

**THE VILLAGE OF DEXTER
CITY CHARTER COMMISSION
MINUTES OF THE WEDNESDAY, MARCH 26, 2014 MEETING**

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30PM by Chairman Hansen at the Copeland Board Room located at 7714 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL: Jack Donaldson, John Hansen, Phil Mekas, Mary-Ellen Miller, Thom Phillips, Michael Raatz, and James Smith. Excused absences Phil Arbour and Matt Kowalski.

Also present: Courtney Nicholls, Assistant Village Manager and Carol Jones, Village Clerk, Tom Ryan, Charter Attorney, and Donna Fisher, Village Trustee.

C. APPROVAL OF THE AGENDA

Motion James Smith; support Phil Mekas to approve the agenda with the addition of the minutes from the Public Hearing of March 22 and comments from Mary-Ellen Miller, James Smith and Jack Donaldson in the Parking Lot section under Charter Construction.

Unanimous voice vote approval with Arbour and Kowalski absent.

D. APPROVAL OF THE MINUTES

1. Regular Meeting – March 19, 2014
2. Public Hearing – March 22, 2014

Motion Jack Donaldson; support Phil Mekas to approve the minutes with the following corrections:

Page 7, Section 3, changed 2014 to 2013 and Section 5 (b) change 2015 to 2017.

Page 10, under Discussion on Commissioner Smith proposal change tow in the wording one tow-year term to two to read one two-year term.

Unanimous voice vote approval with Arbour and Kowalski absent.

E. PREARRANGED PARTICIPATION

Tom Ryan, Attorney for the Charter Process

F. PUBLIC HEARINGS

None

G. CHARTER CONSTRUCTION

Staff Update Memo

1. Items from the March 22, 2019 Public Hearing

None brought forth from the Public Hearing requesting changes in the draft language.

2. Items from the Attorney

Tom Ryan suggested that the Powers of the City section be broken into three articles:

Article 1 - Boundaries and add the following section on Wards...The city shall consist of one single ward.

Article 2 - General Powers

Article 3 – Organization of Government

3. “Parking Lot” items from the Commissioners

a. Commissioner Smith – requiring a Council Member running for Mayor to resign his or her Council seat; nepotism; and State of the City

From the March 19 meeting...motion James Smith; support Jack Donaldson to revise the wording in Section 12.1 under Elections to read as follows:

A current member of City Council is eligible to run for Mayor only if their current term expires during the year a Mayor is to be elected or if they irrevocably resign their Council position at least seven (7) days prior to the deadline for filing nominating petitions for Mayor. Said resignation shall be absolute and in writing, but shall not take effect until the end of the first Council meeting following the election. Following receipt of said resignation, the City Clerk shall plan to show three four-year terms and one two-year term for the City Council on the ballot for the next regular City election. If the election does not fill all the open positions, filling of vacancies shall be done as stated in Section 2.06 (9c).

Motion James Smith; support Jack Donaldson to table the motion.

Unanimous voice vote approval with Arbour absent.

Motion James Smith, support Jack Donaldson on election eligibility as stated above.

Ayes: Smith

Nays: Donaldson, Hansen, Mekas, Miller, Phillips and Raatz

Absent: Arbour and Kowalski

Motion fails 6 to 1

State of the City Message – Motion Phil Mekas; support Jack Donaldson to add the following to the Mayor’s Powers and Duties (page 4 of the draft)... The Mayor shall present an annual State of the City Message at a time of year as determined by City

Council. The Council may direct that the Message be delivered at a public meeting. The Message shall be distributed to residents using the City newsletter.
Unanimous voice vote approval with Arbour and Kowalski absent.

Nepotism – Employment – Motion Phil Mekas; support Jack Donaldson to add the following regarding appointive office or employment of a relative to the Personnel System section under Administrative Services (page 11 of the draft)... Holding of Appointive Office or Employment by Relative of Elective or Administrative Officer – Unless the council shall by a super majority vote record as part of its official proceedings, a determination that the best interests of the city shall be served, family members of any elective or administrative officer are disqualified from holding any appointive office or employment during the term for which said elective or appointive officer was elected or appointed. This section shall in no way disqualify such family members who are bona fide appointive officers or employees of the city at the time of the election or appointment of said official.
Unanimous voice vote approval with Arbour and Kowalski absent.

b. Commissioner Mekas – prohibiting unfunded liabilities

Motion Phil Mekas; support Jack Donaldson to add the following items under Prohibitions page 5 of the draft... The City is prohibited from entering into new obligations on behalf of the City to provide defined benefit plans, pensions, or defined benefit retiree health care plans for the City Council, the Mayor, the City Manager, officers of the city, appointed employees, union employees, or any other persons working and being compensated by the City.
Unanimous voice vote approval with Arbour and Kowalski absent.

Motion Mary-Ellen Miller; support Thom Phillips to add the following in the appropriate area under Administrative Services... The City of Dexter shall offer to its employees a qualified defined contribution plan.
Unanimous voice vote approval with Arbour and Kowalski absent.

c. Commissioner Arbour – ethics

Motion James Smith; support Thom Phillips to deal with ethics in this city of Dexter Charter.
Unanimous voice vote approval with Arbour and Kowalski absent.

Motion Phil Mekas, support James Smith to include an article on Conflict of Interest in the Charter to read as follows... The use of public office for private gain or the appearance of private gain is prohibited. The City Council shall implement this prohibition by ordinance.
Unanimous voice vote approval with Arbour and Kowalski absent.

Motion James Smith; support Jack Donaldson to amend this section to also include the following... This ordinance shall include a statement of purpose and shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual and regulatory matters and, insofar as permissible under state law, provide for fines and imprisonment for violations.

Unanimous voice vote approval with Arbour and Kowalski absent.

d. Additional Items from Commissioner Smith

Motion James Smith; support Michael Raatz to title Section 2 of the City Council on page ~~for~~four of the draft as Council Composition, eligibility and Terms and Section 3 of the same page as Powers and Duties of the Mayor; Mayor Pro-Tem and Election Eligibility.

Unanimous voice vote approval with Arbour and Kowalski absent.

Motion James Smith; support Thom Phillips to move the Section on Elections (pages 21-26 of the draft) to follow City Council and come before Administrative Services.
Unanimous voice vote approval with Arbour and Kowalski absent.

Motion James Smith; support Phil Mekas to change of the Section on Transition to Transition from Village to City pages (47-50 of the draft).

Unanimous voice vote approval with Arbour and Kowalski absent.

Motion James Smith; support Phil Mekas to propose the addition of language in the article on Transition to clarify the fact that there will be a City Election and a Village Election conducted at the same time.

Voice vote fails 5 to 2 with Arbour and Kowalski absent.

Motion James Smith; support Phil Mekas to revise the wording First Election under Transition to First City Election.

Unanimous voice vote approval with Arbour and Kowalski absent.

Motion James Smith; support Phil Mekas to propose an addition to Section 9 Council Meetings under Transitions to allow for continued operation of Village Council up to and including the effective date of the charter.

Voice vote fails 6 to 1 with Arbour and Kowalski absent.

e. Items from Commissioner Miller

Comment – to move the City Clerk section in City Council (page 7 of the draft) to Administrative Services.

f. Items from Commissioner Donaldson

Comments – In the Preamble (page 1 of the draft) restricts should be restrictions.

- On page 25 of the draft under Elections, Section 25 – Petitions make d, e, and f sub-sections under c.
- Do we need to have Sections 9 and 10 from the Caro Charter added to the Special Assessments article (page 33 of the draft). Tom Ryan replied that ordinances will cover other items in special assessments.

g. Items from Ms. Nicholls

Ms. Nicholls provided a revamped draft at the end of the meeting.

I. OTHER ITEMS AS REQUESTED BY COMMISSIONERS

None

J. AGENDA PREPARATION FOR THE NEXT MEETING

Next meeting:
Continued Review

K. NON-ARRANGED PARTICIPATION

None

L. ADJOURNMENT

Motion Phil Mekas; support Jack Donaldson to adjourn at 8:42 PM.
Unanimous voice vote approval with Arbour and Kowalski absent.

Respectfully submitted,
Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: April 2, 2014