

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, JANUARY 23, 2012

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:33 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

J. Semifero

J. Smith

R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Carol Jones, Village Clerk; Allison Bishop, Community Development Manager; Marie Sherry, Finance Director/Treasurer; Rana Emmons, Post, Smythe, Lutz & Ziel; Kurt Augustine, Streets Foreman; Scott Maurer, Utility Department; Rhett Gronevelt and Christine Phillips, Orchard, Hiltz and McCliment; Matt McDonald, Washtenaw County Road Commission; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – January 9, 2012
2. Work Session – January 9, 2012
3. Work Session – January 14, 2012

Motion Smith; support Semifero to approve the minutes of the Regular Council Meeting of January 9, 2012, the Work Session of January 9, 2012, and the Work Session of January 14, 2012.

Unanimous voice vote for approval

D. PREARRANGED PARTICIPATION

Village Auditor – Rana Emmons; Post, Smythe, Lutz & Ziel
2010 – 2011 Audit

Ms. Emmons addressed Council regarding the 2010-2011 audit stating that it was a clean audit and in the highest opinion. She praised the Village for keeping a lid on capital expenditures and not having to have dipped into reserves with one time revenue from the state revenue sharing.

E. APPROVAL OF THE AGENDA

Motion Smith; support Cousins to approve the agenda with an additional item of information under on item K-1, Cityhood Next Steps and change L-2 to read Recommendation Wellness Center *Preliminary* Site Plan.

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

Christine Phillips, 285 East Ann Arbor Trail, Plymouth and of Orchard, Hiltz & McCliment thanked Council and staff for the opportunity to work with the Village as she is leaving the company.

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Michigan Municipal League Personal Property Tax Repeal Letter Update
4. Letter to Anlaan from Washtenaw County

I. REPORTS

1. Community Development Manager – Allison Bishop

Ms. Bishop submits her report as per packet. Ms. Bishop gave the following updates:

- Have no new information on the closing for Northern United Brewing.
- Asked Council members to complete the sign survey included in the packet.
- Have been in contact with the Dexter Crossings condo residents regarding the condition of their roadway. They ~~needeare~~ requesting help to get this accomplished.
- Questions were asked of Ms. Bishop regarding the land split of Dexter Crossings and the ~~reason~~ request for additional funding from Carlisle Wortman for the completion of the ~~Westside Connector~~ Master Plan.

2. Finance Director/Treasurer – Marie Sherry

Ms. Sherry submits her report as per packet. Ms. Sherry gave the following updates:

- Have an intern in the Finance Department. He is unpaid, doing the work for credit and will be there until April.
- Software upgrade materials are expected to be here by February 1.
- Regarding the bank fees that were mentioned in the report, Ms Sherry explained that interest rates usually have covered the fees in the past, but

now rates are low. She has talked to the banks and is getting some reimbursement of the fees.

- She mentioned that the last day to collect taxes will be February 29.
- She announced that we are pretty close to benchmark on this year's budget.
- Will be meeting with Tom Traciak and Tom Colis regarding the Rural Development bonds and will present to Council on February 13 some means of restructuring the bonds.
- Answered questions regarding the money in the street funds and the repayment of moneys from the Downtown Development Authority for purchased property.

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

Dexter Area Chamber of Commerce – Paula Palmer Burns

In the absence of Ms. Palmer, Council Representative Paul Cousins reported that the Chamber is moving forward and that the Annual Meeting and Dinner is scheduled for March 15 and the combined Golf Outing with Chelsea will be in June.

Washtenaw Area Transportation Study Policy Rep. – Jim Carson

Mr. Gronevelt reported on the re-submitting of applications for the 2014 road projects and he answered questions regarding the process.

4. Subcommittee Reports

Downtown Fire Detection
Economic Preparedness
Facilities

Website – Jim Smith

Mr. Smith reported that the Website Committee will meet on January 26 and will continue to review the initial design from the vendor.

5. Village Manager Report

Mrs. Dettling submits her report as per packet. Mrs. Dettling gave the following verbal updates:

- Also mentioned the future meeting on bond restructuring
- Mentioned for those in the audience that the Village is in the process of borrowing additional money for projects at the wastewater treatment plant and the benefit to the Village to restructure.
- Spoke about being pro-active in meeting with and understanding the needs of the larger taxpayers in the Village.
- Ms. Nicholls has found some documents regarding the inspections on certain roads in Dexter Crossings which will help in the possible dedicating of those roads.

6. President's Report

Mr. Keough submits his report as per packet. In addition Mr. Keough:

- Asked if everyone was OK with the proposed meeting dates listed in his report and will finalize those dates.
- Spoke about the two meetings last week with the Regional Fire Department and the State Boundary Commission and said he though both went well.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$247,687.50

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

Unanimous voice vote for approval

K. OLD BUSINESS-Consideration and Discussion of:

1. Discussion of: Cityhood Next Steps

Mr. Keough spoke of the two documents included in the packet- the information on the 30-day comment period and the filing of the stipulations. He requested that the Village have the information on the next steps available for the residents.

2. Discussion of: Determination of 2012 Road Projects

Mr. Keough asked if anyone had any questions on the 2012 road projects and if there was any objection to going ahead with Main Street and Central Street as planned.

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Acceptance of 2010 – 2011 Audit

Motion Fisher; support Smith to accept the 2010-2011 Audit from Post, Smythe, Lutz & Ziel.

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

Nays: None

Motion carries

2. Consideration of: Recommendation of Wellness Center Preliminary Site Plan

Motion Smith; support Tell 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 Dexter Wellness Center preliminary site plan dated 1-18-12 meets the requirements to recommend the preliminary site plan. In making this determination, the following additional conditions shall apply:

1. Meeting the engineering review requirements listed in the January 17,2012 review.

2. Submission of 5 revised plan sets in accordance with Section 21.04(E), including floor plans and elevations.

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

Nays: None

Motion carries

3. Discussion of: Contract with the Road Commission to Complete the Dexter-Pinckney Sidewalk

Matt McDonald of the Washtenaw County Road Commission spoke of the sidewalk improvements on Dexter-Pinckney Road. He stated that they are looking to go out for bids by March with the start of the project by late spring. Questions and comments raised were who would be responsible for snow removal and including warning signs of a pedestrian crossing for motorists.

4. Consideration of: Public Art Plan

Motion Cousins; support Fisher to approve the Public Art Plan with the addition of two at large members being residents of the Village, a two thirds approval vote by the selection committee and all other additional comments for corrections.

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

Nays: None

Motion carries

5. Consideration of: Resolution of Intent for Participating in the National Flood Insurance Program

Motion Tell; support Smith to approve the resolution of intent for participating in the National Flood Insurance Program.

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

Nays: None

Motion carries

6. Consideration of: Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program

Motion Tell; support Smith to approve the resolution and Intergovernmental Agreement to manage floodplain development for the National Flood Insurance Program.

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

Nays: None

Motion carries

7. Consideration of: Setting a Public Hearing for February 13, 2012 to Establish an Industrial Development District at 3515 Broad (HD-03-31-

Motion Semifero; support Tell to set a Public Hearing for February 13, 2012 to establish an Industrial Development District at 3515 Broad Street (HD-03-31-475-011) and 8155 Huron Street (HD-03-31-457-010)

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

M. COUNCIL COMMENTS

Carson	None
Semifero	Thanks to Allison for all of her work on the signs.
Smith	None
Jones	Invited Council members to attend the first Dexter Daze meeting on February 6 and will be going to Phoenix for a few days.
Fisher	In the past we have always complained about how long the Christmas lights were left up...but this year they are gone. Thank you Kurt.
Tell	None
Cousins	Had the opportunity to attend two meetings this past week with Allison – the Gateway Initiative (which is moving along) and the Huron River Watershed Council and Dexter along with Ann Arbor, Milford and Flat Rock are part of a pilot program for the Huron River Water Trail.

N. NON-ARRANGED PARTICIPATION

Marie Sherry, 8140 Main Street and Village Finance Director/Treasurer spoke about a previous question she was asked regarding the property purchases in the 2010-2011 fiscal year and she explained the scenarios of recording this and re-payment to the Village.

O. ADJOURNMENT

Motion Smith; support Fisher to adjourn at 10:00 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: February 13, 2012

MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL
AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATIONAL FLOOD INSURANCE PROGRAM

Community A: Village of Dexter

Community/Entity B: Washtenaw County

WHEREAS, Community A _____

(check the appropriate statement) currently participates desires to participate

in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by the action dates of this document or an existing historical agreement dated January 25, 2012, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within Community A’s political boundaries, and

WHEREAS, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B’s officially designated enforcing agency for the construction code act, County Building Official, be directed to administer, apply, and enforce on Community A’s behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and

- g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. Community A and Community/Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
 3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER BE IT RESOLVED, both communities declare their understanding that, until this resolution is rescinded or Community A makes other provision to enforce the construction code act:

1. Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and
2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

Community A: Village of Dexter

Date Passed: January 23, 2012

Officer Name: Carol J. Jones

Title: Village Clerk

Signature: Carol J. Jones

Date: 2/13/2012

Witness Name: Courtney Nicholls

Title: Assistant Village Manager

Signature: Courtney Nicholls

Date: 2/13/12

Community/Entity B: Washtenaw County Building Insp

Date Passed: January 25, 2012

Officer Name: Ronald Baker/Donald Schnettler

Title: Building Official/Building Official

Signature: Ronald Baker / Donald Schnettler

Date: 1-25-12

Witness Name: Deborah Schmitt

Title: Permit & Inspection Supervisor

Signature: Deborah L. Schmitt

Date: 1/25/2012

**MICHIGAN COMMUNITY RESOLUTION OF INTENT
FOR
PARTICIPATING IN THE NATIONAL FLOOD INSURANCE PROGRAM**

WHEREAS, certain land and water areas within the governmental boundaries of the Village of Dexter in Washtenaw County are subject to periodic flooding, mudslides (i.e., mudflows), or flood related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance, as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, this community desires to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP); and

WHEREAS, this community has the legal authority to administer or has an agreement with another entity to administer the state construction code comprised of the Michigan Residential Code and the Michigan Building Code and its Appendices, specifically Appendix G, adopted pursuant to the Stille-Derossett-Hale Single State Construction Code Act, 1972 PA 230, as amended, MCL 125.1501, et. seq. (construction code act), and further has authority to adopt land use and control measures to reduce future flood losses pursuant to: (check applicable authority)

- 1. 2008 PA 33, Michigan Planning Enabling Act, MCL 125.3801-125.3883
- 2. 2006 PA 110, Michigan Zoning Enabling Act, MCL 125.3101-125.3702, as amended by 2008 PA 12

and

WHEREAS, the official administration and enforcement of the construction code act and the state construction code within this community's political boundaries, MCL 125.1508b by the Washtenaw County Building Department as this community's enforcing agency, will provide the means to implement and enforce an effective and competent floodplain management program, and

WHEREAS, this community or its enforcing agency is responsible for the submittal on the first anniversary date of the community's initial eligibility, a report to the Federal Insurance Administrator (Administrator) on the progress the community has made during its first year of participation, in the development and implementation of floodplain management measures, and thereafter, submit biennial reports as requested by the Administrator; and

WHEREAS, this community intends to recognize and duly evaluate flood, mudslide (i.e., mudflow) and flood related erosion hazards in all official actions relating to land use in areas having these hazards within its jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED, that this community's governing body hereby:

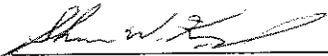
1. Assures the FEMA that the construction code act and the state construction code is administered and enforced within its boundaries; it intends to identify and duly evaluate and enact as necessary, and maintain in force in those areas having flood, mudslide (i.e., mudflow), or flood related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, of the NFIP Regulations; and
2. Commits to vest with the community's floodplain management enforcing agency the responsibility to maintain for public inspection and to furnish, upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed; and
3. Commits to take such other official action as may be reasonably necessary to carry out the objectives of the NFIP program; and
4. Commits, in its interactions with the Administrator, to:
 - a. Assist the Administrator at his/her request, in his/her delineation of the limits of the area having special flood, mudslide (i.e., mudflow), or flood related erosion hazards.
 - b. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow), or flood related erosion areas.
 - c. Cooperate with federal, state, and local agencies and private firms which undertake to study, survey, map, and identify floodplain, mudslide (i.e., mudflow), or flood related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide (i.e., mudflow), and/or flood related erosion areas in order to prevent aggravation of existing hazards.
 - d. Upon occurrence, notify, the Administrator in writing whenever the boundaries of the community have been modified by annexation, or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBMs and FIRMs accurately represent the community's boundaries, include within such modification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

Participating Community: Village of Dexter

Date Passed: January 23, 2012

Officer Name: Shawn W. Keough

Title: Village President

Signature: 

Date: 2/15/2012

Certified by: Carol J. Jones

Title: Village Clerk

Signature: 

Date: 2/16/2012