

DEXTER VILLAGE COUNCIL  
REGULAR MEETING  
MONDAY, MAY 14, 2012

**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 - ab

D. Fisher

J. Smith

P. Cousins

J. Semifero -ab

R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Marie Sherry, Finance Director/Treasurer; Dan Schlaff, Public Utility Foreman; Carol Jones, Village Clerk; Rhett Gronevelt, Orchard, Hiltz & McCliment; Paul Evanoff, JJR; Anne McLaughlin, Johnston, Rosati, Schultz & Joppich; and residents and media.

**C. APPROVAL OF THE MINUTES**

1. Special Council Meeting – April 18, 2012
2. Regular Council Meeting – April 23, 2012
3. Work Session – May 4, 2012

Motion Smith; support Cousins to approve the minutes of the Special Council Meeting of April 18, 2012, the minutes of the Regular Council meeting of April 23, 2012 and the minutes of the Work Session of May 4, 2012 as presented.

Unanimous voice vote for approval with Trustees Carson and Semifero absent.

**D. PREARRANGED PARTICIPATION**

None

Mr. Carson entered the meeting at 7:31 PM

**E. APPROVAL OF THE AGENDA**

Motion Smith; support Tell to approve the agenda with following additional information:

I-4, Subcommittee Report, Home Page and Secondary Page of new website  
L-9, New Business, Consideration item, Mill Creek Park Change Orders

Unanimous voice vote for approval with Trustee Semifero absent

## **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. April Citation List
4. Letter from Comcast
5. Response Letter from Comcast to Village
6. Webster Township Public Hearing for an Industrial Facilities Exemption Certificate for Thomson-Shore (7300 Joy)
7. Washtenaw Area Transportation Study April Newsletter
8. Thank You Letter from the Dexter Senior Center

Additional Meetings not on the list are:

1. Dexter Area Historical Society and Museum meeting on Thursday, May 31 at 7:30 PM at Gordon Hall
2. Memorial Day Parade Committee will meet Monday, May 21 and June 4 at 7 PM at the Dexter Area Museum
3. Chelsea Area Planning Team/Dexter Area Regional Team will meet at the Scio Township Hall on May 21

Discussion was also held on the Response Letter from Comcast/Xfinity and a request to have the times added to the Activity Log from the Washtenaw County Sheriff's Department.

Mr. Semifero entered the meeting at 7:38 PM

## **I. REPORTS**

1. Community Development Manager – Allison Bishop

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

- Requesting direction on zoning for Northern United Brewing Company's tasting room. Presented two options with the second option being a preferred option. Discussion followed regarding the time request for the liquor license and recommendation to approve with an allowance for special use.
- Westridge path will be seal coated tomorrow (May 15).

- Dexter Chamber will have Marc Breckenridge, Director of Emergency Services for the Washtenaw County Sheriff's Department as a guest speaker on June 21.
- Would like to hold a Grand Opening for Mill Creek Park possibly during Dexter Daze.
- Questions were asked if the Border to Border Trail to Hudson Mills will be done this summer and has Planning Commission approved the daycare application.

## 2. Finance Director/Treasurer – Marie Sherry

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

- The financial software update is complete. The way some reports are generated has changed with the new software.
- Tax collection is complete and the Michigan Municipal League is reporting that there will be a replacement of funding when the personal property tax is changed.
- We have some funds that can be used for the tornado cleanup expenses.
- Not ready to go to credit card payments yet, will be using point and pay until more research can be done.
- Highlighted the cost schedule for the Village audit stating that staff is very pleased with the current auditors.
- The bond sale went through and the Village's credit has improved. Will be closing on the bonds on May 31.
- Will be coming back before Council with some minor transfers before the end of the fiscal year. Also working on issues with the Streetscape special assessments.

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

### *Gordon Hall Mgmt Team Representative – Donna Fisher*

- The Management Team met in late April
- Looking at ways to raise funds to pay off the mortgage on Gordon Hall. Have come up with 4 events through out the year – currently have Civil War Days and Christmas at the Mansion and would add a Halloween event and a spring event such as a Mad Hatter's Tea Party.
- Plans are well underway for the upcoming Civil War Days.

### *Dexter Area Fire Department – Ray Tell*

Mr. Tell gave an update to Council.

- The Fire Board met last Thursday and looked at the Interlocal Agreement from the Regional Development Team.
- Spoke about the concerns that Dexter has regarding first responders and the need for more information on business that the Dexter Department do respond through mutual aid .
- Have purchased a gator from Boullion Sales for use on the Border to Border Trail and the Metropark

## 4. Subcommittee Reports

Downtown Fire Detection  
Economic Preparedness  
Facilities

**Website – Jim Smith**

Mr. Smith talked about the home page and secondary page that was included as additional information at the meeting. Looking at a date of July 1 to begin the new site.

**4. Village Manager Report**

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

- Mrs. Dettling gave an update on Main Street with milling and surface work on Tuesday (May 15), paving on Wednesday (May 16), striping on Thursday (May 17) and opening for traffic possible on Thursday or on Friday for sure. Asking that no one walks on the areas to be paved due to the sticky coating application.
- The storm water work session was a good one. Need now to talk about prioritizing storm water projects.
- Noted a 2% decrease in the budget for insurance from Michigan Municipal Risk Management Authority.
- At the next meeting Council will be looking at the reconciliation of costs from Bricco for the water main project.
- Have posted the help wanted ad for summer help, got 12 applications back and have a candidate in mind for the position.
- Sodding to be finished tomorrow (May 15) on the Bricco project.
- Discussed the changes this year for the Memorial Day Parade and Program.
- Questions were raised regarding the Car Wash on Second Street and is it going to be worked on, the mowing of a lawn on Main Street, and when will Council see the selections of public art.

**5. President's Report**

Mr. Keough submits his report as per packet. In addition Mr. Keough gave the following verbal updates:

- The State Boundary Commission voted 5-0 to move to the next stage using the modified boundary
- Mentioned the Transportation Study document sent by email and if there were any other questions or comments on this.
- Regional Fire – Is it moving fast or slow? Scio Township and the Village have passed the concept. Webster Township is still considering it and Dexter Township will look at it after Webster has made a decision.

**J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$507,622.47

2. Consideration of: Request from Dexter Lions Club to hold their annual White Cane Fund Drive Friday May 25, 2012 and Saturday May 26, 2012
3. Consideration of: Request from Dexter Senior Center to close Central Street from Main to 5<sup>th</sup> for the Ice Cream Social on June 2, 2012 from 7 a.m. to 6 p.m.
4. Consideration of: Application from the Village of Dexter, Dexter American Legion Post #557, and Dexter Historical Society to hold the Memorial Day Ceremony and Parade on May 28, 2012

Motion Fisher support Smith to approve items 1, 2, 3 and 4 of the Consent Agenda.

Unanimous voice vote for approval

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

1. Discussion of: Cityhood Next Steps

Covered under President Keough's report.

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

1. Consideration of: Resolution Authorizing Notice of Intent and Declaring Intent to Reimburse for the 2012 State Revolving Fund Sludge System Improvement Project

Motion Tell; support Smith to pass the resolution authorizing the Notice of Intent to reimburse in the amount of \$3,300,000 for the 2012 State Revolving Fund Sludge System Improvement Project and to publish such notice.

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

Nays: None

Motion carries

2. Consideration of: Setting Two (2) Public Hearings on June 11, 2012 for the 2012-2013 Water/Sewer/Refuse Rates and the 2012-2013 Millage Rate and 2012-2013 Budget

Motion Tell; support Fisher to set two Public Hearings on June 11, 2012 for the 2012-2013 Water/Sewer/Refuse Rates, the 2012-2013 Millage Rate, and 2012-2013 Budget.

Ayes: Smith, Tell, Fisher, Cousins and Keough

Nays: Semifero and Carson

Motion carries 5 to 2

3. Discussion of: Bids Received for the Construction of the Dexter-Pinckney /

## Island Lake Sidewalk

Discussion included but was not limited to whether to accept the two bids or re-bid the project and to direct staff to re-bid the project as it is still early in the construction season.

At 9:23 PM a short recess was taken and the meeting resumed at 9:26 PM

4. Consideration of: Planning Commission recommendation to adopt Amendments to Article 5 of the Zoning Ordinance, Parking and Loading
5. Consideration of: Planning Commission recommendation to adopt Amendments to Article 6 of the Zoning Ordinance, Landscaping Standards
6. Consideration of: Planning Commission recommendation to adopt Amendments to Article 15B of the Zoning Ordinance, Ann Arbor Road Corridor Overlay District
7. Consideration of: Planning Commission recommendation to adopt Amendments to Article 15D of the Zoning Ordinance, Baker Road Corridor Overlay District
8. Consideration of: Planning Commission recommendation to adopt Amendments to Article 20 of the Zoning Ordinance, Schedule of Regulations

Motion ~~Carson~~Cousins; support Smith per Section 23.06, Criteria to Amendment to the Zoning Ordinance Text, the Public Hearing held by the Planning Commission on May 7, 2012, and the Planning Commission's recommendation, the Village Council approves the recommended amendments to Article 6, Landscaping Standards; Article 15B, Ann Arbor Road Corridor Overlay District; Article 15D, Baker Road Corridor Overlay District; and Article 20, Schedule of Regulations in order to promote the implementation of the goals and objectives of the master Plan and to provide the highest quality and most consistent standards throughout the Village's Zoning districts; and to postpone a vote on Article 5, Parking and Loading and send it back to the Planning Commission for review.

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

Nays: Semifero

Motion carries 6-1

9. Consideration of: Mill Creek Park Change Orders

Motion Carson; support Cousins to approve the recommended changes to the Mill Creek Park Project in an Amount not to exceed \$6000.00.

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

Nays: None

Motion carries

## M. COUNCIL COMMENTS

Cousins	June 2 is the Yellow Door in Dexter fundraiser for the Arts, Culture and Heritage Committee at 7648 Forest. The Gateway Initiative is still meeting on a monthly basis and has adopted a logo which they will reveal at the end of September.
Semifero	Will be late to the next meeting due to playoffs for the Dexter Girl's Soccer team. They are ranked in the top 10 in the state.
Fisher	None
Jones	As this is the 40 <sup>th</sup> Anniversary of Dexter Daze, I would invite the Parks and Recreation Commission to work with the Committee to include possibly the formal opening of Mill Creek Park and a link to the future use of the park during Dexter Daze.
Smith	None
Tell	None
Carson	None

## N. NON-ARRANGED PARTICIPATION

None

## O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION IN ACORDANCE WITH MCL 15.268 Sec.8 Koback v. Village of Dexter – Washtenaw Circuit Court Case #11-579-NZ

Motion Smith; support Tell to go into Closed Session for the purpose of discussing pending litigation at 10:05 PM.

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

Motion Smith; support Fisher to leave closed session at 10:47 PM.

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

Motion Carson; support Smith to approve the study proposal for Baker/Forest/Hudson Area Drainage Improvements in an amount not to exceed \$17,800.00 for engineering services.

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

## P. ADJOURNMENT

Motion Carson support Smith to adjourn at 10:49 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

Approved for Filing: May 29, 2012

**RESOLUTION AUTHORIZING NOTICE OF INTENT AND  
DECLARING INTENT TO REIMBURSE**

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**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 14th day of May, 2012, at 7:30 p.m., prevailing Eastern Time.

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

ABSENT: None

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

WHEREAS, the Village of Dexter, County of Washtenaw, State of Michigan (the "Village") intends to issue and sell bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Three Million, Three Hundred Thousand Dollars (\$3,300,000) for the purpose of paying all or part of the cost of acquiring and constructing additions, extensions and improvements to the Village's Wastewater Treatment Plant, including upgrades to the sludge handling system and related components, including the digesters, gas collection and heating systems, pumps and other appurtenances, together with all necessary interests in land, rights of way and all appurtenances and attachments therefor (the "Project"); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, the Village intends at this time to state its intentions to be reimbursed from proceeds of the bonds for any expenditures undertaken by the Village for the Project prior to issuance of said bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in *The Dexter Leader*, a newspaper of general circulation in the Village.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form, as the same may be modified or amended by the Village Manager or the Village Clerk upon the advice of the Village's bond counsel, provided that the principal amount of bonds may not be increased without the approval of the Council:

**NOTICE TO TAXPAYERS AND ELECTORS OF THE  
VILLAGE OF DEXTER, COUNTY OF WASHTENAW, MICHIGAN,  
AND THE USERS OF THE VILLAGE'S SEWER SYSTEM  
OF INTENT TO ISSUE BONDS AND THE  
RIGHT OF REFERENDUM RELATING THERETO**

PLEASE TAKE NOTICE that the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Three Million, Three Hundred Thousand Dollars (\$3,300,000), in one or more series for the purpose of paying all or part of the cost of acquiring and constructing additions, extensions and improvements to the Village's Wastewater Treatment Plant, including upgrades to the sludge handling system and related components, including the digesters, gas collection and heating systems, pumps and other appurtenances, together with all necessary interests in land, rights of way and all appurtenances and attachments therefor, to serve the users of the system.

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

**SOURCE OF PAYMENT OF REVENUE BONDS**

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE from the revenues received by the Village from the operations of the sewer system except as provided below in the case of bonds sold to the Michigan Finance Authority in connection with the State of Michigan's State Revolving Fund program. Said revenues will consist of rates and charges that may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

**ALTERNATE SOURCE OF PAYMENTS IN THE EVENT BONDS  
ARE ADDITIONALLY SECURED BY THE LIMITED TAX  
FULL FAITH AND CREDIT OF THE VILLAGE**

IN THE EVENT THAT THE VILLAGE COUNCIL DEEMS IT DESIRABLE TO SELL SAID BONDS TO THE MICHIGAN FINANCE AUTHORITY, THE VILLAGE MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE VILLAGE DERIVED FROM THE IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE VILLAGE AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The Village may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the Village as provided by law, to the Authority or a trustee, and such funds may be pledged for the payment of the bonds.

IN THE EVENT THAT THE REVENUE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, THE VILLAGE MAY PLEDGE ITS LIMITED TAX FULL FAITH AND CREDIT AS SECURITY FOR THE REVENUE BONDS, IN WHICH EVENT DEBT SERVICE ON THE BONDS SHALL BE PAYABLE EITHER FROM REVENUES OF THE SEWER SYSTEM OR FROM AD VALOREM TAXES THAT MAY BE LEVIED ON ALL TAXABLE PROPERTY IN THE VILLAGE, SUBJECT HOWEVER, TO APPLICABLE CONSTITUTIONAL AND STATUTORY TAX RATE LIMITATIONS.

**RIGHT OF REFERENDUM**

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE VILLAGE IS FILED WITH THE VILLAGE CLERK OF THE VILLAGE, 8140 MAIN STREET, DEXTER, MICHIGAN 48130, WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE VILLAGE VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Carol Jones, Village Clerk  
Village of Dexter

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

3. The Council does hereby determine that the foregoing form of notice of intent to issue said bonds and the manner of publication directed is the method best calculated to give notice to the Village's taxpayers and electors of the Council's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The Village makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the Village reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Village.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring, constructing, and equipping the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$3,300,000.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

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

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

  
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 Carol Jones, Village Clerk  
 Village of Dexter

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, State of Michigan, at a regular meeting held on May 14, 2012, and that 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.

  
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 Carol Jones, Village Clerk  
 Village of Dexter