Street sidewalk one foot off a hypothetical sixty foot right-of-way line on the side of the street impacted by the water main project.

Amendment to the original motion by Semifero to allow residents on Edison to opt out of have a sidewalk placed in the right-of-way. Amendment not considered due to lack of a second.

Amendment to the original motion by Semifero, Seconded by Fisher to place the sidewalk one foot off the right-of-way or a minimum of 25 feet away from the front of a home on the side of the impacted by the water main project.

Motion by Semifero, Seconded by Fisher to postpone discussion of the Edison Street sidewalk until exhibits can be created that show the placement of the sidewalk one foot off the right-of-way or a minimum of 25 feet away from the front of a home on both sides of the street.

Ayes: Fisher, Semifero, Cousins, Keough

Nays: Tell, Carson, Smith

Motion carries

Vote on Previous Motions: September 26, 2011

Amendment to the original motion by Semifero, Seconded by Fisher to place the sidewalk one foot off the right-of-way or a minimum of 25 feet away from the front of a home on the side of the street impacted by the water main project.

Ayes: None

Nays: Cousins, Fisher, Smith, Semifero, Tell, Carson and Keough  
Motion fails

Original Motion – Motion Carson, Second Tell to place the Edison Street sidewalk one foot off a hypothetical sixty foot right-of way line on the side of the street impacted by the water main project.

Ayes: Tell, Carson and Cousins  
Nays: Smith, Semifero, Fisher and Keough  
Motion fails 4-3

Motion Semifero; support Smith to place the sidewalk as per Village ordinance, one foot off the 99 foot right-of-way (as shown in Option #2) with a straight connection from Fourth Street to Fifth Street from the park sidewalk to the Fourth Street crossing, with deviations as needed to maintain mature trees and account for geography.

Ayes: Semifero, Tell, Fisher, Smith and Keough  
Nays: Carson and Cousins  
Motion carries 5 to 2

Jack Davidson of 3434 Edison Street, Dexter addressed Council regarding the issue of sprinklers in his yard and that the residents want a sidewalk out by the street and not one foot off the 99 foot right-of-way.

Tom Covert of 3550 Edison Street, Dexter spoke of his disappointment with the vote taken by Council and the issue of following standards. He inquired as to what is the appeal process from here.

2. Discussion of: Cityhood Next Steps

Discussion included but was not limited to possible action and costs that may be involved in pursuing cityhood. Staff was directed to contact the Director of the Department of Licensing and Regulatory Affairs regarding his understanding of the proceedings before he signs the report.

At 9:45 PM a recess was taken and the meeting resumed at 9:50 PM

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

1. Consideration of: Entering into a Contract with the Washtenaw County Road Commission for \$10,000 to Design and Bid the Cedars of Dexter Sidewalk Connection Project

Motion Cousins; support Tell to enter into a contract with the Washtenaw County Road Commission for \$10,000 to design and bid the Cedars of Dexter Sidewalk Connection Project.

Motion Smith; support Fisher to postpone consideration of the contract until a meeting can be arranged with the Washtenaw County Road Commission.

Ayes: Smith and Keough

Nays: Tell, Carson, Cousins, Fisher and Semifero

Motion fails 5 to 2

Original Motion - Motion Cousins; support Tell to enter into a contract with the Washtenaw County Road Commission for \$10,000 to design and bid the Cedars of Dexter Sidewalk Connection Project.

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

Nays: None

Motion carries

2. Discussion of: Sludge Storage Project/S2 Grant Application

Discussion included but was not limited to the S2 Grant that does not have to be paid back and the actual project which will have to be paid back, and the use of various models that show usage and rates in order to pay for the project.

Questions were raised as to why does the Village need to improve sludge storage and what do we charge residents.

3. Consideration of: Scope of Services from Orchard, Hiltz & McCliment for \$172,500 for Design Services for the Sludge Storage Project

Motion Carson; support Semifero to approve the scope of services from Orchard, Hiltz & McCliment for \$172,500 for design services for the Sludge Storage Project.

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

Nays: None

Motion carries

4. Consideration of: Resolution in Support of Submitting S2 Grant Application

Motion Semifero; support Fisher to approve the resolution in support of submitting a S2 Grant Application for an amount not to exceed \$210,246 from the Michigan Finance Authority and the Michigan Department of Environmental Quality for planning and/or design activities.

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

Nays: None

Motion carries

5. Consideration of: Contract with Testing Engineers and Consultants (TEC) in the amount of \$8461 for Materials Testing Services for the Water Main Replacement Project

Motion Cousins; support Smith to approve the contract with Testing Engineers and Consultants in an amount not to exceed \$8461 for Materials Testing Services for the Water Main Replacement Project

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

Nays: None  
Motion carries

6. Consideration of: Scope of Services from Orchard, Hiltz & McCliment for \$18,300 to complete the Design of the Main Street Resurfacing Project

Motion Carson; support Fisher to approve the scope of services from Orchard, Hiltz & McCliment for \$18,300 to complete the design for the Main Street Resurfacing Project.

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

7. Consideration of: Additional Services from Orchard, Hiltz & McCliment in the amount of \$14,700 for the Central Street Project

Motion Carson; support Smith to approve the amount of \$14,700 from Orchard, Hiltz & McCliment for additional services for the Central Street Project.

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

8. Consideration of: Appointment of David Read as the North Middle Representative to the Countywide Transit Authority Board and Jim Carson as the alternate

Motion Semifero; support Fisher to appointment David Read as the North Middle Representative to the Countywide Transit Authority Board and Jim Carson as the alternate.

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

## **M. COUNCIL COMMENTS**

Carson	None
Fisher	None
Smith	None
Jones	Thanked Courtney for taking the minutes at the last meeting and in August and to Donna for being my chauffer for the evening.
Tell	None
Semifero	Will be absent for the next meeting, inquired if there was a maintenance plan for the Department of Public Works parking lot, and requested a discussion item for the October 24 meeting regarding revoking the drive-way permit for the MAV property on Dexter Ann Arbor Road.

Cousins Suds on the River was a great success and a great evening. Also mentioned was the Huron River Watershed calendars are available for Dexter residents.

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

Lisa Phillips of 3360 Edison Street, Dexter thanked Mr. Cousins and Mr. Carson for supporting the Edison Street residents but was disappointed in the rest of the Council. She stated that the Village Manager and Orchard, Hiltz & McCliment official both said that 60 foot off the right-of-way for the sidewalk makes the most sense. Ms. Phillips invited all to walk the area involved. If you can't put it (the sidewalk) out further, don't put it in at all.

Evelyn Smith of 7810 Fifth Street, Dexter also thanked Mr. Cousins and Mr. Carson. She explained that her home was the most impacted with the landscape in the right-of-way. She also discussed never having received any written communications about the sidewalk. You (the Council) have communications from the Edison Street neighbors that we do not want sidewalks 99 feet off the right-of-way. Although this does not impact her house, it does impact the neighborhood. She stated that she expected my community to listen, but you don't listen.

Roger Koback of 7812 Fourth Street, Dexter spoke of the previous Council meeting a few weeks ago and that he thought people were listening to the location placement of the sidewalk. He asked a question of President Keough, "What is the benefit of having the sidewalk at the 99 foot right-of-way?" Mr. Keough responded to the question. Mr. Koback stated that people purchase homes in the village based on the character of the neighborhood and that he doesn't see the benefit of a sidewalk chopping off a yard. He asked that the Village have sidewalks 10-14 feet off the roadway.

Sue Sherrill of 3435 Edison Street, Dexter spoke of owning property in Los Angeles and the problems her husband had with zoning there and felt that Dexter was different. She mentioned that to her the only time a rule was enforced was when someone complained and that is the nature of the Village. She asked why does the Village own 99 feet and felt that it should belong to the people. She also said that this town is special and not to build the sidewalk up by the house. If the goal is to walk in the Village, build the sidewalk by the road. She encouraged the Council to reconsider and if this was a large area it makes sense but not in a three block street. Residential streets should be under a whole different standard.

Jack Davidson of 3434 Edison Street, Dexter spoke on behalf of his wife stating that if the sidewalk goes in where proposed that we are moving. He also mentioned that when you have 85%-90% saying what they wanted with the sidewalk, it comes down to common sense to place the sidewalk out by the road.

#### **O. ADJOURNMENT**

Motion Carson; support Fisher to adjourn at 11:13 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

Approved for Filing: \_\_\_\_\_

**RESOLUTION #2011-30**

**RESOLUTION TO APPOINT DAVID  
READ AS THE NORTH MIDDLE  
REPRESENTATIVE TO THE  
COUNTYWIDE TRANSIT BOARD**

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

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Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, held on the 26<sup>th</sup> day of September, 2011, Eastern Daylight Time.

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

ABSENT: Members:

The following preamble and resolution were offered by Member Semifero and supported by Member Fisher

**WHEREAS**, in Washtenaw County, a new Countywide Transit Authority is going through the incorporation process under Public Act 196 of 1987; and

**WHEREAS**, the Village of Dexter is a part of the North Middle region of the proposed board; and

**WHEREAS**, the North Middle Transit Selection Committee met on September 7, 2011 and selected David Read as their nominee with Jim Carson as an alternate;

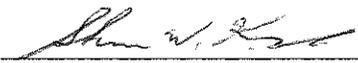
**BE IT RESOLVED** that the Village of Dexter approves the appointment of David Read as the North Middle Representative to the Countywide Transit Authority Board, with Jim Carson as the alternate.

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

NAYS: None

ABSENT: None

**RESOLUTION DECLARED ADOPTED THIS 26<sup>th</sup> DAY OF ~~AUGUST~~ <sup>SEPTEMBER</sup>, 2011**

  
\_\_\_\_\_  
Village President – Shawn W. Keough

**CERTIFICATION**

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 26<sup>th</sup> day of ~~August~~, 2011.

*September*

*Carol J. Jones*

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Village Clerk – Carol J. Jones

Village of Dexter  
County of Washtenaw

Resolution Authorizing the S2 Grant Agreement

Minutes of the regular meeting of the Village Council of the Village of Dexter  
County of Washtenaw, State of Michigan, (the "Municipality") held on  
September 26, 2011.

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

ABSENT: Members: \_\_\_\_\_

Member Semifero offered and moved the adoption of the following resolution,  
seconded by Member Fisher.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204a that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2010 PA 231, which provides grants to assist municipalities in completing loan application requirements under MCL 324.5308 or completing loan application requirements for other sources of financing for sewage treatment works projects, storm water treatment projects or nonpoint source projects; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "S2 Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204a, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to undertake planning, revenue system development, and/or design activities related to a project for which it intends to seek financing for construction; and

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$210,246 ("Grant") be requested from the MFA and the DEQ to pay for the planning and/or design activities; and

WHEREAS, the Municipality shall obtain this Grant by entering into the S2 Grant Agreement with the MFA and the DEQ.

YEAS: Members: *Semifero, Tell, Fisher, Smith, Cousins, Carson, Keough*

NAYS: Members: *None*

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, 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.

*Carol J. Jones*  
Name Carol J. Jones  
Village          of Dexter, Clerk  
Village          of Dexter County of Washtenaw

**VILLAGE OF DEXTER AGREEMENT  
FOR DEXTER-PINCKNEY ROAD PATHWAY**

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by and between the Village of Dexter (the "Village") and the Board of Washtenaw County Road Commissioners (the "Road Commission").

WHEREAS, the Village desires to construct a five foot wide concrete sidewalk along Dexter Pinckney Road to Westridge Drive and near the intersection of Dexter-Pinckney Road and Island Lake Road in order to interconnect pedestrian and non-motorized systems within the Village (the "Project"); and

WHEREAS, the Project will construct a sidewalk in order to connect the Cedars of Dexter and Gordon Hall to the existing sidewalk network in the Westridge of Dexter subdivision; and

WHEREAS, the Village wishes to construct the sidewalk to provide connectivity while preserving as much of the current vegetation in the area as possible; and

WHEREAS, the Project includes the construction of a crosswalk and pedestrian signal for the southeast leg of the Island Lake Road and Dexter-Pinckney Road intersection; and

WHEREAS, the Village desires the Road Commission to design and prepare bid documents for the Project including completion of survey work, plan preparation, engineering and design, and attendance at public meetings as necessary, project bidding; and

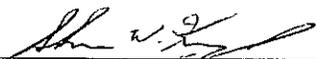
WHEREAS, the Village will be responsible for inspection and post-bid construction services for the project; and

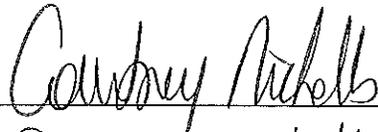
WHEREAS, the Road Commission will complete all traffic and pedestrian signal work, including the purchase of the equipment and installation of the equipment; and

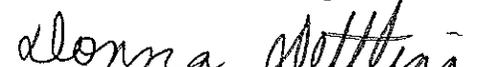
THEREFORE, BE IT AGREED that the Village will pay the Road Commission an amount not to exceed ten thousand dollars (\$10,000) ("PE Cost"); and

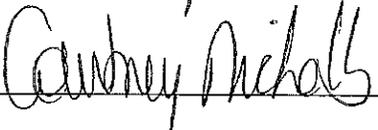
BE IT FURTHER AGREED that the Village shall pay the PE Cost to the Road Commission concurrent to the execution of this AGREEMENT.

FOR VILLAGE OF DEXTER:

  
\_\_\_\_\_  
Shawn W. Keough, Village President

  
\_\_\_\_\_  
Courtney Michals, Witness

  
\_\_\_\_\_  
Donna Dettling, Village of Dexter

  
\_\_\_\_\_  
Courtney Michals, Witness

FOR WASHTENAW COUNTY ROAD COMMISSION:

\_\_\_\_\_ Witness  
Douglas E. Fuller, Chair

\_\_\_\_\_ Witness  
Steven M. Puuri, Managing Director