

DEXTER VILLAGE COUNCIL  
REGULAR MEETING  
MONDAY, AUGUST 13, 2012

**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

D. Fisher

J. Smith

P. Cousins

J. Semifero

R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Carol Jones, Village Clerk; Patrick Droze, Orchard, Hiltz & McCliment; Dan Schlaff, Public Services Superintendent; Kristen Delaney, Safe Routes to School Coordinator; Anne McLaughlin, Johnston, Rosati, Schultz & Joppich; residents and media.

**C. APPROVAL OF THE MINUTES**

1. Regular Council Meeting – July 23, 2012

Motion Smith; support Semifero to approve the minutes of the Regular Council Meeting of July 23, 2012 and included the point that items listed as questions need to be clarified.

Unanimous voice vote for approval

**D. PREARRANGED PARTICIPATION**

Kristen Delaney – Safe Routes to School Coordinator for the Dexter and Chelsea School Districts

Ms. Delaney introduced herself to Council and spoke about being an employee of the Chelsea Area Wellness Foundation and that she will be starting planning procedures to address issues when the school year begins in order to pursue funding for the development of safe routes.

**E. APPROVAL OF THE AGENDA**

Motion Smith; support Semifero to approve the agenda with the additions of I-1, Memorandum regarding Dexter Crossing Commercial Center and I-5, Updated Interlocal Agreement for Washtenaw Fire and Rescue Department.

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**

Mary Kimmel of 3290 Central Street, Dexter spoke to Council about the possibility of moving the existing Post Office to the Dexter Crossings Mall. She stated that parking on Baker Road is limited and dangerous and that she would appreciate anything that Council could do by talking to the developer to get this underway.

Kent Martinez-Kratz of 698 Old Forge Court, Chelsea introduced himself as a member of the Chelsea ~~School Board~~ City Council and candidate for Washtenaw County Commissioner.

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar
3. Dexter Area Historical Society & Museum Newsletter

## **I. REPORTS**

1. Community Development Manager Report – Allison Bishop

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

- The opening of Mill Creek Park was great although the weather may have kept some away.
- Oxford Company is looking to get the Village's by-in for their proposed out lot development. Steps were reviewed that could be taken since the PUD (Planned Unit Development) has expired. Ms. Bishop is looking for feedback as how to proceed.
- Comments were raised as to the current occupancy of the shopping center, the need to fill spaces before adding additional buildings and discussion then followed on the proposed building plans.
- Council was in support of the option to have Oxford submit a new area plan for the site.
- Comments were also raised regarding the remaining time involved in order to finish the park and the need to put pressure on the developer to finish.

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

None

3. Subcommittee Reports

## Economic Preparedness

### Facilities

*Website*-Ms. Nicholls reported that she and Ms. Sherry consider that the website is largely built out and looking to launch it around September 1.

#### 4. Village Manager Report

Mrs. Dettling submits her report as per packet. Mrs. Dettling gave the following verbal updates:

- The Dexter Pinckney Sidewalk Project is waiting for the final numbers on the manholes needed. Project to start a week later than planned and that may delay finishing.
- Bart Anioleczyk has closed his restaurant at 8050 Main Street. The equipment is still in the building and closing will be tied up for a while. Mrs. Dettling reported that she will be looking into installing public restrooms in the space.
- Discussion was held on the farm house on Dan Hoey Road. Ms. Webb is looking to make an offer to buy back the house with a smaller amount of property. Mrs. Dettling was also directed to look at costs involved to tear it down as well as move the house.
- A request was received to tie ribbons in the Village for Ovarian Cancer Awareness for approximately one month. Discussion followed and included limiting the time to three days or so, the process may set a precedent for other groups and look at other means of awareness like those done by local groups.
- A question was raised regarding the bid on sidewalk repairs, in particular filling in the gap of existing sidewalks. Ms. Nicholls will look into this.
- Mr. Droze from Orchard, Hiltz and McCliment gave a summary of where the Central Street project is at currently and spoke about the proposed agreement with the railroad for work to be done and there are still more questions regarding this agreement. Curbs are in place and anticipate having paving begin at the end of the week.

Motion Tell; support Carson to enter into the contract with the Railroad with the addition of the Village conditions to the proposed agreement.

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

Nays: None

Motion carries

- Mr. Carson spoke about the meeting with the schools regarding the Dan Hoey and Baker Road intersection and obtaining a traffic study from Washtenaw Area Transportation Study. He also stated that the Planning Commission will talk about the intersection in the next Capital Improvement Plan.
- Mr. Schlaff gave an update on the alley highlighting the issues with the rain and the limestone. He spoke about leveling the limestone, adding asphalt grindings and that residents have been notified to stay off.
- The crack sealing was rained out on Thursday and Friday last week and they are almost finished with Westridge.

- Ms. Nicholls updated Council regarding fireworks that the State of Michigan is looking at reworking the law and whether the noise ordinance would still apply within the Village during the days that fireworks are allowable.

5. President's Report

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

- Mr. Keough reported that he will run for Village President in 2012.
- The question was raised as to what changes were included and where they came from on the Interlocal Agreement (Mr. Keough will explained how the changes were made), has the Village submitted the agreement to the Village attorney for an opinion (No), when will it come back to Council (after Dexter Township has had a chance to look at it), and the agreement maybe sent to the Michigan Attorney General for review.

**J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$467,161.16

Motion Fisher; support Smith to approve item 1 of the Consent Agenda.

Unanimous voice vote for approval

At 9:16 PM a recess was taken and the meeting resumed at 9:21 PM.

**K. OLD BUSINESS-Consideration and Discussion of:**

1. Discussion of: Cityhood Next Steps

There is no new information at this time. The Village is in the middle of the 45 day referendum period which will end on August 27.

**L. NEW BUSINESS-Consideration of and Discussion of:**

1. Consideration of: Planning Commission Recommendation to Grant the Special Land Use Requested by Northern United Brewing Company for a Tasting Room at 2319 Bishop Circle East

Motion Cousins; support Carson based on the Planning Commission recommendation and pursuant to Section 8.03, Special Land Use review standards, the Village Council approves the request from Northern United Brewing Company to permit a tasting room to be located at 2319 Bishop Circle East based on the Planning Commission's review and determination that the use is compatible in accordance with Section 3.17 of the Village of Dexter Zoning Ordinance. This Special Land Use permit is granted with the following conditions: 1) Hours of operation are limited to 10 am to 10 pm; 2) A temporary

use permit must be filed requesting an extension of hours of operations for special events; 3) Provide a detailed floor plan for the tasting room and retail sales to verify compliance with the Village Zoning Ordinance requirements; 4) Payment of a tap fee as required by Village ordinance and resolution; and 5) Contingent upon the proposed definition of a tasting room being passed by Planning Commission and Village Council.

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

Nays: None

Motion carries

2. Consideration of: Liquor License Request from Mindy's on Main, doing business as Bits and Pizzas located at 8099 Main

Motion Cousins; support Semifero to approve the liquor license request from Mindy's on Main, doing business as Bits and Pizzas, located at 8099 Main Street.

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

Nays: None

Motion carries

3. Consideration of: Purchase of a Zero Turn Mower for \$10,158 from Boullion Sales

Motion Cousins; support Smith to purchase a Zero Turn Mower for \$10,158 from Boullion Sales.

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

Nays: None

Motion carries

4. Consideration of: Setting a Public Hearing for September 10, 2012 for Closeout of the Community Development Block Grant Received for the 3045 Broad Redevelopment Study

Motion Smith; support Fisher to set a Public Hearing for September 10, 2012 for the closeout of the Community Development Block Grant received for the 3045 Broad Street Redevelopment Study

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

Nays: None

Motion carries

5. Consideration of: Graffiti Removal Options for the Railroad Bridge along the Westside Connector Path

Motion Semifero; support Smith to accept Option 3 for Graffiti Removal for the Railroad Bridge along the Westside Connector for a cost of \$6500.

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

Nays: None

Motion carries

6. Discussion of: Stormwater Study Proposal from Orchard, Hiltz & McCliment

Mr. Droze explained the proposed study to update the existing stormwater management study and asked for comments and/or recommendations.

7. Discussion of: Water and Sewer Break Claims – Anlaan Corporation

Mrs. Dettling explained the issue with the water and sewer main damage from the construction of the Border to Border trail. The first step suggested is to send a demand letter to Anlaan for the water and sewer damage costs.

**M. COUNCIL COMMENTS**

Carson	None
Fisher	None
Smith	None
Jones	Dexter Daze was successful even with the rainy weather. At least the heat was not an issue.
Semifero	Spoke of setting up adult regulated uses according to ordinance and is there an area in the Village that is not 500 feet from residential?
Tell	None
Cousins	Had a very good Horseshoe Tournament at Dexter Daze with two new pits at Horseshoe Park put in as an Eagle Scout Project. Made close to \$1000 at the Yellow Door Breakfast event.

**N. NON-ARRANGED PARTICIPATION**

None

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

**Koback v. Village of Dexter – Washtenaw Circuit Court Case #11-579-NZ**

Motion Smith; support Cousins to go into closed session at 10:00 PM for the purpose of discussing the potential purchase of property and pending litigation in accordance with MCL 15.268 Sec. 8.

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

Nays: None

Motion carries

Motion Smith; support Carson to leave closed session at 11:09 PM.

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

Nays: None

Motion carries

Motion Cousins; support Tell to direct the Attorney to proceed as discussed in the closed session.

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

Nays: None

Motion carries

Motion Fisher; support Smith to direct the Village Manager to proceed as discussed in the closed session.

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

Nays: None

Motion carries.

## **N. ADJOURNMENT**

Motion Smith support Cousins to adjourn at 11:11 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

Approved for Filing: August 27, 2012



Michigan Department of Licensing and Regulatory Affairs  
 Liquor Control Commission (MLCC)  
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505  
 Toll Free (866) 813-0011 - www.michigan.gov/lcc

Business ID: \_\_\_\_\_  
 Request ID: \_\_\_\_\_  
 (For MLCC use only)

**Local Government Approval**

(Authorized by MCL 436.1501)

**Instructions for Applicants:**

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

**Instructions for Local Legislative Body:**

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a Regular meeting of the Dexter Village council/board  
(regular or special) (township, city, village)  
 called to order by President Keough on August 13, 2012 at 7:30 p.m.  
(date) (time)  
 the following resolution was offered:

Moved by Cousins and supported by Semifero  
 that the application from Mindy's on Main, LLC  
(name of applicant)  
 for the following license(s): Tavern, Outdoor Service, Sunday Sales (PM)  
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for:  Dance Permit  Entertainment Permit  Topless Activity Permit  
 Extended Hours Dance Permit Hours Required: \_\_\_\_\_  
 Extended Hours Entertainment Permit Hours Required: \_\_\_\_\_

to be located at 8099 Main, Dexter, MI 48130

be considered for Approval  
(approval or disapproval)

<b>Approval</b>	<b>Disapproval</b>
Yeas: <u>7</u>	Yeas: _____
Nays: <u>0</u>	Nays: _____
Absent: <u>0</u>	Absent: _____

It is the consensus of this body that it Recommends this application be considered for  
(recommends/does not recommend)  
 approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the Village  
 council/board at a Regular meeting held on August 13, 2012  
(regular or special) (date) (township, city, village)

Name and title of authorized officer (please print): Carol J. Jones, Village Clerk  
 Signature and date of authorized clerk: *Carol J. Jones*  
 Phone number and e-mail of authorized officer: 734-426-8303 cjones@villageofdexter.org