

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, DECEMBER 13, 2010

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 PM by President Keough in the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

B. ROLL CALL: President Keough

J. Carson	P. Cousins
D. Fisher-absent	J. Semifero
J. Smith	R. Tell-absent

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – November 22, 2010
2. Work Session – November 29, 2010

Motion Smith; support Semifero to approve the minutes of the Regular Council Meeting of November 22, 2010 and the minutes of the Work Session of November 29, 2010 with the addition to have Orchard, Hiltz and McCliment report back to Council with recommendations for street widths in the older sections of the Village.

Unanimous voice vote for approval with Trustees Tell and Fisher absent

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Smith; support Carson to approve the agenda with the addition of additional information under L-6 Liquor Control Commission – Sunday Alcohol Sales and to change this item from a discussion item to a consideration item.

Unanimous voice vote for approval with Trustees Tell and Fisher absent

F. PUBLIC HEARINGS

Action on each public hearing will be taken immediately following the close of the hearing

Project Plan for Cedars of Dexter Project

Consideration of: RESOLUTION APPROVING PROJECT PLAN FOR THE CEDARS OF DEXTER PROJECT AS SUBMITTED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE VILLAGE OF DEXTER, MICHIGAN (United Methodist Retirement Communities, Inc.)

The Public Hearing opened at 7:35 PM. Trustee Cousins asked the question regarding the Cedars project and when it was started was there a plan on how to pay for the project if this plan did not go through? John Thorhauer, President of the United Methodist Retirement Communities (UMRC) responded stating that a bond issue was originally planned in the financing and this opportunity through the Economic Development Corporation came for re-financing. Mr. Cousins also asked if there was any possibility for the UMRC to donate additional monies toward Gordon Hall. Tom Colis, bond counsel from Miller Canfield, responded that the UMRC cannot use bond proceeds for a donation. There were no additional comments and the public hearing was closed at 7:46 PM.

Motion Smith; support Semifero to approve the project plan for The Cedars of Dexter project as submitted by the Economic Development Corporation of the Village of Dexter, Michigan.

Ayes: Cousins, Smith, Semifero, Carson and Keough

Nays: None

Absent: Fisher and Tell

Motion carries

G. NON-ARRANGED PARTICIPATION

Lisa Allmendinger of 18829 Bush Road, Chelsea, Michigan praised the Village of Dexter for their work on the roads from recent snowstorms and stated the roads are much better than those in Chelsea and Sylvan Township.

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Chelsea Area Planning Team/Dexter Area Regional Team Meeting Minutes from November 15, 2010
4. Carlisle/Wortman – Seasonal Giving Letter
5. Comcast Channel Update Letter

Trustee Fisher arrived at 7:49 PM

I. REPORTS

1. Community Development Manager – Allison Bishop

Ms. Bishop submits her report as per packet. Comment that the fence around the ice rink looks good.

2. Administrative Public Works Supervisor – Blair Selover – written report only

Mr. Selover submits his report as per packet.

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

Dexter Area Chamber of Commerce –Paula Palmer Burns, President

Ms. Palmer-Burns distributed a summary to the Council listing the Chamber’s 2010 successes and 2011 goals. She also praised Kurt Augustine and the Dexter Public Works for help with the recent Luminary Project.

4. Subcommittee Reports

Downtown Fire Detection - None

Economic Preparedness – Verbal Update from December 7 Meeting
Trustee Smith explained that the subcommittee was unable to meet as planned in November and at the December 7 meeting the group continued to work on the draft plan by merging information. Hope to share the information either in late February or early March.

Facilities – Notes from December 3 meeting

Notes from the meeting were submitted with the packet.

Website – None

5. Village Manager Report

Mrs. Dettling submits her report as per packet. Mrs. Dettling gave the following verbal updates: a) there is information in the packet regarding the upcoming Relay for Life event in 2011 with a formal request to come before Council at the January 11 meeting for use of Monument Park to house the event to make it more visible to the community and b) Ms. Nicholls inquired about the February Ann Arbor Transportation Authority meeting and if there is a need for the town hall banner announcing the meeting.

6. President’s Report

Mr. Keough submits his report as per packet. In addition Mr. Keough gave the following updates: a) announced that Gary Vander Haagen has submitted his resignation from the Downtown Development Authority as of January 1, 2011; b) attended the Huron Clinton Metropolitan Authority meeting regarding their strategic planning; and c) looking to Saturday, January 15, 2011 for a Council organizational workshop.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$365,468.44

Motion Fisher; support Smith to approve item 1 of the consent agenda.

Unanimous voice vote for approval with Trustee Tell absent

K. OLD BUSINESS-Consideration and Discussion of:

None

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Mill Creek Terrace (8140 Forest) – Request for a Site Plan Extension Until December 1, 2012

Motion Cousins; support Carson to approve the request for a site plan extension until December 1, 2012 on the Mill Creek Terrace project at 8140 Forest Street.

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

Nays: None

Absent: Tell

Motion Carries

2. Consideration of: Orchard, Hiltz & McCliment proposal for Engineering Design services for the Phase II Drinking Water Revolving Fund (DWRf) Project

Motion Cousins; support Fisher to approve the Orchard, Hiltz & McCliment proposal for engineering design services for the Phase II Drinking Water Revolving Fund with the full topographic survey for a cost of \$97,500.

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

Nays: None

Absent: Tell

Motion carries

3. Discussion of: Possible Additional Capital Work in conjunction with the Phase II DWRf Project

Discussion included but was not limited to the following: a) direction was given to Orchard, Hiltz & McCliment following the November 29 workshop to provide input on road standards; b) in the DWRf II project none of the water lines are in the road; c) will have enough money by 2014 to do Central Street; d) may want to look at sidewalks and crossings; and e) need to pick the roads that need improvements.

4. Consideration of: RESOLUTION TO EXTEND THE MORATORIUM ON THE USE OF PROPERTY AND STRUCTURES IN THE VILLAGE FOR DISPENSING OR CULTIVATING MARIHUANA

Motion Semifero; support Cousins to approve the resolution to extend the moratorium on the use of property and structures in the Village for dispensing or cultivating marihuana for a period of 90 days.

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

Nays: None

Absent: Tell

Motion carries

5. Consideration of: RESOLUTION TO SUPPORT STATE ACTION TO ENSURE THE MATCHING OF FEDERAL HIGH SPEED RAIL TRANSPORTATION FUNDS

Motion Cousins; support Carson to approve the resolution to support state action to ensure the matching of federal high speed rail transportation funds.

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

Nays: None

Absent: Tell

Motion carries

6. Consideration of: Liquor Control Commission – Sunday Alcohol Sales

Motion Cousins; support Carson to continue to allow Sunday alcohol sales including during the expanded hours of 7 am to noon as permitted by the State Legislature.

Ayes: Cousins, Fisher, Semifero, Carson and Keough

Nays: Smith

Absent: Tell

Motion carries 5 to 1

M. COUNCIL COMMENTS

Semifero	Suggested we draft a letter to the new governor and our newly elected representatives regarding the approval of permits and if they are not done in a certain amount of time, they are automatically approved which is different than the current permitting process; mentioned an email from a Westridge resident regarding cars that are cutting through the subdivision to avoid the traffic and the subdivision is posted for no thru traffic; and I will be out of town for the December 27 meeting.
Smith	None
Jones	Mentioned that the Dexter Area Chamber of Commerce assumed the Luminary project in 2003 in order that the tradition would continue in the Village
Fisher	Probably will not be at the December 27 meeting also.
Carson	None
Cousins	Mentioned entertaining on Sunday evening and people attending struggled to get to Dexter but roads were much better when they got to the Village; happy that we in Dexter have leaf pickup and tree pickup; and was appointed to the Scio Township Board of Review possibly for the last time if Dexter becomes a city.

N. NON-ARRANGED PARTICIPATION

None

O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING LABOR

NEGOTIATIONS IN ACCORDANCE WITH MCL 15.268 Sec.8(c)

Motion Smith; support Fisher to move into closed session at 9:01 PM for the purpose of discussing labor negotiations.

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

Nays: None

Absent: Tell

Motion carries

Motion Smith; support Cousins to leave closed session at 9:12 PM

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

Nays: None

Absent: Tell

Motion carries

P. ADJOURNMENT

Motion Smith; support Carson to adjourn at 9:12 PM.

Unanimous voice vote for approval with Trustee Tell absent

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: _____

Village of Dexter
County of Washtenaw, Michigan

RESOLUTION APPROVING

PROJECT PLAN FOR CEDARS OF DEXTER PROJECT

AS SUBMITTED BY THE ECONOMIC DEVELOPMENT
CORPORATION OF THE VILLAGE OF DEXTER, MICHIGAN
(United Methodist Retirement Communities, Inc.)

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, Michigan, held on December 13, 2010, at 7:30 o'clock p.m., prevailing Eastern Standard Time.

PRESENT: Members Keough, Carson, Cousins, Semifero, and Smith

ABSENT: Members Tell and Fisher

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

WHEREAS, there exists in the Village of Dexter, County of Washtenaw, Michigan (the "Village") the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the Village's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the Village and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the Village of Dexter, Michigan (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), and the Internal Revenue Code of 1986, as amended (the "Code"), has had prepared a project plan for the Cedars of Dexter Project (the "Project Plan"), providing all information and requirements necessary for a project to be undertaken for the

benefit of United Methodist Retirement Communities, Inc. (the "Project"), including the issuance of revenue bonds by the Corporation (the "Bonds") and has approved and submitted the Project Plan to the Village; and

WHEREAS, in conformity with Act No. 338 and the Code, this legislative body conducted on December 13, 2010 a public hearing regarding the Project, the Project Plan, and the Bonds in the maximum aggregate principal amount of not to exceed \$13,000,000 proposed therein to be issued by the Corporation to finance all or part of the costs of the Project.

NOW, THEREFORE, BE IT RESOLVED:

1. The Project Plan, attached hereto and made a part hereof, as submitted and approved by the Corporation, meets the requirements set forth in Section 8(4) of Act 338, and is hereby approved.

2. The persons who will be active in the management of the Project for not less than one year after approval of the Project Plan have sufficient ability and experience to manage the Project properly.

3. The proposed methods of financing the Project as outlined in the Project Plan are feasible and the Corporation has the ability to arrange, or cause to be arranged, the financing.

4. The Council does hereby certify its approval of the Corporation's designation of the Project Area and Project District Area described in Exhibit A to the Project Plan.

5. The Project as submitted is reasonable and necessary to carry out the purposes of Act No. 338, and is hereby approved.

6. Based upon the information submitted and obtained, the Project Plan as submitted and the Project to which it relates serves to alleviate and prevent conditions of unemployment and strengthen and revitalize the Village's economy and, therefore, constitutes a vital and necessary public purpose.

7. Issuance by the Corporation of the Bonds in an amount not to exceed \$13,000,000, in accordance with the terms set forth in the Project Plan, to finance all or part of the costs of the Project as described herein and in the Project Plan, is hereby approved.

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

AYES: Members Members Keough, Carson, Cousins, Semifero, and Smith

NAYS: None

ABSENT: Members Tell and Fisher

RESOLUTION DECLARED ADOPTED.


Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, Michigan at a regular meeting held on December 13, 2010, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


Village Clerk

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**RESOLUTION TO EXTEND
RESOLUTION #2010-14**

**RESOLUTION TO IMPOSE A
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**

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, held on the 13th day of December, 2010, Eastern Daylight Time.

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

ABSENT: Members: Tell

The following preamble and resolution were offered by Member Semifero and supported by Member Cousins:

WHEREAS, the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), adopted resolution #2010-14, 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 on August 23, 2010; and

WHEREAS, the moratorium expires on December 21, 2010; and

WHEREAS, Village of Dexter's Planning Commission has been gathering information and drafting ordinances for the use of property and structures for the dispensing of marihuana; and

WHEREAS, the Planning Commission has set public hearings for January 3, 2011 to address potential amendments to the Village of Dexter Zoning Ordinance to address the use of property and structures for the dispensing of medical marihuana; and

WHEREAS, the Village desires to ascertain 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;

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 90 days, in conjunction with

the continued study and revision of the Village Zoning Ordinance or other ordinances regarding this issue and publication and posting of any proposed amendments;

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.

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

NAYS: None

ABSENT: Tell

RESOLUTION DECLARED ADOPTED THIS 13th DAY OF DECEMBER, 2010

Village President

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 13th day of December, 2010.

Village Clerk

Village of Dexter
County of Washtenaw, State of Michigan

RESOLUTION TO SUPPORT STATE ACTION TO ENSURE THE MATCHING OF
FEDERAL HIGH SPEED RAIL TRANSPORTATION FUNDS

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, Michigan (the "Village"), held on December 13, 2010, at 7:30 o'clock p.m., Eastern Standard Time.

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

ABSENT: Tell

The following preamble and resolution were offered by Member Cousins and supported by Member Carson,

Whereas, the Village of Dexter is an active participant in the Washtenaw Area Transportation Study (WATS), and

Whereas, WATS is a transportation planning agency responsible for the planning, allocation and programming of federal funds for transportation in Washtenaw County with membership from seventeen of the twenty-eight units of government, two universities, and four transportation agencies; and

Whereas, rail transit including Ann Arbor to Detroit and WALLY (Howell to Ann Arbor) commuter rail and AMTRAK intercity rail service is an integral component of the Washtenaw County Transit Vision; and

Whereas, the Michigan Department of Transportation has presented information to the WATS Technical and Policy Committees that indicates that the State's budget, although able to match federal transportation funds beginning 2011 through reductions in general and winter maintenance, and a \$30 million one year bond is unable to match additional federal funds or future federal funds; and

Whereas, the State of Michigan recently received High Speed Rail funding awards totaling \$161.1 million with \$7.9 million for rail improvements west of Detroit, \$150 million for acquisition and improvement of the rail line between Kalamazoo and Dearborn, and \$3.2 million to prepare a service improvement plan for High Speed Rail service from Pontiac to Chicago; and

Whereas, the improvements to advance High Speed Rail will also support future

commuter rail between Ann Arbor and Detroit; and

Whereas, it is imperative that the State not turn back federal funding for transportation;

Whereas, HB 6484 (or its successor legislation) would provide capital funding for both the High Speed Rail funding and funding for capital improvements for Ann Arbor to Detroit and WALLY;

Now therefore be it resolved, that the Village of Dexter encourages that the State Legislature act immediately to provide funding to match federal funds through the following actions:

- Support and pass HB 6484 (or its successor legislation) allowing the use of bonding authority to match the High Speed Rail capital improvements;
- Continue discussions of how to restructure and fully fund multi-modal transportation in the state of Michigan.

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

NAYS: None

ABSENT: Tell

RESOLUTION DECLARED ADOPTED.

Clerk, Village of Dexter

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Dexter, County of Washtenaw, Michigan, at a regular meeting held on November 22, 2010, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Clerk, Village of Dexter