

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, JANUARY 14, 2013

A. CALL TO ORDER

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. Semifero

P. Cousins
J. Knight
R. Tell

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Carol Jones, Village Clerk; Dan Schlaff, Public Services Superintendent; Scott Maurer and Eric Hartman, Water & Sewer Department; Paul Evanoff, JJR; Patrick Droze, Orchard, Hiltz & McCliment; Captain Don Dettling, Dexter Area Fire Department; Gretchen Driskell, State Representative District 52; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – December 26, 2012

Motion Knight; support Cousins to approve the minutes of the Regular Council Meeting of December 26, 2012 with one correction under Old Business adding the word *on* between *working* and *a fact sheet*.

Unanimous voice vote for approval

D. PREARRANGED PARTICIPATION

None

E. APPROVAL OF THE AGENDA

Motion Fisher; support Tell 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

Gretchen Driskell, State Representative for the 52nd District, introduced herself to Council and announced that she would be in the Village on Friday to meet with Council members. It was decided that the meeting would take place at 10 AM in Village offices.

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Faith in Action Newsletter
4. Catholic Social Services Information on Assistance for Seniors
5. Letter from American Legion Post 557

Trustee Cousins reported that the Dexter Rotary Club is working on plans to host the Memorial Day Parade and ceremonies in 2013.

I. REPORTS

1. Boards, Commissions. & Other Reports-"Bi-annual or as needed"

Dexter Area Fire Department – written update

Dexter Fire Board Representative, Ray Tell, reported on the 2013 Fire Department Budget.

Gateway Initiative (Big 400) – written report

Trustee Cousins reported that the Gateway Initiative group met last Friday (January 11). Mark Lantz was present at the meeting; and the group voted on a new logo for "The Big 400" and the website has been updated. Mr. Cousins spoke about the Spring Event of a Maple Syrup and Pancake Breakfast and a Fall Event revolving around the Sandhill cranes. He also mentioned that soon there will be a new state park west of Manchester of approximately 2000 acres and that our area in Michigan will have the largest amount of state land for parks and recreation in the state of Michigan.

Arts, Culture and Heritage Committee – update report

Trustee Cousins reported that the committee has lost a member who was a representative for those outside of the Village and there is a need for a replacement. Also the committee discussed the bridge troll art piece after finding out they did not receive the grant.

2. Subcommittee Reports

Economic Preparedness

Facilities

Website – see Village Manager report

3. Village Manager Report

Mrs. Dettling deferred the first part of her report to Paul Evanoff of JJR who spoke about Mill Creek Park and the problem with the completion of the park project. Mr. Evanoff explained the situation and what has transpired to get this project completed.

Motion Tell; support Cousins to release funds in the amount of \$63,745.95 for payment request #9 to Cedroni.

Ayes: Carson, Cousins, Fisher, Knight, Tell and Keough
Nays: Semifero
Motion carries 6 to 1

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

- The speed display was installed today (January 14) on Eastridge and it will display when speed is over 25 miles per hour. It will be rotated throughout the Village.
- Ms. Nicholls spoke about the Tornado Relief Fund and that there is about \$36,000 left in the fund which will be used for trees in the tornado area and glass removal at Huron Farms. There are plans to hold some type of ceremony on the anniversary date of the tornado.
- Update on beekeeping – this was put before Planning Commission but it appears to be a little more complicated than first thought.
- A question was raised about why the need for a change in the Village's email and website address which will now be www.dextermi.gov.
- A question was also raised regarding the Double Up Food Bucks at the Farmers Market and the amount of time involving staff that it may take in reporting.
- Mr. Schlaff introduced the Village's new hire at the water and sewer department, Eric Hartman, and he also introduced Scott Maurer from the water and sewer department who is a candidate for promotion.

4. President's Report

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

- President Keough reviewed the upcoming Goal Setting and Project workshops and Town Hall meeting schedule.
- Mentioned attending a meeting with Mrs. Dettling and representatives from Dex-Tech.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$284,722.49

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

Unanimous voice vote for approval

K. OLD BUSINESS-Consideration and Discussion of:

1. Discussion of: Cityhood Next Steps – Draft Informational Flyer

A draft of a Cityhood Fact Sheet was included in the packet which will be available at the February Town Hall meeting.

L. NEW BUSINESS-Consideration of and Discussion of:

1. Discussion of: DTE Easement Request over Well House Property

Matt and Whitney Parachek introduced themselves and explained the circumstances for the need for an easement to get power to the property they would like to purchase.

2. Consideration of: Resolution to Allow Dexter Area Fire Department to Perform Fireworks Inspections

Motion Carson; support Fisher to approve the resolution to allow the Dexter Area Fire Department to perform fireworks inspections for consumer fireworks sales.

Ayes: Cousins, Fisher, Knight, Semifero, Tell, Carson and Keough
Nays: None
Motion carries

3. Consideration of: Organizational Matters Resolution

Motion Semifero; support Fisher to approve the Organizational Matters Resolution.

Ayes: Fisher, Knight, Semifero, Tell, Carson, Cousins and Keough
Nays: None
Motion carries

4. Consideration of: Council Rules

Motion Carson; support Fisher to approve Council Rules as published.

Ayes: Knight, Semifero, Tell, Carson, Cousins, Fisher and Keough
Nays: None
Motion carries

5. Consideration of: Promotion of Scott Maurer to Lead Operator

Motion Cousins; support Fisher to promote Scott Maurer to Lead Operator effective January 15, 2013.

Ayes: Semifero, Tell, Carson, Cousins, Fisher, Knight and Keough
Nays: None
Motion carries

6. Consideration of: 2013 Local Street Fund Project

Motion Carson; support Fisher to approve 2013 Local Street project involving crush and shape the roadway and install sidewalk on Hudson Street from Cottonwood Condos to Second Street and also install new sidewalk down Second from Hudson to Inverness and also look at alternative variations of sidewalk placement.

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

Nays: None

Motion carries

M. COUNCIL COMMENTS

Carson	None
Fisher	None
Knight	None
Jones	None
Tell	Noticed that there is a house for sale on Forest and wondered if the DDA would be interested.
Semifero	Inquired about publishing Public Notices from the Village in the Sun Times News since this publication is delivered to all Dexter residents. Invited all Council members to meet for breakfast prior to the Saturday, January 26 meeting.
Cousins	Asked the question why some residents get the Sun Times in the mail and some get the newspaper in their yard.

N. NON-ARRANGED PARTICIPATION

None

O. ADJOURNMENT

Motion Carson; support Knight to adjourn at 10:09 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: January 28, 2013

2-2013

**RESOLUTION FOR THE PURPOSE OF ESTABLISHING ORGANIZATIONAL MATTERS
FOR THE VILLAGE OF DEXTER**

At a regular meeting of the Village Council of the Village of Dexter, Michigan called to order by President Shawn Keough on January 14, 2013 at 7:30 p.m., the following resolution was offered:

Moved by: Semifero Supported by: Fisher

WHEREAS, the Village intends to utilize various firms and individuals for particular matters to coincide with the regular village election every November of even years, and

WHEREAS, the following firms and individual appointments can be changed as deemed necessary by Council by a simple majority vote of Council at any point during this time period.

NOW, THEREFORE, BE IT RESOLVED, that the Village Council does confirm using the following firms and individuals as needed in their respective responsibilities:

1. Bank Signatories: President Shawn Keough, Treasurer Marie Sherry, President Pro Tem Ray Tell, Assistant Village Manager Courtney Nicholls, and Village Manager Donna Dettling
2. President Pro Tem: Ray Tell
3. Attorney for enforcement of Traffic Laws: Tom Stringer
4. Attorney for Bonding Matters: Miller Canfield
5. Attorney for General Legal Matters: Dykema and Scott Munzel
6. Attorney for Contested NPDES Permit: Varnum, Riddering, Schmidt & Howlett
7. Consultants for Planning and Zoning Matters: Carlisle/Wortman Associates, Inc.
8. Financial Consultant: Tom Traciak, Umbaugh & Associates
9. General Consultant for Engineering Matters: Orchard, Hiltz and McCliment
10. Specialized Water & Sewer Engineering & Consulting: Williams & Works; Flies & Vandenbrink
11. Auditor: PSLZ, LLC
12. Freedom of Information Officer: Assistant Village Manager
13. Street Administrator: Kurt Augustine
14. As representatives to the following organizations:
 - Arts, Culture & Heritage Committee Paul Cousins
 - Chamber of Commerce Julie Knight
 - Dexter Area Fire Department Board Ray Tell, Jim Seta
 - Parks & Recreation Commission Ex-officio Donna Fisher

- Planning Commission, Ex-officio Joe Semifero
- Zoning Board of Appeals Jim Carson
- DHS- Gordon Hall Management Team Donna Fisher
- CAPT/DART Jim Carson
- Gateways Initiative Paul Cousins, Carol Jones
- Healthy Communities Committee/5-H Julie Knight, Paul Cousins
- Huron River Watershed Council Paul Cousins
- SEMCOG Shawn Keough
- Stormwater Phase II Citizen Advisory Group Carol Jones
- WATS Jim Carson, Alternate-Paul Cousins
- WAVE Jim Carson
- 3045 Broad Site Redevelopment Representative Jim Carson, Shawn Keough
- Economic Preparedness Jim Carson, Donna Fisher
- Facilities Committee Shawn Keough, Paul Cousins, Julie Knight
- Farmer's Market/Community Garden Committee Julie Knight, Alternate - Donna Fisher
- Utilities Committee Joe Semifero, Ray Tell
- Website Jim Smith, Donna Fisher, Shawn Keough

BE IT FURTHER RESOLVED, that the Village of Dexter is committed to the purchase of local goods and the use of local business, and

BE IT FURTHER RESOLVED, that the regular meeting of the Village Council shall be held the 2nd and 4th Monday of each month at 7:30 p.m. at the Dexter Senior Center – 7720 Dexter Ann Arbor Road.

That, all representatives shall report to Council as scheduled, review significant issues and proposals with Council for input and discussion, as needed, and forward copies of meeting agendas and minutes to Village Council in a timely fashion,

That the Regular Meeting of the Village Planning Commission shall be held the 1st Monday of each Month at 7:30 p.m. at the Dexter Senior Center – 7720 Dexter Ann Arbor Road.

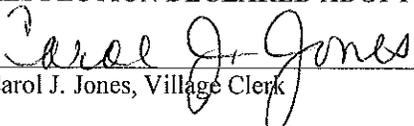
That the Regular Meeting of the Village Parks & Recreation Commission shall be held the 3rd Tuesday of each month at 7:00 p.m. at the Village Offices 8123 Main Street.

That the Regular Meeting of the Zoning Board of Appeals shall be held the 3rd Monday of each month at 7:00 p.m. at the Dexter Senior Center – 7720 Main Street. Meetings of the Z.B.A. will only be held when requests are pending.

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

NAYS: None

RESOLUTION DECLARED ADOPTED THIS 14th DAY OF JANUARY 2013.


 Carol J. Jones, Village Clerk



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
RICHARD W. MILLER
STATE FIRE MARSHAL

STEVEN H. HILFINGER
DIRECTOR

DELEGATION AGREEMENT

between

The Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
and
Village of Dexter
EXPIRATION

I. Purpose

This agreement is entered into for the purpose of delegation of Fireworks Inspections in accordance with the Michigan Fireworks Safety Act, PA 256 of 2011 as amended MCL 28469.

II. Local Agency Responsibilities

The **Village of Dexter**(Agency) agrees:

- A. To abide by all terms of this agreement including all attachments (i.e. procedures).
- B. To the use of State Certified Inspectors to perform all delegated inspections.
- C. To complete all delegated inspections within the time frames as specified by the Department of Licensing & Regulatory Affairs and Bureau of Fire Services.
- D. To complete all delegated inspections using the appropriate rules promulgated in accordance with MCL 28.470.
- E. To utilize all report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for all consumer fireworks retail sales delegated inspections.
- F. To follow and apply all Department of Licensing & Regulatory Affairs, Bureau of Fire Services, procedures regarding the inspection of Consumer Fireworks Retail Sales facilities.
- G. To the proper conduct and demeanor of their employee(s) while performing delegated inspections in accordance with this agreement.

LARA is an equal opportunity employer
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
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- H. To attend training opportunities provided by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, necessary for the proper completion of delegated inspections.

III. Department of Licensing & Regulatory Affairs, Bureau of Fire Services, Responsibilities

The Department of Licensing & Regulatory Affairs, Bureau of Fire Services agrees:

- A. To abide by the terms of this agreement including all attachments.
- B. To provide the technical assistance and supervision necessary for the proper administration of this agreement.
- C. To provide any report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for the reporting of inspections performed in accordance with this agreement.
- D. To provide the **Dexter Area Fire Department** with copies of Department of Licensing & Regulatory Affairs, Bureau of Fire Services, procedures. Manuals or other documents necessary for the implementation of this agreement shall be the responsibility of said agency.
- E. To provide the opportunity for training for an appropriate number of employees of the **Dexter Area Fire Department**, as determined by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, regarding rules, laws, or procedures necessary for the completion of inspections delegated in accordance with this agreement.
- F. To review the delegation of authority to perform inspections each year in accordance with MCL 28.455.
- G. To notify the Agency, in writing, of intent to revoke delegated authority if the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, finds that the terms of the agreement have not been kept, or if the Department intends to withdraw from the delegation program.
- H. To revoke the authority of the employee(s) to perform delegated inspections upon notification of the **Village of Dexter** that the request for delegation has been rescinded.
- I. To inform the State Fire Safety Board of all decisions by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in delegating or revoking the authority delegated under MCL 28.469.

IV. Conflict of Interest

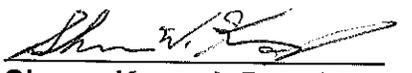
The **Village of Dexter and/or Dexter Area Fire Department** and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, are subject to the provisions of Act No. 317, PA of 1968, as amended, being MCLA 15.321 et seq, and Act No. 196, PA of 1973, as amended, being MCLA 15.341 et seq.

V. Liability

- A. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the **Village of Dexter and/or Dexter Area Fire Department]** or unit of government pursuant to the terms of this agreement shall be the responsibility of the governing body if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the unit of government or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- B. All liability to third parties, and/or loss, or damage as a result of claims, demands, costs, or judgments arising out of activities that re the responsibility of the Department if the liability, loss, or damage is caused by, or arises out of, the action or failure to act on the part of the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or its employees, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the State, its agencies, the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them as provided by common law, statute, or court decision.
- C. In the event that liability to third parties, and/or loss, or damages arises as a result of activities which go beyond the mere fact of agreement between the **Village of Dexter and/or the Dexter Area Fire Department]** and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in fulfillment of their responsibilities under this agreement, such a liability, loss or damage shall be borne in relation to each party's responsibilities under that joint activity, provided that nothing herein shall be construed as a waiver of an governmental immunity available to the governing body, unit of government, the State and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them, as provided by common law, statute, or court decision.

VI. Statutory Authority

Authority to perform Consumer Firework Retail Sales inspections is delegated to the certified fire inspector(s) of the **Dexter Area Fire Department** by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, under provision of Michigan Fireworks Safety Act, PA 256 of 2011 as amended, MCL 28.469.


Shawn Keough Board Chair

1/14/2013
Date

Loren Yates Fire Chief

Date

Director, Bureau of Fire Services

Date