

**THE CITY OF DEXTER  
CITY COUNCIL MEETING  
MONDAY, APRIL 10, 2017**

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

The meeting was called to order at 6:35 PM by Mayor Keough at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

**B. ROLL CALL:** Mayor Keough

J. Carson	D. Fisher
J. Knight	Z. Michels
J. Smith	R. Tell

Also present: Courtney Nicholls, City Manager; Marie Sherry, Treasurer/Finance Director; Dan Schlaff, Public Services Superintendent; Michelle Aniol, Community Development Manager; Justin Breyer, Assistant to the City Manager/City Clerk; Chief Robert Smith, Dexter Area Fire Department; Paul Cousins and Fred Schmid, Facility Committee members; Carol Jones, Recording Secretary; residents; and media.

Motion Smith; support Michels to move into closed session for the purpose of discussing potential purchase of property in accordance with MCL 15.268 Sec. 8(d) at 6:36 PM.

Ayes: Michels, Knight, Smith, Tell Fisher, Carson and Keough  
Nays: None  
Motion carries

Motion Smith; support Knight to leave closed session at 7:30 PM.

Ayes: Tell, Carson, Michels, Smith, Fisher, Knight and Keough  
Nays: None  
Motion carries

Mayor Keough called a break at 7:31 PM.

After a brief break, the meeting resumed at 7:37 PM.

**C. APPROVAL OF THE MINUTES**

1. Regular City Council Meeting –March 27, 2017

Motion Smith; support Fisher to approve the minutes of the March 27, 2017, Regular City Council Meeting as presented.

Unanimous voice vote approval.

#### **D. PRE-ARRANGED PARTICIPATION**

None

#### **E. APPROVAL OF THE AGENDA**

Motion Tell; support Fisher to approve the agenda as presented with additional information for New Business Item L-5, Recommendation for 2017 Crack Sealing and the addition of New Business Item L-6, Consideration of the Recommendation to Proceed as Directed in Closed Session.

Unanimous voice vote approval

#### **F. PUBLIC HEARINGS**

##### 1. Northern United Brewing Industrial Facilities Tax Exemption

Consideration of: Industrial Facilities Tax Exemption for Northern United Brewing

Mayor Keough opened the Public Hearing at 7:40 PM. Tony Grant, a partner with Northern United Brewing, spoke of the importance of Industrial Facilities Tax Exemption to the company and thanked the Waste Water Treatment Plant for all of their assistance with the Cambrian System. There were no other speakers. Mayor Keough closed the Public Hearing at 7:42 PM.

Motion Tell; support Fisher to adopt the Resolution approving a request from Northern United Brewing Company for an Industrial Facilities Tax Exemption Certificate for investments in real property improvements, at 2319 Bishop Circle East, Dexter, Michigan, subject to the execution of an Industrial Facilities Certificate Agreement, by the City and Northern United Brewing Company.

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

Nays: Michels

Motion carries 6 to 1

##### 2. Comcast Franchise Agreement

Consideration of: Franchise Agreement with Comcast

Mayor Keough opened the Public Hearing at 7:46 PM. Colin Burton of 3703 Noble Drive, Dexter inquired about the agreement. Ms. Nicholls explained the terms of the agreement. There were no other speakers. Mayor Keough closed the Public Hearing at 7:48 PM.

Motion Tell; support Smith to adopt a franchise agreement with Comcast for ten (10) years with the highest franchise fee allowable under State law (currently 5%) or the maximum allowed by law which is ever greater.

Ayes: Smith, Michels, Fisher, Tell, Knight, Carson and Keough

Nays: None

Motion carries

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

Brian Koval of 7810 Fifth Street, Dexter spoke of the damage incurred at Forest Lawn Cemetery during the March windstorm when a 125-year-old tree came down on the grounds. Mr. Koval thanked the Lions Club which provided a \$1,000 donation for cleanup and Kurt Augustine from the DPW for removing branches.

Robert Murphy of 3713 Bristol Drive, Dexter asked City Council when the City is going to finish re-paving Bristol Drive and Kingsley Circle. Mayor Keough responded that those two streets are in the plans but that no date for the work has been determined.

Benjamin Darnell of 11618 Island Lake Road, Dexter introduced himself as a Boy Scout attending the meeting to work on his Citizenship in the Community Badge.

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar

## **I. REPORTS**

1. Public Services Superintendent – Dan Schlaff

Mr. Schlaff submits his report as per packet. Mr. Schlaff answered questions and gave the following update:

- Question – What is the reference to cut up poles at shop and painted poles for plaques in the DPW report? (These are for the art displays.)
- Question – Why was the water blue in the Huron River? (It was a dye for algae treatment in the Huron Farms pond, but the rain turned the water blue.)
- We had a sewer backup at the Cottonwood Condos caused by a lot of grease in the line. The backup did affect eight units and we have been in communication with those residents. [Staff has been in communication with the insurance provider and staff does not believe that this incident meets the criteria for the City to be liable for damages.](#)
- Question – Are all of the tree branches picked up? (Not all of them have been picked up.)
- There is a new type of LED street light for testing located at Forest and Jeffords Streets. This could be used to replace the current lights which are not holding up as expected. Sylvania has called the City about offering a settlement for the current lights.

## 2. Community Development Manager – Michelle Aniol

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

- Master Plan – Doug Lewan of CWA is offering a proposal of a “Plan to Plan” for beginning the Master Planning process. If Council is in favor of this program, I will schedule a meeting.
- Planning Commission approved the CIP at their last meeting and it will be on the Council’s next meeting agenda.
- Rainbow Child Care Center has submitted an application for a variance on building setback.

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

None

## 4. Subcommittee Reports

Facility Committee – Minutes from the April 4, 2017 meeting included in the packet.

## 5. City Manager Report

Ms. Nicholls submits her report as per packet. Ms. Nicholls answered questions and gave the following updates:

- The occupancy permit with the railroad right-of-way should be on the next Council agenda.
- We have received four designs for the roundabout for Dan Hoey/Shield/Baker Roads and will be reviewing them.
- Letters to residents on the Hudson Street project have gone out.
- We have worked out the [agreement issue](#) regarding the retaining wall on Fourth Street. Fire trucks and utility trucks can get through.
- The deadline for petitions and affidavits for running for City Council is July 25.
- We did not receive the grant for storing Village documents from the 1800’s. However, the Michigan State Archives have offered to scan these documents to preserve them.
- On Sunday April 23, the Washtenaw County Sheriff’s Department will be holding a training session for canines [and their handlers](#).

## 6. Mayor’s Report

Mr. Keough submits his report as per packet. Mr. Keough gave the following update:

- Next Wednesday, April 19, will be the review session for the City Manager beginning at 6 PM with location to be determined.
- I attended the Michigan Road Preservation Association Workshop at Mt. Pleasant.

## **J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$353,683.45
2. Consideration of: Arbor Day Proclamation

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

Unanimous voice vote approval.

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

1. . Discussion of: Request from Baker Road Land LLC, Dexter Land Holdings LLC and Dick & Maureen Sloan to Annex All or a Portion of Six (6) Parcels of Land along Baker Road into the City of Dexter

Jim Haeussler distributed three schematics of the development pods on the Baker Road property that would hold between 383 to 408 units. Mayor Keough inquired about the information from Scio Township to which Mr. Haeussler responded that Scio Township would allow 193 units according to their Master Plan. Discussion followed and included comments of the use of a larger buffer along Baker Road, the variety of housing included in the pods and the inclusion of park land. A question was asked regarding the egress on to Baker Road and if there could be two instead on one. Mr. Haeussler responded that there could be two.

Jason Judd of 521 Coventry Circle, Dexter asked to speak about community impact. He asked the following questions: How does this development affect Dexter in the long term? How does it look and feel? Do we want it to feel as a part of the community or scattered?

Council considered the next steps.

Motion Carson; support Michels to direct staff to research the potential impacts of the project on City services.

Ayes: Knight, Fisher, Tell, Michels, Smith, Carson and Keough

Nays: None

Motion carries

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

1. Consideration of: Placement of Delinquent Utility Bills on the Tax Roll

Motion Fisher; support Knight to publish a notice informing the public that utility bill delinquencies will be placed on the tax roll if they are not paid by April 30, 2017.

Ayes: Carson, Knight, Tell, Fisher, Michels, Smith and Keough

Nays: None

Motion carries

2. Consideration of: Approval of Scope of Service from F&V to Complete a Headworks/Tertiary Treatment Study at a Cost Not to Exceed \$21,600

Motion Smith; support Michels to approve the proposal from F&V to complete a headworks/tertiary treatment study for an amount not to exceed \$21,600.

Ayes: Knight, Fisher, Smith, Carson, Tell, Michels and Keough

Nays: None

Motion carries

3. Consideration of: Parks & Recreation Commission Recommendation to Permit a Reed Canary Grass Study

Motion Michels; support Fisher approves the request from PlantWise to conduct a study regarding the treatment of Reed Canary Grass on City-owned property south of the Forest Lawn Cemetery from April 2017 through October 2020, with the understanding that the City is not responsible for any disturbance of the plots including construction of Mill Creek Park Phase II.

Ayes: Tell, Michels, Knight, Carson, Smith, Fisher and Keough

Nays: None

Motion carries

4. Consideration of: Recommendation from Art Selection Committee and Arts, Culture & Heritage Committee on Sculptures for the 2017 Temporary Art Display

Motion Carson; support Fisher to approve the installation of the following list of temporary sculptures as a part of the 2017-2018 Dexter Art Gardens Temporary Sculpture Display:

- a. A New Day by Douglas Gruizenga to be installed at LaFontaine Chevrolet;
- b. Timeless by Mary Angers to be installed at the circular seating pad in Mill Creek Park; and
- c. Slow Rolling by Todd Kime to be installed between the steps down to Mill Creek Park and the Dexter District Library.

Ayes: Fisher, Smith, Carson, Knight, Michels, Tell and Keough

Nays: None

Motion carries

5. Consideration of: Recommendation for 2017 Crack Sealing

Motion Carson; support Smith to approve spending up to \$17,500 with K&B Asphalt and \$2,500 with T&M Asphalt Sealcoating in FY 2016-2017 and up to \$20,000 with K&B Asphalt in 2017-2018 for Crack Sealing.

Ayes: Smith, Tell, Carson, Fisher, Knight, Michels and Keough

Nays: None

Motion carries

6. Consideration of: Recommendation to Proceed as Directed in Closed Session

Motion Tell; support Michels to direct staff to proceed as directed in the Closed Session held at 6:35 PM on April 10, 2017.

Ayes: Michels, Knight, Smith, Tell, Fisher, Carson and Keough  
Nays: None  
Motion carries

**M. COUNCIL COMMENTS**

Michels None  
Knight I received a concern from a resident suggesting that we use 3045 Broad Street for skateboarding rather than have skateboarders using City streets.  
Smith None  
Jones None  
Carson None  
Fisher None  
Tell None

**N. NON-ARRANGED PARTICIPATION**

Erica Kempter of 7100 Marshal Road, Scio Township spoke of owning an 80 acres seed farm directly south of the Haeussler property. She is from Ann Arbor and loves the rural property and feels that what is proposed is not a good transition. She would rather see this property stay in the Township. She would also like to see low income housing vs. apartments on the property.

Michael Levine of 7100 Marshall Road, Scio Township stated that Scio Township serves as a greenbelt between the cities of Dexter and Ann Arbor. He spoke of his property that has high quality wetlands and that it backs up to the property in question and shares a quarter mile boundary with it. He requested that the City not include a Community Garden on this land as he is a heirloom seed farmer. He also had concerns about traffic congestion on Baker Road.

**O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PROPOSED LITIGATION (Dexter Shoppes LLC vs. City of Dexter) IN ACCORDANCE WITH MCL 15.268 Sec 8(e)**

Motion Smith; support Michels to move into Closed Session for the purpose of discussing proposed litigation (Dexter Shoppes LLC vs. City of Dexter) in accordance with MCL 15.268 Sec 8(e) at 9:31 PM.

Ayes: Tell Carson, Michels, Smith, Fisher, Knight and Keough  
Nays: None  
Motion carries

Motion Knight; support Smith to leave Closed Session at 9:47 PM

Ayes: Fisher, Michels, Knight, Carson, Smith, Tell and Keough

Nays: None

Motion carries

**P. ADJOURNMENT**

Mayor Keough called for adjournment at 9:48 PM.

Unanimous voice vote approval.

Respectfully submitted,

Justin Breyer  
Assistant to the City Manager/Clerk

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