

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, JULY 11, 2011

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:32 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

D. Fisher

J. Semifero - ab

J. Smith

R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Carol Jones, Village Clerk; Kurt Augustine, Streets Forman; Dan Schlaff, Public Utility Foreman; Rhett Gronevelt of Orchard, Hiltz & McCliment; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – June 27, 2011

Motion Smith; support Cousins to approve the minutes of the Regular Council Meeting of June 27, 2011.

Unanimous voice vote for approval

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Cousins; support Fisher to approve the agenda as presented.

Unanimous voice vote for approval

F. PUBLIC HEARINGS

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

None

G. NON-ARRANGED PARTICIPATION

James McCargar, 3580 Hudson Street, Dexter, handed out his comments regarding the position of an English Walnut tree on the Village's right of way that may be in jeopardy during the water main project. (Rhett Gronevelt from Orchard, Hiltz and McCliment was able to meet with Mr. McCargar and address his concerns.)

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. June Citation List

I. REPORTS

1. Public Utility Foreman – Dan Schlaff

Mr. Schlaff submits his report as per packet. Mr. Schlaff also provided additional information on the cutting chamber project that he will be working on this summer. Mr. Schlaff mentioned that the department will be working on the primary clarifying tanks, the activated sludge tanks, and will be handling the orthophosphate project in house rather than bid out the project. Mr. Schlaff also mentioned doing preventive maintenance on Well 1 and Well 4 and would like to continue to do the preventative maintenance every 3-4 years.

Trustee Semifero entered the meeting at 7:44 PM

2. Streets Foreman – Kurt Augustine

Mr. Augustine highlighted the following areas that the Department of Public Works have or will be working on: storm water, salt shed, baffle box by Jolly Pumpkin, underground detention, playground inspection, sealing on bridge, vactoring catch basins in Westridge, detention in the Industrial Park, and restoration work on Grand, Forest and Inverness Streets. Mr. Augustine also mentioned a Hazemat spill on Huron River Drive that was taken care of DTE and some stop signs and speed signs were bought with money left in last year's budget to begin replacing those in the village.

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

Gateway Initiative – Paul Cousins

Trustee Cousins included in the packet a printed copy of a power point presentation of the Gateway Community Initiative, and he discussed the concept of a branding project for the Gateway area. Mr. Cousins also mentioned a fund raiser the group will be having on July 22 at the Sandhill Crane Winery.

Washtenaw Area Transportation Study Policy Rep – Jim Carson

Trustee Carson included The Vehicle, the Washtenaw Area Transportation Study's newsletter, in the packet. He highlighted the policy meeting held on June 17 with invited elected officials and made a presentation to them. Mr. Carson also mentioned that the federal government will offer another round of stimulus money that will require a benefit cost analysis and job creation and retention as a part of the process.

4. Subcommittee Reports

Old DAPCO Site Redevelopment Team
Downtown Fire Detection
Economic Preparedness
Facilities
Website

5. Village Manager Report

Mrs. Dettling submits her report as per packet Mrs. Dettling gave the following verbal updates: a) firefighters will be training at 8077 Forest on July 23 and 24 and demolition will follow, neighbors have been notified; b) the Cedars sidewalk will be a project for spring or summer in 2012; c) will have the water tower report for the next meeting; d) the Revenue Sharing checks have come; e) are preparing a bid for street lights and chemical purchases; and f) the Downtown Development Authority will probably do the bond restructuring on the smaller bond and provided a handout of tax forecasting through 2036-2037.

6. President's Report

Mr. Keough submits his report as per packet. Mr. Keough reported that he will be meeting with applicants for the Planning Commission and other commission positions and announced that there will be a Wednesday morning meeting on county wide transit process.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$150,866.53

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

Unanimous voice vote for approval

K. OLD BUSINESS-Consideration and Discussion of:

1. Consideration of: Extension of the Medical Marihuana Dispensary Moratorium until July 18, 2012

Motion Cousins; second Carson that be it resolved, that the 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 365 days, in conjunction with the continued study of the Village Zoning ordinance or other ordinances regarding this issue and the outcome and/or clarification of the Michigan Medical Marihuana Act, MCL 333.26423(d) in order to protect the public health, safety and welfare.

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

Nays: None

Motion carries

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Additional Orthophosphate Design Services from Orchard, Hiltz & McCliment in the amount of \$6,500

Motion Cousins; support Fisher to approve additional orthophosphate design services from Orchard, Hiltz & McCliment in the amount of \$6,500.

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

Nays: None

Motion carries

2. Consideration of: \$14,000 Project Budget for Orthophosphate Project Implementation

Motion Cousins; support Carson to approve the \$14,000 budget for the orthophosphate project implementation.

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

Nays: None

Motion carries

3. Consideration of: Tetra Tech Additional Services

Motion Carson; support Semifero to approve an additional \$10,000 for the Tetra Tech As-Needed Services to accommodate approximately 90 additional hours of service.

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

Nays: None

Motion carries

M. COUNCIL COMMENTS

Tell	None
Semifero	None
Smith	None
Jones	Reminded Council that she was also a part of the Gateway Initiative organizational workshop.
Fisher	None
Carson	Noted that it is 8:45 PM and we are at Council Comments.
Cousins	Have tickets for the Missy Rains concert and Suds on the River is September 15.

N. NON-ARRANGED PARTICIPATION

Larry Cobler of 9081 Lotie Lane, Dexter, reminded those in attendance that Wednesday, July 13 is the airing of the transformation of his daughter and son-in-law's home on Broad Street on the DIY Network at 10 PM.

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

Motion Carson; support Smith to go into closed session at 8:46 PM for the purpose of discussing potential purchase of property and pending litigation.

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

Nays: None

Motion carries

Motion Smith; support Semifero to leave closed session at 9:06 PM.

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

Nays: None

Motion carries

P. ADJOURNMENT

Motion Smith; support Fisher to adjourn at 9:06 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: July 25, 2011

**RESOLUTION TO EXTEND
RESOLUTION #2011-04**

RESOLUTION #2011-23

**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 11th day of July, 2011, Eastern Daylight Time.

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

ABSENT: Members: None

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

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

WHEREAS, on December 13, 2010 the Village Council adopted resolution #2010-14 titled a "Resolution to Impose a 90 day Moratorium on the use of property and structures in the Village of Dexter for the dispensing or cultivation of marihuana" from December 21, 2010 to March 21, 2011; and

WHEREAS, on March 14, 2011 the Village Council adopted resolution #2011-04 titles a "Resolution to Impose a 120 day Moratorium on the use of property and structures in the Village of Dexter for the dispensing or cultivation of marihuana" from March 14, 2011 to July 19, 2011; and

WHEREAS, the current moratorium expires on July 19, 2011; and

WHEREAS, the Village Council has received a recommendation from the Planning Commission for the consideration of Zoning Ordinance amendments, Article 2, Definitions, Medical Marihuana Home Occupation and Medical Marihuana Home Use

and General Code amendments, Chapter 22, Section 22-10, Civil Infraction for Violation of Article 3, Section 3.05 of the Zoning Ordinance; and

WHEREAS, the Village Council has considered and adopted amendments to the Village Zoning Ordinance, Article 2, Definitions, for Medical Marihuana Home Occupation and Medical Marihuana Home Use and Article 3, General Provisions, for Medical Marihuana Home Occupations; and

WHEREAS, the Village Council has considered and adopted amendments to the Village General Code, Chapter 22, Section 22-10, Medical Marihuana Home Occupation Violations; and

WHEREAS, the Village Council has additional questions and desires to pursue 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;

THEREFORE BE IT 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 365 days, in conjunction with the continued study of the Village Zoning Ordinance or other ordinances regarding this issue and the outcome and/or clarification of the Michigan Medical Marihuana Act, MCL 333.26423(d) in order to protect the public health, safety and welfare;

BE IT FURTHER 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.

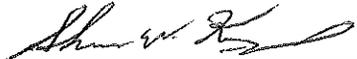
BE IT FURTHER RESOLVED, that this moratorium expires on July 18, 2012.

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

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED THIS 11th DAY OF JULY, 2011



Village President – Shawn W. Keough

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 11th day of July, 2011.



Village Clerk – Carol J. Jones