

**THE CITY OF DEXTER
CITY COUNCIL MEETING
MONDAY, APRIL 24, 2017**

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 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 - ab

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; Carol Jones, Recording Secretary; residents; and media.

C. APPROVAL OF THE MINUTES

1. Regular City Council Meeting –April 10, 2017

Motion Smith; support Knight to approve the minutes of the April 10, 2017, Regular City Council Meeting with the following corrections:

- Page 3, in Mr. Schlaff's report, in the third bullet point add the line - *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.*
- Page 4, in Ms. Nicholls report, in the fourth bullet point, change agreement to *issue* and in the last bullet point add *and their handlers* following canines.

Unanimous voice vote approval with Council Member Tell absent.

D. PRE-ARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Smith; support Carson to approve the agenda as presented with the following additional information and changes:

- Additional information for Community Development Managers Report

- Additional information for Western Washtenaw Area Value Express Report
- Remove New Business L-3 on the Clarifier
- Add Potential Purchase of Property in the Closed Session motion.

Unanimous voice vote approval with Council Member Tell absent.

F. PUBLIC HEARINGS

None

G. NON-ARRANGED PARTICIPATION

None

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Dexter Area Historical Society Letter
4. 2016 Annual and Obligation Report for Washtenaw County from Washtenaw Area Transportation Study (WATS)

I. REPORTS

1. Marie Sherry – Finance Director/Treasurer

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

- Tax collection is complete for 2016 and the 2016 Personal Property Tax collection is nearly complete.
- Ms. Sherry asked Council if there were any question regarding the Personal Property Tax Reimbursement summary included in her report.
- Ms. Sherry also explained that MERS has initiated a new way to handle voluntary employer additional payments.
- Everything is on track in the various fund accounts.

2. Public Services Superintendent – Dan Schlaff

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

- Question – Where are the new flags from the American Legion located? (They are replacements for the flags on the poles.)
- Question – Were the old flags properly disposed of? (Yes, they were given back to the Legion to burn.)
- We received the final coating on the filter.
- In the last big wind storm, we lost some trees at the Dexter Crossing lift station. I have asked for a quote from LNJ to provide trees. The trees are needed for a sound barrier. The quote came in around \$4,000. I am looking

for some direction from Council. (Ms. Nicholls suggested asking the Tree Board to help with the costs.)

- In regards to the sewer backup at Cottonwood Condos, I will be meeting with the residents at their condo association meeting to explain what happened and discuss preventative measures, especially with regard to grease in the drains.
- Variety Die had a sewer lead backup over the weekend. There was no break in the line, but we called Metro Sewer to jet out the line on Saturday. Since they were already here, the proposed work to be done on Monday at Dexter Crossing was done on Saturday. I tried to get in touch with every residence affected by the work, but did not reach all.

3. Community Development Manager – Michelle Aniol

Ms. Aniol submits her written report as per packet. Ms. Aniol answered a question and gave the following updates:

- Question – What was the concern on the variance at 2830 Baker Road from Chet Hill? (He didn't have all of the information on the variance, just the agenda item. When the issue was explained, he understood the need for a variance.)
- Article VIII, Special Land Uses, will be coming up at the Planning Commissions Public Hearing as an amendment to the zoning ordinance.
- Ms. Aniol introduced Dennis and Karen Gilbert and explained their request to have an old dilapidated barn that sits on the City's right-of-way near their property removed. The consensus was to obtain a quote to determine the cost for the removal of the barn.

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

Washtenaw County Sheriff – March Written Report included in the packet.

Ms. Nicholls reported that the Sheriff's Department held their canine training yesterday (April 23) with about 25 persons watching.

Western Washtenaw Area Value Express Representative (WAVE) – Jim Carson

Mr. Carson explained the current expenses relating to Dexter, passenger demographics, operating budget, wage history, and ridership from October 2016 to March 2017. Mr. Carson also announced that the next step for WAVE that is being planned is that by fall they would like to have the Community Connector run every hour versus every two hours as it is now.

5. Subcommittee Reports

None.

6. City Manager Report

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

- The Easter Egg Hunt had 260 children participating and went well.
- It is time for our insurance renewal with MMRMA. The premium has been reduced by a small amount and we will receive a distribution of net assets.
- The next agenda will have the contract for leaf disposal with the Breuningers.

- The Dan Hoey/Shield/Baker Roundabouts were approved by the WATS Policy Committee. On May 2, 2017 the Road Commission will vote on the approval of this project at their meeting.
- It was previously thought that we would need to remove the damaged sod from Central and Ann Arbor Street. Since the rain and warmer weather it is looking better and we will have Dave Steptoe look at it to see what can be salvaged.
- We received a settlement of \$30,000 from Sylvania for the street lights. We are now looking at what can be done with this amount of money using either 100 watt or 50-70 watt LED bulbs.

7. Mayor's Report

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

- I have a recommendation for Dustin Wise on the Consent Agenda to fill the open position as an alternate on ZBA.
- I previously mentioned looking at the Third Floor of the Monument Park building for office space. I have asked Steve Brouwer to provide me with a schematic of the space.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$258,754.58
2. Consideration of: Appointment of Dustin Wise as a Zoning Board of Appeals Alternate

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

Unanimous voice vote approval with Council Member absent.

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

Ms Nicholls reviewed the listing of information needed to examine the potential impacts of annexation of the Baker Road Properties. Discussion followed.

L. NEW BUSINESS-Consideration and Discussion of:

1. Consideration of: Recommendation from Planning Commission to Adopt the 2017-2022 Capital Improvement Plan

Motion Carson; support Michels to approve the 2017-2022 Capital Improvements Program (CIP) Resolution of Adoption and the 2017-2022 CIP, as recommended by the Planning Commission.

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

2. Consideration of: Shared Refuse Container Fee Schedule

Motion Carson; support Smith to adopt the Fee Schedule for Shared Refuse and Recycling Users as presented, and further approve a 2% increase to the base fee listed in the Fee Schedule beginning March 1, 2018 per contract with Waste Management.

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

4 Discussion of: Draft Water and Sewer Ordinance

Ms. Nicholls explained the need for changes in the ordinance due to updates from the MAHL study, and updates to the special user sections. Discussion followed.

5. Consideration of: License Agreement with the Michigan Department of Transportation (MDOT)

Motion Smith; support Fisher to approve entering into the license agreement with MDOT for the occupation of the railroad right-of-way with the following changes: Under item 11 omit the line *shall immediately remove, cease operations, and surrender this PERMIT, or* and the last line of item 11 which reads, *The PERMITTEE expressly waives any right to claim damages or compensation in the event this PERMIT is revoked.*

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

6. Consideration of: 2016-2017 Budget Amendments

Motion Smith; support Michels to approve the Third Quarter Budget Amendments as presented.

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

M. COUNCIL COMMENTS

Michels This weekend I am going to Shepherd, Michigan, the sweetest town around, for the Maple Syrup Festival and I am taking orders for syrup.

Knight None

Smith None

Jones None

Carson None

Fisher In comparing the contributions and the number of residents who use the Senior Center from Webster Township, Dexter Township, Scio Township and the City of Dexter, I need to know how I can explain the City's \$1000 donation as compared to Webster Township at \$6000, Dexter Township at \$2000 and Scio Township at \$0. (Ms. Nicholls responded that the City does pay a large amount of money to rent the facility.)

Tell Absent

N. NON-ARRANGED PARTICIPATION

Don Johnston, engineer from Dextech, shared thoughts about the proposed Baker Road annexation and construction of housing on that property stating that Dextech does have concerns. In particular they are concerned about the southwest corner of the property and the previous noise issue that required a large berm to help with the noise issue. Also in looking at the layout of the housing, we do not feel that there should be a road connecting the Industrial Park to Baker Road as we foresee residents coming through the Industrial Park to access the schools. We also have concerns with the detention pond. We do want to engage and work with the developer and City on this project.

The question was asked of Mr. Johnston whether Dextech would want or need more land for expansion. He answered that they feel that they are set for a number of years.

O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PROPOSED LITIGATION (Dexter Shoppes LLC vs. City of Dexter) AND POTENTIAL PURCHASE OF PROPERTY IN ACCORDANCE WITH MCL 15.268 Sec 8(d & e)

Motion Smith; support Knight to move into Closed Session for the purpose of discussing proposed litigation (Dexter Shoppes LLC vs. City of Dexter) and potential purchase of property in accordance with MCL 15.268 Sec 8(d & e) at 9:27 PM.

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

Motion Michels; support Fisher to leave Closed Session at 9:44 PM

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

Nays: None
Absent: Tell
Motion carries

P. ADJOURNMENT

Mayor Keough called for adjournment at 9:45 PM.

Unanimous voice vote approval with Council Member Tell absent.

Respectfully submitted,

Justin Breyer
Assistant to the City Manager/Clerk

Approved for Filing: _____