



2012-2013 Water/Sewer/Refuse Rates

Consideration of: Resolution for the Purpose of Establishing Water, Sewer and Refuse Rates Effective July 1, 2012 for the Village of Dexter

**Page # 13-16**

**G. NON-ARRANGED PARTICIPATION:**

*Non-arranged participation will include those in the audience not listed on the agenda that wish to speak. At the Village President's discretion, members of the audience may be called on to speak at any time. Those addressing the Council will state their name, and address. This section is limited to 5-minutes per participant or 10-minutes for group representatives.*

**H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar
3. Huron River Watershed Council Dues Letter
4. Invitation to Red Cross Luncheon

**Page # 17-30**

**I. REPORTS:**

1. Community Development Manager Report– Allison Bishop

**Page# 31-48**

2. Board, Commission, & Other Reports- “Bi-annual or as needed”

Arts, Culture & Heritage Committee  
Chelsea Area Planning Team / Dexter Area Regional Team  
Dexter Area Chamber  
Dexter Area Fire Department  
Downtown Development Authority Chair  
Farmers Market/Community Garden  
Gateway Initiative  
Gordon Hall Mgmt Team Representative  
Huron River Watershed Council Representative  
Library Board Representative  
**Memorial Day Planning Committee – Donna Fisher, Jim Smith**  
Parks & Recreation Commission  
Planning Commission  
Washtenaw Area Transportation Study Policy Rep  
Western Washtenaw Area Value Express Representative

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3. Subcommittee Reports
  - Economic Preparedness
  - Facilities
  - Website**
  
4. Village Manager Report
  - Update on Streetscape Special Assessment from the Finance Director/Treasurer
  - Page # 49-70**
  
5. President's Report **Page # 71-72**

**J. CONSENT AGENDA**

*Bills & Payroll will be a standing item under consent agenda. Discussion of the Budget and Financial matters will be covered under the Presidents Report as a standing item. Items under consent agenda are considered routine and will be acted upon in one motion. There will be no separate discussion of these items unless a Council Member so requests, and the item will be removed from Consent and added to the regular agenda at the end of New Business.*

1. Consideration of: Bills & Payroll in the amount of: \$ 260,313.64  
**Page# 73-80**
  
2. Consideration of: Zoning Board of Appeals Reappointments  
**Page# 81-82**

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

1. Discussion of: Cityhood Next Steps  
**Page# 83-98**
  
2. Consideration of: Recommendation from Planning Commission to approve the inclusion of child care centers and day care centers as a permitted use within Article 14A Professional Business (PB) District  
**Page# 99-112**
  
3. Discussion of: Recommendations from Public Art Selection Committee for the Temporary Art Display  
**Page# 113-114**

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

1. Consideration of: Relocation of Sewer Main as Part of Central Street Project  
**Page# 115-118**
  
2. Consideration of: Scope of Services from Orchard, Hiltz & McCliment for Construction Services for the Sludge System Improvement Project in an Amount Not to Exceed \$330,000  
**Page# 119-124**
  
3. Consideration of: Modifications to Park and Park Facility Use Form  
**Page# 125-130**
  
4. Consideration of: Promotion of Dan Schlaff to Superintendent  
**Page# 131-134**
  
5. Consideration of: Request from Aubree's Pizzeria & Grill for Extension of Hours for Liquor Sales for Special Events  
**Page# 135-180**
  
6. Consideration of: Bid Award to Knight's Excavating for Alley Work in an Amount Not to Exceed \$14,750  
**Page# 181-186**
  
7. Discussion of: Recommendation from the Planning Commission to Adopt the Master Plan  
**Page# 187-190**

**M. COUNCIL COMMENTS**

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**N. NON-ARRANGED PARTICIPATION**

*Same as item F. Those addressing the Council will state their name, and address. This section is limited to 5-minutes per participant or 10-minutes for group representatives.*

**O. ADJOURNMENT**

*“This meeting is open to all members of the public under Michigan Open Meetings Act.”*

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DEXTER VILLAGE COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 29, 2012

AGENDA 6-11-12  
ITEM C-1

**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 -ab  
R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Carol Jones, Village Clerk; Rhett Gronewelt and Patrick Droze, Orchard, Hiltz & McCliment; Sgt. Keith Flores, Washtenaw County Sheriff's Department; John Coy and Brian Brassow, Parks and Recreation Commission, State Representative, Mark Ouimet; and residents and media.

Mr. Semifero entered the meeting at 7:31 PM.

**C. APPROVAL OF THE MINUTES**

1. Regular Council Meeting – May 14, 2012
2. Work Session – May 16, 2012

Motion Smith; support Tell to approve the minutes of the Regular Council Meeting of May 14, 2012 and the minutes of the Work Session of May 16, 2012 with one correction on page 6 of the Regular Council Meeting, *motion on items 4-8 was made by Trustee Cousins and not Trustee Carson.*

Unanimous voice vote for approval

**D. PREARRANGED PARTICIPATION**

Introduction of Sergeant Keith Flores of the Washtenaw County Sheriff's Department.

**E. APPROVAL OF THE AGENDA**

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

I-1, Community Development Manager Report – information on Preliminary Mill Creek Park Sign Locations

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**

Larry Stalker of 2470 Baker Road, Dexter spoke on behalf of the Dexter American Legion thanking the Village for support and help for the Memorial Day Parade and Ceremony. He mentioned that he had heard many positive comments about the festivities.

Beth Chamberlain of 1701 Baker Road, Dexter also thanked the Village for the help in planning the event.

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar
3. Scio Township's Spring 2012 Newsletter
4. Letter from Comcast

## **I. REPORTS**

1. Community Development Manager – Allison Bishop

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

- Gave a presentation on the Preliminary Mill Creek Park Signage at an anticipated cost of approximately \$23,000. Ms. Bishop asked for comments and feedback. It was suggested that there may be local sources to do the masonry work on the base of the kiosk.
- Council is invited to attend the Storm Water Workshop on June 4<sup>th</sup> prior to the Planning Commission Meeting and the Master Plan Public Hearing at the Planning Commission Meeting at 7:30 PM also on the 4<sup>th</sup>.
- The Parks and Recreation Commission will be participating at Dexter Daze with fly fishing and canoe/kayak demonstrations at the Mill Creek Park.
- The park project is continuing and the next step will be pouring concrete. It looks like the stairs at the Library will not begin until July 1. A question was raised if the climbing rock could also have the graffiti sealer placed on it.
- A question was raised on the notice of the Zoning Board of Appeals for signage at LaFontaine Chevrolet and discussion followed.

- Mr. Cousins spoke about the placement of the porti-potties for the Summer Series at the Cottage Inn lot.

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

None

3. Subcommittee Reports

Downtown Fire Detection  
Economic Preparedness  
Facilities  
Website

4. Village Manager Report

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

- Would like to have a discussion item on the change of Surface Transportation Program-Urban funds from Baker Road to Central Street at the June 11 meeting or at later meeting.
- Jeffords Street is now closed for a one week to complete the new crosswalk.
- Mr. Cousins noted that the well is not functioning properly as it did last year at the Community Garden. It is low on pressure and have called for service but the well is low on the list.
- The following questions were raised – what are the benefits of the SNAP program at the Farmer’s Market, when will there be news on the Superintendent position, additional hire for the summer and could that person be placed at the water/sewer department, and why the need for pulling a permit at the Huron Farms reconstruction sites.

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

- The Downtown Development Authority has increased the amount for downtown Village maintenance from \$2500 to \$7500 as well as paying back some of the items fronted by the Village.
- Thought that the Memorial Day ceremony and parade went well. Thanked Jim Smith and Donna Fisher for their work on the organizing committee.

**J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$432,390.88
2. Consideration of: Reappointments to Village Commissions/Committees

Motion Fisher support Tell to approve items 1 and 2 of the Consent Agenda.

Unanimous voice vote for approval

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

1. Discussion of: Cityhood Next Steps

Nothing new to report. Expect that the next meeting of the State Boundary Commission will be on June 13, 2012

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

1. Consideration of: Liquor License Request from Northern United Brewing for a new Microbrewer License, new Small Wine Maker License and new Small Distiller License

Motion Cousins; support Carson to approve the Liquor License request from Northern United Brewing Company for a new Microbrewer License, a new Small Wine Maker License and a new Small Distiller License to be located at 2319 Bishop Circle, Dexter.

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

Nays: None

Motion carries

2. Consideration of: Additional Testing and Engineering Services for the 2011 Drinking Water Revolving Fund Project in an Amount Not to Exceed \$16,000

Motion Smith; support Tell to approve additional testing and engineering services for the 2011 Drinking Water Revolving Fund Project in an amount not to exceed \$16,000.

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

Nays: None

Motion carries

3. Consideration of: Approval of the Three (3) Year Proposal from Post, Smythe, Lutz and Ziel to Conduct the Village Audit, Downtown Development Authority Audit and the FY 2011-2012 Single Audit

Motion Fisher; support Smith to approve the three year proposal from Post, Smythe, Lutz and Ziel to conduct the Village Audit, Downtown Development Authority Audit and the FY 2011-2012 Single Audit.

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

Nays: None

Motion carries

4. Consideration of: Downtown Development Authority 2012-2013 Budget

Motion Tell; support Smith to accept the Downtown Development Authority's 2012-2013 budget.

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

Nays: None

Motion carries

5. Consideration of: Award of Bid to Richard Brothers Painting for Painting of 8140 Main and 10 Decorative Light Poles in an Amount Not to Exceed \$7340

Motion Carson; support Fisher to award the bid for painting of 8140 Main Street and 10 decorative light poles to Richard Brothers Painting in an amount not to exceed \$7340.

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

Nays: None

Motion carries

6. Discussion of: Recommendations from Public Art Selection Committee for the Temporary Art Display

Ms. Nicholls and Mr. Cousins reviewed the application and selection process of the four pieces chosen and the additional other possible selection.

7. Discussion of: Recommendation from Planning Commission to approve the inclusions of child care centers and day care centers as a permitted use within Article 14A Professional Business (PB) District

Discussion included but was not limited to a resident not in favor of the proposed change, mixed use districts in the Master Plan and lack of areas in the Village for child care and day care centers.

#### **M. COUNCIL COMMENTS**

Cousins	On Saturday, June 2, the Yellow Door is coming to Dexter to raise money for the Arts, Culture and Heritage Committee at 7648 Forest from 8 AM to 11 AM.
Fisher	None
Tell	Wondering where the process is on the Dexter Car Wash and Village should insist that they should secure their area.
Jones	Could still use volunteers for Civil War Days on June 9 and 10.
Smith	None
Semifero	Announced that the Dexter Girl's Soccer team won 5-0 and will play again on Thursday. Referenced his previous email and that he did not get positive feedback on the process for the Memorial Day Parade. Would like to see proposed suggested phrase at the bottom of the parade application. Also would like to see a change in

mowing and upkeep of developer's lots and looking for feedback regarding this.

Carson

Will have a 9-hole Mini Golf Course on Central Street for the Annual Ice Cream Social on June 2. The event will run from 10 AM - 5 PM.

**N. NON-ARRANGED PARTICIPATION**

Mark Ouimet, State Representative from District 52, reported that they are just about done with the state budget.

**O. ADJOURNMENT**

Motion Smith support Cousins to adjourn at 9:50 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

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

# VILLAGE OF DEXTER

[cnicholls@villageofdexter.org](mailto:cnicholls@villageofdexter.org)

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

## MEMO

**To: President Keough and Village Council**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 5, 2012**  
**Re: 2012-2013 Budget Public Hearing**

Provided in the packet for your review is the draft 2012-2013 budget. The required public hearing on the budget will be held on June 11, 2012.

A few changes have been made to the documents since the budget work sessions.

### General Fund

Revenue from the Downtown Development Authority was increased from \$2500 to \$7500.

The \$90,000 expenditure for the Dexter-Pinckney/Island Lake Road sidewalk was moved entirely into FY 2012-2013. The \$10,000 for design will be paid to the Road Commission in 2011-2012.

### Sewer Fund

\$25,000 was added to the sewer fund for the relocation of the Central Street sewer.

### Local Streets

\$17,800 was added to the budget for the Forest/Grand/Baker stormwater study. A small portion of this amount will likely be spent in the current fiscal year; however, due to the fact that we won't know exactly how much will be spent I have included the full amount.

The only anticipated additional change prior to adoption will be for engineering services to update the stormwater study. This expenditure was discussed at the May 16, 2012 budget work session. Orchard, Hiltz and McCliment will be providing a scope of services to complete this work in conjunction with their work on the Forest/Grand/Baker study.



# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

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MEMO

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 4, 2012**  
**Re: 2012-2013 Millage Rate Adoption**

A public hearing is required to be held prior to the adoption of the 2012-2013 millage rate and budget. As in past years, Council is asked to take action on the millage rate following the public hearing on June 11, 2012 and take action on the budget at the June 25, 2012 meeting.

Provided for your consideration is a draft resolution to adopt the millage rate. Below is an explanation of the millage rate options that have been discussed during the budget process.

The Headlee Amendment, which was a State of Michigan constitutional amendment adopted in the late 1970's, requires local voter approval for increasing tax rates above the rates authorized by law. The Amendment also requires the millage rate to be rolled back (decreased) so that the total amount of taxes paid on property increases by no more than the rate of inflation. According to the General Law Village Act the maximum allowable millage rate for a Village's general operation is 12.5 mills and the maximum allowable millage rate for streets is 5 mills. The Village's millage rates have been rolled back to 9.8807 mills for general operating and 3.9520 mills for streets.

For the past seven years (2006-2012) Council has held the millage rate constant at 13.5562 mills. As taxable values fell and the millage rate necessary to fund the general obligation bond payment increased, the millage rate was held constant by lowering the general operating millage and/or streets millage.

At the May 2, 2012 budget work session, Council discussed the possibility of increasing the streets millage to fund additional local street projects. In fiscal year 2011-2012 the Village levied 2.8874 mills. The maximum allowable rate is 3.9520 mills.

To support the General Fund in fiscal year 2011-2012, the Village levied 9.8151 mills. The maximum allowable rate is 9.8807 mills. Due to a slight increase in taxable value which led to a decrease in the millage rate necessary to fund the general obligation bond, the current draft budget for fiscal year 2012-2013 was completed with an increase to 9.8337 mills.

To allow for flexibility in the decision making process, the public hearing notice was drafted to show both of these millage rates increasing to their Headlee maximum.

If Council chooses to maintain the millage rate at 13.5562 mills the following millage rates are recommended:

General Fund – 9.8337

Street Fund – 2.8874

GO Bond – 0.8351

**Total Millage – 13.5562 mills**

If Council chooses to increase the millage rate for streets and general fund to their maximums, the millage rate could be set at the following levels:

General Fund – 9.8807 (increase of 0.047 mills which equals \$8,700)

Street Fund – 3.9520 (increase of 1.0646 mills which equals \$198,000)

GO Bond – 0.8351

**Total Millage – 14.6678 mills**

VILLAGE OF DEXTER

RESOLUTION \_\_\_\_-2012

TO ESTABLISH 2012-2013 MILLAGE RATES

At a regular meeting of the Village Council of the Village of Dexter held at the Dexter Senior Center – 7720 Dexter-Ann Arbor Road, called to order by President Keough on June 11, 2012 at 7:30 p.m. the following resolution was offered:

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

WHEREAS, the Village of Dexter will adopt the 2012-2013 Budget prior to July 1, 2012 in accordance with the millage rate herein established, and

WHEREAS it is necessary to establish a millage rate for the 2012-2013 Fiscal Year to support a 2012-2013 Budget, and

WHEREAS the Village Council held a Public Hearing on June 11, 2012, and has met the requirements to establish such millage rates.

NOW, THEREFORE BE IT RESOLVED, THAT THE 2012 MILLAGE RATE FOR THE VILLAGE OF DEXTER, for real and personal property is hereby established and approved as follows:

General Operating  
Streets  
General Obligation Debt  
Total

BE IT FURTHER RESOLVED, that the Village will collect the taxes generated from this millage, including applicable interest and penalties that accrue after the September 15, 2012 due date, until February 28, 2013.

BE IT FURTHER RESOLVED that all resolutions in conflict herewith are hereby rescinded.

Yeas:

Nays:

RESOLUTION DECLARED ADOPTED THIS 11<sup>TH</sup> DAY OF JUNE 2012

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Carol J. Jones, Village Clerk

VILLAGE OF DEXTER  
NOTICE OF PUBLIC HEARING ON THE PROPOSED 2012-2013  
MILLAGE RATE AND PROPOSED 2012-2013 BUDGET

Notice is hereby given that the Dexter Village Council will hold a public hearing Monday, June 11, 2012 at 7:30 p.m. at the Dexter Senior Center, 7720 Dexter-Ann Arbor Road, Dexter, Michigan, for the purpose of hearing public comment regarding the proposed 2012-2013 Millage Rate and the Proposed Fiscal Year 2012-2013 Budget.

The proposed millage rate for real and personal property is 14.6678 levied as:

General Operating – 9.8807  
Streets – 3.952  
General Obligation Debt - 0.8351

Information regarding the Proposed Fiscal Year July 1, 2012 through June 30, 2013 Budget is available for public inspection at the Village Office, on the second floor of the PNC Bank Building, 8123 Main Street, Dexter MI weekdays between 9:00 am and 5:00 pm and online at <http://www.villageofdexter.org> on the Reference Desk.

Statement as required by MCL 141.412 – “The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing”

Donna Dettling  
Village Manager

Publish: May 24, 2012



AGENDA 6-11-12  
ITEM F-2  
cnicholls@villageofdexter.org

**VILLAGE OF DEXTER**

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

**MEMO**

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 4, 2012**  
**Re: Water/Sewer/Refuse Rate**

At the June 11, 2012 Council meeting, the annual public hearing for water/sewer/refuse rates will be held. As in past years, Council is asked to take action to set the rates following the public hearing.

As has been discussed through the budget process, water rates are proposed to increase at 3%, while sewer rates are proposed to increase by 6% to prepare for the bond payment for the sludge improvement project that will begin this fall. Refuse rates are proposed to remain the same.

Attached is a copy of the resolution to set the rates effective July 1, 2012

Resolution # \_\_\_\_-2012

**RESOLUTION FOR THE PURPOSE OF ESTABLISHING WATER,  
SEWER AND REFUSE RATES EFFECTIVE JULY 1, 2012 FOR  
THE VILLAGE OF DEXTER, MICHIGAN**

At a regular meeting of the Village Council of the Village of Dexter, Michigan called to order by President Keough on June 11, 2012 at 7:30 p.m., the following resolution was offered:

Moved by: Second by:

WHEREAS, Village Council has accepted the "Fund Analysis and Rate Study" on April 10, 2006, which provides a cost of service analysis to adjust water and sewer rates in the Village according to the following schedule, and

WHEREAS, the "Fund Analysis and Rate Study" is available for public inspection at the Village Office, and

WHEREAS, the Village published these proposed rates prior to their adoption, and provided a "Public Informational Meeting" on June 11, 2012 for public education and comment, and

WHEREAS, Village Ordinance requires rates to be established by Council by Resolution.

NOW THEREFORE BE IT RESOLVED:

Water Rates (+3%) – Effective July 1, 2012 Usage Billing rate established as follows:

Ready To Serve Monthly Fee	\$6.91
First Meter Per 1,000 Gallons	\$3.12
Second Meter Per 1,000 Gallons (135%)	\$4.21

Sewer Rates (+6%) – Effective July 1, 2012 Usage Billing rate established as follows:

Ready To Serve Monthly Fee	\$6.15
Per 1,000 Gallons	\$7.57

Other Charges and Penalties:

Penalties on Late Monthly Charges (Cumulative)	2%
Turn-on and Turn-off Charges	\$35
Meter Calibration Charge	\$35
Water Only Meter	\$250

Refuse Rates– Effective July 1, 2012:

Monthly Fee	\$17.50
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Extra Strength Surcharges– Effective July 1, 2012:

BOD in excess of 300 mg/l	\$0.09/pound
Suspended solids in excess of 275 mg/l	\$0.1/pound
Phosphorous as P in excess of 16 mg/l	\$1.41/pound

Industrial Cost Recovery– Effective July 1, 2012:

Water usage in excess of 22 gpepd	\$0.140 per 1,000 gallons
BOD in excess of 300 mg/l	\$0.09/pound
Suspended solids in excess of 275 mg/l	\$0.1/pound
Phosphorous as P in excess of 16 mg/l	\$1.41/pound

AYES:

NAYS:

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Carol Jones, Clerk

RESOLUTION DECLARED ADOPTED THIS 11<sup>th</sup> DAY OF JUNE 2012.

**NOTICE OF PUBLIC HEARING  
ON PROPOSED WATER AND SEWER RATE INCREASE**

Notice is hereby given that the Dexter Village Council will hold a public hearing on Monday, June 11, 2012 at 7:30 p.m. at the Dexter Senior Center – 7720 Ann Arbor Street, Dexter, Michigan for the purpose of hearing public comment regarding a proposed Water and Sewer Rate Increase.

<u>Water Rates</u>	<u>Current Rates</u>	<u>Proposed 3% increase</u>
Ready To Serve Monthly Fee	\$6.71	\$6.91
First Meter Per 1,000 Gallons	\$3.03	\$3.12
Second Meter Per 1,000 Gallons	\$4.09	\$4.21

<u>Sewer Rates</u>	<u>Current Rates</u>	<u>Proposed 6% increase</u>
Ready to Serve Monthly Fee	\$5.80	\$6.15
Per 1,000 Gallons	\$7.14	\$7.57

<u>Other Charges and Penalties</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
Penalties on Late Charges	2% Cumulative	2% Cumulative
Turn-on and Turn-off Charges	\$35	\$35
Meter Calibration Charge	\$35	\$35
Water Only Meter 1 inch	\$250	\$250

<u>Refuse Rates</u>	<u>Current Rates</u>	<u>Proposed Rate</u>
Monthly Charge	\$17.50	\$17.50

The chart below illustrates the impact the proposed rate adjustment will have on a family using 10,000 gallons of water during a 2-month billing cycle. The overall increase during a 2-month billing cycle would be \$6.30 each billing cycle or \$3.15 per month. The overall percentage increase is 3.89%.

<u>WATER- 3%</u>	<u>Current</u>	<u>Proposed</u>
Ready to Serve Charge	\$13.42	\$13.82
Commodity Charge 10,000 gallons	\$30.30	\$31.20

<u>SEWER- 6%</u>		
Ready to Serve Charge	\$11.60	\$12.30
Commodity Charge 10,000 gallons	\$71.40	\$75.70

<u>REFUSE</u>		
	\$35	\$35
	\$161.72	\$168.02

Donna Dettling  
Dexter Village Manager

Publish: May 24, 2012

## 2012 Upcoming Meetings

Board	Date	Time	Location	Website	Village Representative
Dexter Area Historical Society Board	6/7/2012	7:30 p.m.	Dexter Area Historical Museum	<a href="http://www.dextermuseum.org/">http://www.dextermuseum.org/</a>	
Dexter Village Council	6/11/2012	7:30 p.m.	Dexter Senior Center	<a href="http://www.villageofdexter.org">http://www.villageofdexter.org</a>	
Scio Township Planning	6/11/2012	7:30 p.m.	Scio Township Hall	<a href="http://www.twp.scio.mi.us/">http://www.twp.scio.mi.us/</a>	
Scio Township Board	6/12/2012	7:00 p.m.	Scio Township Hall	<a href="http://www.twp.scio.mi.us/">http://www.twp.scio.mi.us/</a>	Paul Cousins
Dexter Area Chamber of Commerce	6/13/2012	8:00 a.m.	Copeland Board Room	<a href="http://www.dexterchamber.org/">http://www.dexterchamber.org/</a>	Shawn Keough
Regional Fire Consolidation	6/13/2012	8:30 a.m.	Scio Township Hall		Jim Carson
Chelsea Area Planning Team/Dexter Area Regi	6/18/2012	7:00 p.m.	Sylvan Township	<a href="http://www.evashatenaw.org/">http://www.evashatenaw.org/</a>	
Dexter Community Schools Board of Education	6/18/2012	7:00 p.m.	Creekside Intermediate School	<a href="http://web.dexter.k12.mi.us/">http://web.dexter.k12.mi.us/</a>	
Dexter Village Zoning Board of Appeals	6/18/2012	7:00 p.m.	Dexter Senior Center	<a href="http://www.villageofdexter.org">http://www.villageofdexter.org</a>	Ray Tell
Dexter Township Board	6/19/2012	7:00 p.m.	Dexter Township Hall	<a href="http://www.twp-dexter.org/">http://www.twp-dexter.org/</a>	
Dexter Village Parks Commission	6/19/2012	7:00 p.m.	Village Offices	<a href="http://www.villageofdexter.org">http://www.villageofdexter.org</a>	Joe Semifero
Webster Township Board	6/19/2012	7:30 p.m.	Webster Township Hall	<a href="http://www.twp.webster.mi.us/">http://www.twp.webster.mi.us/</a>	
Webster Township Planning	6/20/2012	7:30 p.m.	Webster Township Hall	<a href="http://www.twp.webster.mi.us/">http://www.twp.webster.mi.us/</a>	
Washtenaw Area Transportation Study-Policy	6/20/2012	9:30 a.m.	Scio Township Hall	<a href="http://www.miwaits.org/">http://www.miwaits.org/</a>	Jim Carson
Dexter Area Fire Board	6/21/2012	6:00 p.m.	Dexter Township Hall	<a href="http://dexterareafire.org/">http://dexterareafire.org/</a>	Ray Tell/Jim Seta
Dexter Downtown Development Authority	6/21/2012	7:30 a.m.	Senior Center	<a href="http://www.villageofdexter.org">http://www.villageofdexter.org</a>	Shawn Keough
Dexter Village Council	6/25/2012	7:30 p.m.	Dexter Senior Center	<a href="http://www.villageofdexter.org">http://www.villageofdexter.org</a>	
Scio Township Planning	6/25/2012	7:30 p.m.	Scio Township Hall	<a href="http://www.twp.scio.mi.us/">http://www.twp.scio.mi.us/</a>	
Scio Township Board	6/26/2012	7:00 p.m.	Scio Township Hall	<a href="http://www.twp.scio.mi.us/">http://www.twp.scio.mi.us/</a>	
Western Washtenaw Area Value Express	6/26/2012	8:15 a.m.	Chelsea Community Hospital		Jim Carson
Southeast Michigan Council of Governments	6/28/2012	4:30 p.m.	Ford Field	<a href="http://www.semco.org">http://www.semco.org</a>	Shawn Keough

AGENDA 6-11-12  
ITEM 11-1

Due to the possibility of cancellations please verify the meeting date with the listed website or the Village Representative



2012 Sign Requests

Month	Name of Group	Dates	Number Approved	Approval Date	Locations	Name of Group	Dates	Number Approved	Approval Date	Locations	
January	St. Andrews - Blood Drive	12/29-1/9	2 - 28" x 24"	9/2/2011	8, 22	Historical Society - Civil War Days	5/21-6/4	2 - 4' x 4'	5/21/2012	1, 5	
	Friends of the Library - Book Sale	1/5-1/7	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	Senior Center - Ice Cream Social	5/25-6/3	5 - 18" x 24"	5/2/2012	1, 2, 4, 5, 44	
	K of C - Quarter Mania	1/9-1/20	5 - 18" x 24"	1/6/2012	1, 2, 4, 5, 10	Friends of the Library - Book Sale	5/31-6/2	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	
	Encore - Interimment	1/16-2/26	2 - 36" x 24"	1/31/2011	15, 16	Historical Society - Civil War Days	5/31-6/11	5 - 18" x 24"	5/30/2012	1, 2, 4, 5, 10	
	Mill Creek - Blood Drive	1/16-1/30	2 - 18" x 24"	1/20/2012	21	Dexter Soccer Club - Registration	6/2-6/17	5 - 18" x 24"	5/2/2012	2, 4, 5, 10, 44	
	K of C - Rummage Sale	1/23-2/5	5 - 18" x 24"	1/6/2012	1, 2, 4, 5, 10	St. Andrews - Rummage Sale	5/25-6/9	5 - 18" x 24"	5/18/2012	1, 2, 4, 5, 36	
	St. Andrews's - Monthly Dinner	1/27-2/2	1 - 36" x 24"	1/23/2012	8	St. James - Concert	6/10-6/24	5 - 18" x 24"	6/4/2012	1, 2, 4, 10, 44	
	Friends of the Library - Book Sale	2/2-2/4	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	Boy Scouts - Rummage Sale	6/20-6/23	2 - 4' x 4'	5/30/2012	1, 5	
	Dexter High Drama Club - Play	2/1-2/2	2 - 2' x 4'	2/3/2012	1, 3						
	Little League - Registration	2/9-2/22	5 - 18" x 24"	2/10/2012	1, 2, 5, 44, 4						
February	Varsity Hockey Team - Skate	2/10-2/18	3 - 18" x 24"	2/1/2012	1, 46	Friends of the Library - Book Sale	8/9-8/11	5 - 16" x 24"	11/22/2011	1, 4, 16, 19, 20	
	Community Band - Concert	2/13-2/26	2 - 2' x 4'	2/10/2012	1, 3, 5						
	St. Andrews's - Monthly Dinner	2/24-3/1	1 - 36" x 24"	1/23/2012	8						
	Friends of the Library - Book Sale	3/1-3/3	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20						
	Historical Society - Art Fair	3/5-3/17	5 - 18" x 24"	2/9/2012	1, 2, 4, 10, 5	September	8/31-9/6	1 - 36" x 24"	1/23/2012	8	
	Community Orchestra - Concert	3/7-3/18	2 - 3' x 4'	3/2/2012	5, 9	St. Andrews's - Monthly Dinner	9/17-9/30	2 - 2' x 3'	4/9/2012	1, 2, 4, 5, 10	
	Civil War Days-Volunteer Recruitment	3/16-3/26	5 - 18" x 24"	3/15/2012	1, 2, 4, 5, 10	United Methodist - Rummage Sale	9/17-9/30	- 18" x 24"			
	Peace Lutheran - Easter Egg Hunt	3/22-3/31	1 - 24" x 30"	3/22/2012	1						
	Knights of Columbus-QuarterMania	3/26-3/30	5 - 18" x 24"	3/28/2012	1, 2, 4, 5, 10						
	Connexions - Easter Egg Hunt	3/26-4/8	1 - 3' x 5'	3/14/2012	9	October	9/28-10/4	1 - 36" x 24"	1/23/2012	8	
April	Village - Easter Egg Hunt	4/3-4/7	1 - 2' x 4'	4/3/2012	44	Friends of the Library - Book Sale	10/4-10/6	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	
	Friends of the Library - Book Sale	4/5-4/7	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20						
	St. Andrews - Blood Drive	4/2-4/16	2 - 28" x 22"	9/2/2011	8, 22						
	St. Andrews's - Monthly Dinner	4/6-4/12	1 - 36" x 24"	1/23/2012	8	November	10/28-11/1	1 - 36" x 24"	1/23/2012	8	
	Community Band - Concert	4/16-4/29	2 - 2' x 4'	2/10/2012	1, 3, 5	Friends of the Library - Book Sale	11/1-11/3	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	
	United Methodist - Rummage Sale	4/16-4/29	2 - 2' x 3'	4/9/2012	1, 2, 4, 5, 10						
	Dexter Drama Club - Musical	4/23-4/30	1 - 4' x 6'	4/23/2012	7, 3						
	Village - Arbor Day/ReLeaf	4/27-5/3	5 - 18" x 24"	4/26/2012							
	Peace Lutheran - Family Fun Day	4/23-5/7	1 - 24" x 30"	4/19/2012	44	December	11/30-12/6	1 - 36" x 24"	1/23/2012	8	
	St. Andrews's - Monthly Dinner	4/27-5/3	1 - 36" x 24"	1/23/2012	8	Friends of the Library - Book Sale	11/29-12/1	5 - 18" x 24"	11/22/2011	1, 4, 16, 19, 20	
May	St. Joseph - Plant Sale	5/5-5/19	5 - 18" x 24"	4/19/2012	1, 2, 44, 5, 10						
	St. James - Concert	5/7-5/21	2 - 2' x 3'	4/27/2012	5, 10						
	Community Orchestra - Concert	5/9-5/20	2 - 3' x 4'	3/2/2012	5, 9						
	Relay for Life	5/14-5/20	5 - 18" x 24"	5/9/2012	2, 4, 5, 10, 21						
	Historical Society - Dinner	5/11-5/27	5 - 18" x 24"	5/11/2012	1, 2, 4, 5, 10						
	Young People's Theater - Play	5/19-5/22	1 - 18" x 24"	5/17/2012	44						
	K of C - Chicken Broil	5/18-5/29	5 - 18" x 24"	5/17/2012	1, 2, 4, 5, 44						
	Dexter Lacrosse - Playoffs	5/23-5/26	5 - 18" x 24"	5/23/2012	1, 2, 4, 44, 3						

Location Listing: 1 - Baker/Main, 2 - Central/Mill, 3 - Dexter Ann Arbor/Copeland, 4 - Main/Alpine, 5 - Baker/Cemetery, 6 - Monument Park, 7 - Creekside, 8 - 7610 Dexter Ann Arbor, 9 - Peace Park, 10 - Dexter Ann Arbor/Limits, 11 - Cornerstone, 12 - Bates, 13 - 3443 Inverness, 14 - 7720 Ann Arbor Street, 15 - S. Main/Broad, 16 - N. Main/Broad, 17 - Edison/Ann Arbor Street, 18 - Dover/Fifth, 19 - Central/Fifth, 20 - Broad/Fifth, 21 - Mill Creek Middle School, 22 - Fourth/Inverness, 23 - Dexter Bakery, 24 - Lighthouse, 25 - Dexter Pharmacy, 26 - Warner Creek Park Drive, 27 - Dexter Flowers, 28 - Tenny B's, 29 - 7795 Ann Arbor St, 30 - 7915 Fourth, 31 - 7651 Dan Hoey, 32 - Wylie, 33 - Lions Park, 35 - Dexter Crossing Entrance, 36 - Dan Hoey/Dexter Ann Arbor, 37 - Dover/Main, 38 - Fourth/Central, 39 - Baker/Hudson, 40 - Inverness/Ann Arbor, 41 - Main/Jeffords, 42 - Third/Broad, 43 - 3rd/Dover, 44 - Ryan/Dexter Ann Arbor, 45 - Meadowview/Dexter Ann Arbor, 46 - Ice Rink

\*\* Dexter Farmers Market will place up to 5 signs on Saturday and Tuesday to advertise for the market





Huron  
River  
Watershed  
Council

*Protecting the river since 1965*

1100 N. Main Street, Ann Arbor, MI 48104  
(734) 769-5123 | fax (734) 998-0163  
www.hrwc.org

AGENDA 6-11-12  
ITEM H-3

May 14, 2012

**To:** *Huron River Watershed Council Member Communities*  
**From:** *Laura Rubin, Executive Director*

I'm writing to thank you for your support of the Watershed Council, to provide you with a brief update on the accomplishments of the past year and to submit an invoice for services in the coming year.

First, thank you for your continued support of the Watershed Council's work. I know that your budgets are tight and that every dollar counts. Your membership counts; it goes directly to protect clean water, recreational opportunities and to a high quality of life. It allows us to provide services and conduct research not otherwise provided through grant funding and provide matching funds for grants. The Watershed Council currently matches each dollar of government member dues with over **twelve dollars** from other sources.

This past year the Watershed Council continued to expand its programs and services and to receive accolades for that work. The enclosed material gives you an overview of the services we provide to member governments and a brief summary of our successes in 2011.

The formula for calculating dues for membership in the Watershed Council remains the same:

- The formula for cities, villages, and townships is \$0.10 per capita;
- The formula for counties is \$0.05 per capita plus \$1.50 per square mile in the watershed.

Dues have been calculated based on the 2010 estimated census data; the minimum value for annual dues remains \$400; dues for larger communities have no cap; and communities are only billed for the percentage of their population estimated to live within the watershed.

We understand the financial pressures on local resources and are happy to come to your board meeting to talk about the benefits of membership and answer questions. Please feel free to call me or your Watershed Council Board representative.

Again, thank for your membership in the Huron River Watershed Council. We look forward to another year of working collectively to protect and restore the Huron.

Yours truly,

Laura Rubin  
Executive Director  
lrubin@hrwc.org

Village dues \$ 406.70

## **HURON RIVER WATERSHED COUNCIL**

### **Services Provided to Member Governments**

The Huron River Watershed Council is a public, nonprofit coalition of local governments, businesses, and citizens established to protect the Huron River and its tributary streams, lakes, wetlands, and groundwater. Membership is voluntary for municipalities located wholly or partially within the Huron River Watershed. Annual membership dues for townships, cities, and villages are assessed at a rate of \$0.10 per capita (based on 2010 census figures). Annual dues for counties are assessed at a rate of \$0.05 per capita (watershed population) plus \$1.50 per square mile of watershed area. Each community is able to appoint one representative and an alternate to the Council for each 20,000 in population. For counties, representation is based upon the population of eligible communities not otherwise represented. The following are programs and services of the Council that communities receive for their membership.

#### ***I. Water Quality Monitoring and Education***

##### **A. Promote and Coordinate Studies Regarding Water Resources**

1. HRWC staff, board members, and volunteers serve on local river/watershed related committees and work with lake associations, municipal agencies and departments as requested;
2. The Council performs fieldwork to generate water quality information (stream and river quality, too), and utilizes that and other existing water quality and quantity information to develop watershed management plans for priority areas of the Huron River Basin;
3. The Adopt-A-Stream program generates creek reports for the creeks and streams in the monitoring program.

##### **B. Prepare periodic reports concerning emerging issues within the Huron River Watershed**

##### **C. Provide specific information to the public regarding the Huron River, its lakes, streams, flood plains, wetlands and groundwater, and research conducted by the Council**

##### **D. Distribute a quarterly newsletter on water resource issues**

The newsletter informs members of Council activities and emerging issues regarding water quality and the Huron River. Copies are provided for each member of the community's governing board and planning commission. Additional copies are provided for distribution to the public visiting the municipal offices and through area public libraries. Additional action bulletins/e-mails are distributed when the need arises to detail important initiatives affecting the river.

##### **E. Conduct presentations, workshops, and hands-on educational programs on the Huron River and its ecosystem**

1. We train teachers in the use of environmental education materials on rivers, wetlands, and groundwater, and develop new curricula to augment existing curricula;
2. The Council has developed the State's premiere Adopt-A-Stream program through which citizen volunteers receive hands-on training to learn stream ecology, assess the health of area creeks and take action locally to protect these sensitive systems;

3. Staff is available to do video and slide presentations.

## **II. *Technical Assistance and Policy Development***

### **A. Provide technical analysis of data and reports regarding water resources**

### **B. Provide technical assistance in the development of water resource protection policy and ordinances**

1. We assist local planners in stormwater management planning, and in developing ordinances/policies for protecting wetlands, flood plains, riparian zones and groundwater resources;
2. The Council also provides statewide leadership in issues related to watershed protection.

### **C. Permit and development proposal review/assessment of potential impacts to surface and groundwater resources**

1. HRWC staff and technical advisors review permit applications under Michigan's Goemaere-Anderson Wetland Protection Act, Inland Lakes and Streams Act, Flood Plain Regulatory Authority, and National Pollution Discharge Elimination Program and other programs administered by State and Federal Agencies;
2. We also provide technical assistance on proposed development plans and environmental management plans and practices.

## **III. *Regional, State and Federal Representation***

### **A. Provide member governments with a forum for the resolution of inter-governmental disputes or inter-jurisdictional problems arising from the management of shared water resources.**

### **B. Provide regional representation by serving on committees**

### **C. Comment upon State and Federal legislation, polity or planning initiatives that affect local governments and water resources.**

In addition, the Council will perform more in-depth work on each of the above services on a fee-for-service based system. Some additional services not mentioned above include:

- Informational and educational "tip" cards providing steps/ideas on how to conserve water in the home, care for a septic system, use watershed-friendly lawn care products, properly dispose of hazardous waste and more.
- Land Use planning tools
- Stormwater permits
- Natural feature mapping/GIS
- Facilitation of inter-governmental planning

Huron River Watershed Council

# Annual Report

2010-2011

a greater  
reach with  
partners



Huron  
River  
Watershed  
Council

## A Year of Partnerships

While our roots are in science, our reach is that much greater when we partner with other diverse groups.

This past year saw a strong continuation of HRWC's monitoring programs of the watershed—water quality testing, flow monitoring, benthic macroinvertebrates, and natural areas assessments. This solid science collection is the foundation of our work. It allows us to identify problems, direct protection and restoration activities, and work with stakeholders to solve problems. It provides us with a comprehensive understanding of the watershed system.

In addition we have built strong relationships with partner organization such as Trout Unlimited, local land conservancies, recreational groups, other environmental groups, local businesses, and academia. The fly fishing demonstrations, the single-fly tournament, and summer paddles have enhanced our outreach activities. The development of strategic conservation plans to direct land preservation efforts, the restoration of streambanks, and installation of rain gardens and rain barrels have accelerated restoration

efforts. The clean-up of contaminated properties along the river, the improvement at portages, and installation of water saving practices in homes, business, and industry have expanded our reach and shown our effectiveness.

Here in our fiscal year 2010-2011 Annual Report we celebrate and recognize some of the many partners that make our work possible and the Huron stronger. This year we also welcomed 244 new individual members to HRWC. We thank you and all of the volunteers, donors and renewing members who help us study and protect the river every day. We are so grateful for your time, energy, expertise, and support.

For the river,



Laura Rubin  
Executive Director

**Cover:** Views of the watershed, from the 2010 Huron River Watershed Community Calendar

Huron River at Island Lake State Park. *Photo: Ted Nelson*

Marsh marigold (*caltha palustris*) at Kensington Metropark. *Photo: Keith Matz*

M-14 bridge over Huron River at Argo Pond, Ann Arbor. *Photo: Keith Matz*

Footbridge at Pickerel Lake, Dexter Township, Pinckney Recreation Area. *Photo: Marc Akemann*

**Below:**  
Huron River at Bell Road, Dexter Township.

*Photo: Marc Akemann*



*Photo: HRWC*

*Photo: E. Bassey*



# A Greater Reach for the Huron River

## Tackling Stormwater

**Collaborating with the 67 governments of the watershed to identify opportunities and enact policies that protect the Huron River and coordinating stormwater management work with communities in Wayne, Washtenaw and Livingston Counties.**

In partnership and with support from the local units of government HRWC has improved shorelines at Ford and Bishop Lakes and streambanks at Mill Creek using innovative techniques and natural materials; expanded water quality monitoring of stream chemistry and flow to more areas of the Huron; begun revising critical Watershed Management Plans and TMDL Plans for the Chain of Lakes, the Middle and the Lower Huron areas; developed an exciting new campaign to educate the public on how actions at home impact the Huron River; and has seen through the enactment of a state law restricting the use of phosphorus fertilizer on turf grass.



Photo: M. Mouradian

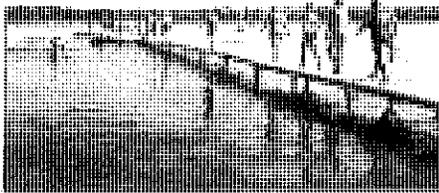


Photo: HRWC

As a result the Huron is protected from the pollution and erosion caused by stormwater runoff. Innovative projects that replace turf with native plants, expand floodplains and infiltrate stormwater are in place. And watershed residents are learning that they too can be H2O Heroes in their ordinary everyday actions.

## River Renaissance

Renewing efforts to open up the Huron River for recreation and tourism, for habitat, and for local economic development.

HRWC partnered with the Community Foundation for Southeast Michigan, the Wolfpack, an action-oriented group of conservation-minded leaders that operates under the auspices of the National Wildlife Federation, and the Michigan League of Conservation Voters, to begin work on an overall river renaissance project called RiverUp! RiverUp! supports the development of a water trail, dam inventory and assessment and the clean-up and restoration of industrial properties along the river.

With an initial kick off meeting at the Dexter Library, HRWC launched the Huron River Water Trail, which seeks to improve recreational access to the river for paddle sports; add interpretive, way-finding and historical signage;

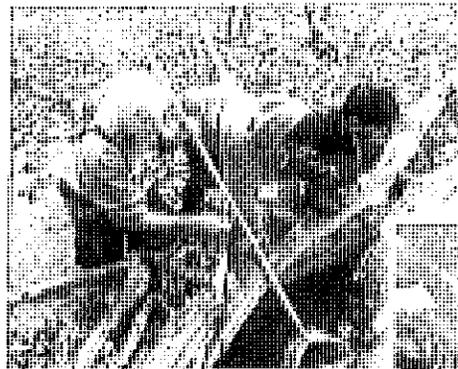
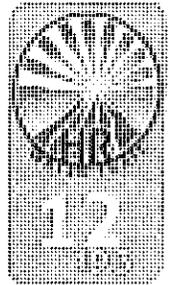


Photo: S. Dierkes

link river communities; and build creative economic development opportunities. Pilot communities were identified, maps made, and a cleanup conducted at the Superior Dam portage in Ann Arbor.

HRWC also led a re-envisioning of Michigan's **overtaxed, underfunded dam management program** by bringing together 18 river and conservation groups in three meetings to make recommendations to the Departments of Natural Resources and Environmental Quality and continuing to advocate for changes with partners such as the Michigan Environmental Council, Michigan United Conservation Clubs, Michigan Trout Unlimited and Tip of the Mitt Watershed Council.

As a result, the Huron River becomes a recreational and economic driver. This asset draws people to the river, business development near the river, and defines the communities along the river. Liveries, portages and recreational amenities thrive. Restaurants and businesses embrace the riverfront and provide access. The Water Trail becomes a regional destination.



## Working with Students

Partnering with Pinckney, Belleville, and Ann Arbor Community High Schools, with support from Toyota, to provide in-class and stream-side education to students at each school. Students gained a strong understanding and interest in the river through their hands-on river testing, erosion monitoring, and bug identification.

The students integrated their findings with a civic and/or marketing lesson as they translated these results in to what needs to happen to protect and restore the creek. They developed short films, presentations to local government officials, and local press articles.

As a result, dozens of high school students learn river science and monitoring techniques that they apply to their community.

The community gains a tremendous resource in having scientific data on water quality and an understanding of actions to take to protect clean water.



Photo: E. Bassey

# Protecting High Quality Natural Areas

Partnering with land conservancies in the watershed (Legacy Land Conservancy, Livingston Land Conservancy, North Oakland Headwaters Land Conservancy, and Southeast Michigan Land Conservancy) to offer expertise and provide ecological data about the highest priority conservation lands, connect with natural area property owners, create restoration plans, and arrange for permanent protection of critical natural areas. With support from the Carls Foundation and the James A. and Faith Knight Foundation, HRWC assessed over 50 properties of interest to the land conservancies and worked with the conservancies and local governments on restoration and protection priorities.

As a result, land protection and restoration activities, including comprehensive outreach to landowners and government planning efforts, are focused on and directed to high quality natural areas.



Photos: J. Latimore



## HURON RIVER WATERSHED COUNCIL

### Statement of Activities

Fiscal Year April 1, 2010 to March 31, 2011

#### REVENUE

Membership Dues .....	\$152,528	17%
Government Grants .....	200,486	23%
Contracted Services .....	238,778	27%
Foundation and Corporate Grants .....	242,265	27%
Contributions .....	21,251	2%
Other .....	31,524	4%
<b>TOTAL REVENUES .....</b>	<b>886,832</b>	<b>100%</b>

#### EXPENSES

Program Service Costs		
Watershed Planning & Management .....	319,292	38%
Education .....	69,956	8%
Development of Stewards .....	261,028	31%
Total Program Service Costs .....	650,276	
Supporting Service Costs		
Management & General .....	87,634	10%
Fundraising .....	108,612	13%
<b>TOTAL EXPENSES .....</b>	<b>846,522</b>	<b>100%</b>

<b>CHANGE IN NET ASSETS .....</b>	<b>\$ 40,310</b>
Net Assets, beginning of year .....	\$406,484
Net Assets, end of year .....	\$446,794

# For HRWC our partnerships in fiscal year 2010-2011 have meant:

Sharing results of our neighborhood partnership efforts to restore Millers Creek by keeping the rainwater in the headwaters area on site with rain gardens, rain barrels and an improved retention pond. Monitoring results showed stream insects are back to levels not seen since 2002 and that the stream is 30% less "flashy" than before the project work.

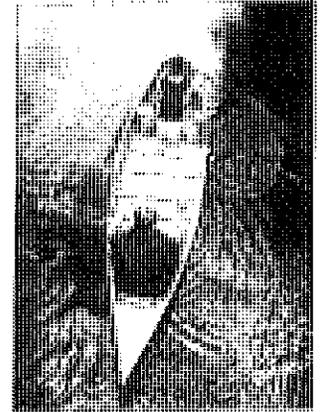


Photo: HRWC

Launching a 3-year program to develop and disseminate a homeowners toolkit on how saving water saves energy. The project, with support from the Masco Corporation Foundation, originates from HRWC's work on climate change impacts in the watershed and has already led to strategic partnerships with government, environment, and utility groups working on these issues at a national level.

Inviting watershed residents to experience the Huron River first-hand through a series of recreation events that included fly fishing classes, summer-time paddle trips with river paddling experts, nature and birding walks, our first ever single fly tournament in June, and the Community River Swim with Liz Elling at Baseline Lake.

Creating the River Scouts Program, a special group of paddling river stewards who preserve and protect the Huron's "scenic river" section by learning about Michigan's "Natural Rivers Program" and how it applies to the Huron River, with support from REI.

Establishing a "Stewardship Fund" to ensure that there will always be effective citizen scientists, advocates and educators devoted to the long-term protection and stewardship of the Huron River watershed. The Stewardship Fund will continue to produce a committed cadre of river stewards to serve as: advocates for local creeks, advisors to planning commissions, neighborhood experts on low-impact home and garden practices, and overall community organizers.

Improving our detailed monitoring reports, which present the overall quality of each Adopt site. These factsheets provide a basis for comparing sites and identifying changes in conditions requiring further investigation and follow-up.



Photo: E. Vitoe



AGENDA 6-11-12  
ITEM M-4

**Courtney Nicholls**

**From:** Duvin, Donna <Donna.Duvin@redcross.org>  
**Sent:** Tuesday, June 05, 2012 10:58 AM  
**To:** mcdaniev@ewashtenaw.org; dweber@onsetcfo.com; ametty@gmail.com; hsmurphy@umich.edu; msmith@thewholebraingroup.com; michelle@crumfamily.com; cindy.cattran@rehmann.com; billb@mbcloans.biz; aberriz@mckinley.com; jamboy@yeoandyeo.com; vbuckler@comcast.net; tadpole@med.umich.edu; mayor@cityofsaline.org; celliott@aaacf.org; annfeeney@aol.com; fitsimmonsjj@cs.com; jerryfrost10@comcast.net; Lpasbjerg@focusedcoaching.net; carey.jernigan@regroup.us; diane@a2ychamber.org; lucyannlance@yahoo.com; robert.mcdivitt@va.gov; Courtney Nicholls; Mco3502@comcast.net; dsarns@earthlink.net; mayor@cityofypsilanti.com; CSheldon@A2SB.com; whitll@wccnet.edu; wilbanks@umich.edu; tianni@umich.edu; Laverty, James; ewcaswell@alumni.duke.edu; alanb@creativechange.org  
**Cc:** Boles, Stephanie; Cieslinski, Ashley M; Kumbier, Mary T  
**Subject:** SAVE THE DATE - Red Cross Advisory Council Mtg & Lunch - Mon. 6/25 noon-1:30pm  
**Importance:** High

Everyone,

Please SAVE THE DATE to join us for our fiscal year-end update, including a brief recap of challenges and opportunities presented in the wake of our Dexter tornado/Ann Arbor flooding response. Besides lunch, we promise to serve up plenty of exciting projects in the works.

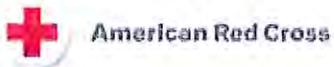
Date: Monday, June 25th  
Time: Noon -1:30  
Location: Red Cross offices (address below)

Please let me know at your earliest convenience your plans to attend.

Hope to see everyone on the 25th!  
Donna

**Donna Duvin**  
**Chief Executive Officer**

**American Red Cross**  
Washtenaw-Lenawee Chapter  
4624 Packard Road  
Ann Arbor, MI 48108  
(734) 971-5412 (p)  
(734) 260-0118 (c)







AGENDA 6-11-12  
ITEM I

## Memorandum

To: Village Council and President Keough  
Donna Dettling, Village Manager  
From: Allison Bishop, AICP, Community Development Manager  
Re: REPORT  
Date: June 6, 2012

### Planning Commission Updates

**Kim Clugston** – The Planning Commission took a moment to recognize Kim Clugston for her 16 years of service to the Planning Commission. A certificate signed by President Keough and Clerk Jones was presented to Ms. Clugston.

**Article 7, Sign Regulations** – The Planning Commission discussed the proposed amendments to Article 7, Sign Regulations again at the meeting. The Commission decided to postpone action and discuss the ordinance in greater detail, such as proportion of allowable building signage, increasing maximum building signage and ways to make the ordinance less complicated. The ordinance will be discussed again at the July 2<sup>nd</sup> meeting.

**Article 5, Parking and Loading** – The Planning Commission reviewed Article 5, Parking and Loading per Council's request. The memo provided by staff has been included for your review. The Planning Commission moved to incorporate the recommended amendments to Section 5.07F (#2 in memo) Off-Street Loading and Unloading space requirements. The Planning Commission also discussed removal of the 14 foot height requirement for loading/unloading spaces and eliminating the requirement for commercial establishments less than 5,000 square feet to provide any loading and unloading. Based on these additional revisions the Planning Commission moved to hold an additional public hearing on July 2<sup>nd</sup>. The Planning Commission also discussed the staff's recommended amendments, based on Council's request, to Section 5.01A (#1 in memo) and Section 5.10 (#3 in memo). The Planning Commission moved not to incorporate the changes as recommended because they felt as though the ordinance permits Council approval for all site plan issues and therefore the amendment was not necessary. The revised ordinance will be back before the Village Council on June 25<sup>th</sup> for consideration following incorporation of the additional changes and following the public hearing.

**Northern United Brewing Company (NUBC)** – The Planning Commission considered NUBC's request for a determination of the compatibility of a tasting/sampling room in the Research and Development (RD) District in accordance with Section 3.07 of the Village of Dexter Zoning Ordinance. The Planning Commission discussed the uniqueness of the request and the accessory nature of the tasting room to a brewery. The Planning Commission also noted that "testing" is a permitted use within the RD District. The Planning Commission felt as though "testing" was the activity that occurs in a tasting/sampling room. The Planning Commission then moved to consider the tasting/sampling room as a special land use within the RD District therefore the applicant will now apply for a special land use permit pursuant to Article 8. Special land use approval requires a

public hearing which will be held at the July 2, 2012 meeting. Council action will then be required, likely July 9<sup>th</sup> or 23<sup>rd</sup>, following a recommendation of the Planning Commission.

### **Park Updates**

**Mill Creek Park Project Update** – Project meetings continue to be held weekly. The concrete for the ADA ramp, Element 3A, was installed Tuesday, this week we also expect to see continued installation of landscaping. Installation of the storm pipe repairs at Grand Street and behind 8140 Main Street is also slated to occur. The Village has been working with the contractor and DTE to relocate the light pole currently in the boat launch within Warrior Creek and the guy wire along Alpine Street where the stairway will be constructed. I will provide the latest update at the meeting. The contractor has indicated that all of the work within the park will be completed by July 1<sup>st</sup>, weather dependent, however the stairway construction will not start until after July 1.

### **Other**

**Storm Water Workshop** – Jen Lawson from the City of Ann Arbor presented information on the City of Ann Arbor’s storm water utility prior to the June 4<sup>th</sup> Planning Commission meeting. The information was very interesting and the Power Point presentation is attached for your review. Staff will keep Council informed about any future storm water education or compliance issues.

**Medical Marihuana Moratorium** – The Village’s Medical Marihuana moratorium expires on July 18, 2012. Communication with the Village’s attorney has concluded that given the continued unknowns with the legislation that the Village should consider extended the moratorium an additional 2 years. Staff has prepared the attached draft resolution to extend the moratorium for presentation at the July 9<sup>th</sup> meeting. Please provide staff with any comments or questions.

### **ZBA**

LaFontaine – Planning Consultant Doug Lewan is completing the variance application review for the LaFontaine Chevrolet sign request. Staff has requested receipt of the review by June 11, 2012. Staff will provide to Council upon receipt.

### **Chamber of Commerce**

Summer Series – The Friday Night Summer Music Series Starts June 15<sup>th</sup>. The schedule and line-up has been posted on the Village’s Facebook Page and Village Calendar.

Please feel free to contact me prior to the meeting with questions.  
Thank you.



**Memorandum**

To: Planning Commission  
 Donna Dettling, Village Manager  
 From: Allison Bishop, AICP, Community Development Manager  
 Re: Village Council request for reconsideration  
 Article 5, Parking and Loading  
 Date: May 30, 2012

On May 7, 2012 the Planning Commission held a public hearing on the proposed amendments to Article 5, Parking and Loading. The proposed amendments were recommended for approval by the Planning Commission with the following motion and presented to the Village Council on May 14, 2012:

Per Section 23.06, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on May 7, 2012, the Planning Commission recommends that the Village Council amend Article 5, Parking and Loading in order to promote 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.

The Village Council reviewed the recommended amendments and has requested that the Planning Commission reconsider the following items:

1. Section 5.01A – Off-street parking spaces may be located within a non-required side or rear yard and within the rear yard setback unless otherwise provided by this Ordinance. Off-street parking shall not be permitted within a front yard ~~or a side yard setback~~ unless permitted by the Planning Commission ~~otherwise provided in this Ordinance.~~

Village Council would like additional consideration given to adding “Off-street parking shall not be permitted within a front yard unless recommended by the Planning Commission and approved by the Village Council.

Staff is supportive of the Village Council requested amendment.

2. Section 5.07F – Off Street Loading and Unloading - The minimum number of loading spaces shall be provided in accordance with the following table:

<b>Institutional, Commercial and Office Uses</b>	<b>Required Loading/Unloading Spaces</b>
Up to 5,000 sq. ft. Gross Floor Area (GFA)	1 space
5,001 – 60,000 sq. ft. GFA	1 space, plus 1 space per 20,000 sq. ft.
60,001 sq. ft. GFA and over	3 spaces, plus 1 space per 50,000 sq. ft.
<b>Industrial Uses</b>	
Up to 1,400 sq. ft. GFA	0 spaces

1,401 – 20,000 sq. ft. GFA	1 space
20,001 – 100,000 sq. ft. GFA	1 space, plus 1 space per each 20,000 sq. ft. GFA in excess of 20,000 sq. ft.
100,000 sq. ft. GFA and over	5 spaces

Village Council would like additional consideration given to the formulas for calculating the required loading and unloading parking spaces. Staff reviewed calculations required by the Village and several other communities and it is recommended that the Planning Commission consider revising the standard at this time. Staff recommends that to simplify the standard the following be required:

<b>Gross Floor Area</b>	<b>Minimum Number of Loading and Unloading Spaces</b>
0 - 15,000	1 space
15,001 – 30,000	2 spaces
30,001 – 90,000	3 spaces
90,001 – 150,000	4 spaces
150,001 and over	4 spaces, plus 1 for each additional 50,000

3. Section 5.10 Access Management, E. Standards for the Number of Commercial Driveways – The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along the public roadway. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway or a service drive. Where it is not possible to provide shared access, this access may be by a single commercial driveway. Additional commercial driveways may be permitted at the discretion of the Planning Commission only under one of the following circumstances (See Page 5-13).
  - a. One (1) additional commercial driveway may be allowed for properties with a continuous frontage of over three hundred (300) feet, and one (1) additional driveway for each additional three hundred (300) feet of frontage.
  - b. Two one-way commercial driveways may be permitted along a frontage of at least one hundred twenty five (125) feet, provided the driveways do not interfere with operations at other driveways or along the street.
  - c. Additional commercial driveways may be justified due to the amount of traffic generated by the use without compromising traffic operations along the public street, based upon a traffic impact study submitted by the applicant.

Village Council would like additional consideration given to the Planning Commission’s discretion to permit additional commercial driveways. The Planning Commission may want to consider amending the language to “Additional commercial driveways may be permitted if recommended by the Planning Commission and approved by the Village Council and only under one of the following circumstances (See Page 5-13 and a-c above).

## **ACTION REQUESTED**

The Planning Commission is being asked to review the following additional sections of Article 5, Parking and Loading, as requested by the Village Council.

1. Section 5.01A – Location of off-street parking spaces
2. Section 5.07F – Off Street Loading and Unloading
3. Section 5.10 Access Management, E. Standards for the Number of Commercial Driveways

If the Planning Commission is satisfied with the recommended revisions please direct staff to make the amendments and send Article 5, Parking and Loading, back to the Village Council for consideration. If the Planning Commission has an alternative recommendations please discuss it and direct staff to make the alternative amendments and forward the ordinance to the Village Council for consideration.

Please feel free to contact me prior to the meeting if you have any questions.

Thank you.



**Memorandum**

To: Planning Commission  
Donna Dettling, Village Manager  
From: Allison Bishop, AICP, Community Development Manager  
Re: Northern United Brewing Company  
Section 3.07 Compatibility Determination for a Tasting/Sampling Room  
Date: May 31, 2012

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Northern United Brewing Company (NUBC) is a local brewery and wine maker currently based out of Ann Arbor. NUBC is working through the details of purchasing a building, 2319 Bishop Circle East to house their headquarters and manufacturing operations. According to NUBC's website their mission is to continue to make beers of outstanding art and flavor. "Making beer is a labor of love, and everyone at NUBC strives to create beers to lighten the spirit and soothe the soul. Sharing the joy to the betterment of mankind is the most that anyone at NUBC could hope to accomplish. The craft beers of NUBC use the finest, hand-made quality using ingredients borne of the northern Michigan landscape. This is why Northern United Brewing Company brews with Michigan malted-grain, hops and water whenever possible."

NUBC's future location at 2319 Bishop Circle East is located in the Dexter Business and Research Park (DBRP), a certified Industrial Park, located off of Dan Hoey Road. The DBRP is zoned Research and Development (RD).

NUBC plans to use the approximately 85,000 square foot facility as their corporate headquarters, a tasting/retail room and the manufacturing of beer, wine and spirits that they will provide to their restaurants around the State of Michigan.

On May 29, 2012 the Village Council approved a new liquor license at 2319 Bishop Circle East, former Martinrea Building (see attached information). The approved liquor license includes approval to permit on-site consumption, i.e. tasting room. Although the Village Council has approved the new liquor license zoning approval is separate and will require Village zoning approval.

Staff's review of the request to permit a tasting room in the Research and Development (RD) District has determined that because the tasting room is not currently listed in the Village Zoning Ordinance that Section 3.07 Uses Not Otherwise Listed in a District be considered.

In accordance with Section 3.07 the Planning Commission will review the applicant's plans and project description and determine the compatibility of a tasting room in the Research and Development (RD) District. Upon the Planning Commission's determination of the compatibility of the tasting room use in the RD District, the Planning Commission would determine if the use should be considered a permitted or special land use. Staff's preliminary review anticipates that the tasting room use will be considered a special land use given the

accessory nature of the use and the specific relationship to a brewery. If the Planning Commission agrees with staff the applicant would be required to apply for a Special Land Use in accordance with Article 8, Special Land Uses. Special Land Uses and Special Land Use standards to accomplish the following:

- Provide a mechanism for public input on decisions involving more intense land uses.
- Establish criteria for both new development and infill/redevelopment consistent with the Village's land use goals and objectives as stated in the Village Master Plan.
- Regulate the use of land on the basis of impact to the Village overall, and adjacent properties in particular.
- Promote a planned and orderly development pattern which can be served by public facilities and service in a cost-effective manner.
- Ensure uses can be accommodated by the environmental capability of specific sites.
- Provide site design standards to diminish negative impacts of potentially conflicting land uses.
- Provide greater flexibility to integrate land uses within the Village.

## **PROCESS**

June 4 – Planning Commission discusses uses compatibility within the district and consideration as a permitted or special land use. Applicant can make application and public hearing can be scheduled.

July 2 – Public hearing and potential action on applicant's special land use application.

July 9 or 23 – Council action on special land use request.

The Planning Commission used the similar process recently when considering the request from LaFontaine Chevrolet to permit the storage of new vehicles on property within the I-1 District.

## **ORDINANCE OVERVIEW**

The applicant's request for a tasting room is 2319 Bishop Circle East within the Dexter Business and Research Park (DBRP) zoned Research and Development (RD). The intent of Article 17, Research and Development (RD) District is to "provide for the development or redevelopment of larger parcels of land as an industrial subdivision. This district is located to permit the development of industrial uses consistent with road, transportation and utility service availability and to protect both the industrial park and the surrounding areas against the encroachment of incompatible uses. To these ends, certain uses, which would function more effectively in other districts and would interfere with the operation of industrial park activities and the purpose of this district, have been excluded. This district is was established to promote and to protect the health, safety and welfare of the general public; designate, regulate, and restrict the location, purpose and use of buildings and all other research and development structures in Dexter and to protect the character and stability through promotion of orderly and beneficial development; to prevent overcrowding; to promote the most advantageous development and use of these lands; to provide for appropriate facility design in keeping with the character of the subdivision; and, to encourage and promote a healthy, stable local economy."

Pursuant to Article 17, RD permitted land uses include research, manufacturing, light industrial, and testing uses. Special land uses include restaurants and child care for employees, recycling centers and fitness centers. Article 17 is included for reference.

Pursuant to Article 3, Section 3.07, uses not otherwise included within a district require a use compatibility determination by the Planning Commission. In accordance with Section 3.07 the

Planning Commission must determine if a proposed use is clearly similar in nature and compatible with the listed or existing uses in that district. In making the determination the Planning Commission shall consider characteristics when determining the compatibility, such as traffic generation, type of services offered, types of goods produced, methods of operation, and building and/or site characteristics.

If the Planning Commission determines that the use is similar in nature and compatible the Planning Commission must then decide if the proposed use should be considered a permitted land use or a special land use. Permitted uses are uses by right, in which an administrative approval can be completed to determine the uses conformance to the Village of Dexter Zoning Ordinance Standards. Special land uses require additional approvals in accordance with Article 8, Special Land Uses, of the Zoning Ordinance, which includes a public hearing and submittal of additional information.

## **REQUEST**

NUBC has requested that a tasting/sampling room be permitted within the RD zoning district at 2319 Bishop Circle East.

## **REVIEW**

In reviewing the request from NUBC the Planning Commission should consider the following:

Traffic Generation - The applicant should provide information on the anticipated tours and/or single tasting room visits. Examples of existing NUBC facilities would be appropriate. Information on the hours of operation and the peak visitor times would be appreciated. Anticipated parking needs for employees and staff should be also be addressed.

Types of good and services – The current site uses include:

Less than 15% retail and tasting/sampling will be required per Article 17, Section 17.02K. The building is approximately 70,000 square feet, therefore less than 10,500 square feet will be used. The remaining 59,500 square feet will be used for office and manufacturing. Additional information on floor plans will be required.

Permitted uses within the RD District include manufacturing and production. Although the applicant's primary use is manufacturing the proposed tasting/sampling room has a more retail type component.

Special land uses within the RD District, include restaurants for employees, recycling centers and personal fitness centers. The special land uses allowed in the district appear to have characteristics, such as parking and vehicular trips, more compatible to a tasting/sampling room.

In reviewing the permitted and special land uses within the RD District staff supports that the proposed accessory tasting/sampling room as a compatible use and most similar to the special land uses listed in the district. Staff recommends that the Planning Commission determine the use to be a special land use.

Operation –The applicant has indicated that they plan to run their manufacturing operations 24 hours a day and the tasting room between the hours of 10 am and 10 pm. Additional information

will be requested from the applicant on operations if the Planning Commission determines the use to be compatible and a special land use application is submitted.

Building/Site Characteristics – An aerial photo of 2319 Bishop Circle has been included in the packet. The site is located in the center of the Dexter Business and Research Park. The property is surrounded by roads on 3 sides. The office and retail portion of the building is located on the east side of the building and the vacant property is located on the west half of the parcel. The main entrance to the office/retail space is off of Bishop Circle East.

Other - No site improvements are being proposed at this time. Site plan review will be required for any building or parking additions in accordance with Article 21, Site Plan Review and Approval.

**RECOMMENDATION**

Staff has reviewed the request from NUBC to permit a tasting/sampling room within 2319 Bishop Circle East. Staff recommends that the Planning Commission determine that the use is compatible with the RD District as a special land use. The use is compatible due to its clearly accessory nature to the manufacturing of beverages. Special land use review permits the Village to review special land uses, such as a tasting/sampling room, to provide for greater flexibility to integrate land uses within the Village. The applicant has preliminarily indicated that the tasting room hours will vary from the manufacturing operations and will be more limited. Staff will request additional information upon application for a special land use in accordance with Article 8, Special Land Uses.

Staff is not recommending an ordinance amendment to add the Tasting/Sampling room to the RD District because the compatibility request is unique to this type of use, in this specific location.

**SUGGESTED MOTIONS**

Pursuant to Article 3, Section 3.07, the Planning Commission has determined that Northern United Brewing Companies request to permit a tasting/sampling room less than 15% of the total gross floor area of the building located at 2319 Bishop Circle East be considered a **(COMPATIBLE USE / INCOMPATIBLE USE)** within the Research and Development (RD) District. The Planning Commission determines that the tasting/sampling room be considered a **(PERMITTED LAND USE / SPECIAL LAND USE)**. In making this determination the Planning Commission has considered characteristics such as traffic generation, type of services offered, types of goods produced, methods of operation, and building and/or site characteristics, including the accessory nature of the tasting room to beverage manufacturing and Article 8 provisions to provide greater flexibility to integrate unique land uses within the Village.

OR

The Planning Commission moves to postpone action on the request from Northern United Brewing Company request to permit a tasting/sampling room at 2319 Bishop Circle East until ( \_\_\_\_\_ date \_\_\_\_\_ ) to allow more time for the following:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Please feel free to contact me prior to the meeting if you have any questions.

Thank you.



June 2012  
 Jennifer E. Lawson, CSM, ASIA  
 Water Quality Manager

## Overview

- What is a Stormwater Utility?
- Why Implement a Stormwater Utility?
- Rate Structure
  - Data Management/Impervious Surface Calculation
- Components
  - Public Education
  - Funded Activities
    - CIP



What is a Stormwater Utility?

## What is a Stormwater Utility?

A dedicated funding source to support an administrative organization that plans, designs, constructs and maintains a stormwater management system, sediment and flood control programs and projects, and provides stormwater education.

## Takeaway Message

...You have to have an outcome that the community will embrace and support...

## Who Else?

- Nine Michigan communities have a stormwater utility:
  - Adrian
  - Ann Arbor
  - Berkley
  - Chelsea
  - Harper Woods
  - Jackson *currently being contested*
  - Marquette
  - New Baltimore
  - Saint Clair Shores

## Stormwater Utility

- Formed in early 1980's; updated 2007
- Rates based on Impervious Area
- Cannot be used for first-time service (i.e., SAD)
- Revenue can only be used for capital, O&M, regulatory requirements \*\*\*\*
- Regulatory
- Proportionate to cost of service
- Property owners able to limit use of service
- \*\*\*Bolt Case

## Bolt v. City of Lansing

- Lansing had imposed the stormwater fee on virtually all properties in the city to pay for the city's stormwater and sanitary sewer separation project costs.
- A property owner (Bolt) challenged Lansing's newly imposed stormwater utility fee, arguing that the fee was a tax levied without voter approval in violation of the Headlee Amendment to the Michigan Constitution.
- The Michigan Supreme Court ruled that the stormwater service charge imposed by Lansing was unconstitutional and void on the basis that it was a tax for which voter approval was required and not a valid use fee.



Why Implement a Stormwater Utility?

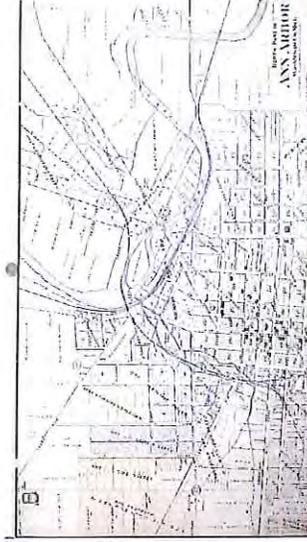
## Why Have a Stormwater Utility?

- Asset Management
  - Operations
  - Maintenance Scheduling/Work Orders
  - Asset Inventory
- Capital Improvements
- Regulatory Programming
  - NPDES Permitting
  - NFIP Implementation

## Level of Service Principles

- Protect public health, safety, and welfare
- Protect ecological health
- Conduct comprehensive planning to determine priorities
- Encourage shared responsibility
- Offer incentives to guide desired behaviors
- Educate stormwater system users
- Provide an understandable, equitable rate structure

\*\*\*Developed by Storm Water Citizens Advisory Task Force (2007)



Rate Structure

## Residential Rates – 2012

Measured Impervious Area	Single-Family and Two-Family Residential Representative Impervious Area	Quarterly Charge
Less than or equal to 2,187 square feet	0.04 acres	\$13.68
Greater than 2,187 square feet to less than or equal to 4,175 square feet	0.07 acres	\$23.94
Greater than 4,175 square feet to less than or equal to 7,110 square feet	0.12 acres	\$41.04
Greater than 7,110 square feet	0.21 acres	\$71.82

\*\* Plus a \$6.77 customer charge per quarter.

## Commercial Rates – 2012

- Commercial and other properties (e.g., multi-family, office, institutional, and industrial land uses) are billed directly on the impervious areas at a rate of **\$342.00** per acre per quarter, plus a **\$6.77** customer charge per quarter.

## Ann Arbor Stormwater Utility Revenue

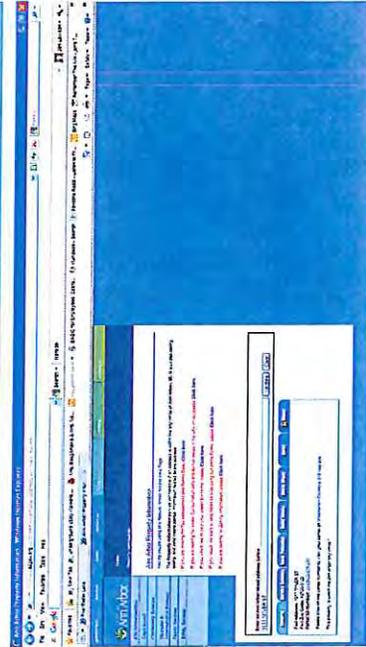


- 2007 = \$4,041,938.44
- 2008 = \$4,777,706.89
- 2009 = \$5,190,173.61
- 2010 = \$5,298,685.15
- 2011 = \$5,396,396.30

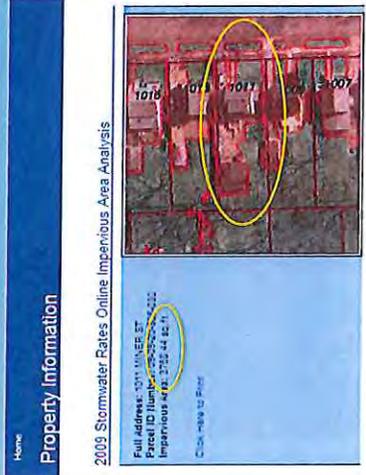


Data Management/GIS Classification

## Online Impervious Area Lookup



## Parcel Data



## Residential Rates – 2012

Measured impervious area	Single-Family and Two-Family Residential Representative Impervious Area	Quarterly charge
Less than or equal to 2,187 square feet	0.04 acres	\$13.68
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Greater than 4,175 square feet to less than or equal to 7,110 square feet	0.12 acres	\$41.04
Greater than 7,110 square feet	0.21 acres	\$71.82

## Remote Sensing Classification



- Use new 6-inch resolution orthoimagery to yield 2-foot resolution imperviousness map grid
  - All pavement and travel ways
  - All buildings, including decks and roof overhangs
- Use Ann Arbor GIS data as classification Benchmark
- Data Quality Assurance
  - Manual digitization
  - Field verification

## Adjustments & Provisions

- Recognize ratepayer actions/situations
- Possible Adjustments:
  - Map interpretations
  - Non-contributing areas
    - Direct flow to Huron River
    - Flow outside City limits
  - Runoff does not enter the City Stormwater system
- Retention of ALL stormwater
  - Runoff does not enter the City Stormwater system
  - Back-to-back 100-year storm events

## Continued Impervious Area Imagery Management

- Update every three years
- Share costs with other City units
- New orthoimagery acquired in the spring of 2012.
- New impervious surface layer generated by consultant. QA/QC by City Staff.
- Implemented updated impervious surface layer in Fall 2013.

## How did we Bolt-Proof the Program?

- Are regulatory activities the primary purpose of the funds (protect public health, safety, welfare, meet regulatory obligations)?
  - All services are regulatory (i.e. NPDES, NRP)
- Are the services provided proportional to the fees charged?
  - Address through cost allocation
  - Address through rate structure options
- Can customers control their use of the system and fees charged?
  - Impervious Area = runoff generation
  - Address through credit and adjustment provisions



Funded Initiatives

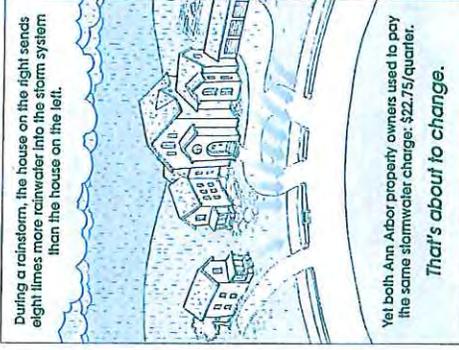
## Examples of Completed Stormwater Fund Projects

- ☐ Mary Beth Doyle Park Wetland Preserve
- ☐ Easy Street – Permeable Pavers
- ☐ Stormwater GIS and SWMM Model
- ☐ Stadium Blvd. Stormwater Quality Units
- ☐ Pioneer HS Underground Detention
- ☐ West Park Stormwater Management
- ☐ Sylvan Ave. – Permeable Asphalt
- ☐ Malletts Creek Bank Stabilization
- ☐ Impervious Area Disconnection/Infiltration
- ☐ Burns Park – Permeable Concrete Alley

## Stormwater Education

Public and Political support for stormwater projects and policy improvements

- ☐ Phosphorous Ordinance
- ☐ NIPDES Education Compliance
- ☐ Single Family Stormwater Management Ordinance
- ☐ Adopt - A - Drain Program
- ☐ Revised Landscape Ordinance



## Takeaway Message

...you have to have an outcome that the community will embrace and support...



Jennifer E. Lawrence, CSA, ASA  
Water Quality Manager  
jlawren@ci02.gov.org

## Impervious Area Adjustments to Date

Year	2007	2008	2009	2010 J+F 2011
Parcels Edited	321	167	36	61
	47			

Total Edits 632 / 24,521 Parcels = 2.6%

**RESOLUTION TO EXTEND  
RESOLUTION #2011-04**

**RESOLUTION #2011-23**

**RESOLUTION #2012-\_\_\_\_\_**

**RESOLUTION TO IMPOSE A 730 DAY  
TEMPORARY MORATORIUM ON  
THE USE OF PROPERTY AND  
STRUCTURES IN THE VILLAGE FOR  
DISPENSING OR CULTIVATING  
MARIHUANA**

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

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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 9<sup>th</sup> day of July, 2012, Eastern Daylight Time.

PRESENT: Members:

ABSENT: Members:

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, on August 23, 2010 the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), adopted resolution #2010-04, titled a "Resolution to Impose a 120 day Moratorium on the use of property and structures in the Village for the dispensing or cultivation of marihuana"; and

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

WHEREAS, on March 14, 2011 the Village Council adopted resolution #2011-04 titled a "Resolution to Impose a 120 day Moratorium on the use of property and structures in the Village of Dexter for the dispensing or cultivation of marihuana" from March 14, 2011 to July 19, 2011; and

WHEREAS, on July 11, 2012 the Village Council adopted resolution #2011—23 titled a "Resolution to Impose a 365 day temporary moratorium on the use of property and structures in the Village of Dexter for the dispensing or cultivation of marihuana"

from July 11, 2011 to July 18, 2012; and

WHEREAS, the current moratorium expires on July 18, 2012; and

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

THEREFORE BE IT RESOLVED, that Village Council hereby extends the moratorium temporarily prohibiting the initiation of the use of any property in the Village as a facility for dispensing marihuana for medical or any other purpose for 730 days, in conjunction with the continued study of the Village Zoning Ordinance or other ordinances regarding this issue and the outcome and/or clarification of the Michigan Medical Marihuana Act, MCL 333.26423(d) in order to protect the public health, safety and welfare;

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

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

BE IT FURTHER RESOLVED, that this moratorium expires on July 9, 2014.

AYES:

NAYS:

ABSENT:

**RESOLUTION DECLARED ADOPTED THIS 9<sup>th</sup> DAY OF JULY, 2012**

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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 9<sup>th</sup> day of July, 2012.

---

Village Clerk – Carol J. Jones



**VILLAGE OF DEXTER**

8140 Main Street Dexter, MI 48130-1092

**[ddetling@villageofdexter.org](mailto:ddetling@villageofdexter.org)**

Phone (734)426-8303 ext 11 Fax (734)426-5614

**MEMO**

**To: President Keough and Council Members**  
**From: Donna Dettling, Village Manager**  
**Date: June 6, 2012**  
**Re: Assistant Village Manager &  
Village Manager Report - Meeting of June 11, 2012**

## 1. Meeting Review:

- May 22<sup>nd</sup> – Patrick Greve of Waste Management re: Renewal
- May 22<sup>nd</sup> – WCSD and DAFD meeting to review construction equipment in the ROW in Huron Farms
- May 22<sup>nd</sup>- Pre-construction Meeting re: Central Street
- May 31<sup>st</sup> – Dexter Relief Fund Meeting

## 2. Upcoming Meeting Review:

- June 12<sup>th</sup> – 5H Meeting
- June 13<sup>th</sup> – Broad Street Redevelopment Team Meeting
- June 14<sup>th</sup> – Bricco Meeting re: Water Main Project
- June 15<sup>th</sup> – Bid Open Dexter-Pinckney Sidewalk

3. DDA Forecast 2010-2036. Included loose in your packet is an 11x17 worksheet that provides an update on the DDA Financial outlook. The yellow highlight reflects items from the DDA Budget that Council adopted at the last meeting. The reimbursement items that the DDA has programed to repay the Village include: Tupper Redevelopment, ADA Ramp and House Purchase. Several of the assumptions in revenue: 1% growth, \$80,000 in one-time revenue and sale of property are speculative.
4. STPU Funding. As I mentioned in my report last meeting, Council will need to revisit road project priorities. We are currently on the Washtenaw Area Transportation Study-Transportation Funding Plan for 2014 for the Baker Road Project at \$400,000. The STPU eligible roads are Baker, Dexter Ann Arbor, and Central Street. An examination of the pros/cons and process to re-designate roads in the village would also be a useful discussion. The Village did submit a grant application for funding from the Michigan Transportation Economic Development Fund for FY 2014 for the portion of Central Street on the truck route (between Third and Second). These topics will be included on a future agenda that is less busy.
5. Main Street Update. The projected construction cost for the Main Street Project is \$240,540. OHM will be performing a balancing change order later in June, which will give us the final project construction cost. Design, construction engineering and material testing were \$74,700. The 2011/12 budget included \$334,000 for this this project, with \$315,240 expected to be expended by June 30, 2012, this project will be \$18,760 under

budget. In Fiscal year 2010/11 \$13,500 was expended for design costs, which brings the expected final project total to \$328,740.

6. Central Street. The Central Street project starts on June 11<sup>th</sup>. The project picks up where the Road Commission left off at the Mast Road Bridge and continues to Second Street. Traffic will be handled in the same way that it was for the Mast Road Bridge construction. Two-way traffic will be maintained with a single lane using temporary traffic signals. The project is expected to last until mid-August. Media announcements, email updates, and the newsletter will be used to get the word out on the single lane road closure and project updates. The temporary signals are being installed in the project area. The signals will need to coordinate with the railroad signals so that traffic is stopped in both directions while a train passes. OHM and staff are working on making contact with the railroad to arrange this coordination. There is a chance this could delay the start of the project depending on the responsiveness of the railroad.
7. Summer Employee. We hired Evan Rohloff and he started on Monday, June 4<sup>th</sup> with the DPW for the temporary summer position.
8. Amend Tax Year 2012 Dexter Fastener. Included with my report are documents requesting reductions in taxable value on: HD-08-07-125-043, HD-08-99-000-504, and HD-08-07-125-044. This is an amendment to a previous request. Scio Township Assessor Jim Merte provided the following breakdown on all the current Taxable Values in contention for these properties. The total amount of the request over the three years equals \$99,585.05 to the Village. According to Jim Merte, the probable risk of a tax tribunal case is calculated at 25% of the requested reduction.  
  
HD-08-07-125-043  
2012 contention: \$835,000  
  
HD-08-07-125-044  
2010 contention: \$2,003,139  
2011 contention: \$1,908,300  
2012 contention: \$1,847,000  
  
HD-08-99-000-504  
2010 contention: \$835,000 (use ½ millage rate with this)  
2011 contention: \$670,300 (use ½ millage rate with this)
9. Farmers Market. The Farmers Market partnered with the Chelsea Farmers Market and Chelsea Area Wellness Foundation in applying for a grant to provide canning demonstrations at the Market. The grant pays for the person to provide the demonstration and the supplies to hand out to those who participate. There is no match requirement, so there will be no monetary expense by the Village. The demonstrations are scheduled for July 21 and October 6.
10. Dexter Relief Fund. Courtney has been meeting with the Dexter Relief Fund every few weeks for the past two months. \$275,000 has been donated to the fund. \$150,000 has been allocated or spent so far. Some of the ways the funds have been used include helping

households pay deductibles, getting primary driver's cars back on the road, and helping displaced families get their kids to school. The Relief Fund also provided funding to the coordinated stump removal effort which removed stumps for impacted homeowners free of charge. 125 households have received funding. The Committee plans to continue to process applications as they come in over the next several weeks and in mid-July will consider shifting the focus from immediate needs to replanting and rebuilding.

11. Arts, Culture & Heritage Committee. The ACH Committee's first fundraiser was a success; raising \$1900 after expenses. 98 people participated in the breakfast. This money will be held in a separate cash account as donated revenue. A second breakfast will be held on Friday, August 10, 2012. At the June meeting the Committee discussed an idea presented by President Keough to place a friendly troll under the bridge along the Border to Border Trail path to Westridge. It could be placed on the piling extension on the left side of the walkway after you cross the creek onto the Westridge side of the path. The Committee is going to do some research on this idea and return with ideas and a cost estimate for the July ACH meeting. The Committee was also in support of working with Matt LaFontaine to solicit sculpture ideas for the plaza in front of the dealership. We will be working with Matt to create a list of possible themes that will be included in a "call for artists" document. The Committee is also interested in potentially purchasing a great blue heron sculpture for the area along Mill Creek. We will be having a Songs, Slams and S'mores event on September 22, likely in Mill Creek Park. The Committee is interested in working with the schools on a banner project. Students would be asked to create banners which would be put up downtown and then auctioned. This project is planned for next spring so the banners could possibly be hung during the summer and sold at Dexter Daze. The Committee also discussed the historical sign. They were supportive of the wording of the sign presented by the Parks & Recreation Commission relative to the dam removal. They discussed that they would still like to see a glass sign that displays a historic photo closer to the site of 8140 Main. The sign could possibly be made to look like the kiosk type sign that will go at the beginning of the Border to Border Trail segment going to Westridge. A photo of the type of sign the committee is modeling this idea after is attached. The Committee will continue to work with the Parks & Recreation Commission to coordinate the possible look and placement of the signage. The July ACH meeting was moved to July 10, 2012 due to the 4<sup>th</sup> of July holiday.



May 29, 2012

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Scio Township Assessor  
James Merte, Head Assessor  
827 N. Zeeb Road  
Ann Arbor, MI 48103-1599

Village of Dexter  
Donna Dettling, Village Manager  
8140 Main Street  
Dexter, MI 48130

Washtenaw County  
Equalization and Property Description  
Department  
Raman A. Patel, CAE, SRA, Director  
200 N. Main Street  
Ann Arbor, MI 48107-8645

State Treasurer  
Department of Treasury  
Treasury Building  
430 West Allegan  
Lansing, MI 48922

E. Spaulding Clark, Supervisor  
Township of Scio  
827 N. Zeeb Road  
Ann Arbor, MI 48103

Dexter Community Schools  
Kim Covert, Secretary  
7714 Ann Arbor Street  
Dexter, MI 48130

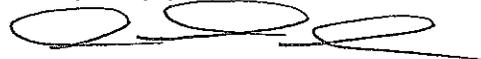
Washtenaw County  
Lawrence Kestenbaum, County Clerk  
200 N. Main Street  
P.O. Box 8645  
Ann Arbor, MI 48107

**Re: Dexter Fastener Technologies, Inc. v. Township of Scio, Village of Dexter**

Dear Sirs/Madames:

Enclosed please find a copy of the Case Information Sheet, Petition, and Proof of Service in the above-captioned matter. The originals have been filed with the Michigan Tax Tribunal.

Very truly yours,



David J. Den Dooven

DJD/tlb  
Enclosures

**Michigan Tax Tribunal Case Information Sheet**  
**Entire Tribunal**

<p>1. Petitioner, Address and Phone No.</p> <p>Dexter Fastener Technologies, Inc. 2110 Bishop Circle East Dexter, MI 48130 (734) 426-5200</p>	<p>2. Respondent, Address and Phone No.</p> <table style="width:100%;"> <tr> <td style="width:50%;">Scio Township 827 N. Zeeb Road Ann Arbor, MI 48103-1599 (734) 369-9400</td> <td style="width:50%;">Village of Dexter 8140 Main Street Dexter, MI 48130 (734) 426-8303</td> </tr> </table>	Scio Township 827 N. Zeeb Road Ann Arbor, MI 48103-1599 (734) 369-9400	Village of Dexter 8140 Main Street Dexter, MI 48130 (734) 426-8303						
Scio Township 827 N. Zeeb Road Ann Arbor, MI 48103-1599 (734) 369-9400	Village of Dexter 8140 Main Street Dexter, MI 48130 (734) 426-8303								
<p>3. Agent name, address and phone</p> <p>John D. Gatti Kerr, Russell and Weber, PLC 500 Woodward Avenue, Suite 2500 Detroit, MI 48226 (313) 961-0200</p>	<p>4. Agent Name and address, if known</p>								
<p>5. Filing Fee Paid: \$ 600.00</p>	<p>6. Is a proof of service attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>								
<p><b>Column below for Property Tax appeal only</b></p>	<p><b>Column below for Non-Property Tax appeal only</b></p>								
<p><b>A. Amount of State Equalized Value or Taxable Value in Contention:</b> * \$ 835,000 * For parcel with highest SEV in contention</p> <p style="font-size: 1.2em; margin-left: 20px;"><i>@ 13.5962 mills</i> <i>\$ 5,660</i></p> <p><b>B. Issue (designate one):</b></p> <p><input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization</p> <p><b>C. Reason for appeal:</b></p> <p><input checked="" type="checkbox"/> True cash value (TCV) &amp; taxable value (TV) <input type="checkbox"/> TV only <input type="checkbox"/> Uncapping: Tax Year(s) at issue: _____ <input type="checkbox"/> Tax Bill: Tax Year(s) at issue: _____ <input type="checkbox"/> STC Order: Tax Year(s) at issue: _____ <input type="checkbox"/> Other</p> <p><b>D. Type of Property:</b> <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal</p> <p><b>E. Classification of Property:</b> <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Timber Cutover</p> <p><b>F. Board of Review: Was the parcel appealed to the Board of Review?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><b>A. Amount in Contention:</b></p> <p>Tax: \$ _____ Penalty: \$ _____ Interest: \$ _____</p> <p><b>B. Tax Type (designate one):</b></p> <p><input type="checkbox"/> Aircraft Fuel Privilege <input type="checkbox"/> Airport Parking Tax <input type="checkbox"/> Estate Tax <input type="checkbox"/> Individual Income <input type="checkbox"/> Motor Carrier <input type="checkbox"/> Motor Fuel <input type="checkbox"/> Sales, Use, Withholding <input type="checkbox"/> Severance Tax <input type="checkbox"/> Single Business <input type="checkbox"/> Stadia or Convention Facility Financing <input type="checkbox"/> State Convention Facility Dev <input type="checkbox"/> State Real Estate Transfer Tax <input type="checkbox"/> Tobacco Products <input type="checkbox"/> Other (please state): _____</p>								
<table style="width:100%;"> <tr> <td style="width:50%;"><b>G.</b> Tax Year(s)</td> <td style="width:50%;"><b>H.</b> Parcel ID No. (for parcel listed in "A" above)</td> </tr> <tr> <td>2012</td> <td>HD-08-07-125-043</td> </tr> </table>	<b>G.</b> Tax Year(s)	<b>H.</b> Parcel ID No. (for parcel listed in "A" above)	2012	HD-08-07-125-043	<table style="width:100%;"> <tr> <td style="width:50%;"><b>C.</b> Assessment No(s).</td> <td style="width:50%;"><b>D.</b> Date of Issuance</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	<b>C.</b> Assessment No(s).	<b>D.</b> Date of Issuance		
<b>G.</b> Tax Year(s)	<b>H.</b> Parcel ID No. (for parcel listed in "A" above)								
2012	HD-08-07-125-043								
<b>C.</b> Assessment No(s).	<b>D.</b> Date of Issuance								
<p><b>I. Are you appealing more than one parcel?</b></p> <p>a. If yes, how many? <u>  No  </u></p> <p>b. Are the parcels contiguous? <input type="checkbox"/> Yes <input type="checkbox"/> No (See TTR 240(1)(a))</p>									

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN TAX TRIBUNAL**

DEXTER FASTENER TECHNOLOGIES, INC.

Petitioner,

v.

MTT Docket No. \_\_\_\_\_  
Parcel ID No. HD-08-07-125-043

TOWNSHIP OF SCIO,  
VILLAGE OF DEXTER,

Respondents.

**PETITION**

Petitioner, through its attorneys, Kerr, Russell and Weber, PLC, petitions this Tribunal as follows:

1. Petitioner is a Michigan corporation whose principal office address is 2110 Bishop Circle East, Dexter, Michigan 48130.
2. The subject property (hereinafter the "Property") is commonly known as 2103 Bishop Circle East, Dexter, Michigan 48130, and the property identification number is HD-08-07-125-043. The Property is real property, classified as 301 (Industrial). The Property was originally intended for and is currently used for industrial purposes.
3. Respondents levy and collect the property taxes on the Property.
4. The Property is located in Washtenaw County and the Dexter Community School District.
5. This matter involves issues relating to the valuation, assessment, and taxable value of the Property. There is no dispute relative to the value of any addition or loss to the Property.
6. For tax year 2012, Respondents determined the Properties' assessed value, state equalized value and taxable value as follows:

<b>Property ID</b>	<b>Assessed Value</b>	<b>SEV</b>	<b>Taxable Value</b>
HD-08-07-125-043	\$2,067,200	\$2,067,200	\$2,012,957

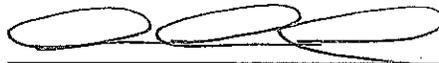
7. Petitioner has not appeared before the local Board of Review.
8. Petitioner contends that the location, age and current market conditions are all factors which have had a depreciative effect on the true cash value of the Property. As a result, Petitioner contends that Respondents erred in valuing the Property by not taking such factors into account.

9. Based on the foregoing, Petitioner contends that the true cash value of the Property is not more than \$2,464,000 which would yield a state equalized value of not more than \$1,232,000 and a taxable value of not more than \$1,177,957. The amount in contention is not less than \$835,000.
10. Petitioner requests that the Tribunal reduce the assessed, state equalized and taxable value of the Property as follows, and orders a refund with interest, as provided by the Tax Tribunal Act.:

	<b>Assessed Value</b>	<b>SEV</b>	<b>Taxable Value</b>
From:	\$2,067,200	\$2,067,200	\$2,012,957
To Not More Than:	\$1,232,200	\$1,232,200	\$1,177,957

Respectfully submitted,

**KERR, RUSSELL AND WEBER, PLC**




---

John D. Gatti (P45295)  
 David J. Den Dooven (P64827)  
 500 Woodward Ave., Suite 2500  
 Detroit MI 48226  
 (313) 961-0200  
 Attorneys for the Petitioner

Dated: May 29, 2012

# Notice of Assessment, Taxable Valuation, and Property Classification

FROM

SCIO TOWNSHIP ASSESSOR  
827 N ZEEB RD  
ANN ARBOR, MI 48103-1599

## THIS IS NOT A TAX BILL

NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:

DEXTER FASTENER  
TECHNOLOGIES  
2110 BISHOP CIRCLE EAST  
DEXTER MI 48130

PROPERTY IDENTIFICATION: (Parcel Code required. Property address  
and legal description optional.): HD-08-07-125-043

2103 BISHOP CIRCLE EAST

LOT 43 OF DEXTER BUS & RES PARK NO 2, PT NE 1/4  
SEC 7, T2S-R5E, 9.48 AC.

THIS PROPERTY IS CLASSIFIED AS 301 (INDUSTRIAL)

PRIOR YEAR'S CLASSIFICATION IF DIFFERENT:

Proposal A, passed by the voters on March 15, 1994, places a limit on the value used to compute property taxes. Starting in 1995, your property taxes were calculated on Taxable Value (see line 1 below). If there is a number entered in the "Change" column at the right side of the Taxable Value line, that number is not your change in taxes. It is the change in Taxable Value.

Prior to 1995, your taxes were calculated on State Equalized Value (see line 4 below). State Equalized Value (SEV) is the Assessed Value multiplied by the Equalization Factor, if any (see line 3 below). State Equalized Value must approximate 50% of market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2011, your 2012 Taxable Value will be the same as your 2012 State Equalized Value. Please see line 5 below regarding Transfer of Ownership on your property.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2011, your 2012 Taxable Value is calculated by multiplying your 2011 Taxable Value (see line 1 below) by 1.017 (which is the Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2012 Taxable Value cannot be higher than your 2012 State Equalized Value.

	PRIOR AMOUNT YEAR: 2011	CURRENT AMOUNT YEAR: 2012	CHANGE
1. TAXABLE VALUE (Current amount is tentative):	147,378	2,012,957	1,865,579
2. ASSESSED VALUE:	210,600	2,067,200	1,856,600
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	210,600	2,067,200	1,856,600
5. There WAS/WAS NOT a transfer of ownership on this property in 2011 WAS NOT			

For more detailed information please check on-line at: [www.twp.scio.mi.us](http://www.twp.scio.mi.us) or contact us at the number listed below. If you believe that these values, the property classification, or the information on line 5, is incorrect you may protest by appointment to the Board of Review which will meet on: Monday March 12th, 10am - 4pm; Thursday March 15th, 6pm - 9pm; and Saturday March 17th, 10am - 2pm.

YOUR ASSESSMENT CHANGED FOR THE FOLLOWING REASON(S): IFT EXPIRED, MARKET VALUE ADJUSTMENT. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE OR REQUIRE AN APPOINTMENT WITH THE BOARD OF REVIEW, PLEASE CALL THE SCIO TOWNSHIP ASSESSOR'S OFFICE AT (734) 369-9400.

% Exempt As "Homeowners Principal Residence": 0.00%	% Exempt As "MBT Industrial Personal": 0.00%
% Exempt As "Qualified Agricultural Property": 0.00%	% Exempt As "MBT Commercial Personal": 0.00%
Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal.

Protest at the Board of Review is necessary to protect your right to further appeals to the Michigan Tax Tribunal for valuation and exemption appeals and/or the State Tax Commission for classification appeals. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal prior to May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal prior to May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19.

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 247 OF 2003. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit on or before May 1.

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN TAX TRIBUNAL**

DEXTER FASTENER TECHNOLOGIES, INC.,

Petitioner,

v.

MTT Docket No. \_\_\_\_\_

TOWNSHIP OF SCIO,  
VILLAGE OF DEXTER,

Respondents.

\_\_\_\_\_ /

**PROOF OF SERVICE**

STATE OF MICHIGAN        )ss  
COUNTY OF WAYNE        )

Terri L. Bunch, being first duly sworn deposes and says that she is employed with the law firm of Kerr, Russell and Weber, PLC, attorneys for the Petitioner herein, and that on the 29<sup>th</sup> day of May, 2012, she caused to be served a copy of:

1. Case Information Sheet;
2. Petition; and
3. Proof of Service

Via US First Class Certified Mail, Return Receipt Requested, upon:

James Merte, Head Assessor  
Township of Scio  
827 N. Zeeb Road  
Ann Arbor, MI 48103-1599

E. Spaulding Clark, Supervisor  
Township of Scio  
827 N. Zeeb Road  
Ann Arbor, MI 48103

Village of Dexter  
Donna Dettling, Village Manager  
8140 Main Street  
Dexter, MI 48130

Dexter Community Schools  
Julie Schumaker, Secretary  
7714 Ann Arbor Street  
Dexter, MI 48130

[Addresses Continued on Next Page]

Washtenaw County  
Equalization and Property Description  
Department  
Raman A. Patel, CAE, SRA, Director  
200 North Main Street  
Ann Arbor, MI 48107-8645

Washtenaw County  
Lawrence Kestenbaum, County Clerk  
200 North Main Street  
P.O. Box 8645  
Ann Arbor, MI 48107

State Treasurer  
Department of Treasury  
Treasury Building  
430 West Allegan  
Lansing, MI 48922

Serri A. Bunch

Subscribed and sworn to before me  
this 29<sup>th</sup> day of May, 2012.

Debra A. Behrmann  
Debra A. Behrmann, Notary Public  
Wayne County, MI

My Commission Expires: 6/7/2014

May 29, 2012

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Village of Dexter  
Donna Dettling, Village Manager  
8140 Main Street  
Dexter, MI 48130

**Re: Dexter Fastener Technologies, Inc. v. Township of Scio, Village of Dexter**

Dear Ms. Dettling:

Enclosed please find a Motion to Amend to Add Tax Year 2012 As a Consecutive Year to the Petition and a copy of the Proof of Service.

Very truly yours,

**KERR, RUSSELL AND WEBER, PLC**



David J. Den Dooven

DJD/tlb  
Enclosures

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN TAX TRIBUNAL**

DEXTER FASTENER TECHNOLOGIES, INC.  
Petitioner,

v.

MTT Docket No.0395180

TOWNSHIP OF SCIO,  
VILLAGE OF DEXTER,  
Respondents

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**MOTION TO AMEND TO ADD TAX YEAR 2012  
AS A CONSECUTIVE YEAR TO THE PETITION**

Petitioner Dexter Fastener Technologies, Inc., by and through undersigned counsel, moves for leave to amend its Petition to add tax year 2012 as a consecutive year pursuant to MTT Rule 225(2).

1. Petitioner filed a Petition with the Michigan Tax Tribunal (the "Tribunal") in the above referenced matter on May 28, 2010 and subsequently filed a Motion to Amend to Add Tax Year 2011 As a Consecutive Year to the Petition on or about April 13, 2011.

2. The subject properties (hereinafter the "Properties") consist of two (2) separate but contiguous parcels, each of which are assessed by Scio Township. The Properties are presently used for industrial space. The Properties were originally designed to be used for industrial space. The Properties are hereby identified as follows:

<b>Address</b>	<b>Property ID</b>	<b>Classification</b>
2103 Bishop Circle West, Dexter, MI 48130	HD-08-99-000-504	304 (IFT Real)
2110 Bishop Circle East, Dexter, MI 48130	HD-08-07-125-044	301 (Industrial)

3. Based on the Notice of Assessment issued by Respondent Township of Scio for tax year 2012, the Property identified by Property ID HD-08-99-000-504 above has now been consolidated with Property ID HD-08-07-125-043 due to the expiration of the Industrial Facilities Tax Exemption at the end of 2011. For purposes of this Motion, the portion of Property ID HD-08-07-125-043 previously segregated as HD-08-99-000-504 and subject to this Petition will continue to be referred to as the "IFT Parcel". The property encompassing Property ID HD-08-07-125-043 as set forth on the 2010 and 2011 Notice of Assessments are not part of the Petition.

4. The Petition involves the appeal of issues relating to valuation, assessment, and taxable value of the Properties for tax year 2010. There is no dispute relative to the value of any addition or loss to the Properties.

5. For tax year 2012, Respondents determined that the assessed value, state equalized value and taxable value for Property ID HD-08-07-125-044 as follows:

<b>Property ID</b>	<b>Assessed Value</b>	<b>SEV</b>	<b>Taxable Value</b>
HD-08-07-125-044	\$4,347,000	\$4,347,000	\$4,347,000

6. In compliance with MTT Rule 240(2)(d), Petitioner states that it has not been advised of the components of the methodology that Respondent used to compute the 2012 assessed value, state equalized value and taxable value for the IFT Parcel and therefore the Respondent's determination of the assessed value, state equalized value and taxable value for the IFT Parcel cannot be ascertained without further information from the Respondent.

7. As with tax years 2010 and 2011, Petitioner contends that the Respondent improperly valued the Properties for tax year 2012 and that the assessed value and taxable value of the Property for tax year 2012 should be reduced. Petitioner relies on the facts cited in the Petition as the basis for the proceeding herein.

8. In its Petition, Petitioner contended that for tax year 2010, that the true cash value of the Properties is approximately \$2,470,000 for HD-08-99-000-504 and \$5,000,000 for HD-08-07-125-044. In its Motion to Add Tax Year 2011 as a Consecutive Year to the Petition Petitioner contended that the true cash value has decreased and that for tax year 2011, the True Cash Value of the Properties was approximately \$2,140,600 for HD-08-99-000-504 and \$4,173,200 for HD-08-07-125-044. Petitioner now contends that the true cash value has further decreased and that for tax year 2012, the true cash value of the Properties is not greater than \$2,056,146 for the IFT Parcel and \$4,050,600 for HD-08-07-125-044.

9. Based on the forgoing, Petitioner contends that for tax year 2012, the state equalized value, assessed value and taxable value of the Property should be not greater than \$1,028,073 for IFT Parcel and \$2,025,300 for HD-08-07-125-044. The amount in contention is not less than \$835,000 and \$2,321,700, respectively.

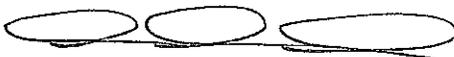
WHEREFORE, Petitioner respectfully requests that this Tribunal grant its Motion to Amend to Add Tax Year 2012 as a Consecutive Year to the Petition.

**BRIEF IN SUPPORT**

In support of its Motion to Amend to Add Tax Year 2012 as a Consecutive Year to the Petition, Petitioner relies on the facts and Tribunal rules cited in the motion.

Respectfully submitted,

**KERR, RUSSELL AND WEBER, PLC**

  
John D. Gatti (P45295)  
David J. Den Dooven (P64827)  
500 Woodward Ave., Suite 2500  
Detroit MI 48226  
(313) 961-0200  
Attorneys for the Petitioner

Dated: May 29, 2012

# Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c), as amended. This is a model assessment notice to be used by the local assessor.

L-4400

FROM

SCIO TOWNSHIP ASSESSOR  
827 N ZEEB RD  
ANN ARBOR, MI 48103-1599

## THIS IS NOT A TAX BILL

NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:

DEXTER FASTENER  
TECHNOLOGIES  
2110 BISHOP CIRCLE EAST  
DEXTER MI 48130

PROPERTY IDENTIFICATION: (Parcel Code required. Property address and legal description optional): HD-08-07-125-044

2110 BISHOP CIRCLE EAST

LOT 44, DEXTER BUS & RES PARK NO 2, PT NE 1/4 SEC 7 & PT NW 1/4 SEC 8, T2S-R5E, 16.10 AC.

THIS PROPERTY IS CLASSIFIED AS 301 (INDUSTRIAL)

PRIOR YEAR'S CLASSIFICATION IF DIFFERENT:

Proposal A, passed by the voters on March 15, 1994, places a limit on the value used to compute property taxes. Starting in 1995, your property taxes were calculated on Taxable Value (see line 1 below). If there is a number entered in the "Change" column at the right side of the Taxable Value line, that number is not your change in taxes. It is the change in Taxable Value.

Prior to 1995, your taxes were calculated on State Equalized Value (see line 4 below). State Equalized Value (SEV) is the Assessed Value multiplied by the Equalization Factor, if any (see line 3 below). State Equalized Value must approximate 50% of market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2011, your 2012 Taxable Value will be the same as your 2012 State Equalized Value. Please see line 5 below regarding Transfer of Ownership on your property.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2011, your 2012 Taxable Value is calculated by multiplying your 2011 Taxable Value (see line 1 below) by 1.017 (which is the Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2012 Taxable Value cannot be higher than your 2012 State Equalized Value.

	PRIOR AMOUNT YEAR: 2011	CURRENT AMOUNT YEAR: 2012	CHANGE
1. TAXABLE VALUE (Current amount is tentative):	4,408,300	4,347,000	-61,300
2. ASSESSED VALUE:	4,408,300	4,347,000	-61,300
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	4,408,300	4,347,000	-61,300
5. There WAS/WAS NOT a transfer of ownership on this property in 2011 WAS NOT			

For more detailed information please check on-line at: [www.twp.scio.mi.us](http://www.twp.scio.mi.us) or contact us at the number listed below. If you believe that these values, the property classification, or the information on line 5, is incorrect you may protest by appointment to the Board of Review which will meet on: Monday March 12th, 10am - 4pm; Thursday March 15th, 6pm - 9pm; and Saturday March 17th, 10am - 2pm.

YOUR ASSESSMENT CHANGED FOR THE FOLLOWING REASON(S): MARKET VALUE ADJUSTMENT. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE OR REQUIRE AN APPOINTMENT WITH THE BOARD OF REVIEW, PLEASE CALL THE SCIO TOWNSHIP ASSESSOR'S OFFICE AT (734) 368-9400.

% Exempt As "Homeowners Principal Residence": 0.00%	% Exempt As "MBT Industrial Personal": 0.00%
% Exempt As "Qualified Agricultural Property": 0.00%	% Exempt As "MBT Commercial Personal": 0.00%
Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal.

Protest at the Board of Review is necessary to protect your right to further appeals to the Michigan Tax Tribunal for valuation and exemption appeals and/or the State Tax Commission for classification appeals. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal prior to May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal prior to May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19.

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 247 OF 2003. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit on or before May 1.

# Notice of Assessment, Taxable Valuation, and Property Classification

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FROM  
  
SCIO TOWNSHIP ASSESSOR  
827 N ZEEB RD  
ANN ARBOR, MI 48103-1599

## THIS IS NOT A TAX BILL

NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:  
  
DEXTER FASTENER  
TECHNOLOGIES  
2110 BISHOP CIRCLE EAST  
DEXTER MI 48130

PROPERTY IDENTIFICATION: (Parcel Code required. Property address and legal description optional.): HD-08-07-125-043  
**2103 BISHOP CIRCLE EAST**  
  
LOT 43 OF DEXTER BUS & RES PARK NO 2, PT NE 1/4 SEC 7, T2S-R5E, 9.48 AC.

**THIS PROPERTY IS CLASSIFIED AS 301 (INDUSTRIAL)**

**PRIOR YEAR'S CLASSIFICATION IF DIFFERENT:**

Proposal A, passed by the voters on March 15, 1994, places a limit on the value used to compute property taxes. Starting in 1995, your property taxes were calculated on Taxable Value (see line 1 below). If there is a number entered in the "Change" column at the right side of the Taxable Value line, that number is not your change in taxes. It is the change in Taxable Value.

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	PRIOR AMOUNT YEAR: 2011	CURRENT AMOUNT YEAR: 2012	CHANGE
1. TAXABLE VALUE (Current amount is tentative):	147,378	2,012,957	1,865,579
2. ASSESSED VALUE:	210,600	2,067,200	1,856,600
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	210,600	2,067,200	1,856,600
5. There WAS/WAS NOT a transfer of ownership on this property in 2011 WAS NOT			

For more detailed information please check on-line at: [www.twp.scio.mi.us](http://www.twp.scio.mi.us) or contact us at the number listed below. If you believe that these values, the property classification, or the information on line 5, is incorrect you may protest by appointment to the Board of Review which will meet on: Monday March 12th, 10am - 4pm; Thursday March 15th, 6pm - 9pm; and Saturday March 17th, 10am - 2pm.

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% Exempt As "Qualified Agricultural Property": 0.00%	% Exempt As "MBT Commercial Personal": 0.00%
Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal.

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STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN TAX TRIBUNAL

DEXTER FASTENER TECHNOLOGIES, INC.  
Petitioner,

v.

MTT Docket No.0395180

TOWNSHIP OF SCIO,  
VILLAGE OF DEXTER,  
Respondents.

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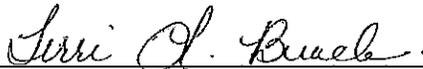
**PROOF OF SERVICE**

STATE OF MICHIGAN    )  
  )ss  
COUNTY OF WAYNE    )

Terri L. Bunch, being first duly sworn deposes and says that she is employed with the law firm of Kerr, Russell and Weber, PLC, attorneys for herein, and that on the 29<sup>th</sup> day of May 2012, she served a copy of the *Motion to Amend to Add Tax Year 2012 as a Consecutive Year to the Petition* and *Proof of Service* relative to the above-captioned matter, via U.S. First Class and Certified Mail, Return Receipt Requested, with proper postage affixed thereto, upon:

John L. Etter  
Reading, Etter & Lillich  
101 N. Main Street, Suite 575  
Ann Arbor, MI 48104  
Attorney for Respondent Scio Township

Village of Dexter  
Donna Dettling, Village Manager  
8140 Main Street  
Dexter, MI 48130

  
\_\_\_\_\_  
*Terri L. Bunch*

Subscribed and sworn to before me  
this 29<sup>th</sup> day of May, 2012

  
\_\_\_\_\_  
Debra A. Behrmann, Notary Public  
Wayne County, Michigan  
My Commission Expires: 1/7/2014  
Acting in Wayne County, Michigan



## ALLEN CREEK VALLEY SHAPES THE TOWN



ANN ARBOR CENTRAL BUILT ON FIRST STREET BETWEEN LIBERTY AND WASHINGTON WAS ONE OF TWO LARGE POWER MILLS BUILT BY ALLEN CREEK, CONSTRUCTED IN STAGES AFTER 1895 TO BE NEAR THE RIVER BANKS. IT USED THE FOUNDATIONS OF HAUKE'S 1853 CITY BRICKERY, WHICH HAD USED THE WATERS OF ALLEN CREEK PHOTO AFTER 1900.

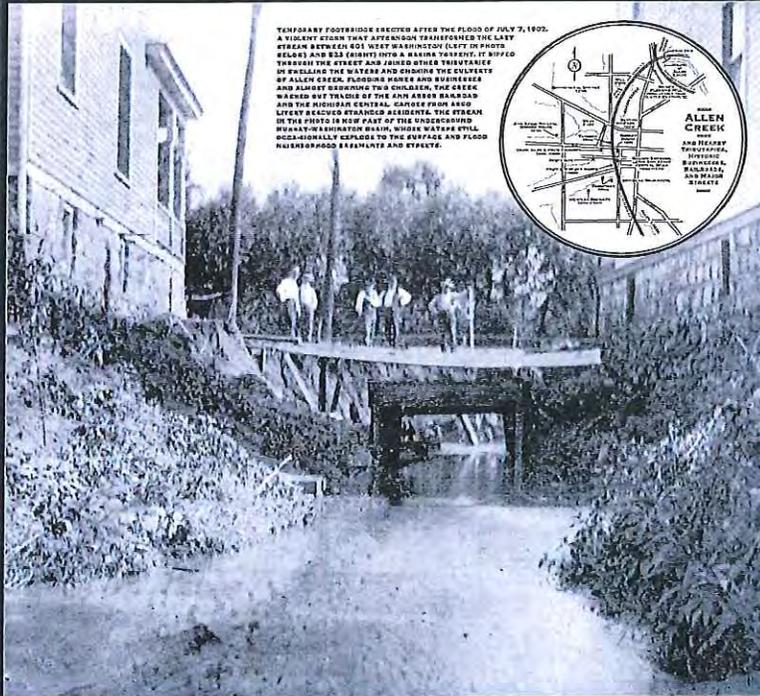
### LOOKING WEST ON LIBERTY FROM MAIN STREET GERMAN AMERICAN DAY, 1870S



Residents living on the west side in the 1870s drove their horses or walked across the bridge over West Creek climbing the Liberty Street hill to join the celebration of German American Day. In the distance you can see the rooftops of their homes built after 1845 in what is now the Old West Side. Close by saw mills, grist mills, laundries, foundries, and breweries, mainly German-owned, took advantage of the creek as a source of power and water.

From Ann Arbor's foundation in 1824 until today, the presence of the valley of Allen Creek shaped the center of town. The creek provided the site for the city's earliest town hall, saw, an early and Victorian structure built over the creek at Liberty and First streets. Early skating parks and swimming areas also were located along the creek. In 1878 the first passenger on James Ashley's new Toledo & Ann Arbor Railroad arrived in town. The railroad followed the

valley and spurred increased industrial development along the creek. By Ann Arbor's centennial in 1924 property owners near the creek, upset by frequent flooding and pollution, demanded that the city put the creek into a storm sewer. Although it was buried in two miles of pipe, heavy downpours sometimes exceeded the capacity of the pipe, resulting in flooding along its watershed.



TEMPORARY FOOTBRIDGE ERECTED AFTER THE FLOOD OF JULY 7, 1905. A VIGILANT STEAM TRACTOR OPERATOR TRANSFERRED THE LAST STEAM BETWEEN WEST WASHINGTON (LEFT IN PHOTO) AND 822 (RIGHT) INTO A BAKING TANK. IT BUFFED THROUGH THE STREET AND CAUSED OTHER TRAFFIC TO SWELL THE WATERS AND CHOKING THE CONCRETE OF ALLEN CREEK. FLOODING HUNG AND BURST AND ALMOST SPOILING TWO CHILDREN, THE CREEK WAS DAMMED BY THE LOGS OF THE ANN ARBOR RAILROAD AND THE RICHMAN CENTRAL. CARROTS FROM ANOTHER STREET BECAME STAMPEDES BEHIND THE STEAM IN THE PHOTO IS NOW PART OF THE UNDERGROUND RICHMAN'S SUBURBAN DRAIN. UNDER WATERS STILL OCCASIONALLY EXPLODES TO THE SURFACE AND FLOOD BURIED HOMES & REPUTABLE AND REPUTABLE.

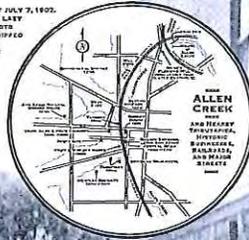


PHOTO COURTESY OF THE GENTLEY HISTORICAL LIBRARY



# Memo

**To:** Village Council  
**From:** Marie Sherry, Treasurer  
**CC:** Village Manager  
**Date:** 6/6/2012  
**Re:** Streetscape Special Assessment

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As we discussed at a budget workshop, the final collection of the 1996 Streetscape Special Assessment on the tax roll is scheduled to be levied in July 2012 and the final bond payment is scheduled to be made in October 2012. I verified that this is the final payment with our paying agent, US Bank. Following is the relevant section from our ordinance regarding closure of the special assessment:

**Sec. 42-51. - Additional assessments, refunds.**

The village clerk shall, within 60 days after the completion of each local or special public improvement, compile the actual cost thereof and certify the cost to the assessor who shall adjust the special assessment roll to correspond therewith. Should the assessment prove larger than necessary by less than five percent the excess shall be reported to the council which may place the excess in the village treasury or make a refund thereof pro rata according to the assessment. If the assessment exceeds the amount necessary by five percent or more, the entire excess shall be credited to owners of property as shown by the village assessment roll upon which such assessment has been levied, pro rata according to the assessment. No refunds of special assessments may be made which impair, or contravene the provision of any outstanding obligation or bond secured in whole or in part by such special assessments. In the case of assessments due in installments the council may order the refund given by credit against the installments last coming due. When any special assessment roll shall prove insufficient to meet the cost of the improvement for which it was made, the council may make an additional pro rata assessment, but the total amount assessed against any one parcel of land shall not exceed the benefits received by such lot or parcel of land.

The ordinance requires that any amounts over 5% be refunded to the property owners. The original special assessment was for \$841,134.73, and 5% of that is \$42,056.73. As you can see in the following accounting, after the last scheduled special assessment levy we would have a balance of \$83,404.92, which is 11% of the original roll. This is due to a combination of pre-payments (which generally are made when property changes ownership) and favorable investment rates in past years.

Bank Balance as of 4/30/12	\$ 96,966.45
Delinquent Due from County	\$ 4,853.06
<u>Total Balance as of 4/30/12</u>	<u>\$ 101,829.51</u>
July 2012 Scheduled Tax Roll	\$ 43,075.41
<u>Balance After Tax Collection</u>	<u>\$ 144,904.92</u>
FY 2012/2013 Bond Payment	\$ (61,500.00)
<u>Balance After Bond Payment</u>	<u>\$ 83,404.92</u>

Since after the completion of the 2012 tax collections we would have a balance greater than 5%, we have the following options:

- Levy the 2012 tax collections and then in May or June of 2013, after receipt of the delinquent property tax payment from Washtenaw County, prepare a refund on all the property within the special assessment district; or
- Give a credit against the special assessment installments due on the 2012 tax roll, and refund any remaining balances to all the property within the special assessment district.

I spoke at length with Tom Colis, our Bond Counsel, on the best way to proceed and we both feel that giving a credit against the 2012 tax roll would be the best option. I have prepared a spreadsheet that is currently being reviewed by his staff which would be the basis for the way that we will proceed. The format would be as follows (subject to final approval from Miller Canfield):

- Each parcel that was prepaid would be refunded 1/15<sup>th</sup> of their total special assessment from the cash (\$40,329.51) that we would have after payment of the last bond payment, but without collection of the 2012 special assessment levy.
- Each parcel that has a remaining installment would receive a credit on their tax bill for the 2012 principal and interest payment.
- Any amount remaining after the two steps above would be refunded to the parcels based on their percentage of the total roll. For those parcels receiving the installment credit on their tax bill, the interest portion of that credit would be deducted from this final refund amount.

I asked Tom the question of who would get the refund, and he stated that the special assessment follows the property, so refunds would be due to the owner of record at the time that the tax roll is prepared on July 1, 2012.

**Next Steps:** If Council agrees with the plan to credit the 2012 tax roll and issue refunds as set forth above, then I would need a motion directing me to do so. This can be done at your June 25<sup>th</sup> meeting. At that time I will have the roll from Scio Township and will be able to provide Council with exact numbers. I will be at the Government Finance Officers Association's national conference next Monday through Wednesday, so if you have any questions please let me know by June 8<sup>th</sup> or after June 13<sup>th</sup>.

## Village President Report

Hello Residents and Fellow Council Members,

Here is a summary of my recent activities since the last Council meeting (May 29th) and some of my planned activities for the future:

### Recent Activities

Under the Consent Agenda, you will notice that there are two recommendations for reappointment to the Zoning Board of Appeals.

May 28, 2012 – Memorial Day Ceremony with the Dexter American Legion and Memorial Day Parade activities.

June 4, 2012 – Village Storm Water Meeting – Jennifer Lawson from the City of Ann Arbor presented some information on how the City of Ann Arbor's Storm Water Utility works and how it is funded. There were only about 10 to 12 people that attended.

June 5, 2012 – Dexter/Chelsea Chamber of Commerce Golf Outing

### Future Activities

I will be working on a short article for the Village Newsletter describing the Village's Budget for the next fiscal year.

June 11, 2012 – Village Council meeting

June 13, 2012 – Regional Fire Department meeting – 8:30 am at Scio Township Hall

June 13, 2012 – DAPCO Team meeting – 11:15 am at Aubree's – the Team will discuss next steps toward the redevelopment of the old DAPCO property that the Village officially acquires in September of 2012. Topics for discussion include incentives, continuation of existing leases and Encore Theatre's interest a portion of the property. We will also review the Draft Redevelopment Assessment that Council briefly reviewed at our May workshop

June 13, 2012 – State Boundary Commission Meeting – 1:30 pm in Okemos. The Boundary Commission is expected to vote on the Summary of Proceedings, Findings of Fact and Conclusions of Law for the Village's proposed incorporation effort. Please see old business item K-1 for additional information.

June 21, 2012 – Downtown Development Authority Meeting – 7:30 am at the Senior Center

June 25, 2012 – Village Council Meeting – the highlight of this meeting is expected to be the adoption of the 2012-2013 Village Budget. Council still needs to determine upcoming projects in our Street Fund, but has discussed an update to our Storm Water Master Plan to better define our drainage districts and understand the capacity of our storm water outlets as a possible project for 2012 – 2013.

Please let me know if you have any questions. I hope to see you around our town.

Shawn Keough, Village President

[skeough@villageofdexter.org](mailto:skeough@villageofdexter.org)

(734) 426-5486 (home) or (313) 363-1434 (cell phone)





User: erin  
DB: Dexter

BANK CODE: POOL CHECK DATE: 06/06/2012 INVOICE PAY DATE FROM 06/06/2012 TO 06/06/2012

Check Date	Bank	Check #	Vendor Code	Vendor Name	Amount	# Invoices
06/06/2012	POOL	00000038303	ABSOLUTE C	ABSOLUTE COMPUTER SERVICES	112.50	1
06/06/2012	POOL	00000038304	ALEXANDER	ALEXANDER CHEMICAL CORPORATION	625.00	1
06/06/2012	POOL	00000038305	BISHOP	ALLISON BISHOP	23.10	1
06/06/2012	POOL	00000038306	BAKER, STR	BAKER, STRINGER & GARWOOD, LLP	688.50	1
06/06/2012	POOL	00000038307	BOULLION	BOULLION SALES	70.75	1
06/06/2012	POOL	00000038308	BS&A SOFTW	BS&A SOFTWARE	2,190.00	1
06/06/2012	POOL	00000038309	COMCAST	COMCAST	72.28	1
06/06/2012	POOL	00000038310	CORRIGAN O	CORRIGAN OIL COMPANY	1,972.20	1
06/06/2012	POOL	00000038311	CULLIGAN	CULLIGAN WATER CONDITIONING	29.95	1
06/06/2012	POOL	00000038312	DAP ENTERP	DAPPRICH ENTERPRISES INC.	160.00	1
06/06/2012	POOL	00000038313	DEX MILL	DEXTER MILL	32.29	1
06/06/2012	POOL	00000038314	DEX SENIOR	DEXTER SENIOR CITIZENS CENTER	100.00	1
06/06/2012	POOL	00000038315	DONNA D	DONNA DETTLING	218.78	1
06/06/2012	POOL	00000038316	DET EDISON	DTE ENERGY	3,877.07	1
06/06/2012	POOL	00000038317	DYKEMA	DYKEMA GOSSETT PLLC	120.00	1
06/06/2012	POOL	00000038318	ECONO	ECONO	49.95	1
06/06/2012	POOL	00000038319	ETNA SUPPL	ETNA SUPPLY CO	3,299.55	3
06/06/2012	POOL	00000038320	FANCY STIT	FANCY STITCH	116.60	1
06/06/2012	POOL	00000038321	GRAING	GRAINGER	33.10	1
06/06/2012	POOL	00000038322	G GUYS	GREEN GUYS LAWN AND LANDSCAPE	448.00	1
06/06/2012	POOL	00000038323	GRIFFIN PE	GRIFFIN PEST SOLUTIONS	144.00	1
06/06/2012	POOL	00000038324	GRISSOM	GRISSOM JANITORIAL	320.00	1
06/06/2012	POOL	00000038325	H.J. UMBAU	H.J. UMBAUGH & ASSOCIATES	28,400.00	2
06/06/2012	POOL	00000038326	HACKNEY	HACKNEY HARDWARE	1,050.17	1
06/06/2012	POOL	00000038327	HERITAGE N	HERITAGE NEWSPAPERS	1,009.50	2
06/06/2012	POOL	00000038328	HURON RIVE	HURON RIVER WATERSHED COUNCIL	406.70	1
06/06/2012	POOL	00000038329	JOHN DEERE	JOHN DEERE LANDSCAPES	175.10	3
06/06/2012	POOL	00000038330	JOHNS SAN	JOHN'S SANITATION	375.00	1
06/06/2012	POOL	00000038331	LOWE S	LOWE'S BUSINESS ACCOUNT	61.27	1
06/06/2012	POOL	00000038332	LUNASA	LUNASA	458.00	1
06/06/2012	POOL	00000038333	MASTERCRAF	MASTERCRAFT PLUMBING	255.94	1
06/06/2012	POOL	00000038334	MEL KESTER	MELISSA KESTERSON	322.50	1
06/06/2012	POOL	00000038335	METRO ENVI	METRO ENVIROMENTAL SERVICES	690.00	1
06/06/2012	POOL	00000038336	MI RURAL W	MICHIGAN RURAL WATER ASSOC	440.00	1
06/06/2012	POOL	00000038337	MUNI SUPPL	MUNICIPAL SUPPLY CO.	151.00	1
06/06/2012	POOL	00000038338	OHM	ORCHARD, HILTZ & MCCLIMENT INC	114,694.14	1
06/06/2012	POOL	00000038339	PARTS PEDD	PARTS PEDDLER AUTO SUPPLY	67.50	1
06/06/2012	POOL	00000038340	PAUL COUSI	PAUL COUSINS	142.08	1
06/06/2012	POOL	00000038341	CREDIT CAR	PNC	25.04	2
06/06/2012	POOL	00000038342	POST COMM	POST COMMUNICATION LLC	180.00	1
06/06/2012	POOL	00000038343	SAFETY SUP	SAFETY SUPPLY SOLUTIONS, INC	72.00	1
06/06/2012	POOL	00000038344	SCIO TWSP	SCIO TOWNSHIP TREASURER	210.52	1
06/06/2012	POOL	00000038345	SIGNS	SIGNS IN 1 DAY	87.00	1
06/06/2012	POOL	00000038346	SBAM	SMALL BUSINESS ASSOC OF MICH	17,729.96	1
06/06/2012	POOL	00000038347	STAPLES OF	STAPLES BUSINESS ADVANTAGE	287.58	1
06/06/2012	POOL	00000038348	TESTING EN	TESTING ENGINEERS & CONSULTANT	3,080.00	1
06/06/2012	POOL	00000038349	UIS PROGRA	UIS PROGRAMMABLE SERVICES INC	74.00	1
06/06/2012	POOL	00000038350	USA BLUE B	USA BLUE BOOK	942.75	1
06/06/2012	POOL	00000038351	VERIZON	VERIZON WIRELESS	496.18	1
06/06/2012	POOL	00000038352	SOIL EROSI	WASHTENAW COUNTY SOIL EROSION	47.50	1
06/06/2012	POOL	00000038353	W CTY TREA	WASHTENAW COUNTY TREASURER	37,648.75	1
06/06/2012	POOL	00000038354	WASTE MGT	WASTE MANAGEMENT OF MICHIGAN	503.12	1

Num Checks: 52

Num Invoices: 59

Total Amount: 224,786.92

User: erin  
Dexter

EXP CHECK RUN DATES 06/04/2012 - 06/06/2012  
JOURNALIZED PAID  
BANK CODE: POOL

76

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Invoice	Due Date	Amount	Check
Fund 101 GENERAL FUND							
Dept 101.000 VILLAGE COUNCIL							
101-101.000-727.000	OFFICE SUPPLIES	ECONO	BUSINESS CARDS	48991	06/06/12	49.95	38318
101-101.000-802.000	PROFESSIONAL SERVICES	SCIO TOWNSHIP TREASUR	FIRE CONSOLIDATION CHARGES	2078	06/06/12	210.52	38344
101-101.000-955.000	MISCELLANEOUS	DEXTER SENIOR CITIZEN	MAY 8TH & MAY 22ND MEETINGS	06/06/12	06/06/12	100.00	38314
101-101.000-958.000	MEMBERSHIPS & DUES	HURON RIVER WATERSHED	DUES	1524	06/06/12	406.70	38328
101-101.000-959.000	ARTS, CULTURE & HERITAGE	LUNASA	YELLOW DOOR FOOD COST	06/06/12	06/06/12	458.00	38332
101-101.000-959.000	ARTS, CULTURE & HERITAGE	PAUL COUSINS		06/06/12	06/06/12	142.08	38340
Total For Dept 101.000 VILLAGE COUNCIL						1,367.25	
Dept 172.000 VILLAGE MANAGER							
101-172.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	2,082.83	38346
101-172.000-901.000	PRINTING & PUBLISHING	HERITAGE NEWSPAPERS	LEGALS	06/06/12	06/06/12	499.00	38327
101-172.000-955.000	MISCELLANEOUS	DONNA DETTLING	MISC	06/04/12	06/06/12	218.78	38315
Total For Dept 172.000 VILLAGE MANAGER						2,800.61	
Dept 210.000 ATTORNEY							
101-210.000-810.000	ATTORNEY FEES	BAKER, STRINGER & GARW	LEGAL FEES	06/04/127699	06/06/12	688.50	38306
101-210.000-810.000	ATTORNEY FEES	DYREMA GOSSETT PLLC	06/04/12	1454497	06/06/12	120.00	38317
Total For Dept 210.000 ATTORNEY						808.50	
Dept 215.000 VILLAGE CLERK							
101-215.000-901.000	PRINTING & PUBLISHING	HERITAGE NEWSPAPERS	LEGALS	06/06/12	06/06/12	234.00	38327
Total For Dept 215.000 VILLAGE CLERK						234.00	
Dept 253.000 TREASURER							
101-253.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,493.59	38346
101-253.000-727.000	OFFICE SUPPLIES	STAPLES BUSINESS ADVA	SUPPLIES	802030221	06/06/12	72.54	38347
101-253.000-902.000	TAX BILL PRINTING & SERV	BS&A SOFTWARE	SUPPORT FEE	081291	06/06/12	2,190.00	38308
Total For Dept 253.000 TREASURER						3,756.13	
Dept 265.000 BUILDINGS & GROUNDS							
101-265.000-727.000	OFFICE SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	44.23	38326
101-265.000-728.000	POSTAGE	STAPLES BUSINESS ADVA	SUPPLIES	802030221	06/06/12	149.80	38347
101-265.000-803.000	CONTRACTED SERVICES	PNC	MAILING	06/04/12	06/06/12	12.95	38341
101-265.000-803.000	CONTRACTED SERVICES	ABSOLUTE COMPUTER SER	BROWSER REMOVAL FOR COURTNEY	63842	06/06/12	112.50	38303
101-265.000-920.000	UTILITIES	POST COMMUNICATION LL	SUBSCRIPTION	1537.	06/06/12	180.00	38342
101-265.000-935.001	COMMUNITY GARDEN	DTE ENERGY	MAY INVOICES	06/06/12	06/06/12	647.00	38316
101-265.000-962.000	COMMUNITY GARDEN	GRUSSOM JANITORIAL	MAY SERVICE	207	06/06/12	320.00	38324
101-265.000-962.000	COMMUNITY GARDEN	DEXTER MILL	COMMUNITY GARDEN	06/04/12	06/06/12	32.00	38313
101-265.000-962.000	COMMUNITY GARDEN	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	29.99	38326
101-265.000-962.000	COMMUNITY GARDEN	MELISSA KESTERSON	COMMUNITY GARDEN	001	06/06/12	322.50	38334
Total For Dept 265.000 BUILDINGS & GROUNDS						1,851.26	
Dept 301.000 LAW ENFORCEMENT							
101-301.000-803.000	CONTRACTED SERVICES	WASHTENAW COUNTY TREA	LAW ENFORCEMENT	21331	06/06/12	37,648.75	38353
Total For Dept 301.000 LAW ENFORCEMENT						37,648.75	
Dept 336.000 FIRE DEPARTMENT							
101-336.000-935.000	FIRE DEPARTMENT	GRIFFIN PEST SOLUTION	8140 MAIN	940714	06/06/12	144.00	38323
Total For Dept 336.000 FIRE DEPARTMENT						144.00	

INVOICE GL DISTRIBUTION REPORT FOR VILLAGE OF DEXTER  
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Fund 101 GENERAL FUND							
Dept 400.000 PLANNING DEPARTMENT							
101-400.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,493.59	38346
101-400.000-861.000	TRAVEL & MILEAGE	ALLISON BISHOP	MILEAGE	06/06/12	06/06/12	23.10	38305
101-400.000-901.000	PRINTING & PUBLISHING	HERITAGE NEWSPAPERS	LEGALS	06/04/12	06/06/12	31.50	38327
101-400.000-901.000	PRINTING & PUBLISHING	SIGNS IN 1 DAY	TORNADO DUMPSTER STICKERS	22480	06/06/12	87.00	38345
			Total For Dept 400.000 PLANNING DEPARTMENT			1,635.19	
Dept 441.000 DEPARTMENT OF PUBLIC WORKS							
101-441.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,403.16	38346
101-441.000-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	209.97	38326
101-441.000-740.000	OPERATING SUPPLIES	LOWE'S BUSINESS ACCOU	SUPPLIES	06/04/12	06/06/12	61.27	38331
101-441.000-745.000	UNIFORM ALLOWANCE	MUNICIPAL SUPPLY CO.	SUPPLIES	63150	06/06/12	151.00	38337
101-441.000-751.000	GASOLINE & OIL	FANCY STITCH	TORNADO T SHIRTS	5016	06/06/12	116.60	38320
101-441.000-802.000	PROFESSIONAL SERVICES	CORRIGAN OIL COMPANY	FUEL	5649477	06/06/12	904.48	38310
101-441.000-920.000	UTILITIES	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	1,409.75	38338
101-441.000-920.000	UTILITIES - TELEPHONES	DTE ENERGY	MAY INVOICES	06/06/12	06/06/12	1,192.00	38316
			VERIZON WIRELESS	2741912731	06/06/12	218.08	38351
			Total For Dept 441.000 DEPARTMENT OF PUBLIC WORK			5,666.31	
Dept 442.000 DOWNTOWN PUBLIC WORKS							
101-442.000-730.000	FARMERS MARKET SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	13.98	38326
101-442.000-730.000	FARMERS MARKET SUPPLIES	HERITAGE NEWSPAPERS	LEGALS	06/06/12	06/06/12	245.00	38327
101-442.000-730.000	FARMERS MARKET SUPPLIES	STAPLES BUSINESS ADVA	SUPPLIES	802030221	06/06/12	65.24	38347
101-442.000-731.000	LANDSCAPE SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	32.99	38326
101-442.000-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	106.03	38326
101-442.000-740.000	OPERATING SUPPLIES	JOHN DEERE LANDSCAPES	SUPPLIES	65362183	06/06/12	87.79	38329
101-442.000-920.000	UTILITIES	DTE ENERGY	MAY INVOICES	06/06/12	06/06/12	235.07	38316
			Total For Dept 442.000 DOWNTOWN PUBLIC WORKS			786.10	
Dept 447.000 ENGINEERING							
101-447.000-830.000	ENGINEERING CONSULTING	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	549.25	38338
			Total For Dept 447.000 ENGINEERING			549.25	
Dept 528.000 SOLID WASTE							
101-528.000-806.000	CONTRACTED COMPOSTING	WASTE MANAGEMENT OF M	ROLL OFF	7207629-1389-8	06/06/12	503.12	38354
			Total For Dept 528.000 SOLID WASTE			503.12	
Dept 751.000 PARKS & RECREATION							
101-751.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	226.32	38346
101-751.000-731.000	LANDSCAPE SUPPLIES	GREEN GUYS LAWN AND L	FERTILIZER FOR PARKS	06/06/12	06/06/12	448.00	38322
101-751.000-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	22.97	38326
101-751.000-740.000	OPERATING SUPPLIES	JOHN DEERE LANDSCAPES	SUPPLIES	61381240	06/06/12	69.85	38329
101-751.000-740.000	OPERATING SUPPLIES	JOHN DEERE LANDSCAPES	06/04/12	61381456	06/06/12	17.46	38329
101-751.000-937.000	EQUIPMENT MAINTENANCE &	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	308.06	38326
101-751.000-937.000	EQUIPMENT MAINTENANCE &	SAFETY SUPPLY SOLUTIO	SUPPLIES	1530	06/06/12	72.00	38343
101-751.000-944.000	PORTABLE TOILET RENTAL	JOHN'S SANITATION	PARKS	33419	06/06/12	375.00	38330
			Total For Dept 751.000 PARKS & RECREATION			1,539.66	
Dept 851.000 INSURANCE & BONDS							
101-851.000-721.001	RETIREE HEALTH INSURANCE	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	656.34	38346
			Total For Dept 851.000 INSURANCE & BONDS			656.34	

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Fund 101 GENERAL FUND						
Dept 901.000 CAPITAL IMPROVEMENTS						
101-901.000-975.011	PROPERTY ACQUISITION	WASHTEENAW COUNTY SOIL	INSPECTION FEE	1100210-52002	06/06/12	47.50
			Total For Dept 901.000 CAPITAL IMPROVEMENTS			47.50
			Total For Fund 101 GENERAL FUND			59,993.97
Fund 202 MAJOR STREETS FUND						
Dept 445.000 STORMWATER						
202-445.000-960.000	EDUCATION & TRAINING	PNC	MISC	06/06/12	06/06/12	12.09
			Total For Dept 445.000 STORMWATER			12.09
Dept 451.000 CONTRACTED ROAD CONSTRUCTION						
202-451.000-974.009	CENTRAL STREET PROJECT	DAPPRICH ENTERPRISES	TRAFFIC COUNTER	2112-4	06/06/12	160.00
202-451.000-974.009	CENTRAL STREET PROJECT	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	5,879.00
202-451.000-974.010	MAIN STREET RESURFACING	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	19,212.50
			Total For Dept 451.000 CONTRACTED ROAD CONSTRUCT			25,251.50
Dept 463.000 ROUTINE MAINTENANCE						
202-463.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,176.84
202-463.000-802.000	PROFESSIONAL SERVICES	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	4,500.00
			Total For Dept 463.000 ROUTINE MAINTENANCE			5,676.84
Dept 474.000 TRAFFIC SERVICES						
202-474.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	362.10
202-474.000-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	89.98
			Total For Dept 474.000 TRAFFIC SERVICES			452.08
Dept 478.000 WINTER MAINTENANCE						
202-478.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	724.21
			Total For Dept 478.000 WINTER MAINTENANCE			724.21
Fund 203 LOCAL STREETS FUND						
Dept 463.000 ROUTINE MAINTENANCE						
203-463.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	362.10
203-463.000-802.000	PROFESSIONAL SERVICES	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	4,500.00
			Total For Dept 463.000 ROUTINE MAINTENANCE			4,862.10
Dept 474.000 TRAFFIC SERVICES						
203-474.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	90.53
			Total For Dept 474.000 TRAFFIC SERVICES			90.53
Dept 478.000 WINTER MAINTENANCE						
203-478.000-721.000	HEALTH & DENTAL INSURANC	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	181.05
			Total For Dept 478.000 WINTER MAINTENANCE			181.05
Fund 204 MUNICIPAL STREETS						
Dept 248.000 ADMINISTRATION						
204-248.000-721.001	RETIREE HEALTH INSURANCE	SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	747.14
			Total For Fund 203 LOCAL STREETS FUND			5,133.68

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Fund 204 MUNICIPAL STREETS Dept 248.000 ADMINISTRATION			Total For Dept 248.000 ADMINISTRATION			747.14	
Fund 402 EQUIPMENT REPLACEMENT FUND Dept 441.000 DEPARTMENT OF PUBLIC WORKS			Total For Fund 204 MUNICIPAL STREETS			747.14	
402-441.000-939.000 VEHICLE MAINTENANCE & RE		BOULLION SALES	MAINTENANCE	218799	06/06/12	70.75	38307
Fund 403 SRF PROJECT FUND Dept 907.000 SLUDGE PROJECT			Total For Dept 441.000 DEPARTMENT OF PUBLIC WORK			70.75	
403-907.000-802.000 PROFESSIONAL SERVICES		H.J. UMBROUGH & ASSOCI	INVOICES THRU 05/05/12	128530	06/06/12	4,500.00	38325
403-907.000-830.000 ENGINEERING CONSULTING		ORCHARD, HILTZ & MCCL	TESTING WWTP	123235	06/06/12	70,254.14	38338
403-907.000-830.000 ENGINEERING CONSULTING			Total For Dept 907.000 SLUDGE PROJECT			77,834.14	38348
Fund 404 DREF PROJECT FUND Dept 906.000 WATER PROJECT PHASE 2			Total For Fund 403 SRF PROJECT FUND			77,834.14	
404-906.000-830.000 ENGINEERING CONSULTING		ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	5,424.25	38338
Fund 590 SEWER ENTERPRISE FUND Dept 548.000 SEWER UTILITIES DEPARTMENT			Total For Dept 906.000 WATER PROJECT PHASE 2			5,424.25	
590-548.000-721.000 HEALTH & DENTAL INSURANC			Total For Fund 404 DREF PROJECT FUND			5,424.25	
590-548.000-721.001 RETIREE HEALTH INSURANCE		SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	3,621.08	38346
590-548.000-743.000 CHEMICAL SUPPLIES - LAB		SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,584.13	38346
590-548.000-802.000 PROFESSIONAL SERVICES		CULLIGAN WATER CONDIT	WWTP	06/04/12	06/06/12	29.95	38311
590-548.000-802.000 PROFESSIONAL SERVICES		METRO ENVIRONMENTAL SE	3642,3654 CENTRAL	46169	06/06/12	690.00	38335
590-548.000-802.000 PROFESSIONAL SERVICES		UIS PROGRAMMABLE SERV	WWTP	530339334	06/06/12	74.00	38349
590-548.000-920.000 UTILITIES		COMCAST	WWTP	06/04/12	06/06/12	36.14	38309
590-548.000-920.000 UTILITIES		DTE ENERGY	MAY INVOICES	06/06/12	06/06/12	567.00	38316
590-548.000-920.001 UTILITIES - TELEPHONES		VERIZON WIRELESS	CELLULAR	2741912731	06/06/12	190.85	38351
590-548.000-977.000 EQUIPMENT		HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	12.78	38326
Dept 850.000 LONG-TERM DEBT 590-850.000-990.000 DEBT ISSUANCE COSTS		H.J. UMEAUGH & ASSOCI	2012 REFUNDING BONDS	128559	06/06/12	13,623.00	38325
Fund 591 WATER ENTERPRISE FUND Dept 556.000 WATER UTILITIES DEPARTMENT			Total For Dept 850.000 LONG-TERM DEBT			13,623.00	
591-556.000-721.000 HEALTH & DENTAL INSURANC		SMALL BUSINESS ASSOC	COVERAGE JUNE 2012	06/04/12	06/06/12	1,524.95	38346
591-556.000-743.000 CHEMICAL SUPPLIES - LAB		ALEXANDER CHEMICAL CO	CHEMICALS	0473425	06/06/12	625.00	38304
591-556.000-751.000 CHEMICAL SUPPLIES - LAB		CORRIGAN OIL COMPANY	FUEL	5649477	06/06/12	1,067.72	38310
Total For Fund 590 SEWER ENTERPRISE FUND						20,428.93	

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Fund 591	WATER ENTERPRISE FUND					
Dept 556.000	WATER UTILITIES DEPARTMENT					
591-556.000-802.000	PROFESSIONAL SERVICES	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	206.00
591-556.000-920.000	UTILITIES	COMCAST	WWTP	06/04/12	06/06/12	36.14
591-556.000-920.000	UTILITIES - TELEPHONES	DTE ENERGY	MAY INVOICES	06/06/12	06/06/12	1,236.00
591-556.000-920.001	EQUIPMENT MAINTENANCE &	VERIZON WIRELESS	CELLULAR	2741912731	06/06/12	87.25
591-556.000-937.000	EQUIPMENT MAINTENANCE &	GRAINGER	MAINTENANCE	9829239632	06/06/12	33.10
591-556.000-937.000	EQUIPMENT MAINTENANCE &	HACKNEY HARDWARE	MAY INVOICES	06/04/12	06/06/12	117.48
591-556.000-937.000	EQUIPMENT MAINTENANCE &	MASTERCRAFT PLUMBING	SHIELD RD PUMP HOUSE	13955	06/06/12	255.94
591-556.000-937.000	EQUIPMENT MAINTENANCE &	PARTS PEDDLER AUTO SU	MAINTENANCE	06/04/12	06/06/12	67.50
591-556.000-960.000	EDUCATION & TRAINING	USA BLUE BOOK	PUMP	674530	06/06/12	942.75
591-556.000-977.000	EQUIPMENT	MICHIGAN RURAL WATER	SCOTT MAURER	T12-0121	06/06/12	440.00
591-556.000-977.000	EQUIPMENT	ETNA SUPPLY CO	METER SUPPLIES	S100429967.001	06/06/12	374.55
591-556.000-977.000	EQUIPMENT	ETNA SUPPLY CO	MAY INVOICES	S100428437.002	06/06/12	1,425.00
591-556.000-977.000	EQUIPMENT	HACKNEY HARDWARE		06/04/12	06/06/12	61.71
Dept 850.000	LONG-TERM DEBT		Total For Dept 556.000 WATER UTILITIES DEPARTMENT			8,501.09
591-850.000-990.000	DEBT ISSUANCE COSTS	ETNA SUPPLY CO	METER SUPPLIES	S100423449.001	06/06/12	1,500.00
591-850.000-990.000	DEBT ISSUANCE COSTS	H.J. UMBROUGH & ASSOCI	2012 REFUNDING BONDS	128559	06/06/12	10,277.00
			Total For Dept 850.000 LONG-TERM DEBT			11,777.00
Fund 701	TRUST & AGENCY FUND					
Dept 000.000	ASSETS, LIABILITIES & REVENUE					
701-000.000-254.000-D	SITE PLAN REVIEW DEPOSIT	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	271.75
701-000.000-254.000-D	SITE PLAN REVIEW DEPOSIT	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	876.75
701-000.000-254.000-D	SITE PLAN REVIEW DEPOSIT	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	257.50
701-000.000-254.000-L	SITE PLAN REVIEW DEPOSIT	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	190.75
701-000.000-255.004	FOREST STREET DRAINAGE	ORCHARD, HILTZ & MCCL	INVOICES THRU 05/05/12	06/04/12	06/06/12	1,162.50
			Total For Dept 000.000 ASSETS, LIABILITIES & REV			2,759.25
			Total For Fund 701 TRUST & AGENCY FUND			2,759.25
Fund Totals:						
Fund 101	GENERAL FUND					59,933.97
Fund 202	MAJOR STREETS FUND					32,116.72
Fund 203	LOCAL STREETS FUND					5,133.68
Fund 204	MUNICIPAL STREETS					747.14
Fund 402	EQUIPMENT REPLACEMENT FUND					70.75
Fund 403	SRF PROJECT FUND					77,834.14
Fund 404	DWRF PROJECT FUND					5,424.25
Fund 590	SEWER ENTERPRISE FUND					20,428.93
Fund 591	WATER ENTERPRISE FUND					20,278.09
Fund 701	TRUST & AGENCY FUND					2,759.25
			Total For All Funds:			224,786.92

# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734) 426-8303

Fax (734) 426-5614

## MEMO

**To: Council**  
**From: President Keough**  
**Date: June 6, 2012**  
**Re: Re-Appointments**

I would like to recommend the following re-appointments.

### **Zoning Board of Appeals – three year term ending June 2015**

- Jon Rush
- Bob Stacey (alternate)



**VILLAGE OF DEXTER**

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

**MEMO**

**To: Council Members**  
**From: Shawn Keough, Village President; Courtney Nicholls, Assistant Village Manager**  
**Date: June 5, 2012**  
**Re: Cityhood Update**

Provided for your review are several documents relative to the Cityhood process:

- Updated document explaining the next steps in the process.
- Boundary Commission agenda for the June 13, 2012 meeting.
- Draft Minutes from the May 9, 2012 Boundary Commission meeting.
- Draft Summary of Proceedings, Findings of Fact and Conclusions of Law that will be considered at the June 13, 2012 meeting.
- Stipulation and Order Extending Stay of Proceedings which extends the stay of proceedings for Webster Township's lawsuit until the Director of Licensing and Regulatory Affairs makes his decision on the incorporation petition or August 31, 2012. If the Director signs the order as currently recommended by the Boundary Commission (with the modified boundary), Webster Township has indicated they will dismiss the lawsuit.

## **Incorporation Process Following the January 17, 2012 Public Hearing**

On May 9, 2012 the Boundary Commission reviewed all materials received at the January 17, 2012 public hearing and during the 30 day public comment and 7 day rebuttal periods following the meeting. The Commission voted 5-0 to recommend that the Director of Licensing and Regulatory Affairs approve the Village's cityhood petition with the revised boundary that was presented by the Village and Webster Township.

The Commission will meet again on June 13, 2012 to review and approve the draft "Summary of Proceedings, Findings of Fact and Conclusions of Law" which makes a recommendation to the Director that he approve the petition with the revised boundaries and order the incorporation proceedings to continue. If the Director takes the Commission's recommendation and signs the final order of approval, the 45 day referendum period will begin. The final order of approval does not become "final" until the expiration of the referendum and potential voting period.

If the Director does not agree with the Commission's recommendation that the incorporation should move forward, the Village's incorporation process ends.

### Referendum Period

During this period, citizens may gather signatures of 5% of the Village's registered voters in order to place the question of whether or not the incorporation process should continue on a future election ballot.

If enough signatures are gathered, the petition is reviewed by the Boundary Commission and if it is approved, the Commission orders an election to be held on the next available date (4<sup>th</sup> Tuesday in January, 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in May, 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in August or 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in November). The question of whether the process should move forward is placed on the ballot as a yes or no vote.

If there are not enough signatures gathered to place the question on a future ballot during the 45 day period, a vote on the question would not be scheduled, the final order of approval becomes final and the Boundary Commission orders that election be held to elect a Charter Commission.

If there are enough signatures gathered during the referendum period, and the result of the scheduled vote is against continuing with the incorporation process, the Village's incorporation process ends.

If the result of the scheduled vote is in favor of the Village incorporation process continuing, the final order of approval becomes final and the Boundary Commission orders that an election be held to elect a Charter Commission.

### Selection of Charter Commission/Creation of City Charter

Village voters will elect a nine member Charter Commission to write the Charter (or governing document) for the new City. Those interested must file petitions with 20 signatures from Village residents.

Once the Charter Commission is elected they must meet within 10 days after the election, select officers, and establish the rules for their proceedings including how vacancies will be filled.

After the Charter is drafted it is sent to the Michigan Department of Attorney General for a review that the proposed charter is in compliance with Michigan law. Once the Charter is approved by the Attorney General, Village voters will vote on whether or not to accept the document. At this election they will also elect a new slate of Elected Officials (titles dependent on new Charter).

If the Charter passes the Village officially becomes a City.

If the Charter does not pass within three years of the date that the Director's Final Order approving the incorporation becomes final, then the process ends.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

**STATE BOUNDARY COMMISSION**

Meeting Location:  
2501 Woodlake Circle - Conference Room 3/First Floor  
Okemos, MI 48864

June 13, 2012  
1:30 p.m.

**AGENDA**

**WASHTENAW COUNTY**

- 1) Call to Order and Determination of Quorum.
- 2) Approval of Agenda
- 3) Approval of Draft Minutes for May 9, 2012 meeting.
- 4) Docket #10-I-2; Petition for incorporation of the Village of Dexter as a Home Rule City.
  - a. Summary of Proceedings, Findings of Fact and Conclusions of Law.
    1. Commission Questions/Discussion/Deliberation.
    2. Public Comment.
    3. Commission Action.
- 5) Unfinished Business
- 6) New Business
- 7) Public Comment
- 8) Adjournment

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State Boundary Commission  
June 13, 2012  
Page 2

THESE AGENDA ITEMS WILL BE CONSIDERED AT 1:30 P.M., OR AS SOON THEREAFTER AS THEY MAY BE HEARD.

IF YOU HAVE ANY QUESTIONS ABOUT THIS MEETING,  
PLEASE CALL (517) 241-6321 BEFORE 4:00 PM ON THE DAY BEFORE THE MEETING.

**PLEASE VERIFY YOUR ATTENDANCE BY TELEPHONE AT (517) 241-6321 OR EMAIL  
OBRIENK@MICHIGAN.GOV BY JUNE 6, 2012 TO INSURE REPRESENTATION FROM A  
QUORUM OF BOUNDARY COMMISSIONERS AND PARTICIPATION FROM INVOLVED  
PARTIES.**

Please make sure all cell phones, pagers, and other personal electronic devices are either turned off or set to vibrate. The meeting site is accessible and includes handicapped parking. In order to enhance accessibility for everyone, individuals attending the meeting are encouraged to refrain from using heavily scented personal care products. Persons with disabilities requiring additional accommodation in order to participate should contact the Boundary Commission Office by either telephone (517-241-6321) or email (obrienk@michigan.gov) at least ten business days in advance.

**MATERIAL FOR THIS AGENDA WILL BE AVAILABLE ON THE WEB  
PRIOR TO THE MEETING AT:**

- [www.michigan.gov/sbc](http://www.michigan.gov/sbc)
- CLICK ON "ACTIVE PETITIONS AND DOCKET MATERIAL."
- REFER TO THE RESPECTIVE DOCKET TO ACCESS THE DOCKET MATERIAL.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

## STATE BOUNDARY COMMISSION

Meeting Location:  
2501 Woodlake Circle - Conference Room 3/First Floor  
Okemos, MI 48864

June 13, 2012  
1:30 p.m.

### AGENDA

**1. Docket #10-I-2 Washtenaw County**

The State Boundary Commission will be meeting to review and approve draft **Minutes** from the **May 9, 2012** meeting and to **review and approve the draft "Summary of Proceedings, Findings of Fact and Conclusions of Law"** making a recommendation to the DLARA Director, that he approve the petition with the revised boundaries and order the incorporation proceedings to continue.

The complete agenda and other documents pertaining to this docket may be found under **Docket #10-I-2 Washtenaw County** at the following link: [Active Petitions and Docket Material](#)

**2. Docket #11-AP-2 Wexford County**

The State Boundary Commission will be meeting to review and approve draft **Minutes** from the **November 17, 2011** meeting and to **review the docket and make a recommendation** to the DLARA Director, that he may deny the proposed annexation, approve the petition, or revise the boundaries of the area proposed for annexation and approve the proposal as revised.

The complete agenda and other documents pertaining to this docket may be found under **Docket #11-AP-2 Wexford County** at the following link: [Active Petitions and Docket Material](#)

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THESE AGENDA ITEMS WILL BE CONSIDERED AT 1:30 P.M., OR AS SOON THEREAFTER AS THEY MAY BE HEARD.

IF YOU HAVE ANY QUESTIONS ABOUT THIS MEETING,  
PLEASE CALL (517) 241-6321 BEFORE 4:00 PM ON THE DAY BEFORE THE MEETING.

**PLEASE VERIFY YOUR ATTENDANCE BY TELEPHONE AT (517) 241-6321 OR EMAIL OBRIENK@MICHIGAN.GOV BY JUNE 6, 2012 TO INSURE REPRESENTATION FROM A QUORUM OF BOUNDARY COMMISSIONERS AND PARTICIPATION FROM INVOLVED PARTIES.**

Please make sure all cell phones, pagers, and other personal electronic devices are either turned off or set to vibrate. The meeting site is accessible and includes handicapped parking. In order to enhance accessibility for everyone, individuals attending the meeting are encouraged to refrain from using heavily scented personal care products. Persons with disabilities requiring additional accommodation in order to participate should contact the Boundary Commission Office by either telephone (517-241-6321) or email (obrienk@michigan.gov) at least ten business days in advance.

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PRIOR TO THE MEETING AT:**

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- CLICK ON "ACTIVE PETITIONS AND DOCKET MATERIAL."
- REFER TO THE RESPECTIVE DOCKET TO ACCESS THE DOCKET MATERIAL.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

**STATE BOUNDARY COMMISSION**

Meeting Location:  
2501 Woodlake Circle - Conference Room 3/First Floor  
Okemos, Michigan 48864

**MINUTES**  
May 9, 2012

**WASHTENAW COUNTY**

**MEMBERS PRESENT**

Mr. James Stewart, State Commissioner  
Mr. Cameron Priebe, State Commissioner  
Mr. Dennis Schornack, Chairman  
Mr. Wesley Prater, Local Commissioner  
Mr. John Barr, Local Commissioner

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS PERSONNEL**

**ATTENDING**

Mr. Kevin O'Brien, P.S., Office of Land Survey and Remonumentation  
Mr. Chris Beland, Director, Office of Land Survey and Remonumentation  
Mr. Keith Lambert, P.S., Deputy Director, Bureau of Construction Codes  
Mrs. Angela Sanderson, Secretary for the Office of Land Survey and Remonumentation

**OTHERS IN ATTENDANCE**

Mr. Shawn Keough, Village of Dexter President  
Mr. William Fahey, Attorney for Webster Township  
Mr. John Kingsley, Webster Township Supervisor

**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

Chairman Schornack called the meeting to order at approximately 1:30 p.m. and read the Opening Statement. A quorum was determined present at that time.

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2. **APPROVAL OF AGENDA**

A **MOTION** was made by Commissioner Prater and supported by Commissioner Barr to approve the Agenda for the meeting. **MOTION CARRIED UNANIMOUSLY.**

3. **APPROVAL OF DRAFT MINUTES**

A **MOTION** was made by Commissioner Stewart and supported by Commissioner Schornack to approve Draft Minutes for Washtenaw County for the November 17, 2011 meeting. **MOTION CARRIED UNANIMOUSLY.**

4. **DOCKET # 10-I-2 – ADJUDICATIVE SESSION**

a. **Presentations:**

Mr. O'Brien recapped the docket activity, saying that the SBC had made a recommendation to the Director of the Department of Licensing and Regulatory Affairs to deem the petition as legally insufficient. However, the Director of the Department of Licensing and Regulatory Affairs signed the Order for this docket as legally sufficient. A public hearing was held in Dexter in January of 2012 following this decision by the Director.

b. **Involved Parties:**

Mr. Keough (Village of Dexter President) explained that the Village has worked with Webster Township and found a boundary that's harmonious and contiguous and that they feel meets all of the requirements. He proposed that the Commission approve the petition with the revised boundary.

Mr. Kingsley (Webster Township Supervisor) agreed with Mr. Keough and said he is in agreement with the new boundary. He said that Webster Township will drop any contention they have in Ingham County Circuit Court, assuming the Director and the SBC agree that the new boundary is appropriate.

Mr. Fahey, Attorney for Webster Township, said that the matter is now pending in Ingham County Circuit Court after the decision by Director Hilfinger to approve the legal sufficiency of the petition. He explained that the court case is on hold for now and if the Commission agrees with the new boundary Webster Township will not pursue the lawsuit.

5. **COMMISSION DISCUSSION**

Commissioner Priebe asked if there had been any consideration given to a 425 Agreement and expressed that he is dissatisfied with their boundaries and would like to work toward squaring them up.

Mr. Kingsley replied saying no.

Chairman Schornack asked if the Dexter Historical Society is receiving any kind of payment for development rights.

Mr. Kingsley replied saying yes, that Webster Township owns a conservation easement on the Historical Society property.

Chairman Schornack confirmed that there were no continuing payments, and asked if they were worried about extinguishing that deal.

Mr. Kingsley responded saying that their millage had passed with language in the ballot proposal that said that the money could only be spent within Webster Township; if that becomes part of the City there will be some questions on whether that money was properly spent. Webster Township does not wish to sell the easement to any other party.

Commissioner Prater mentioned to the Commission that Webster Township has a millage that is Township wide that is primarily for these conservation easements.

Commissioner Stewart asked about the boundaries of the Historical Society. He said he felt that the original boundary made more sense, and that they had created more confusion for the residents with new boundaries.

Commission questions/discussion/deliberation: Discussion ensued.

Mr. Keough commented saying that they are not drawing anyone in who has not asked to come in – they have all asked to become part of the new City. He asked the Commission not to make a decision that would put people into a jurisdiction that do not want to be there.

Commission questions/discussion/deliberation: Discussion ensued.

Commissioner Prater said that in Washtenaw County they have a robust and good mutual aid program in the fire departments. Nowhere in the County is there a problem in getting fire protection. He said that all of the police protection comes from the Washtenaw County Sheriff's Department and that the County contracts out the Sheriff's Department to different communities. As far as public safety goes, he felt they do better than most counties; and said they have excellent first responders and ambulance services.

Chairman Schornack asked about the Mill Creek Sporting Goods business owner - he is under the jurisdiction of Scio Township's Fire Department., and the Village's Fire Department is across the street, why does it make sense to do that?

Mr. Keough said that there are currently talks of combining the fire departments of Scio Township, Webster Township and the Village of Dexter.

Mr. Kingsley said that the municipalities share deputies provided by the Washtenaw County Sheriff's Department. He stated that it would be nice if they could square boundaries, but the boundaries they've agreed upon are workable for everyone concerned.

Commissioner Barr asked about a "box alarm" consideration for all departments wherein they all would support each other, but the closest one is the first to respond.

Commissioner Stewart asked why they would want the Historical Society in the Township.

Mr. Kingsley responded, noting tradition, saying that Judge Dexter, the founder of the Village of Dexter, built that home (Dexter Mansion), on the Dexter Historical Society property. The Dexter Mansion has always been part of Webster Township and they want it to remain that way.

**6. COMMISSION ACTION**

A **MOTION** was made by Commissioner Priebe and supported by Commissioner Prater that the Commission recommends that the Director of the Department of Licensing and Regulatory Affairs approve, with the revised boundaries, the petition requesting Incorporation of the Village of Dexter and land in Scio and Webster Townships as a Home Rule City. **MOTION CARRIED UNANIMOUSLY.**

**7. ADJOURNMENT**

A **MOTION** was made by Commissioner Prater and supported by Commissioner Barr to adjourn this session on Docket #10-I-2. **MOTION CARRIED UNANIMOUSLY.**

Chairman Schornack adjourned the meeting on Docket #10-I-2 at 2:02 p.m.

APPROVED:

\_\_\_\_\_  
Dennis Schornack, Chairman  
State Boundary Commission

\_\_\_\_\_  
Date

## STATE BOUNDARY COMMISSION

---

In the matter of:

State Boundary Commission  
Docket # 10-I-2

The proposed Incorporation of the Village of Dexter  
and land in Webster and Scio Townships  
as a Home Rule City

### SUMMARY OF PROCEEDINGS, FINDINGS OF FACT AND CONCLUSIONS OF LAW

#### SUMMARY OF PROCEEDINGS

1. On December 22, 2010, a petition was filed with the State Boundary Commission requesting that the Village of Dexter be incorporated as a Home Rule City.
2. On May 24, 2011, the State Boundary Commission staff issued its comments to the commission after reviewing the petition for legal sufficiency. Staff stated "Based upon our review, it is our position that legal sufficiency has been met for this petition." This memorandum is included as Exhibit "A"
3. On June 16, 2011, at an adjudicative meeting held in Okemos, the State Boundary Commission examined the petition for legal sufficiency. At this meeting, Webster Township's attorney raised objections to the approval of legal sufficiency of the petition based upon the inclusion of (2) areas currently under a 1984 PA 425 Intergovernmental Conditional Transfer Agreement with the Township being included in the area proposed for incorporation. His objection was based on the language in MCL 124.29 stating that "another method of annexation or transfer shall not take place for any portion of an area transferred under the contract." The Commission voted to postpone the vote on legal sufficiency until they could receive written advice from the Attorney General's office regarding whether an area under a 1984 PA 425 Conditional Transfer Agreement can be included in an incorporation of a new Home Rule City.
4. On August 15, 2011, Assistant Attorney General Stephen Rideout issued a memorandum of division level advice regarding 1984 PA 425 agreements for the commission's consideration for this petition.
5. On August 18, 2011, at an adjudicative meeting held in Okemos, the State Boundary Commission examined the petition for legal sufficiency. Assistant Attorney General Stephen Rideout provided the aforementioned memorandum for the Commission's use and summarized it orally to the Commission by stating that "there was no impairment as far as

legal sufficiency goes under MCL 124.29". Local Commissioner Prater stated that he disagreed with this interpretation and that "this issue should be resolved by the parties involved and not the Commission." The Commission was concerned that the advice would allow the 1984 PA 425 Agreement to be declared null and void upon the Incorporation of the Village as a City. State Commissioner Priebe moved that the petition be found as legally insufficient on the grounds that "a deal is deal and if they made a deal on some properties they should be held in place going forward" and that "if we don't find legally insufficient and allow you to go back and change your boundaries you are going to end up in circuit court which does not serve anyone's interest." Local Commissioner Prater supported the motion. The Commissioners present voted unanimously to declare this petition legally insufficient, pursuant to 1968 PA 191, based upon the inclusion of areas under a current 1984 PA 425 Intergovernmental Conditional Transfer agreement with the Township of Webster.

6. On September 15, 2011, at an adjudicative meeting, the state and local commissioners present voted to adopt the draft Summary of Proceedings, Findings of Fact and Conclusions of Law.
7. On October 24, 2011, after review of the docket, the Director of the Department of Licensing and Regulatory Affairs issued an order that the petition was legally sufficient and that a public hearing be scheduled as required by MCL 123.1008. A copy of the DLARA Director's order is included as Exhibit "B".
8. On November 17, 2011, at a meeting held in Okemos, the Commissioners scheduled a public hearing at the Dexter District Library for January 17, 2012 at 4:00 p.m.
9. On January 17, 2012, the Commission held a public hearing in Dexter. At this meeting the Village of Dexter, Webster Township and the Dexter Historical Society presented a map and legal description of a new boundary for the proposed city that had been mutually agreed upon and that the parties asked the Commission to consider. The changes only affected portions of the proposed city within Webster Township. The 30-Day public comment period expired on February 16, 2012; and the 7-Day rebuttal period expired on March 19, 2012.
10. On May 9, 2012, at an adjudicative meeting in Okemos, the Commission voted unanimously to recommend that the Director of the Department of Licensing and Regulatory Affairs approve the revised boundary that had been presented and agreed upon by the interested parties. The map and description of the revised boundary approved by the Commission is attached as Exhibit "C".
11. On June 13, 2012, at an adjudicative meeting, the Commission voted unanimously to adopt the draft Summary of Proceedings, Findings of Fact and Conclusions of Law recommending the Director of the Department of Licensing and Regulatory Affairs sign an order approving the proposed revised boundary incorporating the Village of Dexter and land in Scio and Webster Townships as a Home Rule City.

## FINDINGS OF FACT

1. The State Boundary Commission finds that the Village of Dexter has already been providing most of the services that are provided by a Home Rule City with the exception of tax collection, assessment and the holding of elections.
2. There were no stated objections from Webster and Scio Townships to the Village of Dexter incorporating as a Home Rule City with the revised boundaries presented at the public hearing on January 17, 2012.
3. The incorporation of the Village of Dexter and the portions of Webster and Scio Townships will not have a major detrimental effect on the involved Townships.

## CONCLUSIONS OF LAW

1. The State Boundary Commission has considered the requirements in section 9 of 1968 PA 191, MCL 123.1009 and has come to the conclusion that these criteria support the unanimous vote of the Commission to recommend that the proposed revised boundary for the incorporation of the Village of Dexter and land in Webster and Scio Townships as a Home Rule City be approved by the Director of the Department of Licensing and Regulatory Affairs.
2. Pursuant to Executive Reorganization Order 1996-2, this approval is contingent on the concurrence of the Director of the Department of Licensing and Regulatory Affairs.

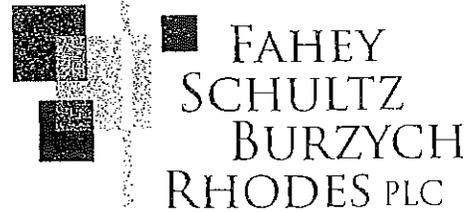
\_\_\_\_\_  
Dennis Schornack, Chairperson

\_\_\_\_\_  
Date

WILLIAM K. FAHEY

[wfahey@fsblawyers.com](mailto:wfahey@fsblawyers.com)  
517.381.3150 direct  
517.381.3170 fax  
517.974.2250 cell

**COPY**



ATTORNEYS AT LAW

May 31, 2012

Honorable Rosemarie Aquilina  
Ingham County Circuit Court Judge  
303 W. Kalamazoo Street  
Lansing, MI 48933

*First Class Mail*

Dear Judge Aquilina:

**Re: *Webster Township v Director of Michigan Department of Licensing and Regulatory Affairs, State Boundary Commission and Village of Dexter; Ingham County Circuit Court File No. 11-001212-AA***

Enclosed for filing and entry in the above-entitled matter, please find a Stipulation and Order Extending Stay of Proceedings, which have been approved by all counsel, together with an extra copy. If it meets your approval, please sign the enclosed Order and return one (1) true copy to me in the envelope provided.

If the Court has any questions or concerns with the enclosed Order, please do not hesitate to advise counsel. Thank you.

Very truly yours,

FAHEY SCHULTZ BURZYCH RHODES PLC

William K. Fahey

WKF/rjj

Enclosures

Cc w/ enclosures: All counsel  
John Kingsley, Webster Township Supervisor

**COPY**

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

---

WEBSTER TOWNSHIP,

Petitioner,

File No. 11-001212-AA

v

SBC Docket No. 10-1-2

DIRECTOR OF THE MICHIGAN DEPARTMENT  
OF LICENSING AND REGULATORY AFFAIRS,  
STATE BOUNDARY COMMISSION and VILLAGE  
OF DEXTER,

Respondents.

HON. ROSEMARIE AQUILINA

---

William K. Fahey (P 27745)  
FAHEY SCHULTZ BURZYCH RHODES PLC  
Attorneys for Webster Township  
4151 Okemos Road  
Okemos, MI 48864  
(517) 381-3150

Stephen M. Rideout (P 38753)  
Assistant Attorney General  
Attorney for State Boundary Commission  
525 W. Ottawa St., Floor 2  
PO Box 30754  
Lansing, MI 48909  
(517) 373-1130

Thomas J. Ryan (P 19808)  
THOMAS J. RYAN, P.C.  
Special Counsel for Village of Dexter  
2055 Orchard Lake Road  
Sylvan Lake, MI 48320  
(248) 334-9938

Michael F. Murphy (P 29213)  
Assistant Attorney General  
Attorney for Director of Michigan Department  
of Licensing and Regulatory Affairs  
525 W. Ottawa St., Floor 2  
PO Box 30754  
Lansing, MI 48909  
(517) 373-1162

---

**STIPULATION AND ORDER EXTENDING STAY OF PROCEEDINGS**

At a session of the Court held in the Ingham County Circuit  
Courtrooms on the \_\_\_ day of \_\_\_\_\_, 2012.

PRESENT: HON. ROSEMARIE AQUILINA, CIRCUIT JUDGE

This matter having come before the Court pursuant to the Stipulation of the parties;

IT IS HEREBY ORDERED that the stay order entered by the Court on January 23, 2012, shall be extended. All proceedings in this appeal are stayed pending a final decision on the proposed boundary for incorporation of a proposed city by the Director of the Michigan Department of Licensing and Regulatory Affairs in State Boundary Commission Docket No. 10-I-2, or until August 31, 2012, whichever shall occur first, it being understood by the parties that the State Boundary Commission voted to recommend an order to the Director on May 9, 2012, and that the final decision in said State Boundary Commission Docket may make these proceedings moot.

Hon. Rosemarie Aquilina, Circuit Judge

Approved as to form:

Will K Fahey  
William K. Fahey (P 27745)  
Attorney for Webster Township

Dated: May<sup>31</sup>, 2012

Will K Ryan  
By Consent  
Thomas J. Ryan (P 19808)  
Attorney for Village of Dexter

Dated: May<sup>31</sup>, 2012

Will K Rideout  
By Consent  
Stephen M. Rideout (P 38753)  
Attorney for State Boundary Commission

Dated: May<sup>31</sup>, 2012

Will K Murphy  
By Consent  
Michael F. Murphy (P 29213)  
Attorney for Director of the Michigan  
Department of Licensing and Regulatory Affairs

Dated: May<sup>31</sup>, 2012



AGENDA 6-11-12  
ITEM K-2

## Memorandum

To: Village Council and President Keough  
Donna Dettling, Village Manager

From: Allison Bishop, AICP, Community Development Manager

Re: Recommendation from Planning Commission to amend  
Article 14A, Professional Business (PB) District

Date: June 6, 2012

### PLANNING COMMISSION DECISION

On May 7, 2012 the Planning Commission held a public hearing to consider adding Child Care / Day Care Centers to Article 14A as a permitted land use. One member of the public, Carrie Anderson of Morning Star Child Care, spoke in support of the amendment. The Planning Commission discussion included, but was not limited to:

1. supporting the addition of child care centers and day care centers to the district because of the uses good transitional qualities
2. the good transitional quality of child care centers and day care centers regardless of the end user or exact location within the PB district, i.e. Morning Star
3. the need to permit child care centers in more districts than just R-3 which there are limited areas zoned as R-3, no vacant R-3 zoning in the Village.
4. Vacant property available in PB zoning district and excess of office space available
5. hours of operation are similar to office uses, 8am – 6 pm with no weekends
6. child care centers typically permitted in more districts. City of Chelsea permits child care centers in every zoning district except downtown commercial district as both permitted and special land uses. City of Ann Arbor permits child care and day care centers in all residential districts, commercial districts, offices districts and research districts as both permitted and special land uses.
7. the Dexter Ann Arbor Road Master Plan Objectives – mixed use district
8. the Intent of the PB Article 14A District – transitional use district, less intense than commercial, more intense than residential.
9. Mixed use district and more uses to support the diversity in the mixed use district.

Staff provided a presentation on the proposed amendment and detailed the districts child care and day care centers are currently permitted. Staff referenced the zoning map and future land use map showing the areas in which the R-3 and PB districts are located. PB zoning district is limited to the Dexter Ann Arbor Road corridor along Dexter Ann Arbor Road (MAV Development Property) and Dan Hoey Road (4 acres owned by Blackhawk Development). Most of the remaining PB zoned property is currently vacant.

## **BACKGROUND**

The Planning Commission held a public input forum on the draft Master Plan on December 5, 2011. Several members of the public attended, including representatives from Morning Star Child Care.

Representatives from Morning Star Child Care wanted to attend to tentatively discuss the possibility of constructing a new facility within Dexter. The representatives indicated that they were looking at vacant property in the Village within the PB District. A zoning map and a future land use map are included in the packet for your reference. They were inquiring about the Planning Commission's input on the possibility of allowing day care or child care facilities within the PB Professional Business District.

At the time the Planning Commission briefly discussed the Dexter Ann Arbor Road Corridor's mixed use future land use designation and the appearance that a child care/day care center would be consistent with the mixed use district.

Included in the attached information is the following:

1. Article 14A, PB Professional Business District Zoning Ordinance Regulations.
2. Dexter Ann Arbor Road Draft Master Plan Goals and Objectives
3. Dexter Ann Arbor Road Draft Master Plan Description
4. Article 2, Definitions – Child Care Center and Day Care Center
5. Future Land Use Map
6. Zoning Map

In reviewing the request the Planning Commission also considered the purpose and intent of the Professional Business District and the goals and objectives of the Master Plan.

### **Article 14A - Intent**

The proposed amendment is consistent with the stated intent of Article 14A, PB Professional Business District due to the districts intent to provide lower impact uses than those found in the general commercial (C-1) district, however uses more intense than those within residential districts. The Village's PB District is intended to provide a transitional use space between commercial and residential uses. The proposed addition of child care centers and day care centers is consistent with the intent to provide a lower impact and transitional use. Child care and day care centers have peak times of traffic consistent with office traffic and have no weekend or evening hours such as those associated with a commercial use. Parking lot size and lighting associated with a child care or day care center would also be less intense based on the hours of operation and the lack of need for large numbers of employee parking.

### **Master Plan – Objectives**

The Dexter Ann Arbor Road Corridor is a mixed use district intended to encourage cohesive and distinct development of a mix of commercial, office, service and residential uses. The proposed addition of child care centers and day care centers adds to the mixed use nature of the district, the transitional type uses within the district and the diverse service uses permitted within the district. Child care and day care center uses also compliment the mixture of uses within the district and provide for a valuable and necessary service use within the district and consistent with the Master

Plan objectives. Currently child care centers and day care centers are only permitted within the R-3 Multi-Family District.

**REVIEW**

**Section 23.07 Criteria for Amendment to the Zoning Ordinance Text**

The Planning Commission and Village Council shall consider the following criteria to determine the appropriateness of amending the text, standards and regulations of the Zoning Ordinance.

- A. Documentation has been provided from Village Staff or the Board of Zoning Appeals indicating problems and conflicts in implementation of specific sections of the Ordinance.
- B. Reference materials, planning and zoning publications, information gained at seminars or experiences of other communities demonstrate improved techniques to deal with certain zoning issues, or that the Village's standards are outdated.
- C. The Village Attorney recommends an amendment to respond to significant case law.
- D. The amendment would promote implementation of the goals and objectives of the Village's Master Plan.
- E. Other factors deemed appropriate by the Planning Commission and Village Council.

**RECOMMENDATION**

Based on the review and the staff and Planning Commission recommendation, it is recommended that the Village Council approve the inclusion of child care centers and day care centers as a permitted use within the Article 14A permitted land uses. The recommendation is supported by the Zoning Ordinance and the goals and objectives included within the Village's Master Plan.

**SUGGESTED MOTIONS**

Per Section 23.06, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on May 7, 2012, and the recommendation of the Planning Commission, the Village Council moves to amend **Article 14A, PB Professional Business District** to add child care centers and day care centers as a permitted land use in order to promote implementation of the goals and objectives of the Master Plan and to provide for a more comprehensive mixture of land uses to support the district.

OR

Based on the information presented at the meeting the Village Council moves to postpone the recommendation for the proposed amendments until \_\_\_\_\_(DATE)\_\_\_\_\_ to allow more time for the following:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Please feel free to contact me prior to the meeting if you have any questions.

Thank you.

## **Article XIV (A) PB PROFESSIONAL BUSINESS DISTRICT**

(Amended April 22, 1996. Effective May 13, 1996)

(Amended June 12, 2000. Effective July 5, 2000)

### **Section 14(A).01 INTENT**

The Professional Business District is intended for the offices of professionals and professional-type services. The uses in this district are generally lower impact uses than those found in the general commercial district in respect to the normal hours of operation and the amount of automobile trips generated. The PB District is also intended to provide a transition between commercial uses and residential uses. Professional Business Districts shall be located along an arterial street in order to service both local and through traffic.

### **Section 14(A).02 PERMITTED PRINCIPAL USES**

- A. Offices of health care professionals, including physicians, dentists, chiropractors, and physical therapists.
- B. Office of architects, engineers, surveyors, community planners and other professions of similar nature.
- C. Offices of executives, administrative, legal, accounting, insurance, real estate, travel agencies and uses of similar nature.
- D. Financial institutions, including banks, credit unions, tax preparation, financial management.
- E. Essential service structures, except telephone, electric, and television lines and poles, transformer stations, substations, gas regulator stations and buildings, may be permitted when operating requirements necessitate the location of said structures within the district in order to serve the immediate vicinity.
- F. Accessory uses or structures.
- G. Theaters and studios for professional work.
- H. Signs in accordance with the regulations of Article VII.
- I. Parking in accordance with the regulations in Article V.

**Section 14(A).03 SPECIAL USES**

The following uses may be permitted, upon review and approval by the Village Council in accordance with the general standards for all Special Land Uses listed in Section 8.03, and the standards for the specific use listed in Section 8.11.

- A. Funeral homes.
- B. Essential service buildings (without storage yards) when operating requirements necessitate the locating of said buildings within the district in order to serve the immediate vicinity.
- C. The business office of an establishment, which provides service to its customers off-site, such as electricians, decorators, plumbers, heating and air conditioning installers, but not to include retail sales, personal services, wholesaling or warehousing. A workshop with material storage incidental to the service is permitted.

live, work and play downtown.

9. Utilize form-based code ideals and concepts for spatial relation and dimensional requirements.
10. Encourage high quality site and building designs that include the latest “green” technology and contribute to strong neighborhoods, vital shopping districts and desirable employment centers.
11. Integrate public gathering spaces within a pedestrian/non-motorized circulation system.

### Dexter-Ann Arbor Road Corridor – Mixed Use

*Encourage development in the Dexter-Ann Arbor Road corridor that is separate and distinct from the Downtown that serves the needs of Dexter’s growing population.*

*The Dexter-Ann Arbor Road Corridor is defined as the area surrounding Dexter-Ann Arbor Road from Kensington Street, southeast to the Village boundary, and is considered a “gateway” to the village center.*

#### Objectives:

1. Guide development to foster the responsible use of land, preserve natural features, and to make most efficient use of existing public services, utilities and infrastructure.
2. Encourage cohesive and distinct development of a mix of commercial, office, service and residential uses within this area which serves as a transitional area between the downtown area and adjacent single-family residential developments.
3. Organize commercial development into compact, unified commercial centers that complement the scale and character of existing development or that promote the desired character for areas where new development/redevelopment is planned.
4. Avoid piecemeal or scattered development and discourage uncoordinated commercial strip development. Where individual parcels of land are to be developed for commercial uses, encourage coordination with adjacent properties, including common parking and drives in order to reduce the number of access points to public roads.



5. Encourage residential or mixed-use development (including residential uses) as a buffer between adjacent residential areas and other uses within this planned area. Such uses shall not create adverse impacts on existing or proposed residential uses, and will be scaled, designed and landscaped so as to complement and enhance the adjacent properties.
6. Encourage preservation of natural features and development of parks and consider their interrelationship with existing parkland, natural areas and adjacent neighborhoods.
7. Encourage high quality site and building designs that include the latest “green” technology and contribute to strong neighborhoods, vital shopping districts and desirable employment centers.
8. Manage access to development by encouraging consolidation of curb cuts and shared driveway access. Parking lots should be shared when possible and located in the rear or on the side of buildings when possible.
9. Integrate public gathering spaces at key points of interest and entrances to intersections within a pedestrian/non-motorized circulation system.
10. Evaluate the ARC, Dexter-Ann Arbor Road Corridor Overlay District to ensure accommodation of a compatible and complementary mix of uses within this planned mixed use area.
11. Utilize form-based code ideals and concepts for spatial relation and dimensional requirements.



### **Baker Road Corridor – Mixed Use**

*Encourage common design elements promoting continuation of the downtown theme along the Baker Road Corridor.*

*The Baker Road Corridor is defined as the area bounded by Ann Arbor Street to the north and the Dexter Community School property to the south along Baker Road, and is considered a “gateway” to the village center.*

#### **Objectives:**

1. Guide development to foster the responsible use of land, preserve natural features, and to make best use of existing public services, utilities and infrastructure.

## Dexter -Ann Arbor Road Corridor – Mixed Use

***Intent:*** This mixed-use designation is intended to encourage development that is separate and distinct from the Village center. The designation also plans for the following:

1. Compact commercial center/node at Dan Hoey intersection with less intensive office or multiple-family residential uses throughout the rest of the corridor.
2. Performance standards for density, scale, setbacks, parks, landscaping, access management, linkages, etc.
3. Physical connections between the Village center and the corridor.
4. Design guidelines to blend with the Village center.
5. Flexibility in parking requirements, shared parking and shared parking access standards with the specific goal of minimizing access points (curb cuts) along Dexter-Ann Arbor Road and minimizing impervious area.

***Description:*** The Dexter-Ann Arbor Road Corridor - Mixed Use area is located along the Dexter-Ann Arbor Road corridor from Kensington Street southeast to the Village boundaries and contains a mix of existing land uses, as well as a limited amount of vacant land.

***Relationship to Physical and Natural Features:*** Utilities are available throughout the Dexter-Ann Arbor Road corridor and the majority of the parcels have direct frontage on Dexter-Ann Arbor Road. The depth of some of these parcels provided a natural buffer for the adjacent uses.

***Appropriate Uses:*** Desirable land uses and elements of the Dexter-Ann Arbor Road - Mixed Use category are:

- \* A mix of multiple family, office and commercial uses.
- \* Uses are to be separate and distinct from the Village center.
- \* Commercial center at Dan Hoey intersection.
- \* Lower density development pattern.
- \* Architectural standards to create a unified theme.
- \* Shared access along common drives, minimizing “curb cuts” along Dexter-Ann Arbor Road.

***Compatible Zoning Districts:*** The Dexter-Ann Arbor Road Corridor Overlay zoning district is compatible with the Dexter-Ann Arbor Road Mixed Use future land use designation.

**Definitions**

**Building envelope:** The area of a lot, which is defined by the minimum setback requirements within which building construction is permitted by the terms of these Zoning Regulations.

**Building height:** The vertical distance measured from the established grade of the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs.

**Building line:** A line formed by parallel to the face of the building, and for the purposes of this Ordinance, a minimum building line is the same as a front setback line.

**Building, main or principal:** A building, or where the context so indicates, a group of buildings in which is conducted the main or principal use of the lot on which said building is situated.

**Bulk:** The term used to indicate the size and setbacks of buildings and structures and the location of same with respect to one another, including standards for the height and area of buildings; the location of exterior walls in relation to lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

**Caliper:** The diameter measured at four and one-half (4.5) feet above the natural grade for existing trees; twelve (12) inches above the average surrounding grade for new trees over four (4) inches in caliper and six (6) inches above the average surrounding grade for trees less than four (4) inches in caliper.

**Care organization:** A facility for the care of children under 18 years of age, as licensed and regulated by the State under Act No. 116 of the Public Acts of 1973 and Act No. 218 of the Public Acts of 1979 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

A. **Child care center or day care center:** A facility other than a private residence, receiving more than six (6) preschool or school age children for group day care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility, which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a childcare center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school, a vacation bible school or a religious instructional class that is conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

B. **Family foster care or family home:** A private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

**Definitions**

- C. **Group foster care or family group home:** A private home licensed by the Michigan Department of Social Services in which more than four (4) but less than seven (7) children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
- D. **Family day care home:** A private home in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than (4) weeks during a calendar year.
- E. **Group day care home:** A private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.

**Carport (attached):** A roofed structure attached to a principal structure providing space for the parking or storage of currently licensed and registered motor vehicles, having no doors and open on at least one (1) side.

**Carport (detached):** A free standing roofed structure for the parking or storage of currently licensed and registered motor vehicles, completely open on one (1) side and not more than 75% enclosed on the opposite side.

**Cemetery:** Land used or intended to be used for burial of the human dead including columbariums, crematories, and mausoleums and dedicated for such purposes.

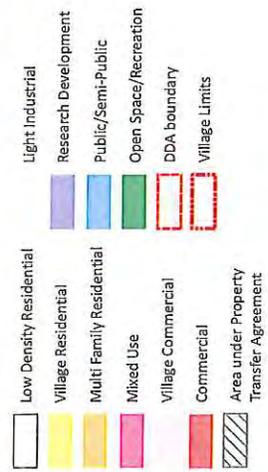
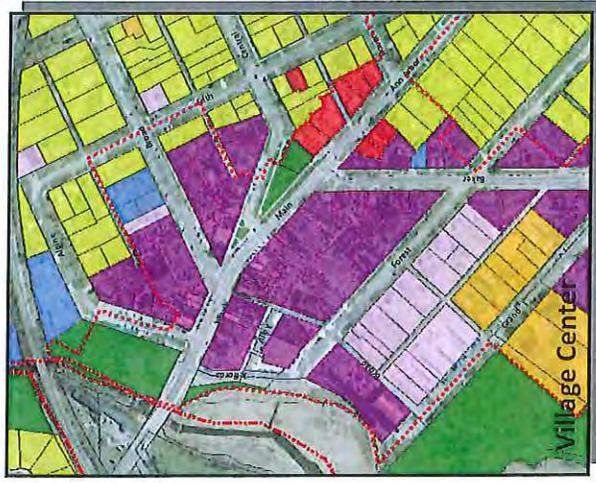
**Central Sanitary Sewerage System:** Any person, firm corporation, municipal department or board duly authorized to furnishing under federal, state or municipal regulations to the public sanitary sewerage disposal system from a central location or plant, but not including septic tanks.

**Central Water System:** Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public a central water system from a central location or plant.

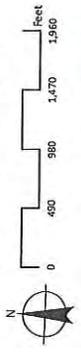
**Church (mosque or temple, etc.):** Any structure wherein persons regularly assemble for religious activity.

**Clinic, medical:** A place for the care, diagnosis, and treatment of sick or injured persons and those in need of medical or minor surgical attention. A clinic may incorporate laboratories and pharmacies, but shall not include facilities for in-patient care or major surgery.

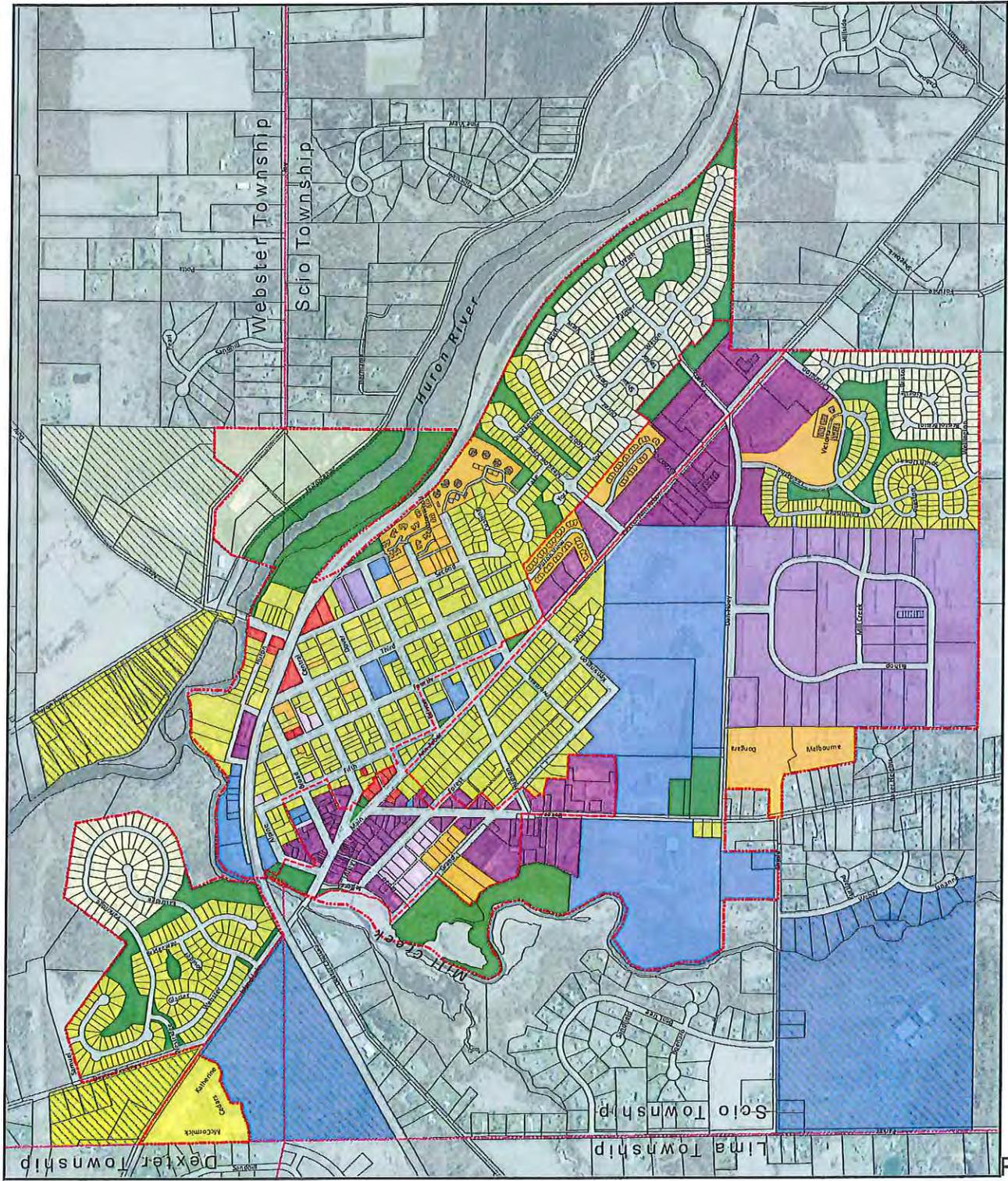
**Clinic, veterinary:** An institution which is licensed by the Michigan Department of Health to provide for the care, diagnosis and treatment of animals, including those in need of medical or surgical attention.

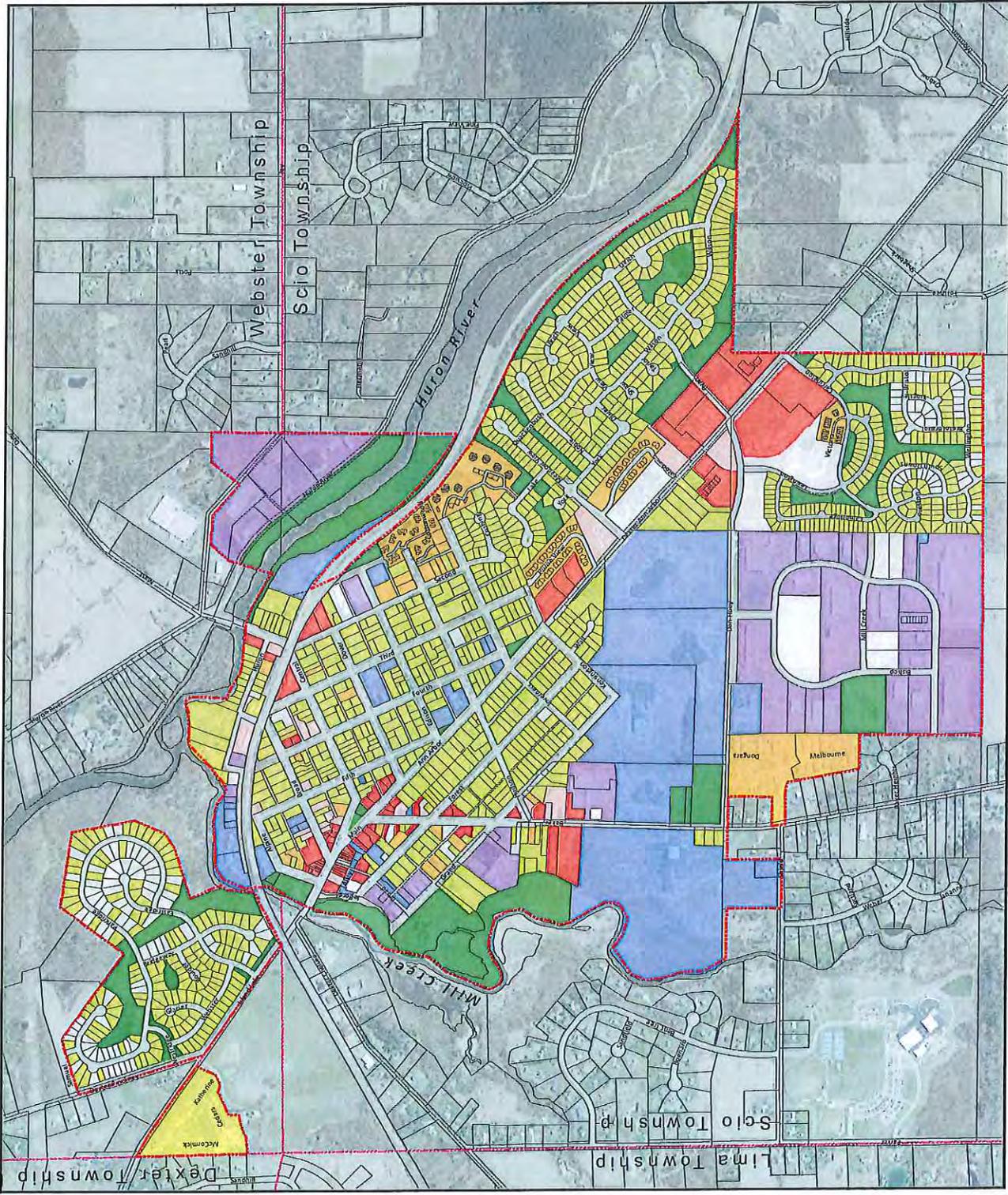


**Figure 6**  
**FUTURE LAND USE**  
 Village of Dexter  
 Washtenaw County, Michigan



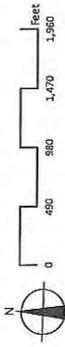
Source: Washtenaw County Data  
 1-30-2012  
 Carlisle/Worrtman Associates, Inc.  
 Ann Arbor, Michigan





- Vacant
- Single & Two Family Residential
- Multi Family Residential
- Commercial
- Office
- Industrial/Research & Development
- Public/Semi-Public
- Open Space/Recreation

**Figure 3**  
**EXISTING LAND USE**  
 Village of Dexter  
 Washtenaw County, Michigan



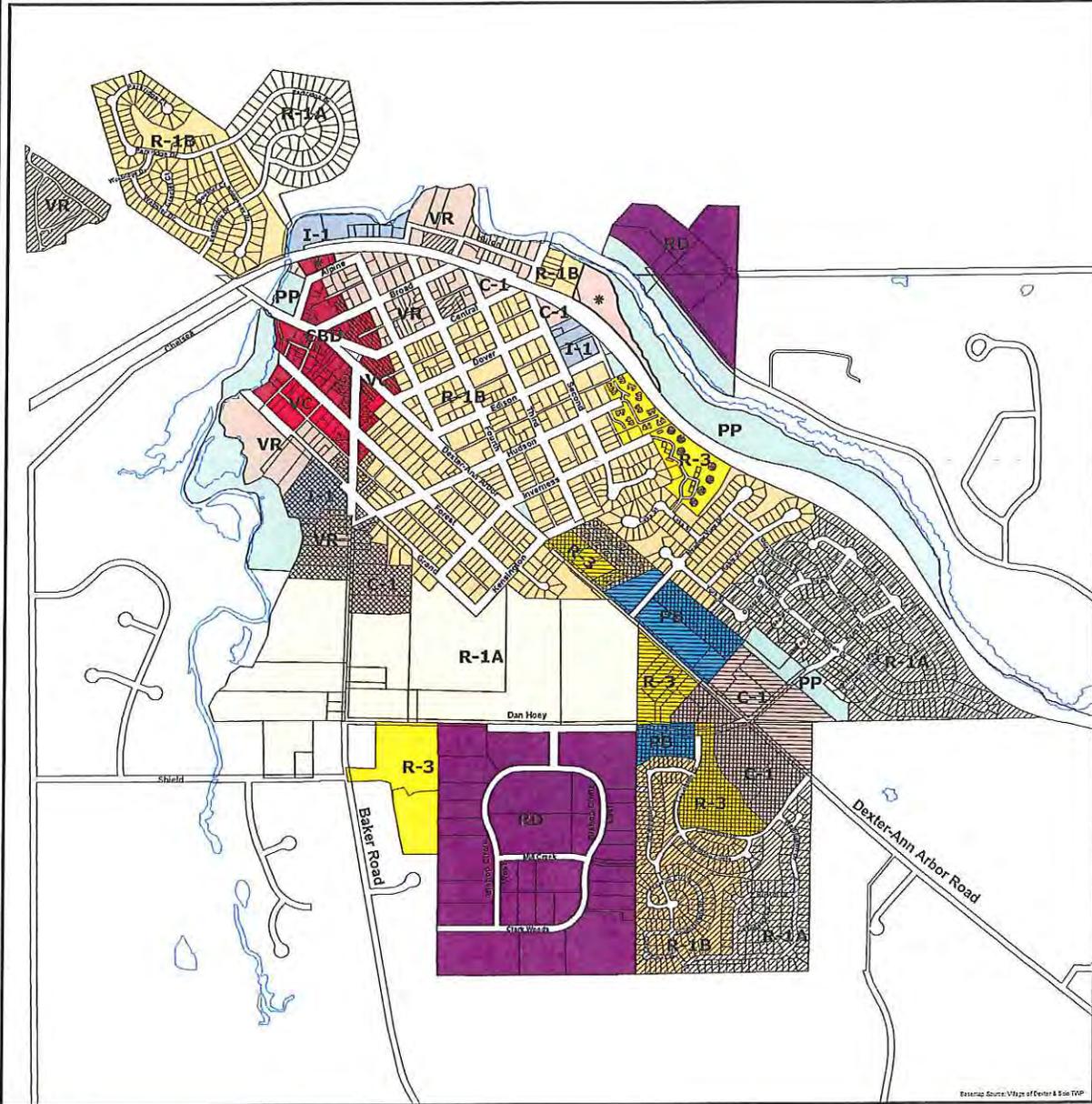
Source: Washtenaw County Data



1-30-2012



# Village of Dexter, Michigan



Bestmap Source: Village of Dexter & Six TWP

Zoning Districts					
	R-1A One Family Residential - Large Lot		CBD Central Business District		Baker Road Corridor Over Lay District
	R-1B One Family Residential - Small Lot		PB Professional Business		Dexter-Ann Arbor Road Corridor Over Lay District
	R-3 Multiple Family Residential		RD Research & Development		PUD's within Dexter-Ann Arbor Road Corridor Over Lay District
	VR Village Residential		I-1 Limited Industrial		PUD Planned Unit Development
	C-1 General Business		PP Public Park		HOD Historic Overlay District
	VC Village Commercial				Conditionally Rezoned

## Zoning Map



February 2009



AGENDA 6-11-12

ITEM K-3

[cnicholls@villageofdexter.org](mailto:cnicholls@villageofdexter.org)

## VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

MEMO

**To: President Keough and Village Council**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 5, 2012**  
**Re: Temporary Art Installation**

Included in the May 29, 2012 packet was the recommendation from the Public Art Selection Committee on the pieces for the temporary art display. Council will be asked to take action on the proposed pieces at the June 23, 2012 meeting. Each piece in the recommendation will be voted on separately. If anyone has any questions or needs further information prior to making this decision please let me know.



# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

## MEMO

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 5, 2012**  
**Re: Central Street Sewer Relocation**

Provided for your review is a memo from Orchard, Hiltz & McCliment that describes the necessary relocation of a sewer main that was found to be under Central Street.

Staff is recommending that Council approve the additional work in the amount of \$25,000 which will be added to the capital improvement line item in the sewer fund in the FY 2012-2013 budget. This amount represents \$21,000 in construction costs and \$4,000 in engineering fees.

# Memorandum



**Date:** June 5, 2012

**To:** Donna Dettling, Village Manager

**From:** Rhett Gronevelt, P.E.  
Patrick Droze, P.E.

**Re:** Central / Huron Street Sewer Improvements

## Introduction

In anticipation of work to remove and replace Central Street between Second Street and the Mast Road Bridge, a series of investigations were completed to review existing sanitary sewers and service needs in the area of the Central Street project. These investigations are as follows:

- Review the existing force main from the Huron Street Pump Station to Central & Huron Street Intersection and confirm alternatives for replacement;
- Confirm the condition of existing sanitary service to 3668 and 3654 Central Street; and
- Conduct a feasibility analysis for sanitary sewer service to 3670 and 3672 Central Street.

This memo addresses the findings of this investigation and provides prices to perform improvements. The prices in this memo represent an estimate based on necessary engineering design and construction services as well as prices received from the selected contractor for the Central Street project, Concord Excavating and Grading, Inc.

## Huron Street Pump Station Force Main

An investigation was completed to determine the location of an existing sanitary force main along Central Street. The force main serves as a discharge from the Huron Street Pump Station which is located immediately northwest of the DPW facility. During design, it was believed that the force main ran within the greenbelt of the Central Street. Further investigations completed by the Utility Department using an electronic locating device revealed that the force main actually runs partially under Central between the Mast Road bridge and the intersection of Huron Street. Depth information gathered from the instrument indicates that the force main may be as shallow as 2.5 feet. In addition, it was found that the force main travels along the Huron River within an area potentially designated as wetland and floodplain. It is unclear whether an easement has been recorded for the segment of sewer beyond the Central Street right of way.

Due to the location of the force main within the pavement, it is believed that relocation as part of the Central Street project will be necessary. Through discussions with Staff, two primary options exist for the relocation of the main from the pavement.

Option 1 includes installing 60 feet of gravity sewer (that would also serve as a public main to intercept two residential building leads) and 240 feet of force main along Central Street within the greenbelt area. This option retains the force main in its current location along the Huron River and intercepts the existing main before it enters pavement of Central Street. The improvement is estimated at \$28,000.00

# Memorandum



Option 2 includes installing a 450 of force main between the existing pump station and a sanitary manhole located along the DPW driveway. The force main would be tapped directly to an existing manhole structure with a drop connection. This alternative would allow for abandonment of the existing force main in its entirety from the pump station to the manhole within Central Street. This option is estimated at approximately \$25,000.00.

## 3668 and 3654 Central

Field investigations also revealed that two properties (3668 and 3654 Central) are currently connected to the public sanitary sewer system through a combined lead. While the lead is located within the green belt, it is standard practice that private leads are not to be shared. To correct this, a new manhole and 60 feet of sanitary sewer could be placed in front of 3668 Central Street. This work is estimated at approximately \$10,000.00. Note that this work is already included with Option 1 noted above. Further, it should be stated that current Village policies indicate that residents are responsible the sanitary sewer leads beginning at the sewer main and extending into their homes. Therefore, the responsibility to correct the lead arrangement is with the residents of these particular homes.

## 3670 and 3672 Central Street

These two properties are not currently serviced by public sewer and the Village requested that sewer options be investigated for these lots. A review of area sewer indicated that it would not be possible to tie these homes into the existing sewer along Central Street via a gravity sewer connection. However, the existing sanitary sewer pump station is located adjacent 3672 Central Street. It is feasible to construct a sanitary sewer from the wet well at this station and service both properties provided an easement can be obtained from the Owner of 3672 Central Street. The work would include approximately 240 feet of sewer and a manhole. The work is estimated at approximately \$23,000.00. It should be noted that this work is not critical to the Central Street project and can be completed separately when requested by affected residents.

## Recommendation

Based on the findings presented above, we recommend that the Village:

- Proceed with the recommendations of Option 2 for the Huron Street pump station force main.
- Notify residents of the shared lead at 3654, 3668 and their options for resolution of the problem. It is not felt that the public sewer work should be performed by the Village.
- Notify residents at 3670 and 3672 of the recommended alternative to serve their properties with sewer. Sewer work can be performed by the Village, but is not critical at this time.



Sheet Desc: CENTRAL STREET FORCEMAIN	Date: 4/26/2012	OHM
Project: CENTRAL STREET - PH. 1	JN:	
Client: VILLAGE OF DEXTER	Scale: 1 in = 60 ft	
		Page: 1

Brown = sewer  
 Blue = water  
 Green = storm  
 Red = sewer leads

AGENDA 6-11-12

ITEM 10-2  
cnicholls@villageofdexter.org

# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

## MEMO

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 5, 2012**  
**Re: Scope of Services for Sludge System Improvement Project**

Provided for your review is a proposal from Orchard, Hiltz & McCliment (OHM) for construction services related to the Sludge System Improvement project. This project is being funded through a State Revolving Loan fund loan which is expected to close in late August. This proposal is being used to set a not to exceed amount for constructions services to include in our Part II application, which is one of the steps in the loan approval process through the State of Michigan. The Part II application is due on June 15, 2012.

Once the outline of the construction sequence is completed, the proposal will be updated with more exact costs relative to inspection hours and construction engineering hours for both OHM and Tetra Tech, along with more refined estimates for contract administration (processing of pay applications, change orders, wage rate compliance review). The small amount of materials testing on this project will be paid for through the contractor.

Currently the plans are under review by our State of Michigan District Engineer. Once his comments are received, the project will be put out to bid. This is expected to occur the week of June 11, 2012. Bids will be due on July 11, 2012. Council will be asked to award the bid, contingent on receipt of the funding, on July 23, 2012.

Council is asked to approve the proposal from OHM in an amount not to exceed \$330,000, with the understanding that moving forward with the project is contingent upon receipt of the State Revolving Fund Loan and that a more detailed cost estimate for construction services will be provided by OHM prior to the start of the project.



est.1962

June 4, 2012

**VILLAGE OF DEXTER**

8140 Main Street  
Dexter, MI 48130

Attention: Ms. Donna Dettling  
Village Manager

Re: **Sludge Handling System Upgrades**  
**Proposal for Construction Engineering Services**

Dear Ms. Dettling:

Orchard, Hiltz & McCliment, Inc. (OHM) is pleased to submit this proposal for Construction Engineering Services for the Sludge Handling System Upgrade. Specifically, this will include contract administration, construction engineering, construction observation, and construction staking.

**PROJECT UNDERSTANDING**

The Sludge Handling Improvements project has been designed and will be out for bid by June 13, 2012. The project design is consistent with the previously approved design proposals from September 20, 2011 and March 19, 2012. The bid opening is scheduled for July 11, 2012 at your office. After the bids are opened, the Village will continue with the project award to remain on schedule with the Michigan State Revolving Fund (SRF) project schedule. It is anticipated that the project construction will begin in the fall of this year, with the majority of the construction occurring in the Spring/Summer of 2013.

The Sludge Handling Improvement project involves the replacement of the anaerobic digester equipment and appurtenances necessary to treat and store sludge at the existing wastewater treatment plant (WWTP). Updated sludge transfer pumps will draw sludge from the primary clarifiers and pump the flow to the upgraded anaerobic primary digester. Sludge will be heated and mixed in the primary digester to reduce the volatile organic carbons in the sludge, thus reducing the overall volume to store on site. The sludge storage tank cover will be replaced with a new floating cover which will store the sludge until it can be removed from the facility by an outside contractor. Related mechanical, electrical and SCADA improvements have been designed at the WWTP to accommodate the proposed digester improvements. The site will then be restored upon completion of the project.

**SCOPE OF SERVICES**

OHM has worked with Tetra-Tech to complete the necessary design work and developed contract

documents associated with the project. OHM will work with Tetra-Tech during the Construction period as well. Generally, Tetra-Tech will be involved in the portions of the project where they completed the design. We would like to offer the following scope of services for construction services.

#### Construction Engineering Services

1. Conduct a mandatory pre-bid meeting with all bidders to review the project site and issue minutes and any addendum (if necessary).
2. Respond to questions or clarifications from bidders.
3. Review the bid results and make recommendation to the Village for award of the contract.
4. Conduct a pre-construction meeting with the successful bidder and assist in executing of the contract documents.
5. Layout services will consist of the required construction staking for the project.
6. Full-time daily observation will be provided when significant construction work or testing is occurring. Daily field reports will be prepared documenting pay item quantities and general progress for the day. Checking completed work for compliance with contract documents will be provided as part of the construction observer's regular responsibilities. Inspection will be reduced to part-time during some construction activities.
7. A project engineer will oversee and supervise observation and will be responsible for resolving any interpretations or issues which may arise with the contract documents and preparing progress payments.
8. OHM will conduct progress meetings with the Contractor, subcontractors, and Village representatives, as deemed necessary. It is anticipated that these will be either monthly or bi-weekly, depending on project progress and activity. We currently anticipate up to 15 progress meetings.
9. The contract administration shall consist of the preparation of construction pay estimates in a timely manner to meet project deadlines for estimate approval, review of contractor construction progress for compliance with the approved project schedule, claim resolution, change order preparation, preparation of a final project punch-list and monitoring site restoration work until completed by contractor.
10. OHM will review and approve all shop drawing submittals.
11. OHM will receive, review, and respond to all contractor RFI's (Request for Information).
12. OHM will process any change order requests submitted by the contractor, and make recommendation to the Village for responding.
13. Upon completion of the sludge handling improvements construction, OHM will compile the as-built information for the project into the final record drawings. We will submit one paper copy and one digital CD with PDFs of the record drawings for the Village's records.
14. OHM will update the sludge handling portion of the existing O&M Manual for the WWTP. This will involve rewriting this section to reflect the improvements and recommended operating and maintenance procedures. OHM will provide the Village with 5 copies of the updated sections which can be inserted into the existing the existing O&M manuals, as well as an updated CD of the entire O&M document.

#### COMPENSATION

The Village will be invoiced monthly for both services rendered on an hourly basis, with a not to exceed amount. Compensation due will be based on the actual hours worked during each phase of the project. The following budgets are presented for your consideration:

Construction Staking	\$ 10,000
Construction Engineering/Contract Administration Services	\$180,000
Inspection	\$118,000
As-Built Drawings, O/M Manual	\$ 22,000
<b>Total =</b>	<b>\$330,000</b>

**SCHEDULE**

It is anticipated that the project will begin in the Fall of 2012 and will be completed by the Fall of 2013. Record drawings will be provided by December 15, 2013, and the O&M manual will be provided at the completion of the project by December 15, 2013.

**CONTRACT TERMS AND CONDITIONS**

The attached Standard Terms and Conditions, dated March 2003 and as shown as Exhibit 1, are incorporated into this proposal by reference, with Section 7 omitted at the request of the Village.

We thank you for this opportunity to provide professional engineering services. Please do not hesitate to contact us if you have questions. Should you find our proposal acceptable, please execute the agreement below and return a copy to us for our files.

Very truly yours,  
ORCHARD, HILTZ & McCLIMENT, INC.



\_\_\_\_\_  
Rhett Gronewelt, P.E.  
Principal in Charge

**SLUDGE HANDLING SYSTEM UPGRADES**

**VILLAGE OF DEXTER**

Accepted By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attachments: Exhibit 1 – Standard Terms and Conditions

## STANDARD TERMS and CONDITIONS

1. THE AGREEMENT – These Standard Terms and Conditions and the attached Proposal or Scope of Services, upon their acceptance by the Owner, shall constitute the entire Agreement between Orchard, Hiltz & McCliment, Inc. (OHM), a registered Michigan Corporation, and the Owner. The Agreement shall supersede all prior negotiations or agreements, whether written or oral, with respect to the subject matter herein. The Agreement may be amended only by mutual agreement between OHM and the Owner and said amendments must be in written form.

2. SERVICES TO BE PROVIDED – OHM will perform the services as set forth in the attached proposal or scope of services which is hereby made a part of the Agreement.

3. SERVICES TO BE PROVIDED BY OWNER – The Owner shall at no cost to OHM:

- a) Provide OHM personnel with access to the work site to allow timely performance of the work required under this Agreement.
- b) Provide to OHM within a reasonable time frame, any and all data and information in the Owners possession as may be required by OHM to perform the services under this Agreement.
- c) Designate a person to act as Owners representative who shall have the authority to transmit instructions, receive information, and define Owner policies and decisions as they relate to services under this Agreement.

4. PERIOD OF SERVICE – The services called for in this Agreement shall be completed within the time frame stipulated in the Proposal or Scope of Services, or if not stipulated shall be completed within a time frame which may reasonably be required for completion of the work. OHM shall not be liable for any loss or damage due to failure or delay in rendering any service called for under this agreement resulting from any cause beyond OHM's reasonable control.

5. COMPENSATION – The Owner shall pay OHM for services performed in accordance with the method of payment as stated in the Proposal or Scope of Services. Method of compensation may be lump sum, hourly; based on a rate schedule,

percentage of the construction cost, or cost plus a fixed fee. The Owner shall pay OHM for reimbursable expenses for subconsultant services, equipment rental or other special project related items at a rate of 1.15 times the invoice amount.

6. TERMS OF PAYMENT – Invoices shall be submitted to the Owner not more often than monthly for services performed during the preceding period. Owner shall pay the full amount of the invoice within thirty days of the invoice date. If payment is not made within thirty days, the amount due to OHM shall include a charge at the rate of one percent per month from said thirtieth day.

~~7. LIMIT OF LIABILITY – OHM shall perform professional services under this Agreement in a manner consistent with the degree of care and skill in accordance with applicable professional standards of services of this type of work. To the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability in the aggregate, of OHM and its Officers, Directors, Partners, employees, agents, and subconsultants, and any of them, to the Owner and anyone claiming by, through or under the Owner, for any and all claims, losses, costs or damages of any nature whatsoever arises out of, resulting from or in any way related to the project or the Agreement from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract or warranty, express or implied, of OHM or OHM's Officers, Directors, employees, agents or subconsultants, or any of them shall not exceed the amount of \$25,000 or OHM's fee, whichever is less.~~

8. ASSIGNMENT – Neither party to this Agreement shall transfer, sublet, or assign any duties, rights under or interest in this Agreement without the prior written consent of the other party.

9. NO WAIVER – Failure of either party to enforce, at anytime, the provisions of this Agreement shall not constitute a waiver of such provisions or the right of either party at any time to avail themselves of such remedies as either

may have for any breach or breaches of such provisions.

10. GOVERNING LAW – The laws of the State of Michigan will govern the validity of this Agreement, its interpretation and performance.

11. DOCUMENTS OF SERVICE – The Owner acknowledges OHM's reports, plans and construction documents as instruments of professional services. Nevertheless, the plans and specifications prepared under this Agreement shall become the property of the Owner upon completion of the work and payment in full of all monies due OHM, however, OHM shall have the unlimited right to use such drawings, specifications and reports and the intellectual property therein. The Owner shall not reuse or make any modifications to the plans and specifications without prior written authorization by OHM. In accepting and utilizing any drawings or other data on any electronic media provided by OHM, the Owner agrees that they will perform acceptance tests or procedures on the data within 30 days of receipt of the file. Any defects the Owner discovers during this period will be reported to OHM and will be corrected as part of OHM's basic Scope of Services.

12. TERMINATION – Either party may at any time terminate this Agreement upon giving the other party 7 calendar days prior written notice. The Owner shall within 45 days of termination, pay OHM for all services rendered and all costs incurred up to the date of termination in accordance with compensation provisions in this Agreement.

13. OHM'S RIGHT TO SUSPEND ITS SERVICES – In the event that the Owner fails to pay OHM the amount shown on any invoice within 60 days of the date of the invoice, OHM may, after giving 7 days notice to the Owner, suspend its services until payment in full for all services and expenses is received.

14. OPINIONS OF PROBABLE COST – OHM's preparation of Opinions of Probable Cost represent OHM's best judgment as a design professional familiar with the industry. The Owner must recognize that OHM has no control over costs or the prices of labor, equipment or materials, or over the contractor's method of pricing. OHM makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual cost.

15. JOB SITE SAFETY – Neither the professional activities of OHM, nor the presence of OHM or our employees and subconsultants at a construction site shall relieve the General Contractor or any other entity of their obligations, duties, and responsibilities including, but not limited to, construction means, methods, sequences, techniques or procedures necessary for performing, superintending or coordinating all portions of the work of construction in accordance with the contract documents and the health or safety precautions required by any regulatory agency. OHM has no authority to exercise any control over any construction contractor or any other entity or their employees in connection with their work or any health or safety precautions. The Owner agrees that the General Contractor is solely responsible for jobsite safety, and warrants that this intent shall be made clear in the Owners agreement with the General Contractor. The Owner also agrees that OHM shall be indemnified and shall be made additional insureds under the General Contractors general liability insurance policy.

16. DISPUTE RESOLUTION – In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Owner and OHM agree that all disputes between them arising out of or relating to this Agreement shall be submitted to nonbinding mediation, unless the parties mutually agree otherwise.

# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

## MEMO

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager**  
**Date: June 4, 2012**  
**Re: Modifications to Park and Park Facility Use Form**

On May 29, 2012 Trustee Semifero sent an e-mail that requested an agenda item to discuss proposed changes to the Village's Park and Park Facility Use Form. The changes he requested were as follows:

*"All management of any event authorized by this permit must be performed by the applying organization. The Village staff is not available to receive applications associated with any events unless they are explicitly authorized by the Village Council."*

*"Any use of a Village street, park, or other asset, allowed by this permit shall allow participation by all members of the public that apply for participation. A park may not be closed for an event and it must remain open to public access. A parade cannot exclude public participation unless it is uniform exclusion. Limitations may be made in areas dealing with content (no commercial signs for non-profit events, limitations on campaigning by politicians when not part of the intent of the event, etc.) based on the intent of the event. Other examples:*

- \* If one school organization is allowed to participate, all school organizations must be allowed to participate.*
- \* If one sports team is allowed, all sports teams must be allowed.*
- \* If some businesses are allowed, all businesses must be allowed.*
- \* If one community group or association is allowed, all interested community groups must be allowed."*

A copy of the current permit application is provided for your review. Permits require Council approval when they request a road closure.

Trustee Semifero and I discussed the proposed changes in preparation for their presentation on the agenda. The suggestion to add language that any use of Village Street...shall allow participation by all members of the public, could create an unintended consequence for an event such as Dexter Daze. Dexter Daze requires those interested in participating to apply and not all applications are accepted. The reason for having an application process for this type of event is typically to ensure the quality of the goods that are being sold/offered and to work within the space constraints. One potential solution we discussed was changing the language to state that any group whose permit requires Council approval and who is going to limit participation must provide, as part of their permit application, the reason the limitation is necessary and a copy of the application process and guidelines that will be used for participant selection. This would ensure that the requirement applies only to large community events that require a road closure and not things such as weddings and graduation parties that may be held in part facilities.

The permit does currently contain language that states that the park must remain open to public access:

Terms of Use #3 - The park, in which the authorized activity will be located, will continue to be open for use by the public during the period of the authorized activity and the authorized activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park during the authorized hours of the event.

If Council would like to move forward with these change the following language would be added to the permit:

- All management of any event authorized by this permit must be performed by the applying organization. The Village staff is not available to receive applications associated with any events unless they are explicitly authorized by the Village Council.
- Any event that requires Council approval due to a road closure that is going to limit/regulate participation in the event in any way must provide a letter explaining the reason the limitation/regulation is necessary and a copy of the application process and guidelines that will be used for participant selection.



VILLAGE OF DEXTER-PARKS COMMISSION  
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Date Received: \_\_\_\_\_  
Receipt #: \_\_\_\_\_

**APPLICATION AND RELEASE OF LIABILITY WAIVER  
FOR PARK/FACILITY USE and/or ROAD CLOSURE**

EVENT: \_\_\_\_\_ EVENT DATES/TIMES: \_\_\_\_\_

EVENT LOCATION: \_\_\_\_\_

Applicant/Sponsoring Party \_\_\_\_\_ Phone/Email \_\_\_\_\_

Primary Contact \_\_\_\_\_ Phone/Email \_\_\_\_\_

Secondary Contact \_\_\_\_\_ Phone/Email \_\_\_\_\_

Address (City, State, Zip) \_\_\_\_\_

Event Description: \_\_\_\_\_

**TYPE OF EVENT (Check all that apply)**

- Park Use       Facility Use: List the Facility \_\_\_\_\_
- Road Closure: List Event \_\_\_\_\_ (Village Council Approval Required) DATE APPROVED \_\_\_\_\_
- Fire/Open Burning (DAFD Approval Required) DATE APPROVED \_\_\_\_\_

**FEES**

Residents – \$25/4 hours / Non Village Residents -\$150/4 hours, \$50 each additional hour  
Chamber, Non-profits, Community Events exempt from fee  
**\*\$200 Damage Deposit Required**

**THE FOLLOWING ACTIVITIES REQUIRE A PERMIT (Check all that apply)**

- Road Closure – *additional requirements apply.*
- Hold a parade – *additional requirements apply.*
- Conduct exhibitions, erect any building or structure, sell or giveaway any food, drink, or other upon or across park lands.
- Display, or offer for sale, any article in any park or recreation area.
- Hold assembly involving 30 participants or more (exempts classroom activities).
- Distribute, deliver or place any bill, billboard, placard, banner, circular, or other advertisement – *additional requirements apply.*
- Furnish and/or consume any beer, wine, or other alcoholic beverage within the boundaries of any park or recreation area – *additional requirements apply.*
- Fire Pit or other open burning activities. Type of Burning: \_\_\_\_\_

**INSTRUCTIONS AND REQUIREMENTS FOR APPLICATION**

1. Application must be filed, and complete, at least 3 weeks prior to scheduled event (includes administrative approval).
2. Village Services - Provide information on the requested village services, i.e. barricades, detour signs, etc.
3. Road Closure Applications - A complete diagram/map/routes for events and road closures must include distances, schedule, etc. Sheriff's Dept. and Fire Dept. approvals are required for road closures. Contracts and authorizations will be required prior to permit approval. This can take up to 3 weeks, please plan accordingly. Upon approval by both departments obtain signatures below. Road Closures require that the

applicant notify all residents/businesses affected by the closure. Notification must be completed a minimum of 2 weeks prior to the event. Please indicate on the permit the date in which notification will be completed.

DATE COMPLETED: \_\_\_\_\_

- a. Contact the Washtenaw County Sheriff Department substation-Dexter (734) 424-0587- to arrange contracted officers for events requiring road closures. Provide copy of agreement/contract with WCSD.
- b. Contact the Dexter Area Fire Department (734) 426-4500 to arrange contracted services or to provide information for event requiring road closures. Provide copy of agreement/contract with the DAFD.

\_\_\_\_\_  
DAFD Signature                      Date                                      WCSD Signature                      Date

- c. Provide the Village with a road closure barricade and sign plan indicating where road closures are required. The Village of Dexter has four (4) road closure barricades available for use therefore additional contracts may be required. Contact POCO-734-397-1677; or Spartan- 313-292-2488, if applicable.
  - d. The Washtenaw County Road Commission (734) 761-1500 may require additional Road Closure permits for events within their jurisdiction. Contact the Village for more information on jurisdiction.
4. Insurance –
- a. Private and/or Nonprofit Group Sponsored Event or Personal Events (weddings, birthday parties, etc.) - The following insurance coverage's are required:
    - i. Home Owners Policy coverage certificate or renters policy with general liability coverage of \$100,000 must be provided to show host coverage for offsite events in an amount.
    - ii. General liability insurance in the amount of \$1,000,000 naming the Village of Dexter, including all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and their board members, employees and volunteers.
  - b. Alcohol – Events
    - i. Selling alcohol requires a permit from the Michigan Liquor Control Commission. General liability insurance in the amount of \$1,000,000 naming the Village of Dexter, including all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and their board members, employees and volunteers, is required. Alcohol sales must be separate and fenced from the rest of the event.
    - ii. Serving alcohol at a private/host events requires a Home Owners Policy or renters policy with \$1,000,000 worth of coverage for Host Liquor. Single day coverage may be necessary for special events. Applicants should check with their insurance companies. Copies of coverage certificates are required prior to issuance of permit.
5. Hold Harmless/Indemnification Waiver (below) must be signed and dated by the sponsoring party and/or representative.
6. Signage – On site and off site signage is permitted with approval. *See Temporary Sign Permit.*
7. Loading and Unloading - NOT permitted within parks unless permission is specifically granted. If loading and unloading is required temporary road closures may be arranged.
8. Waste Management – Upon completion of the event, the sponsors are responsible for removal of all equipment brought to the site, and for returning the site to the same condition as prior to the event. Arrangements should be made with Waste Management for trash disposal: (800) 796-9696.
9. Publication Methods – Please circle all that apply: (Village event calendar, village newsletter, Dexter Leader, Chamber Newsletter, Flyers, Brochures, Banners, Others \_\_\_\_\_)
10. Waiver – The event sponsor may petition the Village in writing for a waiver of one or more of the rules, policies or fees in this document. Upon receipt of the written request, if it appears to Village Manager or their designee that one or more of the rules, policies or fees creates an unnecessary hardship, not created by action of the event sponsor, or that a genuine hardship exists because of the unusual circumstances with regard to the particular activity, such requirement or requirements may be waived at the discretion of the Village Manager or their designee and consent of the Village Council.

**TERMS OF USE**

As a representative for and on behalf of the Sponsoring Party, the applicant acknowledges the following:

1. Completed application, rental fees and damage deposits, must be paid in full before the permit is granted.
2. If the Sponsoring Party is authorized to use a park gazebo or other designated facility or space, expect to have exclusive use of that gazebo, facility or designated space for the period defined in this permit.
3. The park, in which the authorized activity will be located, will continue to be open for use by the public during the period of the authorized activity and the authorized activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park during the authorized hours of the event.
4. The authorized activity or use will not unreasonably interfere with the promotion of public health, welfare, safety and recreation consistent with Dexter's mission.
5. The authorized activity or use will not include or cause violence, crime or disorderly conduct on the part of any individual participating in the authorized event, activity, or use.
6. Village of Dexter parks and park facilities are valuable community assets and, as such, are to be treated with respect and care including, but not limited to, all structures, lighting, benches, and related physical assets. No modifications (use of nails, tape, etc.) are to be made to any park, park asset, including gazebos, light poles, etc. without the express written consent of the Village of Dexter. All natural areas, trees, boulders, and other landscaping, and memorials are to be protected from damage and not subject to wear and tear from either human or animal activity.
7. A \$200 damage deposit will be required for ALL events. The deposit will be returned upon inspection of the facilities the following workday. The deposit may be picked up or destroyed upon inspection of the facilities the following workday. Damage will be documented with photos and provided to applicant if any portion of the damage deposit is retained. Damage consists of anything that requires Village staff time, resources or additional contracts to repair and/or restore.
8. The Sponsoring Party agrees that all site clean-up is the responsibility of the Sponsoring Party and not the Village of Dexter.
9. To the best of the Sponsoring Party's ability, the authorized activity will not require or cause unanticipated or unauthorized expense by the Village of Dexter, its departments, units or services, or its community police operations. The Village of Dexter and/or its community police operation reserve the right to invoice the Sponsoring Party for additional costs incurred as a result of the authorized use specified in this application. It will be the responsibility of the Sponsoring Party to pay such costs. Such costs may be related but not limited to police services, damage to facilities, landscaping, sidewalks, grass, or other park assets, or post-activity area or facility clean-up.
10. The Sponsoring Party must provide a copy of the permit, if requested, at the event.

**HOLD HARMLESS AGREEMENT**

To the fullest extent permitted by law, \_\_\_\_\_, the Sponsoring Party, agrees to defend, pay in behalf of, indemnify, and hold harmless the Village of Dexter, its elected and appointed officials, employees and volunteers and others working in behalf of the Village of Dexter against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Village of Dexter, its elected and appointed officials, employees, volunteer or others working in behalf of the Village of Dexter, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract.

Date \_\_\_\_\_ Signed \_\_\_\_\_

**FOR OFFICE USE ONLY**

Approved/Denied on \_\_\_\_\_ By: \_\_\_\_\_ Title: \_\_\_\_\_

Approval Granted with the following conditions: \_\_\_\_\_

<input type="checkbox"/>	Village Resident (\$25)
<input type="checkbox"/>	Non-Village Resident (\$150)
<input type="checkbox"/>	Chamber/Non Profit (No Fee)
<input type="checkbox"/>	\$50 Additional Fee for Special Event Road Closure
<input type="checkbox"/>	Damage Deposit (ck# _____)
<b>POSTED:</b> _____	
<b>FEE:</b> _____ <b>REC#:</b> _____	

Thank you for supporting the Village of Dexter and Dexter's Parks.

Please let us know how we can help by contacting the Village Offices at 734-426-8303 or by visiting our website at [www.villageofdexter.org](http://www.villageofdexter.org)

We encourage you to contact the Dexter Area Chamber of Commerce at 734-426-0887 for information on local businesses that may be able to assist in making your event a success.



## VILLAGE OF DEXTER

[ddettling@villageofdexter.org](mailto:ddettling@villageofdexter.org)

8140 Main Street Dexter, MI 48130-1092  
5614

Phone (734)426-8303 ext 11 Fax (734)426-

### MEMO

**To: President Keough and Council**  
**From: Donna Dettling, Village Manager**  
**Date: June 11, 2012**  
**Re: Promotion of Dan Schlaff to Superintendent**

Dan Schlaff and I met to develop terms for a promotion. Listed below are the terms under which Dan is willing to accept the Superintendent position.

1. Annual Base Wage - \$85,000 No Over-time
2. Health Insurance- Same as other Union Employees until contract changes
3. 1<sup>st</sup> pay in July 2012 - Cash out half of current vacation accrual, this is a MERS eligible benefit (138 hours at \$35.68) \$4,930
4. 1<sup>st</sup> pay in July 2013 – Cash out remaining balance of vacation, this is a MERS eligible benefit \$4,930
5. Start vacation accrual at 4 weeks as of June 25, 2012. This is 4 days less than his accrual in the union. Must use by June 25, 2013, no cash outs.
6. 1<sup>st</sup> pay in July 2012 – Cash out half of current sick leave accrual, this is NOT a MERS eligible benefit (234 hours at \$35.68) \$8,349
7. Bank remainder of sick leave accrual (234 hours at \$35.58= \$8,349) for retirement or termination
8. Start sick leave accrual at 10 days per year as of June 25, 2012. This is 2 days less than his accrual in the union.
9. MERS-Same as other Non-Union Employees

I am requesting that Council authorize an offer to Dan Schlaff for the position of Superintendent under the terms above, with one change to item 2-Health Insurance. I am recommending that Dan be under the same health care plan as other non-union employees. I feel this is fair and helps bring closure to Dan's union membership. This is potentially a maximum annual cost of \$2,000 to Dan for the health care deductible. I would like to make this promotion effective June 25, 2012.

If Dan decides that it is in his best interest not to accept the position under these terms, I am requesting that Council authorize me to advertise for a Superintendent at a Salary Range of \$70,000 - \$85,000.

An expectation of the Superintendent whether it's Dan Schlaff or a new employee will be to achieve the structural shift in duties to the desired future structure in an acceptable time frame. What that time frame will be as well as consideration and consequences associated with staffing changes are discussions Council will need to have with staff and the Superintendent.

**The Superintendent is responsible for:**

- Water Operations
- Wastewater Operations
- Water Transmission System
- Sewer Collection System
- Storm Water Infrastructure
- Streets
- Parks
- Buildings and Grounds
- Solid Waste
- All services provided to the public except Administrative Services, or Police and Fire services

**Establish Expectations:**

- Develop standard operation procedures “SOP’s” for all systems for employee tasks.
- Work to achieve enhanced productivity/maximize output and help employees understand what is expected of them.
- Develop a plan for license attainment for all employees.
- Develop a staffing plan for current and future needs.
- Deliver the accountability that Council expects. This will include a commitment from Courtney and I that we will continue to enhance our understanding of all activities under Dan’s supervision.
- Improve efficiency and productivity, at the same time reduce OT. Establish a benchmark for reducing OT.
- Establish a training plan with targets for training hours.
- Expectation that Dan will attend Council meetings, report on the activities, accomplishments, and challenges. Keep Village Manager, Assistant Village Manager and Council informed.

Dan Terms	Donna Counter	Council Position from March 10, 2012 Everyone on Council acknowledged the value that Dan brings to the Village and they agree that it's worth something to the village...BUT they see little give and take in your terms. Council has limits on what they're willing to do to make the terms work for you without some incentives. They see a great opportunity for you and a great way for you to continue your career with the village. Council is concerned that maybe this isn't the best answer for the village, if this is what it takes.
Annual Base Wage \$85,000 No Over-time Dan's Current base is \$74,000 plus OT, which averaged out to \$6,700 over the past 5-years.	Annual Base Wage \$85,000 No Over-time	Agreement that most of them could live with \$80,000 to start and add base of \$_____ pay for achieving an S-2 Water distribution license, \$_____ for achieving a D-2 Water Treatment license and \$_____ for achieving a C Wastewater license. These incentive pay items would be in addition to any approved annual adjustments.
Vacation Time-Cash out spread over 2 years. Each year include in the budget \$4,930 for a total of \$9,860. This payout is MERS eligible. Start vacation accrual at 4 weeks, to be used over next 12 months, no cash outs.	\$85,000.00 Vacation Time-Cash out spread over 2 years. Each year include in the budget \$4,930 for a total of \$9,860. This payout is MERS eligible. Start vacation accrual at 4 weeks, to be used over next 12 months, no cash outs.	Vacation Time Cash Out. Council can agree to cashing out the 254 at a maximum of 40 hours each year at your then current hourly rate. It would take 7 years to cash out. The 2012 cash out would be (\$38.46 x 40 = \$1,538.40)
Sick Time- Cash half of current accrual (234 hours at \$35.68) \$8,349. Bank remainder of hours for retirement or termination. Not MERS eligible. Start sick leave accrual at 10 days per year. NO ADDITIONAL CASH OUTS	\$4,930.00 Sick Time- Cash half of current accrual (234 hours at \$35.68) \$8,349. Bank remainder of hours for retirement or termination. Not MERS eligible. Start sick leave accrual at 10 days per year. NO ADDITIONAL CASH OUTS	Council is willing to look at cashing out a portion of the bank upon acceptance of the position, and holding the remainder of the hours for cash out when you retire. For example half now \$8,063.68 and 226 hours held for when you retire. The 226 would be paid at \$35.68 or \$8,063.68. The 226 will be available to you to use if you were on an extended sick leave.
Health Insurance-wrap deductible. Same as other Union Employees until contract changes. Premium for family \$16,000 plus wrap of deductible.	\$8,349.00 Looking for willingness from you to set the right example with Health Care. Other non-union employees have stepped up to accept this and Council wants that same consideration from you.	Looking for willingness from you to set the right example with Health Care. Other non-union employees have stepped up to accept this and Council wants that same consideration from you.
Retirement, MERS covered by employer assumes 10%	\$18,000.00 Retirement, MERS covered by employer assumes 10%	\$16,000.00 Retirement, MERS covered by employer assumes 10%
	\$8,993.00	\$8,993.00



ITEM L-5  
chicholls@villageofdexter.org

# VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

MEMO

**To: Council Members**  
**From: President Keough and Courtney Nicholls, Assistant Village Manager**  
**Date: June 6, 2012**  
**Re: Letter from Aubree's Pizzeria & Grill**

Aubree's Pizzeria & Grill has submitted the attached letter to the Village of Dexter. They wish to be open for additional hours on special occasions. Amy Bulszewicz has indicated in conversations with both President Keough and staff that she only intends for this to occur on a few occasions such as Dexter Daze.

Council is asked to accept this letter as a means of approving additional hours beyond those that were proposed as a part of their liquor license approval application. This approval will be for serving alcohol indoors only.

Please note that the outdoor seating was approved as a special land use, which had limited hours as part of the approval.

Provided for your review are the two prior liquor license approvals for Aubree's, the outdoor seating application for Aubree's and the special land use for outdoor seating approved originally for North Point.





May 18, 2012

Courtney Nicholls  
Dexter Village  
8140 Main Street  
Dexter, MI 48130

Re: Aubree's of Dexter

Dear Ms. Nicholls:

This letter is in regard to the hours of operation for Aubree's Pizzeria & Grill. We would like to address the concerned as to whether we were in violation of our hours of operation in August of 2011.

Attached please find a copy of the Liquor License Transfer application submitted in April of 2011. Please note the hours of operation described as part of the summary. Due to the response of our patrons we feel these hours have worked well.

Monday – Thursday	11 am – 11 pm
Friday & Saturday	11 am – 12 am
Sunday	11 am – 11 pm

However, last summer when we attempted to accommodate patrons of Dexter Daze by extending our hours we were told this violated the hours defined in the Liquor License Transfer application. At that time Aubree's Pizzeria and Grill respectfully complied with the Village of Dexter's request to close.

The Michigan Liquor Control Commission dictates that Aubree's Pizzeria and Grill cannot serve alcohol past 2:00 am and no food after 4:00 am. Our attempt last summer to extend our hours would have been completely compliant with state mandated laws.

In an attempt to comply with the Village of Dexter's request to obtain authorization to modify our hours it would seem that is no specific form to complete or procedure in place when a business finds it necessary to adjust their hours to open earlier or stay open later.



We are truly grateful that Aubree's Pizzeria and Grill has been so well received by the Dexter Community. We appreciate the restrictions that maintain the quality of the downtown area and are proud to contribute to the established high standards. From time-to-time in response to the community events we feel extending our hours will not jeopardize the fine standards maintained by the Village of Dexter. Please be assured that Aubree's Pizzeria & Grill would never consider operating outside of the hours permitted by the Michigan Liquor Control Commission.

Respectfully,

DEXTER CAPITAL LLC

A handwritten signature in black ink that reads "Amy Bulszewicz".

Amy Bulszewicz  
Operating Manager

AGENDA 8-8-11

ITEM L4

**VILLAGE OF DEXTER**

[cnicholls@villageofdexter.org](mailto:cnicholls@villageofdexter.org)

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

MEMO

To: President Keough and Council Members  
From: Courtney Nicholls, Assistant Village Manager  
Date: August 1, 2011  
Re: Local Approval Notice – Outdoor Seating for Aubree’s

Attached is a local approval resolution for outdoor seating for the new Aubree’s restaurant located at 8031 Main Street. Aubree’s has met the Village’s requirements for outdoor seating, but needs the approval of the Liquor Control Commission to serve alcohol in the outdoor area.

The resolution states that the Class C license is pending. This is because the outdoor seating request was made to Liquor Control on July 1 and the Class C license wasn’t approved until July 6. There was a delay in Liquor Control sending the outdoor seating approval to the Village because they were unaware that the outdoor seating was on Village right-of-way.

A copy of the original Village’s Liquor License Application from Aubree’s is attached. Though it listed outdoor seating, Aubree’s had not yet filed the official request for outdoor seating with the Liquor Control Commission so that wording was not present on the original resolution that the LCC provided.

P132  
P140



Michigan Department of Licensing and Regulatory Affairs  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**  
 7150 Harris Drive, P.O. Box 30005  
 Lansing, Michigan 48909-7505

**FOR MLCC USE ONLY**  
 Request ID # 618387  
 Business ID # 225409

**LOCAL APPROVAL NOTICE**  
 [Authorized by MCL 436.1501]

July 21, 2011

**TO:** DEXTER VILLAGE COUNCIL  
 ATTN: CLERK  
 8140 MAIN STREET  
 DEXTER, MI 48130-1092

*Received  
 7/24/11  
 [Signature]*

**APPLICANT:** DEXTER CAPITAL LLC

**Home Address and Telephone No. or Contact Address and Telephone No.:**

CONTACT: AMY BULSZEWICZ 11404 CEDARBEND RD, <sup>PINCNEY</sup>~~ANGKNEY~~, MI 48169 H: 734-954-9994

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the Retail Licensing Division as (517) 636-4634.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN  
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

### RESOLUTION

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request by DEXTER CAPITAL LLC FOR A NEW OUTDOOR SERVICE AREA TO BE HELD IN CONJUNCTION WITH PENDING 2011 CLASS C LICENSED BUSINESS LOCATED AT 8031 MAIN, SUITE 100, DEXTER, MI 48130, WASHTENAW COUNTY**

be considered for \_\_\_\_\_  
(Approval or Disapproval)

#### APPROVAL

#### DISAPPROVAL

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

SEAL

\_\_\_\_\_  
(Mailing address of Township, City or Village)



VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE  
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

## VILLAGE OF DEXTER LIQUOR LICENSE TRANSFER APPLICATION

Date Rec'd: \_\_\_\_\_

8031 Main Street  
Property Address

HD-08-06-210-027  
Tax Code I.D.

CBD  
Zoning

Monument Park Investments LLC, 7444 Dexter-Ann Arbor Rd., Ste. F, Dexter 734-426-9980  
Property Owner, Address, City, State, Zip Phone

Dexter Capital LLC  
Applicant,

11805 Mayfield, Livonia, MI 48150 abulszewicz@live.com  
Applicant Address, City, State, Zip

(734) 458-1800  
E-Mail/Phone

Name, address and type of license as it appears on current liquor license:

Klee, Inc. - Class C

1220 S. University, Ste. 212, Ann Arbor, MI 48104

Name of all persons listed on current liquor license:

Cleo Savas  
Mitchell Savas

Type of license that you are requesting (new, permit, transfer of ownership, transfer into the Village):

Transfer of ownership, transfer into Village, Class C, SDM, Sunday Sales, official (food) permit and outdoor seating.

Name, address and type of license as it is proposed (if change is approved):

Dexter Capital LLC

11805 Mayfield

Livonia, MI 48150

Class C

Provide the names of all persons listed on the proposed liquor license (partners):

Amy Bulszewicz                      Ronald Evangelista

Steven Brouwer

Anticipated opening date (for a new business): Mid-June 2011

Please provide a summary of the plan of operation including hours of operation, description of establishment (including anticipated food sales to alcohol sales ratio), and whether outdoor seating will be requested.

The Dexter location will mark the 6<sup>th</sup> restaurant for Aubree's Pizzeria & Tavern. The hours are Mon - Th 11am - 11pm, Fri & Sat 11am - 12am and Sunday 11am - 11pm. Aubree's Pizzeria & Tavern is a family friendly sports bar delivering excellent food and over-the-top friendly service. The menu includes pizza offerings as well as a variety of salads, fresh-baked breads, sandwiches, burgers and pasta entrees to please everyone at the table.

Community involvement is very important to the Aubree's Pizzeria & Tavern family. We strive to be good corporate neighbors by supporting local schools, community events, fund-raisers and charities.

The Aubree's license would like permission for the continuation of the prior operations where outdoor seating had been granted with a clearly defined eating area designated by a movable, hard railing.

Date Signed:

Corporate Name/Doing Business As: Aubree's Pizzeria and Tavern

By:

A. Bulszewicz  
A. Bulszewicz, President

\_\_\_\_\_  
Name/Title

\*\*\*For Office Use Only\*\*\*

Date Considered by Council \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

AGENDA 4-11-11

ITEM L-1

[cnicholls@villageofdexter.org](mailto:cnicholls@villageofdexter.org)

## VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

MEMO

**To:** President Keough and Council Members  
**From:** Courtney Nicholls, Assistant Village Manager  
**Date:** April 6, 2011  
**Re:** Liquor License Transfer.

Presented for your consideration is a liquor license transfer request from Monument Park Investments. The liquor license would be for 8031 Main Street, formerly North Point Seafood & Steakhouse. A completed Liquor License Transfer Application is included.

Along with the Class C license that allows for on-premises consumption, they are also requesting a SDM license, which allows for the sale of alcohol that will be consumed off the premise. The applicant has indicated that this license would be used for their carry-out business, as it is in their other locations. This gives their customers the option of purchasing beer as part of their carryout order. They are also requesting that the State grant them an outdoor seating license that would allow them to serve outside in a defined outdoor seating area. The applicant will also have to go through the Village's outdoor seating permit process.

All of these licenses will be up for approval by the Liquor Control Commission at the same time, once local approval of the Class C license transfer is granted by the Village.

The applicant will be at the meeting to answer any questions.

**RESOLUTION**

At a Regular meeting of the Village Council  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by: \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request to TRANSFER OWNERSHIP OF ESCROWED 2010 CLASS C LICENSED BUSINESS, LOCATED AT 1220 S UNIVERSITY, SUITE 212, ANN ARBOR, MI 48104, WASHTENAW COUNTY, FROM KLEE, INC. TO DEXTER CAPITAL LLC; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 8031 MAIN, SUITE 100, DEXTER, MI 48130, WASHTENAW COUNTY.**

be considered for \_\_\_\_\_  
(Approval or Disapproval)

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

SEAL

\_\_\_\_\_  
(Mailing address of Township, City or Village)



VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE

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

VILLAGE OF DEXTER  
LIQUOR LICENSE TRANSFER APPLICATION

Date Rec'd: 4/4/11

8031 Main Street  
Property Address

HD-08-06-210-027  
Tax Code I.D.

CBD  
Zoning

Monument Park Investments LLC, 7444 Dexter-Ann Arbor Rd., Ste. F, Dexter 734-426-9980  
Property Owner, Address, City, State, Zip Phone

Dexter Capital LLC  
Applicant,

11805 Mayfield, Livonia, MI 48150 abulszewicz@live.com  
Applicant Address, City, State, Zip

(734) 458-1800  
E-Mail/Phone

Name, address and type of license as it appears on current liquor license:

Klee, Inc. - Class C

1220 S. University, Ste. 212, Ann Arbor, MI 48104

Name of all persons listed on current liquor license:

Cleo Savas  
Mitchell Savas

Type of license that you are requesting (new, permit, transfer of ownership, transfer into the Village):

Transfer of ownership, transfer into Village, Class C, SDM, Sunday Sales, official (food) permit and outdoor seating.

Name, address and type of license as it is proposed (if change is approved):

Dexter Capital LLC

11805 Mayfield

Livonia, MI 48150

Class C

Provide the names of all persons listed on the proposed liquor license (partners):

Amy Bulszewicz                      Ronald Evangelista

Steven Brouwer

Anticipated opening date (for a new business): Mid-June 2011

Please provide a summary of the plan of operation including hours of operation, description of establishment (including anticipated food sales to alcohol sales ratio), and whether outdoor seating will be requested.

The Dexter location will mark the 6<sup>th</sup> restaurant for Aubree's Pizzeria & Tavern. The hours are Mon - Th 11am - 11pm, Fri & Sat 11am - 12am and Sunday 11am - 11pm. Aubree's Pizzeria & Tavern is a family friendly sports bar delivering excellent food and over-the-top friendly service. The menu includes pizza offerings as well as a variety of salads, fresh-baked breads, sandwiches, burgers and pasta entrees to please everyone at the table.

Community involvement is very important to the Aubree's Pizzeria & Tavern family. We strive to be good corporate neighbors by supporting local schools, community events, fund-raisers and charities.

The Aubree's license would like permission for the continuation of the prior operations where outdoor seating had been granted with a clearly defined eating area designated by a movable, hard railing.

*\* applicant will complete outdoor seating permit application which is handled administratively*

Date Signed:

Corporate Name/Doing Business As: Aubree's Pizzeria and Tavern

By: *A. Bulszewicz*  
A. Bulszewicz, President

\_\_\_\_\_  
Name/Title

\*\*\*For Office Use Only\*\*\*

Date Considered by Council \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_



Michigan Department of Energy, Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**

7150 Harris Drive, P.O. Box 30005  
Lansing, Michigan 48909-7505

**LOCAL APPROVAL NOTICE**

[Authorized by MCL 436.1501]

*amt 2/24/11*

<b>FOR MLCC USE ONLY</b>	
Request ID #	577745
Business ID #	225409

January 26, 2011

**TO:** DEXTER VILLAGE COUNCIL  
ATTENTION CLERK  
8140 MAIN STREET  
DEXTER, MI 48130-1092

*Received  
2/28/11  
aw*

**APPLICANT:** DEXTER CAPITAL LLC

**Home Address and Telephone No. or Contact Address and Telephone No.:**

STEVEN P. BROUWER, 7444 DEXTER-ANN ARBOR ROAD, SUITE F, DEXTER, MI 48130  
H(734)426-8290/B(734)426-9980

AMY L. BULSZEWICZ, 11404 CEDAR BEND DRIVE, PINCKNEY, MI 48169 H&B(734)954-9994

RONALD A. EVANGELISTA, 2096 DEER PATH TRAIL, COMMERCE TOWNSHIP, MI 48390  
H&B(248)982-1690

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN  
TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**



Michigan Department of Energy, Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**  
7150 Harris Drive, P.O. Box 30005  
Lansing, Michigan 48909-7505

*amt  
2/24/11*

**LOCAL GOVERNMENT 15-DAY NOTICE**  
[Authorized by R 436.1105 (2d) and (3)]

January 26, 2011

DEXTER VILLAGE COUNCIL,  
ATTENTION CLERK  
8140 MAIN STREET  
DEXTER, MI 48130-1092

*Received  
2/28/11  
CW*

Request ID #: 577745

The Michigan Liquor Control Commission has received an application from DEXTER CAPITAL LLC FOR A NEW SDM LICENSE TO BE HELD IN CONJUNCTION WITH PENDING REQUEST TO TRANSFER OWNERSHIP OF ESCROWED 2010 CLASS C LICENSED BUSINESS, LOCATED AT 1220 S UNIVERSITY, SUITE 212, ANN ARBOR, MI 48104, WASHTENAW COUNTY, FROM KLEE, INC.; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 8031 MAIN, SUITE 100, DEXTER, MI 48130, WASHTENAW COUNTY.

Home address and telephone number:  
STEVEN P. BROUWER, 7444 DEXTER-ANN ARBOR ROAD, SUITE F, DEXTER, MI 48130  
H(734)426-8290/B(734)426-9980  
AMY L. BULSZEWICZ, 11404 CEDAR BEND DRIVE, PINCKNEY, MI 48169 H&B(734)954-9994  
RONALD A. EVANGELISTA, 2096 DEER PATH TRAIL, COMMERCE TOWNSHIP, MI 48390  
H&B(248)982-1690

Specially Designated Merchant (SDM) licenses permit the sale of beer and wine for consumption off the premises only. Specially Designated Distributor (SDD) licenses permit the sale of alcoholic liquor, other than beer and wine under 21 per cent alcohol by volume, for consumption off the premises only.

For your information, part of the investigation of the application is conducted by the local law enforcement agency and investigative forms will be released to them either in person or by mail.

Although local governing body approval is not required by the Michigan Liquor Control Code, Rules and Related Laws for off-premise licenses, the local governing body, or its designee, may notify the Commission at the above address within 15 days of receipt of this letter if the applicant location will not be in compliance with all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, or if the applicant is considered ineligible due to other factors.

All conditions of non-compliance must be outlined in detail, indicating the applicable laws and ordinances. A copy of the law and/or ordinance may be submitted with the notification.

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

sfs

<p>LC-3104 (Rev. 09/05) Authority: R436.1105(2d) and (3) Completion: Mandatory Penalty: No License</p>	<p>The Department of Labor &amp; Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.</p>
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P112

P150

## VILLAGE OF DEXTER OUTDOOR SEATING PERMIT APPLICATION

Date Received: 7/12/11

Receipt #: 2722

Fee: \$25.00 (first submittal only) (Annual submittal of updated insurance REQUIRED)

**CHECK ONE:**

FIRST SUBMITTAL

SUBSEQUENT SUBMITTAL

8031 Main Street HD-08-06-210-027 CBD  
 Property Address Tax Code I.D. Zoning District  
Monument Park Investment LLC  
 Property Owner, Address, City, State, Zip  
Alfreds Pizzeria & Grill 8031 Main St. Dexter, MI 48130 Phone 810  
 Applicant, Address, City, State, Zip Phone

**Application Procedure (application must complete upon submittal):**

1. Date Special Land Use Permit was granted approval by the Village Council: 9-11-06  
(Date)
2. List Conditions placed on the special land permit:
  - a. FURNITURE MAY BE LEFT OUT OVERNIGHT
  - b. \_\_\_\_\_
- N/A 3. Has the Village notified you over the past year indicting failure to comply with the conditions or requirements of the special land use permit?
4. Include a copy of a policy or certificate of insurance, in an acceptable amount to the village; including workers compensation, naming the village as an additionally insured.
5. If alcohol is served outside of the building must provide a copy of the liquor liability policy or certificate of insurance naming the village as an additionally insured.
6. Provide a completed copy of the Village Hold Harmless Application.
7. Applicant must provide photographs, drawings, or manufacturers brochures fully describing the appearance of the proposed tables, chairs, umbrellas, etc.
8. Applicant must provide any information on conditions that have changed, i.e. location, furniture, hours, etc.
9. Are you requesting to leave the outdoor seating furniture outdoors overnight? If so, please provide reasoning. Storage located in rear of build on lower level - FURNITURE MAY BE LEFT OUT OVERNIGHT.
10. What are your proposed hours of operation? M-Th 11-11 Sunday 11-10  
F-Sat 11-12

By signing the application you are acknowledging that the Village of Dexter has the right to deny, revoke or suspend an outdoor seating permit if the permittee has failed to correct violations of the outdoor seating permit within the time specified on the violation notice.

By signing the application you are agreeing to comply with the rules and regulations set forth in Section 8.11.B.27.

\_\_\_\_\_  
 Owner's Signature Date

[Signature] 7.07.11  
 Applicant's Signature Date



# STATE OF MICHIGAN

## LIQUOR CONTROL COMMISSION

EFFECTIVE MAY 1, 2011 -- EXPIRES APRIL 30, 2012, UNLESS SPECIFIED OTHERWISE HEREON

THIS IS TO CERTIFY THAT A LICENSE IS HEREBY GRANTED TO THE PERSON(S) NAMED, TO SELL ALCOHOLIC LIQUOR IN ACCORDANCE WITH THE MICHIGAN LIQUOR CONTROL CODE AND ADMINISTRATIVE RULES GOVERNING THE TYPE OF LICENSE SHOWN HEREON.

THIS LICENSE is granted in accordance with the provisions of Act 58, of Public Acts of 1998, and shall continue in force FOR THE PERIOD DESIGNATED unless suspended, revoked or declared null and void by the Liquor Control Commission. IN WITNESS WHEREOF the LIQUOR CONTROL COMMISSION has caused these presents to be duly signed and sealed, and the said Licensee has caused these presents to be duly signed and sealed.

### 2011 - 2012 LICENSE

THIS LICENSE SUPERSEDES ANY AND ALL OTHER LICENSES ISSUED PRIOR TO JULY 06, 2011



DEPARTMENT OF LICENSING  
AND REGULATORY AFFAIRS

Liquor Control Commission

*Michelle B. Lawrence*

*Pat Confield*

*William P. ...*

*William A. John*

*Edward ...*

*Richard ...*

LICENSEE(S) SIGN BELOW

(L.S.)

*Richard ...*

(L.S.)

BUSINESS ID:

225409

AUBREE'S PIZZERIA & TAVERN  
DEXTER CAPITAL LLC

8031 MAIN  
SUITE 100  
DEXTER, MI 48130  
PO:

1 BARS  
PERMITS:

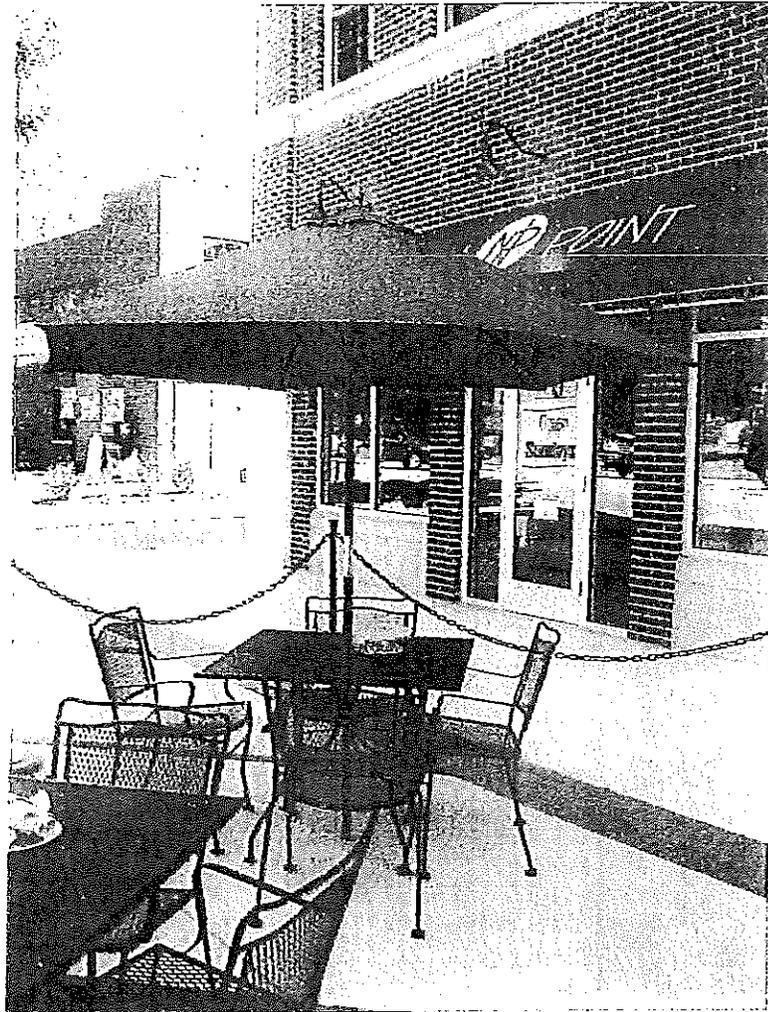
(REFER TO PERMIT DOCUMENT)

LICENSE NUMBER:

CLASSC 203294-2011 SS  
SDM 203295-2011

LLC - ACT

D - 73681  
WASHTENAW  
D - 2130





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/11/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Selective Insurance Company of America P.O. Box 13325  Richmond VA 23225-0325	<b>CONTACT NAME:</b> PHONE (A/C No. Ext): (877) 744-3125 FAX (A/C. No): (877) 378-3033 E-MAIL ADDRESS:	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Dexter Capital, LLC DBA Aubree's of Dexter 8031 Main Street Suite 100 Dexter MI 48130-1150	<b>INSURER A:</b> Selective Insurance Co of SC 19259	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			1987947	6/29/2011	6/29/2012	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>				MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COM/POP AGG \$ 2,000,000
							\$
A	AUTOMOBILE LIABILITY			1987947	6/29/2011	6/29/2012	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/>				BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			1987947	6/29/2011	6/29/2012	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 1,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ ZERO						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC 7987611	6/29/2011	6/29/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			Y/N <input type="checkbox"/>				E.L. EACH ACCIDENT \$ 500,000
If yes, describe under DESCRIPTION OF OPERATIONS below			N/A				E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Certificate holder is included as additional insured with respects to General liability as required by written contract.

<b>CERTIFICATE HOLDER</b>  Village of Dexter Attn: Allison Bishop 8140 Main Street Dexter, MI 48130	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  Deborah Dzendzel/EEC <i>Deborah Dzendzel</i>

**HOLD HARMLESS AGREEMENT**

"To the fullest extent permitted by law, AUBREE'S, agrees to defend, pay in behalf of, indemnify, and hold harmless the Village of Dexter, its elected and appointed officials, employees and volunteers and others working for or in behalf of the Village of Dexter, against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Village of Dexter, its elected and appointed officials, employees, volunteers or others working in behalf of the Village of Dexter, by reason of personal injury, including bodily injury and death; and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this Contract."

  
Signature

7-20-11  
Date

HHA 1



**Memorandum**

To: Village Council  
Donna Dettling  
From: Allison Bishop  
Re: North Pointe Seafood and Steakhouse Special Land Use Request  
Date: September 11, 2006

**PLANNING COMMISSION DECISION**

On September 5, 2006 the Planning Commission recommended approval of the North Pointe Seafood and Steakhouse Special Land Use request with the following motion:

Moved Kimmel, support Tell

Based on the information provided by the applicant at the September 5, 2006 Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission recommends that the Village Council **APPROVE** the Special Land Use application for outdoor seating at North Pointe Seafood and Steakhouse, 8031 Main Street.

The Special Land Use permit is granted with the following conditions:

1. The applicant should provide information on umbrellas, if applicable. Color samples must be provided for review to determine compatibility with building colors.
2. The applicant will be required to annually submit the outdoor seating permit application, required information, fee, Hold Harmless Agreement and insurance requirement.

**ACTION REQUESTED**

Pursuant to Article 8.02(f) the Village Council shall act on the request at the recommendation of the Planning Commission at the following Council meeting. The Village Council shall either approve or reject the request within sixty (60) days unless an extension has been agreed upon in writing by both the Village Council and Applicant.

**SUGGESTED MOTION**

Based on the information provided by the applicant, the recommendation of the Planning Commission and pursuant to Section 8.03, Special Land Use review standards, the Village Council **(APPROVES / DENIES)** the Special Land Use application for outdoor seating at North Pointe Seafood and Steakhouse, 8031 Main Street.

The Special Land Use permit is granted with the following conditions:

1. The applicant should provide information on umbrellas, if applicable. Color samples must be provided for review to determine compatibility with building colors.
2. The applicant will be required to annually submit the outdoor seating permit application, required information, fee, Hold Harmless Agreement and insurance requirement.
3. \_\_\_\_\_
4. \_\_\_\_\_

OR

Based on the information provided by the applicant, the recommendation of the Planning Commission and pursuant to Section 8.03, Special Land Use review standards, the Village Council moves to **(POSTPONE)** the Special Land Use request submitted for outdoor seating at North Pointe Seafood and Steakhouse until **(DATE)** to allow the applicant more time to address the following:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Please feel free to contact me prior to the meeting with questions.

Thank you,



**Applicant:** North Pointe Seafood and Steakhouse, Cindy Macneil  
**Project Name:** North Pointe Seafood and Steakhouse  
**Review Date:** August 30, 2006  
**Location:** 8031 Main Street – Suite 101  
**Zoning:** CBD Central Business District. Outdoor Seating is a Special Land Use in the CBD District.  
**Action Requested:** Special Land Use Approval for Outdoor Seating

### **PROJECT AND SITE DESCRIPTION**

The applicant proposes to provide outdoor seating/dining at the North Pointe Seafood and Steakhouse, 8031 Main Street.

On September 26, 2006 the Village Council approved a modification request to remove the greenbelt and add the landscaping island to promote future outdoor seating in front of the building.

The sidewalk available for outdoor seating is twenty (20) feet wide and approximately seventy-five (75) feet long. The applicant proposes to install approximately ten (10) to twelve (12) additional tables and associated chairs adjacent to the front of the building. There will be approximately a seven (7) foot pedestrian pathway maintained between the building and the eating area.

### **LAND USE AND ZONING**

**Site:** The subject site is Zoned CBD, Central Business District.

**North:** North of the subject site is Monument Park.

**South:** South of the site is the Forest Street public parking lot.

**East:** East of the site is the multi-tenant Dexter Commerce Building and one way parking lot access.

**West:** West of the subject site is the Dairy Queen.

### **SPECIAL USE CONSIDERATIONS**

Pursuant to Section 8.03, the Zoning Ordinance requires that the Planning Commission and Village Council consider the following standards for the use at the proposed location:

## North Pointe – Outdoor Seating

- A. *The Special Land Use will be consistent with the goals, objective and future land use plan described in the Dexter Master Plan.*

The future land use map shows the subject site as CBD Central Business District. The CBD is intended to be the core area of the village that has a mixture of land uses. The CBD also encourages more intense development with uses such as restaurants, retail and personal service establishments.

The special land use request is for the village's newest building, the Monument Park building. The Monument Park building was constructed in collaboration with the DDA and was developed from a vacant piece of property with the intent of bringing people downtown.

The proposed outdoor seating meets the desired mix of uses within the Central Business District and compliments the existing mix of restaurants and outdoor seating activity currently in the CBD. Outdoor seating is a use that is typically associated with a food related commercial business.

- B. *The Special Land Use will be consistent with the stated intent of the zoning district.*

The proposed outdoor seating at the North Pointe Seafood and Steakhouse is a full service restaurant downtown. Restaurants are uses that are considered customary in a Central Business District. As noted in the Zoning Ordinance the intent of the CBD is to encourage improvements that add to the character, social and environmental diversity of the downtown area and to foster an appealing high-density pedestrian environment. Uses along the primary streets, including Main Street, are retail and eatery uses.

The applicant has stated that their intent is to have the outdoor seating area increase the number of guests that the restaurant can serve and bring more people downtown. Outdoor seating will also compliment the village's vibrant downtown by providing a place for people to relax and enjoy Dexter. Outdoor seating will also "add to the character and social environment" in the downtown.

- C. *The Special Land Use will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity in consideration of environmental impacts, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values or similar impacts.*

The applicant is proposing to have approximately ten (10) to twelve (12) tables and associated chairs located along the landscaping island in front of the building. The Village Council approved a modification request on September 26, 2005 anticipating the request for outdoor seating. The area has been designed to be operated and maintained to be compatible with outdoor seating/dining and will not be modified by the present request.

In consideration of approval of the modification request the Village Council took into consideration views, aesthetics, noise, drainage, traffic and other impacts on the proposed outdoor seating.

## North Pointe – Outdoor Seating

Per Section 8, Special Land Use requirements, outdoor seating must also meet the following standards. These standards are specifically listed and required on the annual outdoor seating permit application, which has been included for your review.

1. **Setback:** When outdoor seating is located at a street corner, a ten-foot setback from the corner of the building shall be maintained along both frontages. The applicant is proposing to locate the outdoor seating along the front of the building. To ensure adequate visibility and pedestrian safety around the corner of the building the applicant will be required to maintain the ten (10) foot setback. A diagram has been included to illustrate where the outdoor seating will be permitted
2. **Enclosure:** the Village Council approved an outdoor seating liquor license on August 14, 2006. The State of Michigan Liquor Control Commission (LCC) requires that outdoor seating areas serving alcohol be enclosed. The applicant has provided information on the proposed enclosure. The proposed enclosure is typical for outdoor seating areas in the village.
3. **Canopies and umbrellas:** Shade coverage is permitted; however color shall be compatible with building colors. The applicant does not have information on the color or type of umbrellas. If available, the applicant should provide information on the umbrellas. The applicant will be required to provide examples of the umbrellas upon submittal of the outdoor seating application.
4. **Compatibility with architecture:** The applicant has provided examples of the chairs and tables that will be used. The proposed furniture appears to be compatible with the architecture of the building
5. **Signage:** No additional signage is proposed or permitted.
6. **Trash:** The applicant will not provide an additional trash receptacle. Trash will be taken care of by servers serving the area. The applicant is responsible for keeping the area clean and void of litter at all times.
7. **Hours of Operation:** The applicant has indicated that the tentative hours of operation for the outdoor seating will be from 11am-10pm Monday thru Friday, from 11am-11pm on Fridays and Saturday and from 4pm-8:30pm on Sundays. Outdoor seating will not be provided in the winter and the tables and chairs will be removed and stored.

Applicants may, on a case-by-case basis, request that tables and chairs be able to remain outdoors overnight. The applicant has made this request and proposes to leave the tables and chairs outdoors in the evening. The applicant has indicated that the tables and chairs will be secured each evening to prevent theft.

8. **Public Safety:** It is the responsibility of the applicant to remove the outdoor seating during inclement weather. Based on the seating examples provided it appears that the outdoor seating furniture is of substantial weight so that it should not present an obstruction or risk to the public safety. If umbrellas are proposed the applicant will be required to remove them or secure them each night.

## North Pointe – Outdoor Seating

The applicant will also be required to annually submit the village hold harmless agreement and the required insurance naming the village as an additionally insured along with the outdoor seating permit and fee.

*D. The Special Land Use will not significantly impact the natural environment.*

The applicant will not install an additional trash receptacle because wait staff will individually serve patrons. No additional impacts to the natural environment are anticipated since the site is already developed.

*E. The Special Land Use can be served adequately by public facilities and services such as police and fire protection, schools, drainage structures, water and sewage facilities, and refuse disposal.*

The site is currently served adequately by public facilities and services.

*F. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.*

To proposed use will be designed to make vehicular and pedestrian traffic more hazardous. The applicant will be required to maintain the 10-foot corner setback from the one-way entrance from Main Street. The applicant is also proposing a 7-foot pedestrian path where a minimum 5-foot pathway is required.

*G. The proposed use shall be such that the location and height of buildings or structures, and the location, nature and height of walls, fences, and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.*

The proposed use will occupy an existing building and existing sidewalk. Landscaping was reviewed and provided per the village's landscaping standards.

*H. The proposed use shall be designed, located, planned, and operated to protect the public health, safety, and welfare.*

We would not anticipate any negative impacts to the health, safety, or welfare to the public

***Items to be Addressed:***

- 1. The applicant should provide information on umbrellas, if applicable. Color samples must be provided for review to determine compatibility with building colors.*
- 2. The applicant will be required to annually submit the outdoor seating permit application, required information, fee, Hold Harmless Agreement and insurance requirement.*

**CONCLUSION**

Based on the comments of this review we find that the proposed Special Land Use to permit outdoor seating at North Pointe Seafood and Steakhouse, Suite 101 in the Monument Park Building, 8031 Main Street meets the requirements of the Village's Special Land Use Provisions. We recommend approval of the special land use with the following conditions:

1. Address the information listed above.
2. Submittal of all other required information and annual permits.

  
Allison Bishop, AICP  
Community Development Manager

CC: Donna Dettling, Village Manager  
Applicant

North Pointe – Outdoor Seating

**SUGGESTED MOTIONS**

Based on the information provided by the applicant at the September 5, 2006 special Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission recommends that the Village Council **(APPROVE / DENY)** the Special Land Use application for outdoor seating at North Pointe Seafood and Steakhouse, 8031 Main Street.

The Special Land Use permit is granted with the following conditions:

1. The applicant should provide information on umbrellas, if applicable. Color samples must be provided for review to determine compatibility with building colors.
2. The applicant will be required to annually submit the outdoor seating permit application, required information, fee, Hold Harmless Agreement and insurance requirement.
3. \_\_\_\_\_
4. \_\_\_\_\_

OR

Based on the information provided by the applicant at the September 5, 2006 special Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission moves to **(POSTPONE)** the Special Land Use request submitted for outdoor seating at North Pointe Seafood and Steakhouse until **(DATE)** to allow the applicant more time to address the following:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Please feel free to contact me prior to the meeting with questions.

Thank you,



**FOR OFFICE USE ONLY**

REVIEWED BY: \_\_\_\_\_

Date \_\_\_\_\_ Approval

**APPROVAL STAMP**

\_\_\_\_\_ Denial

REASONS FOR APPROVAL:

**APPROVAL OF THIS PERMIT** authorizes the applicant to utilize outdoor seating from:  
October 1, \_\_\_\_\_ – September 30, \_\_\_\_\_.

REASONS FOR DENIAL:

**VILLAGE OF DEXTER  
SITE PLAN REVIEW & SPECIAL USE APPLICATION**

See Fee Schedule for Details; Receipt #: 1960 <sup>8/05</sup> Date Rec'd: 7/06

Application is being made for:  Preliminary Site Plan Review;  Final Site Plan Review  
 Combined Site Plan  Special Use Permit

8031 MAIN STREET OB-06-210-027 outdoor eating Area CBD  
 Property Address Tax Code ID Proposed Use Zoning District  
MONUMENT PARK INVESTMENT GROUP contact Steve Bauer 734.426-9980  
 Property Owner, Address, City, State, Zip Address Phone  
NORTH POINTE SEAFOOD AND STEAKHOUSE (same)   
 Applicant, Address, City, State, Zip Address Phone  
CINDY MACNEIL (owner) 420 Robinson Lane 734.476-1332 (cell)  
 Representative, (e.g. Engineer), Address, City, State, Zip Address Phone

**Regulations and Standards (applicant must complete):**  
 Applicable standards must be noted on site plan.

	<u>Plan Submitted</u>	<u>Requirement</u>
1. Front Yard Setback (ft)	existing bldg.	( ) check here if corner lot
2. Side Yard Setback (ft)		
3. Rear Yard Setback (ft)		
4. Lot Coverage (%) (7a/6)		
5. Height (ft)		
6. Total Site Area (ft)		
7. a. Blg. Coverage / b. Floor Area (ft)		
8. Floor Area Ratio (%) (7b/6)		
9. Total Paved area (ft)		
10. Total Impervious Cov (7a+15)/6		
11. # Parking Stalls		
12. Density (6/13)		
13. # Units (residential Only)		
14. For Multi-Family: efficiency		
1 bedroom		
2 bedroom		

VILLAGE OF DEXTER  
SITE PLAN REVIEW & SPECIAL USE APPLICATION

See Fee Schedule for Details; Receipt #: \_\_\_\_\_ Date Rec'd: \_\_\_\_\_

Additional required information for Special Use Permit:

- 15 Statement describing the use proposed. This should include information about the hours of operation, number of employees and clients, type of programming or services, traffic expected to be generated, and any other pertinent information and/or site development characteristics.
- 16 All applications are presented to the Planning Commission at a public hearing for a recommendation prior to begin forwarded to the Village Council for final consideration. Therefore, all applications must be submitted 4 weeks prior to 1st Monday of month in order to ensure proper notice time and preparation time. Incomplete applications cannot be processed.

\_\_\_\_\_  
Owner's Signature Date

*[Signature]* \_\_\_\_\_ 8.7.06  
Applicant's Signature Date

STAFF REVIEW:

Planning Commission review date: 9/5/06  
Council review date: 9/11/06

special land use per  
section 15.03(A)F

Date \_\_\_\_\_ Approved \_\_\_\_\_  
Denied \_\_\_\_\_

APPROVAL STAMP

Reviewed by: \_\_\_\_\_

REASONS FOR DENIAL:

EXISTING NONCONFORMITY'S/ VARIANCES GRANTED:

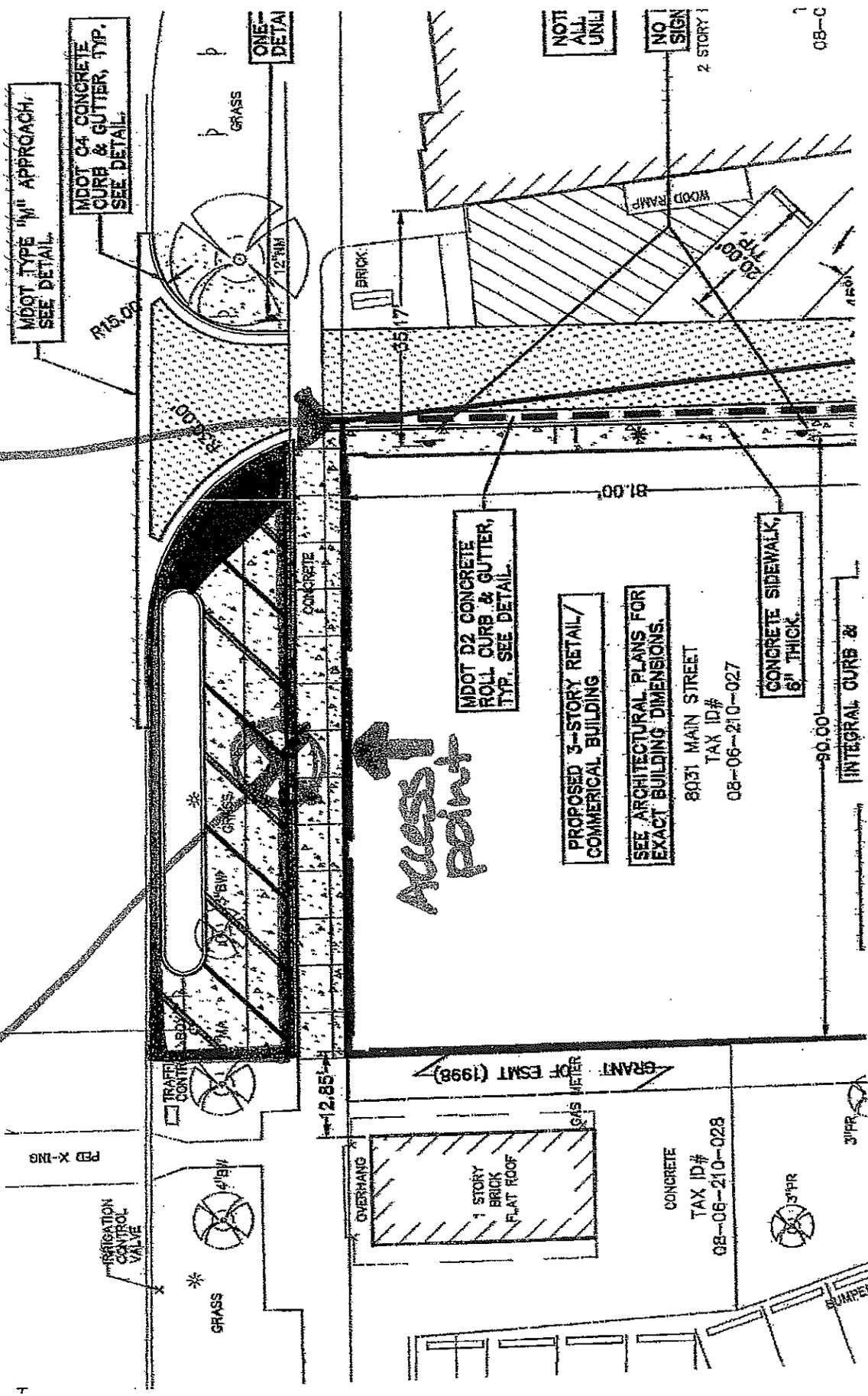
## Dexter Village

### Outdoor Seating Request

North Pointe Seafood and Steakhouse would like to request a special land use approval for an outdoor service area.

- The outdoor seating area will be located directly in front of the premise, located at 8031 Main Street. Attached sketch.
- In accordance with the village guidelines a five-foot barrier free (ADA) pedestrian walkway will be maintained directly in front of the premise. The out door dining area will be enclosed with removable stanchions, chains and flower urns. Tables, chairs and umbrellas will provide an attractive seating area for the guests. Attached Sample Photos.
- The area for outdoor seating would be designed to provide sit down food and beverage service to all guests. All food and beverages that are served will be obtained by service staff and delivered to the guest while seated in the designated outdoor dining area.
- The out door seating area will be open during favorable weather for lunch and dinner in conjunction with the hours Of North Pointe Seafood and Steakhouse. (Tentative Hours: M-TH 11am – 10pm, Friday & Saturday 11am – 11pm, Sunday 4pm – 8:30)
- Out door service will require two to six employees and will generate an additional 10 – 12 tables for guest service. This outdoor seating area will increase the number of guests served for both lunch and dinner; and compliment the already attractive sidewalks of the Village of Dexter.

Access point 5' Barrier Free



MDOT TYPE "M" APPROACH,  
SEE DETAIL.

MDOT C4 CONCRETE  
CURB & GUTTER, TYP.  
SEE DETAIL.

ONE-  
DETAIL

NOT  
ALL  
UNIL

NO  
SIGN  
2 STORY 1

08-C

MDOT D2 CONCRETE  
ROLL CURB & GUTTER,  
TYP. SEE DETAIL.

PROPOSED 3-STORY RETAIL/  
COMMERCIAL BUILDING

SEE ARCHITECTURAL PLANS FOR  
EXACT BUILDING DIMENSIONS.

8031 MAIN STREET  
TAX ID#  
08-06-210-027

CONCRETE SIDEWALK,  
6" THICK.

INTEGRAL CURB &

↑  
Access  
Point

PEB X-ING

IRIGATION  
CONTROL  
VALVE

GRASS

12.85

GRANT OF ESMT (1998)

1 STORY  
BRICK  
FLAT ROOF

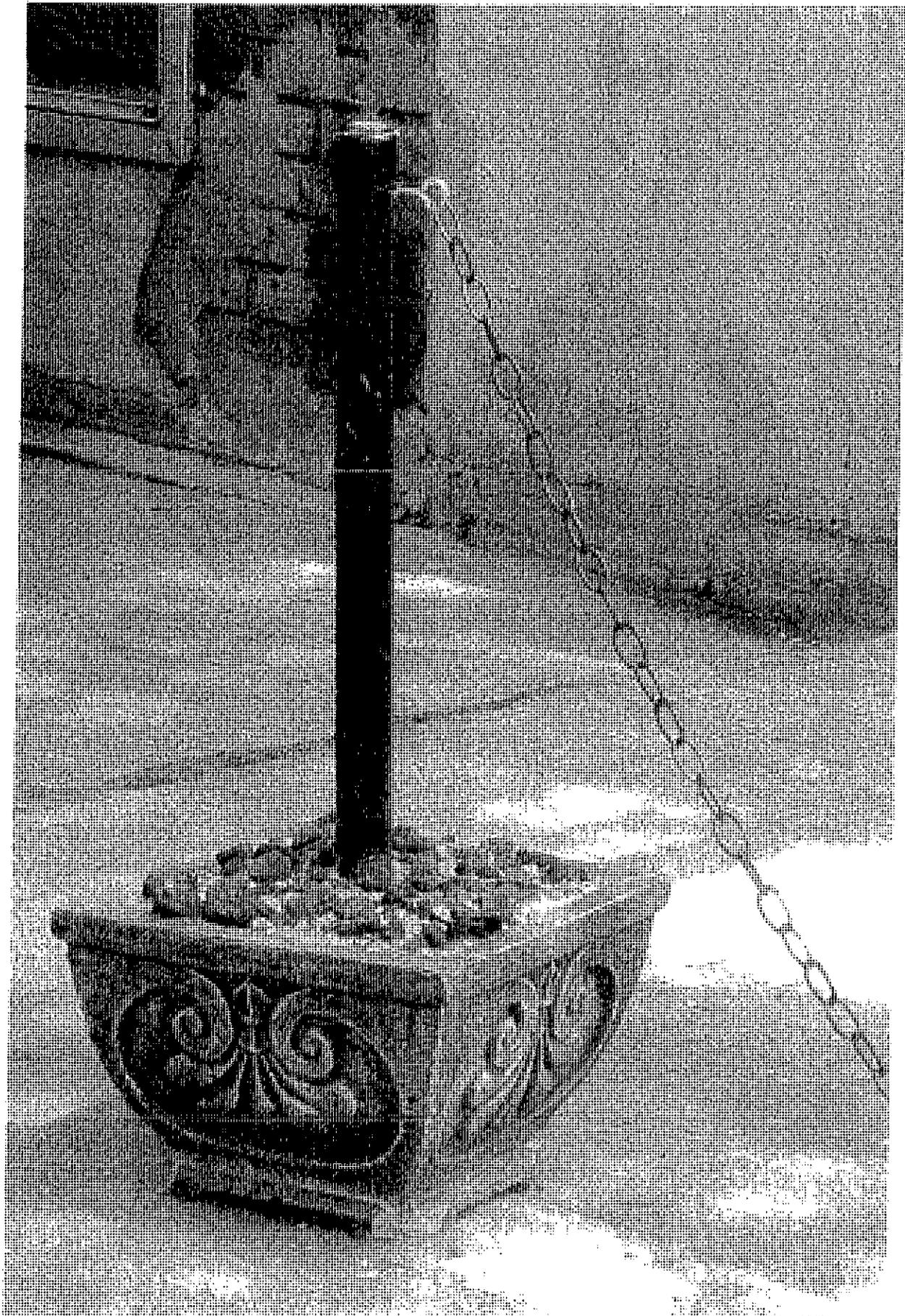
GAS  
METER

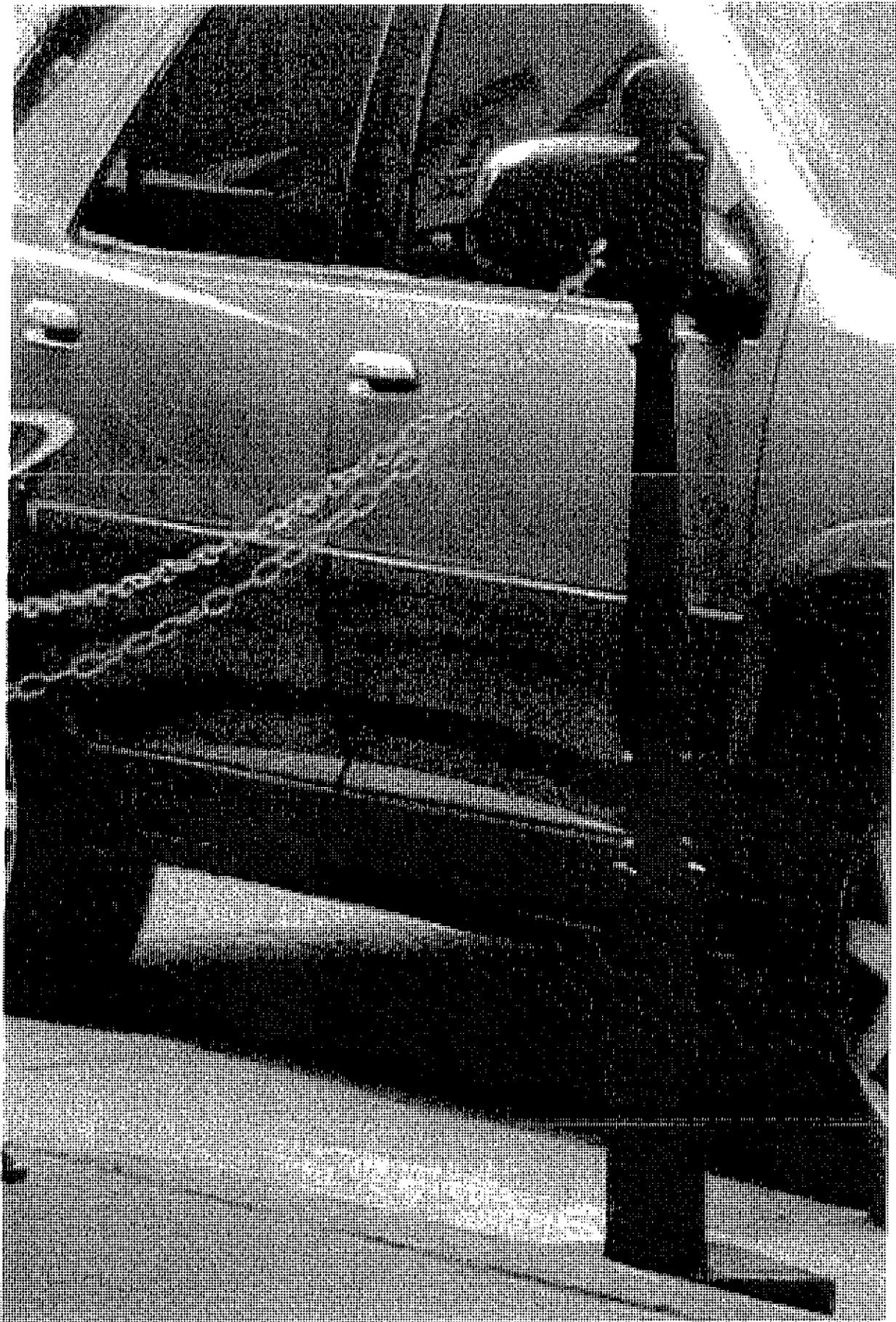
CONCRETE  
TAX ID#  
08-06-210-028

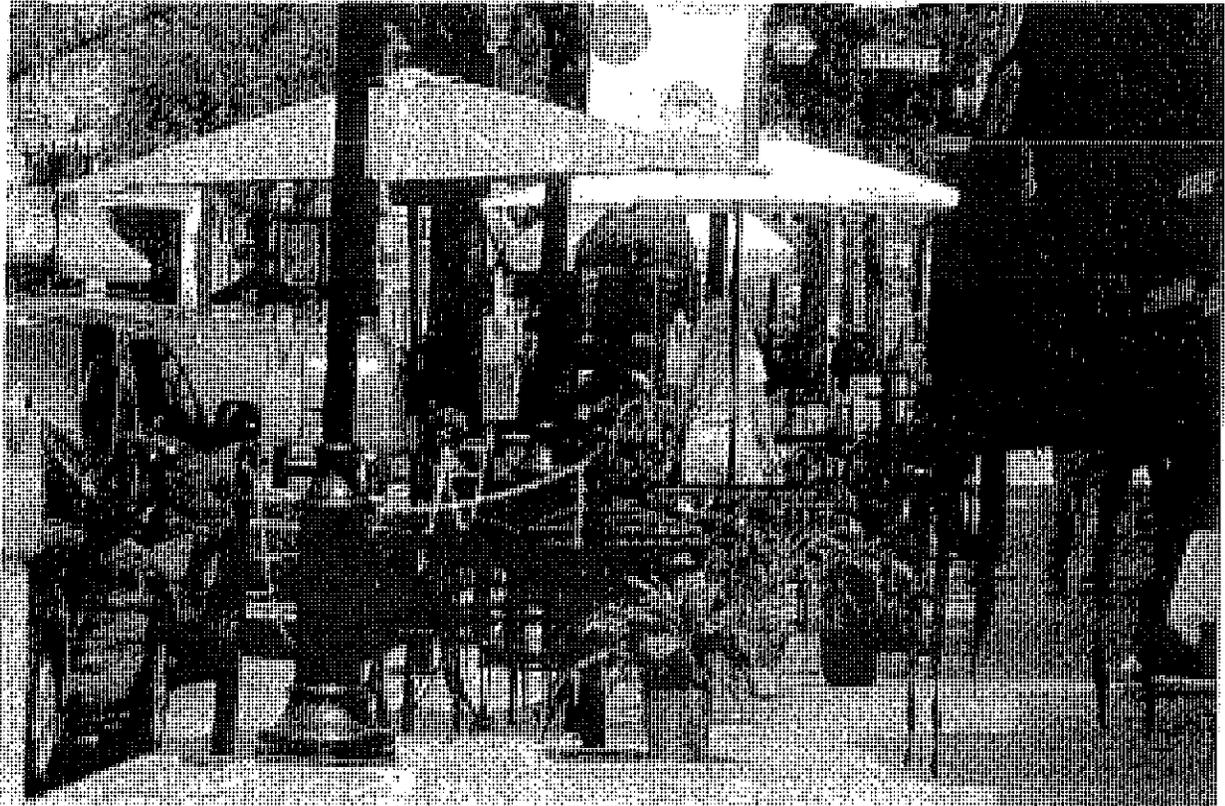
3"PR

3"PR

BUMPER















**A.R. Brouwer Co. LLC****SPECIAL USE APPLICATION**

Intent for Outdoor Seating at the Monument Park Building

Responses to Article VIII Special Land Uses: Section 8.03 General Review Standards  
For All Special Land Uses:

- A. Outside seating at the Monument Park Building will be consistent with the goals, objectives, and future land use plan in the Dexter Master Plan.
- B. Outdoor seating is consistent with the intent of the Central Business District zoning district which desire is to redevelop around the historical theme and heritage of the "old Dexter" thereby adding character, social and environmental diversity, and improvement in economic viability of the downtown area. The Monument Park Building satisfies this desire. Store frontage with appealing windows and entrances and contiguous building mass along Main and other streets in the CBD is strongly encouraged. Outside seating at the Monument Park Building will enhance the store frontage and appeal of the building. Outside seating is consistent with the desires of the Central Business District.
- C. Seating at the Monument Park Building will be designed, constructed, operated, and maintained to be compatible with, and will not significantly alter, the existing character of the general vicinity in consideration of environmental impacts, views, glare, noise, vibration, air quality, drainage, traffic, property values or similar impacts. Outdoor seating will increase the overall aesthetics of the building.
- D. Outdoor seating at the Monument Park Building will not significantly impact the natural environment. Having concrete in the front of the building for the outdoor seating will not disturb the environment any more than it would have been disturbed with the sidewalk area that was approved in the final site plan.
- E. The Monument Park Building is currently adequately served by public facilities and services.
- F. Outdoor seating at the Monument Park Building will not make vehicular or pedestrian traffic any more hazardous than is normal for the district. Outdoor seating will not have any impact on vehicular turning movements, proximity and relationship to intersections, adequacy of sight distances, or the location and access of off-street parking. Pedestrian traffic will not be put in any sort of danger due to outdoor seating at the Monument Park Building. There will still be an adequate amount of space for any pedestrian traffic.
- G. Outside seating at the Monument Park Building does not interfere or discourage the development or use of adjacent land and buildings or effect their value.
- H. The proposed use shall be designed to be operated to protect the public health, safety, and welfare of the Village of Dexter.

*Monument Park Building – Special Land Use: Outdoor Seating 8/12/2005*



Design/Build • Project Management Consultants • General Contracting

— Special land use request.  
public hearing Sept 5, 2006

August 12, 2005

Mrs. Allison Bishop  
Village of Dexter  
Community Development Manager  
8140 Main Street  
Dexter, MI 48130

RE: SITE PLAN MODIFICATION REQUEST

Dear Mrs. Bishop,

The Monument Park Building project is currently in its construction phase. Final site plan approval was obtained for the project in January 2005. We are hereby requesting a modification be permitted to the approved final site plan. We are formally requesting to modify the sidewalk area by placing concrete in the front of the building rather than the sidewalk and grass area. This modification is being requested with the intent for outdoor seating at the Monument Park Building. The outdoor seating will be placed on the concrete area in the front of the building. A Special Use Permit is simultaneously being submitted for the outdoor seating to the Planning Commission

I await your response to our request. Please contact me with any information or concerns.

Sincerely,

Steven Brouwer  
President

SPB/vs



**VILLAGE OF DEXTER**

ITEM L-6

cnicholls@villageofdexter.org

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

**MEMO**

**To: President Keough and Council Members**  
**From: Courtney Nicholls, Assistant Village Manager; Kurt Augustine, Streets Foreman**  
**Date: June 4, 2012**  
**Re: Alley Work Bid Award**

The 2011-2012 budget included funds to begin more aggressive alley maintenance. Last fall a bid was sent out to local companies to perform this work, however only one bid was received. At that time staff decided to wait and re-bid the work in the spring. Bids for this project were sent out on May 11, 2012 and due back on May 30, 2012. They were mailed to Tanner Excavating, Knight's Excavating, Iron Creek Contractors, Top Grade Excavation, and Diggit. Bids were received from the following companies:

Knight's Excavating - \$14,750

Iron Creek - \$27,850

Top Grade - \$22,830

Based on the bids that were received staff is recommending that the bid be awarded to Knight's Excavating in an amount not to exceed \$14,750. The amount budgeted for this work in the 2011-2012 budget was \$20,000.

The work will include addition of limestone, grading, raising of manholes and compaction of the following alleys (see attached map):

1, 2, 3, 4 – Selected due to frequency of resident complaints (3, 4) and the high traffic usage (1,2)

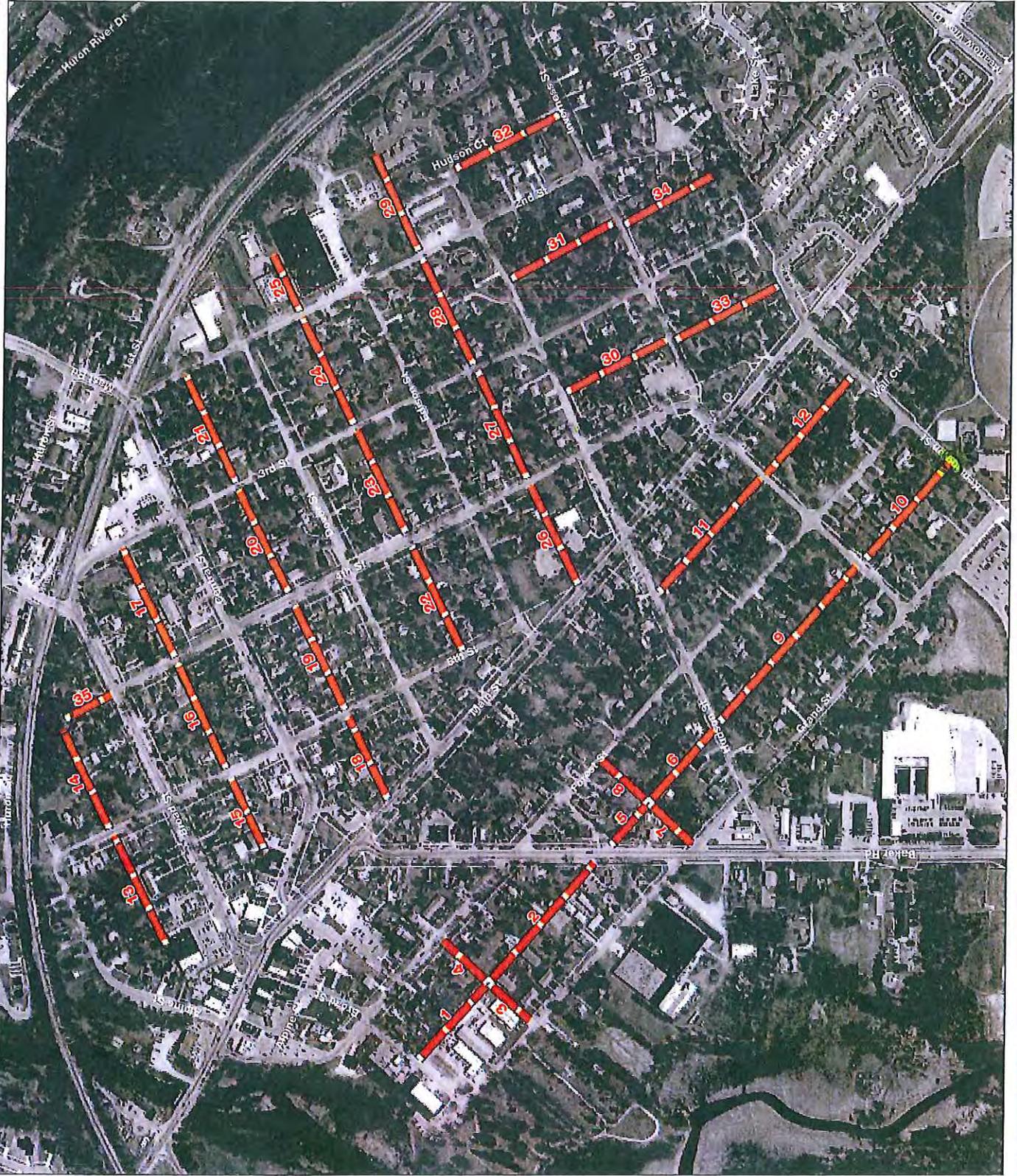
11 – Alley is washed out and limiting homeowner's access, this is also an alley that receives frequent complaints

12 – Selected to alleviate the problem of standing water that accumulates after rain events

An additional \$20,000 was budgeted in fiscal year 2012-2013 to continue maintenance work in the alleys. The next alleys that will be evaluated for work are 27, 28, 22, 9, 14, 24 and 23. Alleys 13 and 16 are likely to require paving which would need to be planned for in a future fiscal year. Alleys 19, 20, 21, 15 and 30 are maintainable by the DPW without needing any additional work. Alleys 5, 6, 7 and 8 will be addressed in the possible Forest/Grand/Baker stormwater project being evaluated by OHM.

# VILLAGE ALLEYS

Village of Dexter



Source: Data provided by Washtenaw County and the OHM. Orchard, Hiltz and McCliment does not warrant the accuracy of the data and/or the map. This document is intended to depict the approximate spatial location of the mapped features within the Community and all use is strictly at the user's own risk.

Coordinate System: Michigan South NAD 1983 State Plane International Feet

Map Published: February 14, 2011



888.522.6711  
ohm-advisors.com

Alleys within the Village of Dexter  
2/10/2011

<i>ID</i>	<i>From</i>	<i>To</i>	<i>Location</i>	<i>Gravel (ft)</i>	<i>Paved (ft)</i>	<i>Not Maintained (ft)</i>
1	Broad	Alley	N of Grand	410		
2	Alley	Baker	N of Grand	550	100	
3	Grand	Alley	E of Broad	240		
4	Alley	Forest	E of Broad	250		
5	Baker	Alley	N of Grand	210	40	
6	Alley	Hudson	N of Grand	380		
7	Grand	Alley	E of Baker		40	190
8	Alley	Forest	E of Baker			240
9	Hudson	Inverness	N of Grand	175	120	530
10	Inverness	Kensington	N of Grand	160		350
11	Hudson	Inverness	N of Forest	610		
12	Inverness	Kensington	N of Forest	530		
13	Fifth	to the west	N of Broad	200	130	150
14	Fifth	to the east	N of Broad	320		135
15	Fifth	to the west	N of Central	320		
16	Fifth	Fourth	N of Central	470		
17	Fourth	Third	N of Central		470	
18	Ann Arbor Rd	Fifth	N of Dover		370	
19	Fifth	Fourth	N of Dover	460		
20	Fourth	Third	N of Dover	470		
21	Third	Second	N of Dover	470		
22	Fifth	Fourth	N of Edison	460		
23	Fourth	Third	N of Edison	470		
24	Third	Second	N of Edison	470		
25	Second	First	N of Edison		250	185
26	Ann Arbor Rd	Fourth	N of Hudson		450	
27	Fourth	Third	N of Hudson	470		
28	Third	Second	N of Hudson	470		
29	Second	First	N of Hudson	200		230
30	Hudson	Inverness	E of Fourth	470		
31	Hudson	Inverness	E of Third			470
32	Hudson	Inverness	E of Second	70		400
33	Inverness	Kensington	E of A2 Rd			470
34	Inverness	to the south	E of Third			400
35	Fourth		N of Broad	240		
<i>Totals</i>				9545	1970	3750

**ALLEY IMPROVEMENTS - PROJECT SCOPE**

**Project Location:**

Between Grand and Forest and Baker and Broad  
 Between Hudson and Inverness and Main and Forest  
 Between Inverness and Kensington and Main and Forest

**Permitted Activity:**

Addition of 4" of 21AA Commercial Limestone  
 Grading as Determined by the DPW  
 Raise Existing Manholes (4 in the project area)  
 Rake all Material from Grass  
 Compaction using a Rubber Tire Compactor

**Contractor Requirements:**

Contractors bidding must be qualified to complete the work as proposed.

Village Staff will perform the inspection of the project.

**Scope of Project:**

The work shall be started after the bid is awarded – tentatively scheduled for June 11, 2012

<b>COMPANY NAME:</b> <i>Knights Excavating</i>	
<b>PLEASE PROVIDE THE COMPANIES/SUPERVISORS QUALIFICATIONS AND EXPERIENCE PERFORMING SUCH WORK. MUNICIPAL REFERENCES ARE REQUIRED:</b>	
<i>1</i>	<i>Forest + Grand 456' = 3 Loads 150 ton total \$ 3,550</i>
<i>2</i>	<i>Baker + Broad 950' = 4 Loads 200 ton total \$ 5,000</i>
<i>3</i>	<i>Hudson + Inverness 554' = 2 Loads 100 ton total \$ 3,200</i>
<i>4</i>	<i>Inverness + Kensington 485' = 2 Loads 100 ton total \$ 3,000</i>
<b>IDENTIFY MEMBERSHIP IN RELEVANT PROFESSIONAL ORGANIZATIONS:</b> <i>\$14,750</i>	
<b>LIST BID CONTINGENCIES/CONDITIONS/DEVIATIONS:</b>	
<b>TOTAL BID PRICE:</b> <i>\$ 14,750</i>	
<b>START DATE:</b>	<b>END DATE:</b>
<b>TERMS:</b>	
<i>BID MUST BE FIRM IN ACCORDANCE WITH PLANNED SCHEDULE</i>	<b>F.O.B VILLAGE OF DEXTER</b>

## ALLEY IMPROVEMENTS - PROJECT SCOPE

**Project Location:**

Between Grand and Forest and Baker and Broad  
 Between Hudson and Inverness and Main and Forest  
 Between Inverness and Kensington and Main and Forest

**Permitted Activity:**

Addition of 4" of 21AA Commercial Limestone  
 Grading as Determined by the DPW  
 Raise Existing Manholes (4 in the project area)  
 Rake all Material from Grass  
 Compaction using a Rubber Tire Compactor

**Contractor Requirements:**

Contractors bidding must be qualified to complete the work as proposed.  
 Village Staff will perform the inspection of the project.

**Scope of Project:**

The work shall be started after the bid is awarded – tentatively scheduled for June 11, 2012

COMPANY NAME: <i>Iron Creek</i>	
PLEASE PROVIDE THE COMPANIES/SUPERVISORS QUALIFICATIONS AND EXPERIENCE PERFORMING SUCH WORK. MUNICIPAL REFERENCES ARE REQUIRED:	
<i>Tom Pettes - 25 yrs plus</i>	
IDENTIFY MEMBERSHIP IN RELEVANT PROFESSIONAL ORGANIZATIONS:	
LIST BID CONTINGENCIES/CONDITIONS/DEVIATIONS:	
TOTAL BID PRICE: <i>\$27,850.</i>	
START DATE: <i>6-15</i>	END DATE: <i>7-15</i>
TERMS:	
<i>BID MUST BE FIRM IN ACCORDANCE WITH PLANNED SCHEDULE</i>	F.O.B VILLAGE OF DEXTER

**Proposal  
for  
Job: Village of Dexter  
Alley Work  
Submitted by: Brian Mahan  
Top Grade Excavation Co., LLC  
734-428-3797/734-260-9417  
May 29, 2012**

- 1. Grading of allies.**
- 2. Stone allies which were shown by Kurt Augustine.**
- 3. Raising of 4 manholes.**
- 4.. Extra trucking of stone with smaller trucks due to the width of the allies and the overhead line.**

*All material is guarantee to be as specified , and the above work to be performed in accordance with drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of*

**Bid price -----\$22,830.00**

**Sign, date, and return if proposal is accepted \_\_\_\_\_**

**Note- This proposal may be withdrawn by us if not accepted within 30 days. \*\*Inspections, tap fees and testing performed by others. \*\*Staking and permits by others. No signs or barricades included. \*\*Any alteration or deviation from the above specifications involving extra cost, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon accidents or delays beyond our control. \*\*Dewatering by others**

**\*\*Footing spoils must be placed outside the building & remain on site.**



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**Memorandum**

To: Village Council and President Keough  
Donna Dettling, Village Manager  
From: Allison Bishop, AICP, Community Development Manager  
Re: Discussion of Planning Commission recommendation to adopt the Master Plan  
Date: June 6, 2012

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On March 1, 2012 the Planning Commission mailed electronic copies of the 2012 draft Village of Dexter Master Plan to contiguous municipalities, SEMOCOG, Washtenaw County Road Commission, Michigan Department of Transportation, WATS, Washtenaw County Board of Commissioners, Public Utilities, and Railroad Companies. Recipients were given 63 days to comment on the draft Master Plan in accordance with the Planning Enabling Act (PA 33 of 2008). The 63 day comment period ended May 3, 2012. The Village has received comments from the Washtenaw Area Transportation Study (WATS) and Dexter Township. The comments received are attached.

The Planning Commission discussed the comments provided by WATS and Dexter Township and decided to incorporate the comments provided. The comments have been added to the May 2012 draft.

On June 4, 2012 the Planning Commission held a public hearing on the proposed draft in accordance with PA 33 of 2008. There was no public comment at the public hearing. The Planning Commission briefly discussed the plan and their satisfaction with the new format and content. Commissioner Schmid provided comments via email with some editorial changes. The email is attached. Staff has notified Carlisle Wortman of the changes, which will be incorporated into the document between now and when Council considers the item on June 25, 2012.

The Planning Commission subsequently moved to adopt the attached resolution recommending that the Village Council adopt the Master Plan.

**ACTION REQUESTED**

The Village Council has been provided with a copy of the plan and a draft resolution of adoption. The agenda item is for discussion only. The Village Council will be asked to adopt the Master plan at the June 25, 2012 meeting.

Please feel free to contact me prior to the meeting if you have any questions.  
Thank you.

## Allison Bishop

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**From:** marni@dexterpharmacy.com  
**Sent:** Monday, June 04, 2012 2:56 PM  
**To:** Allison Bishop  
**Subject:** Master Plan Draft

Hi Allison,

I'm sorry I haven't gotten to the packet before now, I had good intentions but that wasn't enough. I found about 10 more, mostly minor, editorial changes for the Master Plan. A couple should be changed before it goes to public hearing, but they do not change the content or meaning of the document.

1. (Minor) Page 2: first paragraph, last line: "i.e. census" should be in parenthesis. I didn't catch it the first time because I didn't reread it with my other editorial change.
2. (Minor but sort of important) Page 4: first paragraph, third line: "of" should be added to "Village of Pinckney".
3. (Important page reference): Page 13: both of last two paragraphs reference page 45, should be page **49** in both cases.
4. (Important page reference): Page 14: both paragraphs reference page 45, should be page **49**.
5. (Important Figure reference, unless I misunderstood): Page 15: second paragraph, third line: if it's referencing the future land uses map, it should be Figure **5** not Figure 3. If it's referring to current, than Figure 3 is correct (the sentence says, "planned" so I thought future.)
6. (Minor, grammar): Page 47: under Public/Semi-Public Compatible Zoning Districts (right after the bullets): there should be a comma after "Public Park".
7. (More than minor, grammar): Page 53: first line of full paragraph after Strategy listings reads, "on map the below" (they got most of my original change right) and it should be "on **the map** below".
8. (Important reference): Page 65: last paragraph, seventh line down at the end of the line, "(see Table 9 below)" should be, "(see Table 9 **on the next page**)".
9. (Minor): Page 67: seventh line: they did not change "nearly" to "to be". "nearly" doesn't really make sense in this context.
10. (Could be important): Page 70: under DAFD, first paragraph, last sentence that refers to the ISO rating of 5. For those not familiar, "5" has not context. Maybe they could add a reference to what a 5 means or what the scale is. Is that good/bad/in the middle?
11. (Minor grammar): Page 87: last paragraph, first sentence - looks like they didn't get this the first time I submitted it, "map" must be plural, "The Zoning Ordinance and Future Land Use **maps** by themselves..."

Thank you, Marni

Marni Schmid  
Dexter Pharmacy, Village Pharmacy II  
Director of Operations  
office: 734-929-8688 (mobile/direct to me)  
fax: 815-642-4358 (direct to me)

Resolution #2012-\_\_\_

VILLAGE OF DEXTER

VILLAGE COUNCIL

WASHTENAW COUNTY, MICHIGAN

**VILLAGE OF DEXTER MASTER PLAN ADOPTION RESOLUTION**

**VILLAGE OF DEXTER COUNCIL**

WHEREAS, Act 33, Public Acts of Michigan, 2008, as amended, provides for a Municipal Planning Commission to prepare and adopt a Master Plan for the physical development of the community; and,

WHEREAS, the Village of Dexter Planning Commission has prepared a physical development plan for the Village in compliance with said Act 33, including relevant charts, maps and text; and,

WHEREAS, the Village of Dexter Planning Commission has provided opportunity for public input into the Master Planning process; and,

WHEREAS, the Village of Dexter Council approved and subsequently distributed a draft copy of the Master Plan to all of the bodies required by said Act 33 for review and comment; and,

WHEREAS, no person or entity submitted comments indicating that the proposed Village of Dexter Master Plan is substantially inconsistent with the Master Plan of any adjacent community; and,

WHEREAS, The Village of Dexter Planning Commission held a formal public hearing on the draft Master Plan on June 4, 2012 in order to provide additional opportunity for public comment; and,

WHEREAS, the citizens of the Village of Dexter were afforded the opportunity to provide oral and written comments on the draft plan, which comments have been carefully considered by the Planning Commission; and

WHEREAS, based on the consideration of public comments the Village Planning Commission is satisfied that the Master Plan is ready for adoption:

NOW, THEREFORE, LET IT BE RESOLVED, that the Village of Dexter Planning Commission recommended that the Village of Dexter Master Plan be adopted by the Village Council; and

FURTHER, LET IT BE RESOLVED, that the Village Council has reviewed the Master Plan and approved the Master Plan.

MOVED BY:

SECONDED BY:

YEAS:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED THIS 25<sup>th</sup> DAY of JUNE 2012.

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Shawn Keough, Village President

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Village of Dexter Council, County of Washtenaw, State of Michigan, at a regular meeting held on the 25<sup>th</sup> day of JUNE, 2012.

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CERTIFIED BY:

Carol Jones, Village Clerk