

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, MAY 9 2011

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

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Carol Jones, Village Clerk; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – April 25, 2011
2. Closed Session Minutes – April 20, 2011

Motion Smith; support Carson to approve the minutes of the Regular Council Meeting of April 25, 2011 and the Closed Session Minutes from April 20, 2011 as presented.

Unanimous voice vote for approval with Trustees Fisher and Cousins absent

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Smith; support Carson to approve the agenda as presented.

Unanimous voice vote for approval with Trustees Fisher and Cousins absent

F. PUBLIC HEARINGS

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

Amendment to the Village General Code of Ordinances – Chapter 54, Traffic and Vehicles. Action will not be taken.

The Public Hearing was opened at 7:31 PM

Paul Wensel, who owns property at 8040 Fifth Street, Dexter, would like to see language in the ordinance regarding a 15 foot clearance from an alley and driveway.

He has brought this before Council previously and stated that the issue is better but not completely resolved.

Trustee Cousins entered the meeting at 7:33 PM.

Dave Reynhout introduced himself as an aide from Mark Ouimet's office and will be attending meetings and passing information back to Mark.

Eric Bombery of 445 Cambridge, Dexter, ZBA Chairman and member of Washtenaw Area Transportation Study; spoke regarding the parking on curbed streets from 2 AM – 6 AM. He favors having parking allowed as it is a safety issue in that it indicates people are home and it slows down traffic on the streets. He also called attention to item 54-69 and suggested that an engineer should look at this item.

Mary Ellen Miller of 7654 Forest, Dexter addressed Council regarding the changes made on Forest Street and the issue with parking on the street. The decision not to have parking in front of a house is not reasonable. The Miller's have maintained a parking area in front of the property and parking behind off the alley is not viable. She also does not like the alignment of the Inverness/Forest intersection

The hearing was closed at 7:51 PM.

Council Discussion: The following areas were discussed: a) procedure revisions and additional recommendations to consider to the General Code/Ordinances; b) request for 15 feet from the alley or driveway and use of 'No Parking' signage for alleys; and c) discussion of next steps such as review by the Planning Commission and another public hearing.

Motion Cousins; support Semifero to send the Village General Code of Ordinances – Chapter 54, Traffic and Vehicles to Planning Commission for comments; to have it reviewed by the Sheriff's Department and Fire Department; and to publish the ordinance.

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

Nays: None

Absent: Fisher

Motion carries

G. NON-ARRANGED PARTICIPATION

None

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Letter from Comcast
4. Sunday Liquor Sales Permit – Dexter Pub

I. REPORTS

1. Community Development Manager – Allison Bishop – written report only

Ms. Bishop submits her report as per packet. Discussion followed on the upcoming Planning Commission items; everyone was pleased about Ms. Bishop's email regarding the Park permitting; and Council would like clarification on the Dexter Schools busing plan.

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

None

3. Subcommittee Reports

Old DAPCO Site Redevelopment Team

Downtown Fire Detection

Economic Preparedness

Facilities – will be scheduled in May

Website – May 16th at 4 PM at the Village Offices

4. Village Manager Report

Mrs. Dettling submits her report as per packet Mrs. Dettling gave the following verbal updates: a) looking for 2 people to attend the Healthy Livable Communities Conference in Lansing on June 7; b) reported on the Memorial Day Parade and that the American Legion will not be holding any commemorative ceremony this year; c) the Washtenaw County Board of Commissioners will hold a public hearing on May 18 on the LaFontaine Brownfield project; d) Andrea Dorney did take the S3 test for licensing but Dan was unable to take it due to lack of staffing; e) hope to make a decision at the June meeting regarding the new hire and appointment of the new supervisor; and f) there will be a public auction at North Point on May 19.

5. President's Report

Mr. Keough submits his report as per packet. Mr. Keough reported that he is working on a draft plan for the Regional Fire Department and Council will see that report soon and asked a question about the banner across Main Street.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$187,789.13

2. Consideration of: Closure of Central Street between Main and 5th on June 4, 2011
Between 7 a.m. and 5 p.m. for the Ice Cream Social

Motion Smith; support Semifero to approve items 1 and 2 of the consent agenda.

Unanimous voice vote for approval with Trustee Fisher absent

K. OLD BUSINESS-Consideration and Discussion of:

None

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Purchase of 8077 Forest in the amount of \$57,389 with Associated Budget Amendment in the amount of \$58,000 from the Restricted Building Reserve Fund

Motion Cousins; support Smith to purchase the property at 8077 Forest for the amount of \$57,388.50; to un-restrict \$58,000 from the Restricted Building Reserve Fund with the understanding that this is a loan and repayment made by the Downtown Development Authority will be placed back into the Restricted Building Reserve Fund; and make the necessary budget amendment to place \$58,000 in General Fund Expense line item –property acquisition 101.900.000.975.011.

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

Nays: None

Absent: Fisher

Motion carries

2. Consideration of: Contract extension with Village Auditor Post, Smythe, Lutz & Ziel LLC to perform the 2010-2011 (corrected from 2011-2012) Village audit

Motion Carson; support Semifero to approve the one year extension audit agreement with Post, Smythe, Lutz & Ziel for the 2010-2011 audit for the cost of \$11,500 for the Village Audit, \$5000 for the Single Audit, and \$1500 for the DDA Audit for a total of \$18,000.

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

Nays: None

Absent: Fisher

Motion carries

3. Consideration of: Resolution Authorizing Notice of Intent and Declaring Intent to Reimburse for the 2011 Drinking Water Revolving Fund Water Main Replacement Project

Motion Tell; support Cousins to approve the resolution authorizing the notice of intent and declaring intent to reimburse for the 2011 Drinking Water Revolving Fund Water Main Replacement Project.

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

Nays: None

Absent: Fisher

Motion carries

4. Consideration of: 2011-2012 Contracts for the Participation in the Huron River Watershed Council's Middle Huron Partnership and

Stormwater Advisory Group at a cost of \$3,853.

Motion Cousins; support Semifero to approve the 2011-2012 contracts for participation in the Huron River Watershed Council's Middle Huron Partnership and Stormwater Advisory Group at a cost of \$3,853.

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

Nays: None

Absent: Fisher

Motion carries

M. COUNCIL COMMENTS

Carson	None
Smith	None
Jones	Invited all to come down to Monument Park on Saturday, May 14 for Relay for Life and please volunteer for the Civil War Days in June
Semifero	Spoke of the issue of <u>damage that occurred by pushing snow across the street when plowing and the need for a snow policy at Westridge.</u>
Cousins	None
Tell	None
Fisher	Absent

N. NON-ARRANGED PARTICIPATION

None

O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL PURCHASE OF PROPERTY IN ACCORDANCE WITH MCL 15.268 Sec. 8

Motion Smith; support Tell to go into Closed Session for the purpose of discussing potential property purchase at 9:53 PM.

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

Nays: None

Absent: Fisher

Motion carries

Motion Smith; support Tell to leave Closed Session at 9:57 PM.

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

Nays: None

Absent: Fisher

Motion carries

P. ADJOURNMENT

Motion Smith; support Tell to adjourn at 9:57 PM.

Unanimous voice vote for approval with Trustee Fisher absent

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: May 23, 2011

**RESOLUTION AUTHORIZING NOTICE OF INTENT AND
DECLARING INTENT TO REIMBURSE**

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 9th day of May, 2011, at 7:30 p.m., prevailing Eastern Time.

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

ABSENT: Member Fisher

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

WHEREAS, the Village of Dexter, County of Washtenaw, State of Michigan (the "Village") intends to issue and sell bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) for the purpose of paying all or part of the cost of acquiring and constructing additions, extensions and improvements to the Village's water system, including water main replacements, together with all necessary interests in land, rights of way and all appurtenances and attachments therefor (the "Project"); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, the Village intends at this time to state its intentions to be reimbursed from proceeds of the bonds for any expenditures undertaken by the Village for the Project prior to issuance of said bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in *The Dexter Leader*, a newspaper of general circulation in the Village.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form, as the same may be modified or amended by the Village Manager or the Village Clerk upon the advice of the Village's bond counsel, provided that the principal amount of bonds may not be increased without the approval of the Council:

**NOTICE TO TAXPAYERS AND ELECTORS OF THE
VILLAGE OF DEXTER, COUNTY OF WASHTENAW, MICHIGAN,
AND THE USERS OF THE VILLAGE'S WATER SUPPLY SYSTEM
OF INTENT TO ISSUE BONDS AND THE
RIGHT OF REFERENDUM RELATING THERETO**

PLEASE TAKE NOTICE that the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000), in one or more series for the purpose of paying all or part of the cost of acquiring and constructing additions, extensions and improvements to the Village's water supply system, including water main replacements, together with all necessary interests in land, rights of way and all appurtenances and attachments therefor, to serve the users of the system.

SAID BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the Village from the operations of said water supply system, unless the Village Council determines to sell the bonds to the Michigan Finance Authority and to secondarily pledge revenue sharing to be received by the Village and/or the limited tax full faith and credit of the Village. Said revenues will consist of rates and charges that may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

**ALTERNATE SOURCE OF PAYMENTS IN THE EVENT BONDS
ARE ADDITIONALLY SECURED BY THE LIMITED TAX
FULL FAITH AND CREDIT OF THE VILLAGE**

IN THE EVENT THAT THE VILLAGE COUNCIL DEEMS IT DESIRABLE TO SELL SAID BONDS TO THE MICHIGAN FINANCE AUTHORITY, THE VILLAGE MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE VILLAGE DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE VILLAGE AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The Village may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the Village as provided by law, to the Authority or a trustee, and such funds may be pledged for the payment of the bonds.

IN ADDITION TO THE FOREGOING, IN CASE OF INSUFFICIENCY OF SAID REVENUES, OR IN CERTAIN OTHER CIRCUMSTANCES IN WHICH THE VILLAGE MAY PLEDGE AS ADDITIONAL SECURITY FOR THE BONDS THE LIMITED TAX FULL FAITH AND CREDIT OF THE VILLAGE, THE PRINCIPAL OF AND INTEREST ON THE BONDS MAY BE PAYABLE FROM THE GENERAL FUNDS OF THE VILLAGE OR, IF NECESSARY, FROM AD VALOREM TAXES LEVIED UPON ALL TAXABLE PROPERTY IN THE VILLAGE, SUBJECT TO APPLICABLE STATUTORY AND CONSTITUTIONAL TAX RATE LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE VILLAGE IS FILED WITH THE VILLAGE CLERK OF THE VILLAGE, 8140 MAIN STREET, DEXTER, MICHIGAN 48130, WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE VILLAGE VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Carol Jones, Village Clerk
Village of Dexter

3. The Council does hereby determine that the foregoing form of notice of intent to issue said bonds and the manner of publication directed is the method best calculated to give notice to the Village's taxpayers and electors of the Council's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The Village makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the Village reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Village.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring, constructing, and equipping the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$1,300,000.

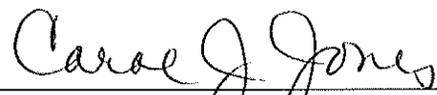
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

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

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.



 Carol Jones, Village 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, State of Michigan, at a regular meeting held on May 9, 2011, 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 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.



 Carol Jones, Village Clerk
 Village of Dexter