

**DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, JULY 22, 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

P. Cousins

D. Fisher

J. Knight

J. Semifero

R. Tell-ab

Also present: Donna Dettling, Village Manager; Courtney Nicholls, Assistant Village Manager; Allison Bishop, Community Development Manager; Carol Jones, Village Clerk; Dan Schlaff, Public Services Superintendent; Scott Maurer, Water and Sewer Department; Captain Don Dettling, Dexter Area Fire Department; residents and media.

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting – July 8, 2013

Motion Knight; support Semifero to approve the minutes of the Regular Council Meeting of July 8, 2013 with one correction on page 6, under Council Comments to insert the words *measurement of speed before the* in front of the phrase *speed limit sign coming in at the north entrance to the Village*.

Unanimous voice vote for approval with Trustee Tell absent

D. PREARRANGED PARTICIPATION

None

Trustee Tell entered the meeting at 7:32 PM

E. APPROVAL OF THE AGENDA

Motion Carson; support Semifero to approve the agenda as printed.

Unanimous voice vote for approval

F. PUBLIC HEARINGS

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

Fireworks Ordinance Amendment

Consideration of: Amendments to Chapter 26, Article IV, Division 2 - Weapons & Explosives in the General Code of Ordinances

President Keough opened the Public Hearing at 7:33 PM.

Captain Don Dettling of the Dexter Area Fire Department commented that as your fire official for the Village, he supports approval of the amendment. A question was directed to him about the placement of firework sales at a gas station.

Todd Austin of 3594 Ryan Drive, Dexter suggested that the Village give more thought to the amendment as to how it could be enforced. He spoke about fireworks going off over his house, showed an example of the debris he found in his yard, and stated that fireworks were going off beyond the three day time frame.

President Keough closed the Public Hearing at 7:38 PM.

Motion Carson; support Fisher to move the amendments to Chapter 26, Article IV, Division 2 – Weapons & Explosives in the General Code of Ordinances for the Village of Dexter.

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

G. NON-ARRANGED PARTICIPATION

None

H. COMMUNICATIONS:

1. Upcoming Meeting List
2. Sign Calendar
3. Chelsea Wellness Foundation Notice of Grant Award

I. REPORTS

1. Community Development Manager – Allison Bishop

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

- Provided a copy of a power point presentation from JJR on Monument Park presentation to the Michigan Chapter of the American Society of Landscape Architects award program.
- Passed around to Council members an example of work being done on the Med Hub building.
- Forwarded a request to the ZBA for a variance at 8080 Grand Street.
- Have received an application for a short film shoot on July 29.

- Quarterly report was included in this months report with residential building up this past fiscal year.
- The following questions/comments were asked of Ms. Bishop: to explain the Volunteer Management Program, where are we on the LaFontaine closeout and the art contribution, inquiry about the enforcement section in the quarterly report, and what about tapping of trees in the Village?

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

None

3. Subcommittee Reports

Broad Redevelopment Committee

Economic Preparedness

Facilities – Trustees Cousins and Knight and President Keough

- Included in the packet was an updated listing of facility options with those eliminated that are not being considered.
- Consensus is that police services should be downtown on Main Street and Village Hall be in the downtown area.
- The next step will be a meeting with the Fire Department to better understand their needs.
- Fred Schmid from the DDA was appointed to the committee
- On August 26 there will be a joint meeting with Council and the DDA.
- Not discussed at this meeting were bonding and costs.

Website

4. Village Manager Report

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

- In regards to Safe Routes to School, 5 H Coalition is interested in covering the engineering costs to the Village on the Safe Routes project.
- May need to educate residents on the watering issue, have placed door hangers and may need to go to fines with about two dozen multiple offenders.
- Received a phone call today (July 22) from a Spark representative on amending the industrial development district so that Dex Tech requesting a possible tax abatement.

5. President's Report

Mr. Keough submits his report as per packet. In addition Mr. Keough reported on the following:

- Brought to Councils attention the share cost of the tank at Northern United Brewing Company and that the cost of the tank may be higher than originally anticipated. Asked Council for input and direction.

- Will be sending a letter to the union to open up negotiations in August.

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of \$793,481.24

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. Discussion of: Cityhood Next Steps

Ms. Nicholls spoke of the four persons who have filed as of the meeting for the Charter Commission election and the filing date is until August 13.

L. NEW BUSINESS-Consideration of and Discussion of:

1. Discussion of: Dedication of Dexter Crossings Roads in Phase 5B

Mrs. Dettling reported that the Village is close to getting all the documents together for the dedication of 5B and asked Council for input on phases 6, 7, and 8.

2. Consideration of: Quote to Gee Farms for \$5,700 for Mill Creek Park Stormwater Improvements

Motion Cousins; support Semifero to approve bid from Gee Farms in the amount of \$5,700 for stormwater improvements in Mill Creek Park.

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

Nays: None

Motion carries

3. Consideration of: Addition of American with Disabilities Act Improvements to Passport Grant Application

Motion Carson; support Semifero that the Village of Dexter Council hereby commits an additional \$3,500 for a total of match up to \$18,500 or 29%, to complete the necessary accessibility improvements as shown on the project plan for the Community Park non-motorized path Passport Grant.

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

Nays: None

Motion carries

M. COUNCIL COMMENTS

Carson	None
Tell	None
Knight	Spoke about the dog bite situation in Monument Park at a recent Friday night concert and wondered if anything can be done about dogs in the park on Friday nights. Ms. Knight also spoke about Forest Lawn Cemetery, which is the resting place of many former residents, and that the Cemetery Association has been approached by a group to do a cleaning on the grave stones. They may ask the Village's help with the project.
Jones	Spoke about a proposal that Beckett and Raeder put together when the streetscape was being completed that gave suggestions to residents and organizations for donations of items to the Village such as park benches.
Semifero	None
Fisher	None
Cousins	Reminded Council about the Plein Air Art event coming the week after Dexter Daze and the Friday night event.

N. NON-ARRANGED PARTICIPATION

None

O. ADJOURNMENT

Motion Knight; support Fisher to adjourn at 9:07 PM.

Unanimous voice vote for approval

Respectfully submitted,

Carol J. Jones
Clerk, Village of Dexter

Approved for Filing: August 12, 2013

**VILLAGE OF DEXTER
WASHTENAW COUNTY, MICHIGAN
ORDINANCE #2013-01**

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF CHAPTER 26 - OFFENSES,
ARTICLE IV – OFFENSES AGAINST PUBLIC SAFETY, DIVISION 3 – WEAPONS AND
EXPLOSIVES, OF THE VILLAGE OF DEXTER CODE OF ORDINANCES

Sec. 26-106. - Definitions.

The following words, terms and phrases when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act. The Michigan Fireworks Safety Act, Public Act 256 of 2011, MCL 28.451 *et seq.*

APA Standard 87-1. 2001 APA Standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American pyrotechnics association of Bethesda, Maryland

Consumer Fireworks. Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.1.5. Consumer fireworks are often commonly known as, but not limited to sky rockets, bottle rockets, missile-type rockets, helicopters, aerial spinners, roman candles, mine and shell devices, aerial shell kits, firecrackers, chasers and certain multiple tube fireworks devices. Consumer fireworks does not include low-impact fireworks.

Low Impact Fireworks. Ground and handheld sparking devices as that phrase is defined in APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8 and 3.5. Low impact fireworks are often commonly known as, but not limited to, sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, ground spinners, flutter sparklers, certain toy smoke devices, certain wire sparklers/dipped sticks and certain multiple tube fireworks devices.

National Holiday. As used in this article, a national holiday is any of the following: New Years Day (January 1), Birthday of Martin Luther King Jr (third Monday in January), Washington's Birthday (third Monday in February), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Columbus Day (second Monday in October), Veterans Day (November 11), Thanksgiving Day (fourth Thursday in November), and Christmas Day (December 25)

Explosive means explosive as commonly defined and shall include inter alia, dynamite, gunpowder, and blasting caps. Explosive does not include consumer fireworks or low impact fireworks.

Public place means any street, sidewalk, alley, park, government-owned or government-controlled building, common hallway or public room of any place of business or assembly open to the public, common hallway or public room of any dwelling of greater than two units, and any other place to which the public has lawful access.

Weapon means any pistol, air pistol, rifle, BB gun, air rifle, shotgun, slingshot, crossbow, bow, firebomb, or bomb, but shall not include antique guns not in operating condition.

Sec. 26-112. - Low Impact Fireworks

(a) The use of low impact fireworks is permitted year-round

(b) An individual under the age of 18 shall not use low impact fireworks unless under the direct supervision of an adult

(c) An individual who uses, ignites or discharges low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance is guilty of a misdemeanor, punishable by up to 30 days in jail and/or a fine up to \$500, or if the violation caused damage to the property of another person, by up to 90 days in jail and/or a fine up to \$500.00

Sec. 26-113 – Consumer Fireworks

(a) Consumer Fireworks may not be used, discharged and or ignited except between 8 am and 1 am on the day before, the day of and the day after a National Holiday.

(b) A person shall not ignite, discharge and/or use Consumer Fireworks on any public place, school property, church property or the property owned by another person or entity without the organization's or person's written permission.

(c) A person shall not discharge Consumer Fireworks in such a manner so as remnants from Consumer Fireworks land on any public place or the property of another, including but not limited to, apartment property and condominium property, without that person or organization's written permission.

(d) An individual under the age of 18 shall not use consumer fireworks unless under the direct supervision of an adult.

(e) An individual who uses, ignites or discharges Consumer Fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance is guilty of a misdemeanor, punishable by up to 30 days in jail and/or a fine up to \$500, or if the violation caused damage to the property of another person, by up to 90 days in jail and/or a fine up to \$500.00

(f) Any individual who violates Section 26-113 (a-d) of this Ordinance shall be responsible for a municipal civil infraction and subject to a fine of at least \$100 and no more than \$500.

(g) An individual who owns property that knowingly allows a violation of Section 26-113 (a-d) to occur on his/her property shall be responsible for a municipal civil infraction and subject to a civil fine of at least \$100 and no more than \$500.

Secs. 26-114 Permit for Consumer Fireworks

Upon application in writing by any association or group of individuals Council may grant permission for the public display of Consumer Fireworks subject to such conditions as deemed necessary to safeguard the welfare of the public and property and upon approval of the local fire department

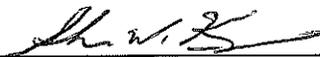
Moved by Trustee Carson seconded by Trustee Fisher that the foregoing Ordinance No. 2013-01 be adopted.

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

NAYS: None

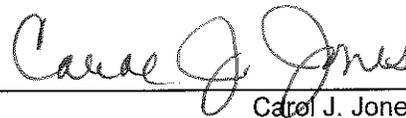
ABSENT: None

Ordinance No. 2013-01 declared adopted at the regular meeting of the Dexter Village Council held on July 22, 2013 and effective upon publication on July 30, 2013.



Shawn W. Keough, Village President

I hereby certify that the foregoing is a true and exact copy of the ordinance adopted by the Dexter Village Council at the regular meeting held on July 22, 2013 and was published in the Sun Times on July 30, 2013.

A handwritten signature in cursive script that reads "Carol J. Jones". The signature is written in black ink and is positioned above a horizontal line.

Carol J. Jones, Village Clerk