

Dexter Downtown Development Authority

May 19, 2016 < > 7:30 AM

Dexter Senior Center

7720 Ann Arbor Street

Dexter, MI 48130

MINUTES

1. Call to Order: Called to order at 7:33 AM on May 19, 2016 by Chairman Steve Brouwer.

2. Roll Call

Becker, Patrick-ab	Bellas, Rich	Brouwer, Steve
Covert, Tom	Darnell, Don-ab	Finn, Doug
Jones, Carol	Keough, Shawn	Model, Fred-ab
O'Haver, Dan-ab	Schmid, Fred-ab	Willis, Randy

Also in attendance: Michelle Aniol, Community Development Manager.

3. Approval of Minutes from the Regular Meeting on April 21, 2016.

Motion Keough; support Willis to approve the minutes of the Regular Meeting on April 21, 2016 with one correction – Call to Order, delete the o after the time of 7:31.

Unanimous voice vote approval with Becker, Darnell, Model, O'Haver and Schmid absent.

4. Approval of Agenda:

Motion Covert; support Finn to approve the agenda as presented.

Unanimous voice vote approval with Becker, Darnell, Model, O'Haver and Schmid absent.

5. Pre-arranged Audience Participation:

None

6. Non-Arranged Citizen Participation:

None

7. Treasurer's Report:

a) April Invoices: Invoice from Scott Munzel for Dexter Wellness Fees in the amount of \$7,969.15; invoice from PNC Bank for Bond Payment in the amount of

\$40,707.87; and invoice from Scio Township, December Board of Review adjustments to the 2014 tax roll for Salon Underground (\$208.14) and CMYK Imperial (\$59.12) for capture paid by Scio Township in the amount of \$267.26 for a total amount of invoices of \$48,944.28

Motion Finn; support Willis to pay the May invoices in an amount of \$48,944.28.

Unanimous voice vote approval with Becker, Darnell, Model, O'Haver and Schmid absent.

b) Approval of April 2016 Treasurer's Report.

Motion Bellas; support Willis to approve the May Treasurer's Report as presented.

Unanimous voice vote approval with Becker, Darnell, Model, O'Haver and Schmid absent.

8. Correspondence / Communications:

None

9. Action Items:

a) Old Business – *None*

b) New Business – *None*

10. Discussion Updates:

None

11. City Mayor and Staff Reports

a) Mayor – Shawn Keough

- *Scott Munzel has filed the notice to appeal regarding the Dexter Wellness Center case. He believes that the Michigan Municipal League will file a brief supporting our position.*
- *The City Assessor, Chris Renius has notified the City that he will be dropping Dexter as a client at the end of May. Staff is working to find a new assessor.*
- *City Council held a third Budget Workshop on May 18. We are struggling on how to pay for a capital equipment fund for the Dexter Area Fire Department. One idea is a millage increase of ½ mills and also discussed was to make budget cuts of \$100,000.*

- *On June 10, Senator Gary Peters is scheduled to come to Dexter for a brief tour of the town and Mill Creek Park.*
- *The asphalt path of the Border to Border trail from Central to Dexter Metropark has been finished. A fence along the path to delineate the walking trail and the DPW driveway is needed to complete the project.*
- *The Facilities committee is working on a report to be released at the end of May with options for the fire station and city hall.*
- *Met with DTE on Friday, May 13 along with their attorney and a real estate person to review the decommissioning of the sub-station. Looking to have a time line from them by mid June on the project.*
- *June 8 will be the third meeting of the visioning session with Foremost on the Broad Street project.*

b) Staff – Michelle Aniol

- *The Mill Creek Sports property is back on the market but I have been contacted by an interested party.*
- *Jack Savas owner of 3441 Broad Street is looking to sell the property to another business.*
- *I have walked the parking lot near The Encore Theatre to identify location for the underground receptacle.*
- *Also have walked the area behind Dexter's Pub with Patrick Droze to look at the possible fix to the stairs.*

12. Chairman's Report:

I have been getting complaints behind the Monument Park building regarding the trash container due to the Dairy Queen use. Need to find a solution to this. Can there be an additional container brought in? Ms. Aniol will look into this.

13. Non-Arranged Citizen Participation:

Randy Willis spoke of the coming retirement of Bud Roberts and would like to see him recognized in some fashion.

14. Adjournment

Motion Finn; support Willis to adjourn at 8:03 AM.

Unanimous voice vote approval with Becker, Darnell, Model, O'Haver and Schmid absent.

Respectfully submitted,

Carol Jones, Secretary

Memo

To: Dexter DDA
From: Thomas Covert, DDA Treasurer and Marie Sherry, City Treasurer
Date: June 8, 2016
Re: Treasurer's Report – June 2016 Meeting

Invoice Approval Notes

- Scott Munzel, P. C.; Dexter Wellness Center Attorney Fees: \$1,538.50
- Combined total due for all invoices is \$1,538.50

Cash Status

DDA Cash Balances Report			
5-31-16			
Fund	Account Name	General Ledger Balance	Notes
248 - DDA General	TCF Pooled Account	\$ -	
394 - DDA Debt	TCF Pooled Account	\$ -	
	Total DDA Pooled Checking	\$ -	
248 - DDA General	TCF Money Market Account	\$ 62,313.82	
394 - DDA Debt	TCF Money Market Account	\$ -	
	Total DDA Pooled Savings	\$ 62,313.82	
248 - DDA General	ONB Money Market Account	\$ 202,601.05	
394 - DDA Debt	ONB Money Market Account	\$ -	
	Total DDA Pooled Savings	\$ 202,601.05	
248 - DDA General	Flagstar Bank CD	\$ 200,000.00	.70%, matures 1-27-2017
	Total Non-Pooled	\$ 200,000.00	
Total General Cash		\$ 464,914.87	
Total Debt Cash		\$ -	
		\$ 464,914.87	
Month End Cash		\$ 464,914.87	
Projected FY 15/16 Revenue All Funds		\$ -	
Projected FY 15/16 Expenditures All Funds		\$ (73,750.12)	
Delinquent Taxes Due from County		\$ 20,371.85	
Brownfield Capture Due to County		\$ -	
Wellness Center Set Aside		\$ (226,275.09)	Added set aside for FY 2015-2016
Projected Year End Cash		\$ 185,261.51	

Budget FY 15/16

Following are the Fiscal Year 2015-2016 Revenue and Expenditure Reports through May 31st.

06/08/2016 REVENUE AND EXPENDITURE REPORT FOR CITY OF DEXTER						
PERIOD ENDING 05/31/2016						
% Fiscal Year Completed: 91.80						
		2015-16	2015-15	YTD BALANCE	AVAILABLE	
		ORIGINAL	AMENDED	05/31/2016	BALANCE	% BDGT
GL NUMBER	DESCRIPTION	BUDGET	BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	USED
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Revenues						
Dept 000-ASSETS, LIABILITIES & REVENUE						
248-000-405.000	TAX CAPTURE REVENUE	287,500.00	287,500.00	257,048.97	30451.03	89.41
248-000-416.000	DELINQUENT REAL PROPERTY TAX CAPTURE	0.00	0.00	20,371.85	(20371.85)	100.00
248-000-417.000	DELINQUENT PERSONAL PROPERTY TAX CAPTURE	0.00	0.00	2,225.77	(2225.77)	100.00
248-000-445.000	TAXES - PENALTIES & INTEREST	0.00	0.00	220.97	(220.97)	100.00
248-000-574.001	PERSONAL PROPERTY TAX REIMBURSEMENT	5,300.00	5,300.00	7,821.41	(2521.41)	147.57
248-000-665.000	INTEREST EARNED	500.00	500.00	2,060.23	(1560.23)	412.05
248-000-671.000	OTHER REVENUE	0.00	0.00	4,320.37	(4320.37)	100.00
248-000-695.494	TR IN DDA PROJECT FUND 494	186,500.00	186,500.00	186,201.83	298.17	99.84
Total Dept 000-ASSETS, LIABILITIES & REVENUE		479,800.00	479,800.00	480,271.40	(471.40)	100.10
TOTAL Revenues		479,800.00	479,800.00	480,271.40	(471.40)	100.10
Expenditures						
Dept 248-ADMINISTRATION						
248-248-802.000	PROFESSIONAL SERVICES	5,000.00	5,000.00	2,970.00	2030.00	59.40
248-248-803.000	CONTRACTED SERVICES	1,700.00	1,700.00	1,500.00	200.00	88.24
248-248-810.000	ATTORNEY FEES	15,000.00	70,000.00	76,294.83	(6294.83)	108.99
248-248-880.000	DOWNTOWN EVENTS	500.00	500.00	500.00	0.00	100.00
248-248-957.002	DDA CAPTURE REFUNDS	500.00	500.00	267.26	232.74	53.45
Total Dept 248-ADMINISTRATION		22,700.00	77,700.00	81,532.09	(3832.09)	104.93
Dept 442-DOWNTOWN PUBLIC WORKS						
248-442-803.015	CITY MAINTENANCE	5,000.00	5,000.00	0.00	5000.00	0.00
248-442-970.000	CONTRACTED CAPITAL IMPROVEMENTS	15,900.00	15,900.00	13,928.00	1972.00	87.60
Total Dept 442-DOWNTOWN PUBLIC WORKS		20,900.00	20,900.00	13,928.00	6972.00	66.64
Dept 901-CAPITAL IMPROVEMENTS						
248-901-972.001	PURCHASE OF HOUSE	20,000.00	20,000.00	0.00	20000.00	0.00
248-901-972.002	DTE SUBSTATION MOVE	25,000.00	25,000.00	0.00	25000.00	0.00
248-901-972.004	3045 BROAD STREET REDEVELOPMENT	25,000.00	25,000.00	0.00	25000.00	0.00
Total Dept 901-CAPITAL IMPROVEMENTS		70,000.00	70,000.00	0.00	70000.00	0.00
Dept 965-TRANSFERS OUT - CONTROL						
248-965-999.394	TR OUT FOR BOND PAYMENTS - 394	282,200.00	290,500.00	290,343.98	156.02	99.95
Total Dept 965-TRANSFERS OUT - CONTROL		282,200.00	290,500.00	290,343.98	156.02	99.95
TOTAL Expenditures		395,800.00	459,100.00	385,804.07	73295.93	84.03
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:						
TOTAL REVENUES		479,800.00	479,800.00	480,271.40	(471.40)	100.10
TOTAL EXPENDITURES		395,800.00	459,100.00	385,804.07	73295.93	84.03
NET OF REVENUES & EXPENDITURES		84,000.00	20,700.00	94,467.33	(73767.33)	456.36

Fund 394 - DDA DEBT FUND						
Revenues						
Dept 000-ASSETS, LIABILITIES & REVENUE						
394-000-695.248	TRANSFER IN FROM DDA FUND 248	282200.00	290500.00	290343.98	156.02	99.95
Total Dept 000-ASSETS, LIABILITIES & REVENUE		282200.00	290500.00	290343.98	156.02	99.95
TOTAL Revenues		282200.00	290500.00	290343.98	156.02	99.95
Expenditures						
Dept 850-LONG-TERM DEBT						
394-850-992.000	BOND FEES	1000.00	1000.00	1000.00	0.00	100.00
394-850-997.003	DDA 2008 TAXABLE BOND (\$1.6M)	80700.00	89000.00	88934.67	65.33	99.93
394-850-997.004	DDA 2008 BOND (\$2+M)	117500.00	117500.00	117441.26	58.74	99.95
394-850-997.005	2011 REFUNDING BOND (\$620K)	83000.00	83000.00	82968.05	31.95	99.96
Total Dept 850-LONG-TERM DEBT		282200.00	290500.00	290343.98	156.02	99.95
TOTAL Expenditures		282200.00	290500.00	290343.98	156.02	99.95
Fund 394 - DDA DEBT FUND:						
TOTAL REVENUES		282200.00	290500.00	290343.98	156.02	99.95
TOTAL EXPENDITURES		282200.00	290500.00	290343.98	156.02	99.95
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00
Fund 494 - DDA PROJECT FUND						
Revenues						
Dept 000-ASSETS, LIABILITIES & REVENUE						
494-000-665.000	INTEREST EARNED	0.00	0.00	6.86	(6.86)	100.00
Total Dept 000-ASSETS, LIABILITIES & REVENUE		0.00	0.00	6.86	(6.86)	100.00
TOTAL Revenues		0.00	0.00	6.86	(6.86)	100.00
Expenditures						
Dept 965-TRANSFERS OUT - CONTROL						
494-965-999.248	TRANSFER OUT TO DDA FUND 248	186500.00	186500.00	186201.83	298.17	99.84
Total Dept 965-TRANSFERS OUT - CONTROL		186500.00	186500.00	186201.83	298.17	99.84
TOTAL Expenditures		186500.00	186500.00	186201.83	298.17	99.84
Fund 494 - DDA PROJECT FUND:						
TOTAL REVENUES		0.00	0.00	6.86	(6.86)	100.00
TOTAL EXPENDITURES		186500.00	186500.00	186201.83	298.17	99.84
NET OF REVENUES & EXPENDITURES		(186500.00)	(186500.00)	(186194.97)	(305.03)	99.84
TOTAL REVENUES - ALL FUNDS						
		762000.00	770300.00	770622.24	(322.24)	92.12
TOTAL EXPENDITURES - ALL FUNDS						
		864500.00	936100.00	862349.88	73750.12	92.12
NET OF REVENUES & EXPENDITURES		(102500.00)	(165800.00)	(91727.64)	(74072.36)	55.32

Fund 494 has been closed and all assets moved to Fund 248.

Budget Amendment

- A budget amendment for attorney fees is being submitted for the DDA's approval at this meeting. The April bill is being presented for approval at this meeting, and the City Manager has provided an estimate from the attorney for May and June fees.
- The June 2016 meeting is the last opportunity for the DDA to make budget amendments for Fiscal Year 2015-2016.

Delinquent Personal Property Taxes

- The following businesses within the DDA have delinquent personal property taxes as of June 8, 2016. Balances due include taxes not captured by the DDA.
 - Red Brick Kitchen & Bar, \$1,892.60: A verbal payment agreement is in place. Reminder notice sent May 27th.
 - Dexter Rent-All, \$532.29: This business is now located in Ann Arbor, but according to our records did not move until January 2015 so 2015 taxes are still due to the City.
 - 2/18/16: Statutory Notice of Delinquent Taxes sent.
 - 3/21/16: Courtesy Reminder sent.
 - 5/27/16: Small Claims Court suit filed. Awaiting Proof of Service.

Outstanding Accounts Receivable for Site Improvements

- The following invoices from 2009 are outstanding:
 - Mary O'Neil: \$1,300. No payments were ever made.
 - Dexter's Pub: \$3,000. Partial payments made in 2010 and 2011 on an original balance of \$7,000.

DDA Financial Forecast – *Nothing new at this time*

DDA Project Summaries – *Nothing new at this time*

Required Reporting

- Form 5176 – Request for State Reimbursement of Tax Increment Finance Authority. Deadline to file for 2016 is June 15th (extended to July 15th in 2016 only): *Will be filed after City Council determines the millage rate for 2016.*
- Form 2604 – Tax Increment Financing Plan Report for Capture of Property Taxes (deadline to file is July 31st of each year).
- Qualifying Statement – File the Fiscal Year 2015-2016 Statement by December 31, 2016
- Audit – File the 2015-2016 Audit by December 31, 2016.
- Publish the Fiscal Year 2014-2015 Annual Report by February 2017.

Tax Capture Update – *Nothing new at this time*

- The City has the assessment roll. Over the course of the next several months, the roll will be reviewed by the assessor, and he is aware that the DDA would like a review of parcels included within the district.



SCOTT E. MUNZEL, P.C.
ATTORNEY AT LAW

603 W. HURON STREET
ANN ARBOR, MI 48103
P: 734-994-6610 Fx: 734-769-9055
E: SEM@MUNZELLAW.COM

DDA
\$ 15,385.50
248-248-810000

5/16/2016

Ms. Courtney Nicholls
Manager
City of Dexter
8140 Main Street
Dexter, MI 48130

DDA Invoice
1853

Re: Invoice for Legal Services - Dexter Wellness Center

Dear Ms. Nicholls:

The invoice for legal services provided in April is below. Please contact me if you have any questions. Please note I have divided this invoice between the City and DDA.

4/4/2016	Email CWF pleadings to Shawn, Courtney; review MTT Order denying Dexter Motion to File Reply Brief; email to Shawn, Courtney	0.5
4/6/2016	Review Final Order; TC Adam Sadowski re Order, State position; TC Shawn Keough, Courtney Nicholls re Order and impact, how to proceed with Council, DDA; research re collateral estoppel issues; review case on collateral estoppel	3.4
4/7/2016	Meet with Cindy Reach re consultation on appeals issues	NC
4/8/2016	TC MTT re judge selection on future cases; meet with Courtney for TCC with Shawn Keough; TC Adam Sadowski re potential appeal, collateral estoppel	2.2
4/11/2016	Research re collateral estoppel issues and impact on possible appeal; TC Adam Sadowski re State position; draft chart of issues and ruling; TC Courtney Nicholls re comments; prepare memo re closed session issues; attend joint City Council and DDA Board meetings	5
4/12/2016	TC Adam Sadowski re collateral estoppel issue, MTT conference call; research re "aggrieved party"; TCC MTT re valuation case, Faycurry comment that CWF will appeal; email to Courtney, Shawn re update	1.5
4/14/2016	Research re timing of briefs; TC Michigan Municipal League re potential amicus brief; email Courtney with information on timing, amicus, Baruch case	0.7

5/16/2016

Page Two

4/18/2016	TC Courtney re Claim of Appeal, timing issues, decision issues for Council and DDA, open meeting is acceptable; review CWF 990 PF for 2015	0.8
4/19/2016	Review new case on collateral estoppel at MTT; review Order for equal protection issue now on appeal	0.7
4/22/2016	Draft memo to MML re amicus brief	1.0
4/24/2016	Review MTT Order for key points for MML memo; finish memo to MML regarding potential amicus brief; email to Courtney and Shawn for discussion	1.5
4/26/2016	Revise memo per Courtney comments; TC Courtney re release- check with Shawn	0.4
4/28/2016	Prepare Appearance for Court of Appeals, cc MTT; send Appearance to COA, MTT, email to parties	0.4

Total Time 18.1 at \$170/hr

Current Invoice \$ 3,077.00

Expenses: none at this time \$ -

Total Balance Due \$ 3,077.00

Divided between DDA and Village \$1,538.50

Outstanding balance \$8,991.21

Total amount due \$10,529.71

Sincerely,

EIN 38-3120196

Scott E. Munzel

Budget Amendments

DDA Fund 248

Line Number	Line Description	New Line # ?	Revenue or Expenditure?	Original Adopted Budget	Previously Amended Budget	Amendment Amount	Budget After Current Amendment
248-248-810.000	Attorney Fees	No	Expenditure	\$ 15,000	\$ 70,000	\$ 13,000	\$ 83,000
248-901-972.004	3045 Broad Street Redevelopment	No	Expenditure	\$ 25,000	\$ 25,000	\$ (13,000)	\$ 12,000

Reason for Amendments Dexter Wellness Tax Tribunal

Total change in Revenue - increase /(decrease): \$ -
Total change in Expenditures - increase /(decrease): \$ -
Change to Overall Budget's revenue over expenditures: \$ -

Source of Reserves, if applicable: None

Approved by the DDA on June 16, 2016

Carol J. Jones, Downtown Development Authority Secretary



ARCHITECTS. ENGINEERS. PLANNERS.

memorandum

Date: June 1, 2016

To: Michelle Aniol

cc: Courtney Nicholls

From: Patrick Droze

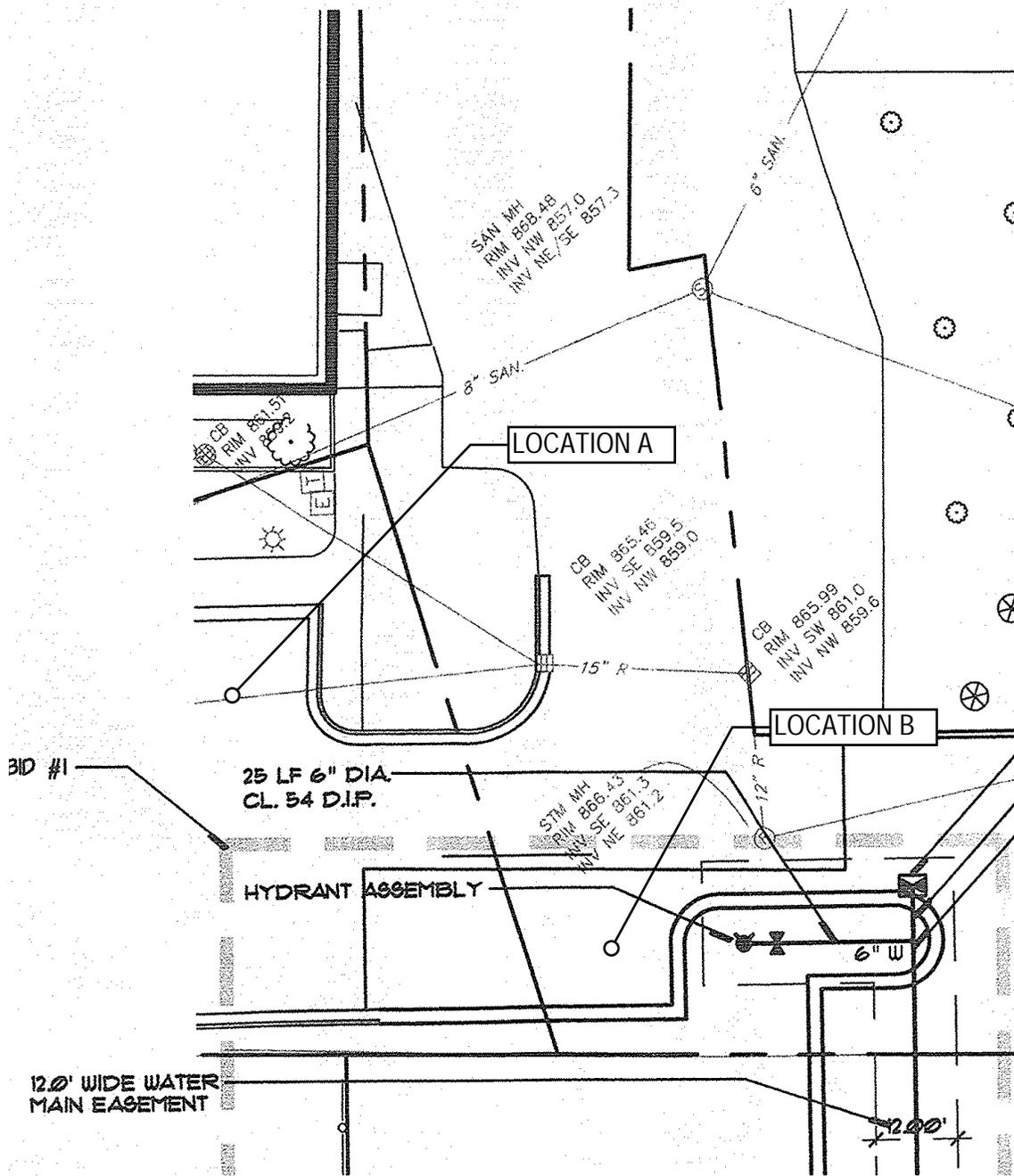
Re: Subsurface Refuse Container

In 2015, the City of Dexter Downtown Development Authority asked OHM to review possible locations for the installation of a pre-fabricated subsurface refuse container within the area south of Main Street adjacent to the Monument Park Building Parking lot. Based on a review of as-built plans, it appears that two specific locations where this can occur. These are shown in the attached figures and detailed below.

LOCATION A: This is located on the north side of the alley immediately west of the Dairy Queen Parking Lot. This location has a section of storm sewer passing underneath the pavement which will need to be positively located during the layout to eliminate conflicts.

LOCATION B: This is located on the south side of the alley immediately south of the Dairy Queen parking area. A review of record drawings and the field location does not appear to show any conflicts with known underground utilities.

OHM respectfully requests direction from the DDA on a preferred location for the proposed container. Upon selection of a preferred location, OHM will work with City staff on developing a bidding document and will present bids to the DDA at a later meeting for consideration.

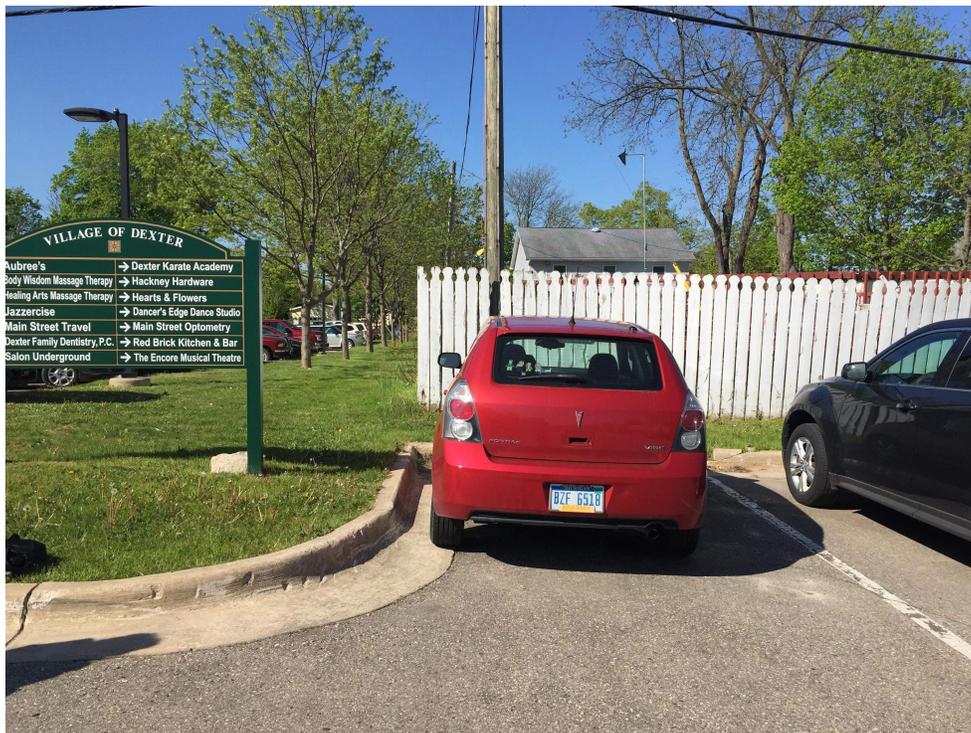


CLIENT:		JOB #		SCALE	
				H.	V.
				SHEET	
				OF	
1234 Washington Boulevard - Suite 600 Detroit, MI 48226 P (313) 481-1255 WWW.OHM-ADVISORS.COM					
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LOCATION A



LOCATION B

		SCALE	
		H:	V:
		SHEET	
		OF	
CLIENT:		JOB #	
1234 Washington Boulevard - Suite 600 Detroit, MI 48226 P (313) 481-1255 WWW.OHM-ADVISORS.COM			
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ARCHITECTS. ENGINEERS. PLANNERS.

memorandum

Date: June 1, 2016

To: Michelle Aniol

cc: Courtney Nicholls

From: Kim O'Rear
Patrick Droze

Re: Stairs behind Dexter Pub

In May of 2016, OHM reviewed the existing stairs located behind the Dexter Pub and the former Downtown Busch's grocery store. At issue was a set of settling stairs that served as a means to connect the rear of commercial properties (See Figure 1). The field review was conducted at the request of the City of Dexter Downtown Development Authority. A summary of these stairs is attached to the memorandum.

EXISTING CONDITIONS

The existing stairs behind the Dexter Pub that lead to a parking lot are experiencing some settlement issues. The stairs were built and contained within a segmental retaining wall that retains the parking lot for the small strip mall on Broad Street. We have developed the following findings from our review:

1. Most of the settlement is occurring at the center of the stairway with sides and railing remaining sound. This includes retaining wall portion immediately behind the stairs.
2. Minor cracking/chipping was observed on one tread, but in general, all of the block material appears to be sound.
3. Although the stairs are currently slightly uneven, they do not pose a significant safety hazard.
4. The railings are intact with little settlement noted at the blocks where they are anchored.
5. A portion of the upper parking lot appears to drain towards the staircase.
6. Underdrain systems could be in place behind the wall, but dedicated discharge outlets were not noted.
7. The stairs treads are slumping likely due to settlement and washout of the foundation material.

Based on a review of the stairs and conversations with City staff, we understand that steps have been taken in the past to secure treads that include placement of sealant along joint lines. While this appears to be holding the treads in place, it has not addressed the settlement of the stairs.

PROPOSED REMEDY

Understanding the DDA's desire to correct the settlement, we have developed recommend maintenance work that will preserve the stairs in kind. This will help control costs that might be associated with complete replacement or removal.

The proposed remedial work includes removing all treads that do not contain rail posts. The retaining walls supporting the stairs should be left in place where possible to act as forms for resetting wall material. After blocks have been removed, areas of settlement should be refilled using MDOT Class II sand of slag material as recommended by the block manufacturer is placed to eliminate the settlement. All material should be



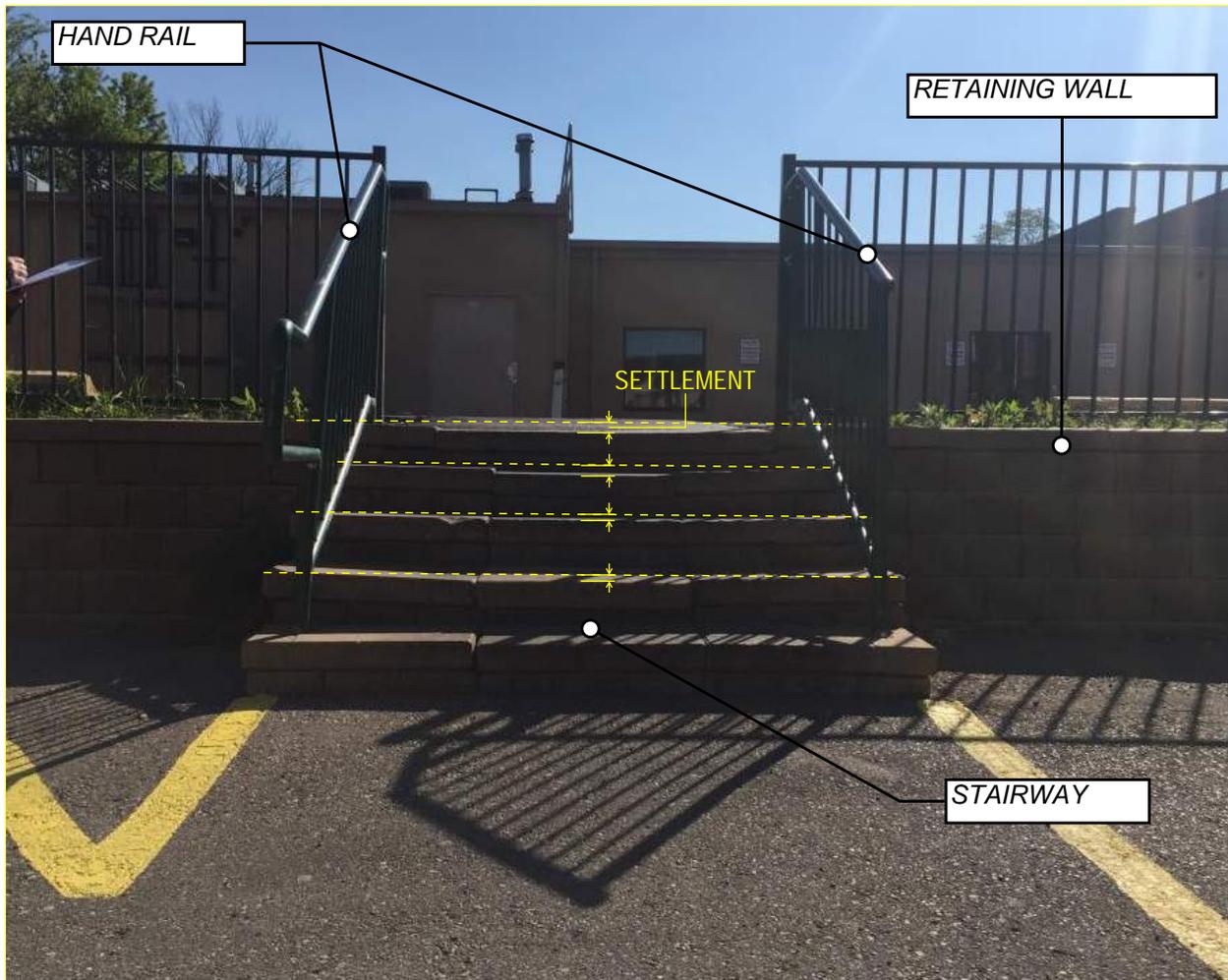
compacted in place using a powered compacter to ensure density is attained. Upon achieving proper density, blocks and treads can be reset. It is recommended that the treads are then sealed using a caulk. This step will help protect the backfill material from water passing through the stair system.

As part of resetting the block, there will likely need to be minor paving work performed at the upper parking lot to ensure that the grade is flush between the lot surface and the top of wall grade. It is suggested that concrete is used to complete this transition. The concrete that is placed should be sloped in a manner that directs runoff away from the staircase to help prevent future washout and settlement of the stairs. This can be accomplished by developing a gutter to divert water away from the wall.

The estimated cost for this work is likely within the \$4,000 to \$6,000 range.



CLIENT:		SCALE	
		H:	V:
JOB #		SHEET	
		OF	
1234 Washington Boulevard - Suite 600 Detroit, MI 48226 P (313) 481-1255 WWW.OHM-ADVISORS.COM			
DRAWING PATH: C:\Users\droze\Documents\Drawing2.dwg Mar 22, 2016 - 8:25am			



ELEVATION VIEW OF RETAINING WALL

		SCALE	
		H:	V:
		SHEET	
		OF	
CLIENT:	JOB #		
1234 Washington Boulevard - Suite 600 Detroit, MI 48226 P (313) 481-1255 WWW.OHM-ADVISORS.COM			
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ELEVATION VIEW OF RETAINING WALL

		SCALE	
		H:	V:
		SHEET	
		OF	
CLIENT:	JOB #		
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OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

STAFF REPORT

To: Chairman Brouwer and DDA Board of Directors
Courtney Nicholls, City Manager

From: Michelle Aniol, Community Development Manager

Date: June 13, 2016

Miscellaneous Updates

- An enforcement letter was sent to the owner of record of 7711 Fourth St on May 25, 2016, regarding the over grown grass. The certified letter was returned by the post office. The property owner of record no longer resides at house, and the post office could not deliver it, as there was not forwarding address on record.

As this may be a bank foreclosure situation, staff asked Chris Renius to check county records for bank information. No luck. Staff also checked to see if any notices had been posted. No notices were observed.

Normally, staff sends out another letter and posts a notice on the property, giving another 10 days, before issuing a ticket, if the violation isn't abated. In this case, staff has sent a 2nd notice of violation (certified and regular mail) and posted the notice on the property, giving another 10 days to abate the violation. However, after the 2nd 10 day period expires, staff intends to exercise the provisions in Section 18-34, so the City or its agent is able to enter the property and mow the grass. We could then put a lien on the property to cover the cost of maintaining the property (Sec 18.-34(d-e)). Staff anticipates the City will need to maintain the property the rest of the season. Consequently, staff must be able to demonstrate that the City provided the "property owner" due process and one notice would not be sufficient to do that.

The 1st 10 day period ended on Monday, June 6th. A second inspection was conducted on June 8, 2016. A second notice has been mailed (certified and regular) and a notice posted on the house. Staff is following-up with the City Attorney before initiating maintenance activities by DPS.

- Staff received the attached email from Hackney Hardware regarding on-street parking during parade events. As you will read, the store manager observed, what he termed, "unsafe behavior by those parking in front of stores before, during and after parades" and that "many cars pull out immediately after the parade passes, almost striking many of those who are still around as the parade ends." He is asking that all on-street parking be blocked during parade events.
- Staff recently met with the potential owner of the vacant lot at the southwest corner of Hudson and Forest Streets. He wanted information regarding yard requirements, tree removal regulations, etc. During our meeting staff mentioned he would be required to install new sidewalks along Hudson and Forest, at his cost, or as an alternative, he could make a contribution to the City's Public Sidewalk Program, in lieu of constructing the sidewalk.

According to the CIP, a sidewalk is only planned for the north side of Forest, between Baker Road and Inverness Street. However, the non-motorized pathways map in the recently adopted Park and Recreation Plan shows new sidewalks planned for both the north and south side of Forest, between Hudson and Inverness. Staff is seeking input from Council to determine the location of planned sidewalks along Forest Street, between Hudson and Inverness Streets.

- The 3rd public meeting regarding the 3045 Broad Street Redevelopment Project took place on Wednesday, June 8th at the Creekside Intermediate School Cafeteria. Approximately 23 members of the public attended the meeting and provided valuable insight.

Foremost Development presented 2 conceptual site plan schemes. Scheme A calls for 83 dwelling units, 129 parking spaces, which includes 12 covered spaces. Scheme B calls for 88 dwelling units, 138 parking spaces, which includes 12 covered spaces. The buildings in both schemes would be setback from the property line adjacent to Mill Creek Park and the pedestrian pathway. The apartment buildings in Scheme A would be 2-stories in height with retail on the first floor fronting on to Forest Street. In Scheme B, one apartment building would be 3 stories tall and the other would be a combination of 3 and 4 stories. Retail on the first floor fronting on to Forest is also called for in Scheme B. Broad Street would remain a public roadway, but would be shifted east. A copy of both layout schemes and elevations accompany this report.

Staff is working with Foremost on the comments from the 3rd meeting. They will be posted on the website: <http://dextermi.gov/3045-broad-street-redevelopment>.

Planning Commission Updates

- On Monday, June 6, 2016 the Planning Commission consider a revised combined preliminary and final site plan, submitted by Don Darnell, on behalf of 8080 Grand, LLC. The revised plan called for the redevelopment of an existing 6,330 sq. ft. single story concrete block building, located at 8080 Grand Street, for business and professional offices and retail uses.

Following presentations by staff, the Planning and Engineering consultants, and the applicant, the Planning Commission discussed the requirement for a contribution to the City's Public Parking Program, the need for an easement for the sewer across the neighboring property, the elevation plan and relocation of the proposed bike rack.

The applicant asked the Planning Commission to recommend conditional approval to City Council. He agreed to contribute to the Public Parking Program, but also indicated he might wish to pursue a variance from the ZBA.

The Planning Commission then voted unanimously to recommend approval of the Combined Preliminary and Final Site Plan, dated April 5, 2016, and received May 6, 2016, for the redevelopment of 8080 Grand Street, for business and professional offices and retail uses, to city Council, subject to the following conditions:

1. Five additional parking spaces shall be provided on a revised site plan or the applicant shall submit a contribution to the Public Parking Fund, in the amount of \$12,500.00;
2. The parking calculations table shall be updated on a revised plan, as cited in the CWA review letter, dated May 11, 2016;
3. A revised site plan shall be submitted addressing all issues cited in the OHM review dated, May 19, 2016 and shall be reviewed by the engineer and staff prior to consideration by City Council;
4. Comments of the DAFD review, dated May 11, 2016;
5. Applicant shall secure an easement for the sewer across the adjacent property or relocate it on a revised plan; and
6. Bike parking shall be relocated to the other side of the sidewalk, to ensure unobstructed pedestrian access.

This case will be placed on the Council agenda once all conditions of approval have been satisfied.

- The Planning Commission conducted a public hearing to consider an amended Planned Unit Development (PUD) Petition and revised Area Plan for Grandview Commons, submitted by Steve Brouwer on behalf of MMB Equities, LLC. The application calls for an 80-unit mixed residential

development located at the southwest corner of Grand Street and Baker Road involves the four properties, totaling 8.57 gross acres, including the city owned property the applicant has requested. The addition of the property at 7961 Grand Street triggered the need for a second hearing.

The Planning and Engineer consultants and staff reported their findings and recommendations, as well as those of the DAFD, which were based on the amended PUD Petition and Revised Area Plan dated May 6, 2016. Staff also updated the Commission on the revised Area Plan and parallel plan submitted by the applicant on Thursday, June 2, 2016. The primary change to the plan centered on the elimination of an 8-unit building in the center of the development and the creation of a centralized communal green space. Other changes to the layout plan included the addition of a 4-unit building and 4 benches. The net change in density was a loss of 4-unit, which brought the total number of units proposed to 76, which is 9 units per acre.

The applicant then addressed the Commission and explained the proposed changes.

Following presentations by staff, the Planning and Engineering consultants, and the applicant, the Commission discussed the orientation of the duplex units, efforts of the developer to address the commission's concerns, the sales price of the units, pedestrian circulation from Baker Road to the duplexes, design and elevation of the units, material and recognized benefits, tree preservation, and desire to move the project forward. Commissioners Kowalski and Smith expressed concerns that the last minute submittal had not been thoroughly reviewed by staff or the consultants. The other Commissioners wanted to know, "when would Council consider the case, if a recommendation for conditional approval was granted?" Staff verified that the revised area plan would have to satisfy all conditions of approval before it would be considered by City Council.

Then, in a 6-2 vote, the Planning Commission determined the amended PUD Petition and revised Area Plan received June 2, 2016, met the qualifications for consideration as a PUD and recommended approval to City Council, subject to the following conditions:

1. Recommendations, as cited in the CWA review dated, May 20, 2016, including the following:
 - a. Applicant shall provide a parallel plan showing the entire project area and shall demonstrate all required setbacks of the proposed VR Village Residential District.
 - b. Site modifications, as provided in the applicants June 2, 2016 correspondence, page 4, item 6;
 - c. Applicant shall submit a revised area plan that provides the following information:
 - i. Location and dimensions of all proposed, existing and/or modified utility lines;
 - ii. List of dimensional deviations sought through the PUD approval;
 - iii. Verification of height of townhouse, duplex and 4-unit structures;
 - d. Attorney review and approval of Development Agreement;
 - e. City Engineer's review and approval.
2. All General, Water and Sanitary Sewer, Stormwater Management, and Paving and Right-of-Way review comments, as cited in the OHM review dated, May 19, 2016;
3. Recommendations, as cited in the DAFD review dated, May 11, 2016.
4. The applicant shall provide a revised area plan that includes the following, as cited by staff herein:
 - a. All plan sheets must be sealed by the professional, as required by the State of Michigan;
 - b. Legal description of the each parcel, along with acreage;
 - c. Soil classifications on the topographic survey; and

- d. Adjacent land uses and zoning, as well as the location of adjacent buildings, drives and streets.
- 5. Material and recognized benefits, as determined by the Planning Commission, including the following:
 - a. The benefits listed in staff memo dated, May 31, 2016, items 2.a, b, e, f, and g, plus elevations depicted along Grand Street, in rendering distributed by applicant at the June 6, 2016 meeting and sidewalk connectivity between Baker Road and the proposed duplexes.

This case will be placed on the Council agenda once all conditions of approval have been satisfied.

From: [Andy Reiser](#)
To: maniol@dextermi.gov
Subject: Parking on parade route
Date: Wednesday, June 08, 2016 10:47:16 AM

Michelle,

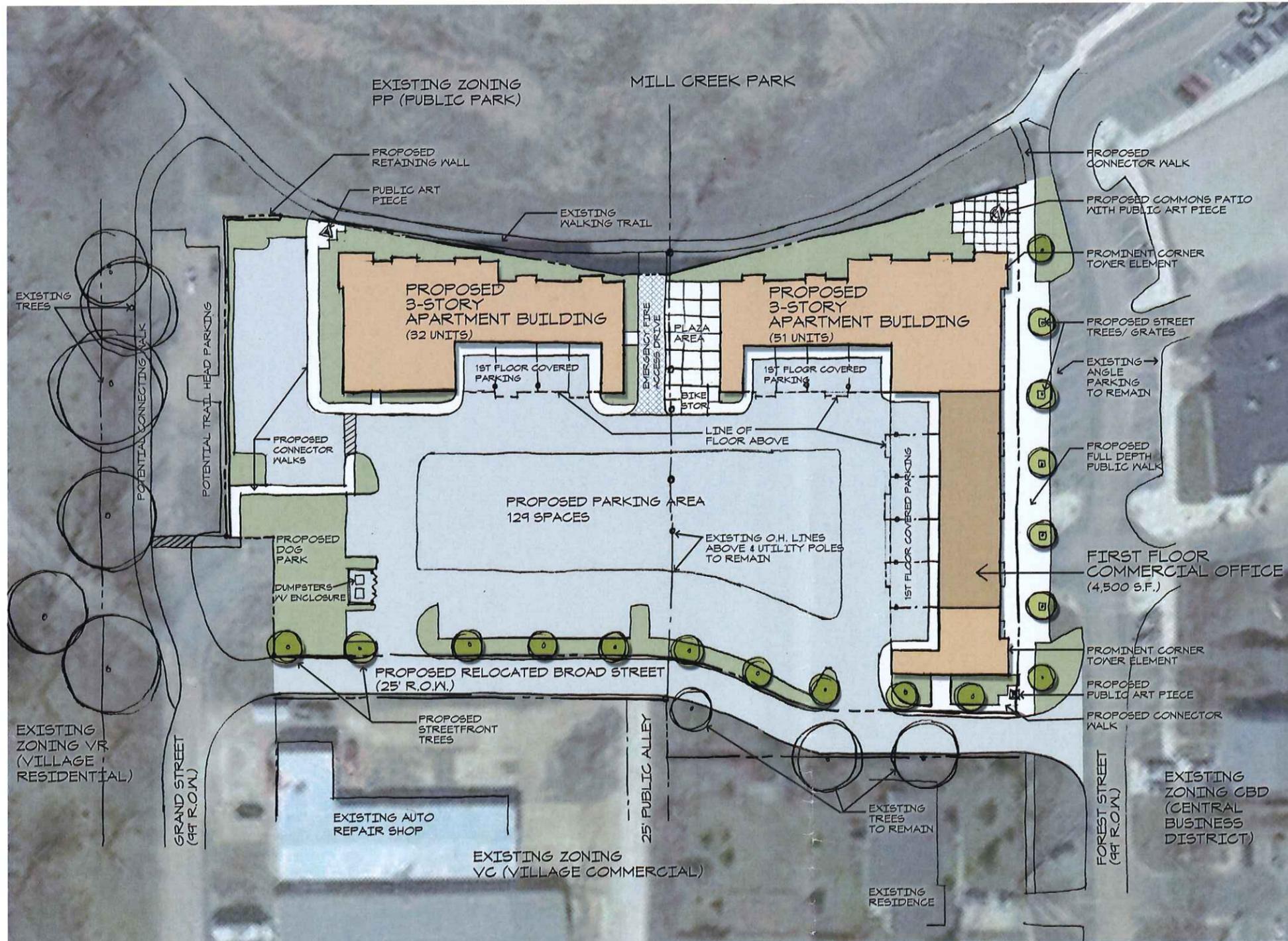
I am writing to you in the hopes that during parades through the City, all parking in front of the store fronts downtown is blocked from vehicles parking in them. I have observed many incidents of unsafe behavior by those parking in front of stores before, during and after parades. I have observed many cars pull out immediately after the parade passes, almost striking many of those who are still around as the parade ends.

Those parked in the spots act as if they are "entitled" to that space, and at times, act aggressively towards others who attempt to come to the street from the side walk to watch the passing parade. At the recent Memorial parade, for example, one person cursed many times at people (with young children in tow) who innocently walked next to their car to watch the parade.

Additionally, those parked in the street create unnecessary congestion on the sidewalks. Folks want to watch the parade, but can not because all the cars are in the way. They then have to find a suitable spot elsewhere. This creates areas where there are three or four folks watching versus other spots where there are many dozens watching because cars are taking up prime viewing spots. These few who park in front of the stores take away from and diminish the overall enjoyment by the many who want to watch the parade.

I thank you for your consideration in the manner.

Andy Reiser
Store Manager
Hackney Hardware
426-4009



SITE DATA

SITE AREA (GROSS)		
EXISTING		± 125,570 S.F. OR ± 2.88 AC
ZONING (CURRENT)		
EXISTING		CBD (CENTRAL BUSINESS DISTRICT) & VC (VILLAGE COMMERCIAL)
PROPOSED		P.U.D. W/ CBD BASE ZONING STANDARDS
BUILDING HEIGHT		
ALLOWABLE		45 FEET - 3 STORY
PROPOSED		47 FEET - 3 STORY
UNIT COUNT		
STUDIO UNITS		8 D.U. (9.6%)
1 BR UNITS		60 D.U. (72.3%)
2 BR UNITS		15 D.U. (18.1%)
TOTAL		83 D.U.
PARKING		
REQUIRED		
APARTMENTS		
UNITS (1 BR - 1 SPACE & 2 BR - 2 SPACES/UNIT)		98 SPACES
GUESTS (1 BR - 1 SPACE/UNIT & 2 BR - 2 SPACE/UNIT)		17 SPACES
OFFICE (3 CARS/1000 S.F.)		14 SPACES
TOTAL		129 SPACES
PROPOSED (INCLUDES 24 COVERED SPACES)		129 SPACES
BIKE PARKING		12 SPACES

NOTE: ALL INTENSITY AND DIMENSIONAL DATA NOTED AS "REQUIRED OR "ALLOWABLE" IS BASED ON THE CBD BASE ZONING STANDARDS.



CONCEPTUAL SITE PLAN - SCHEME 'A'

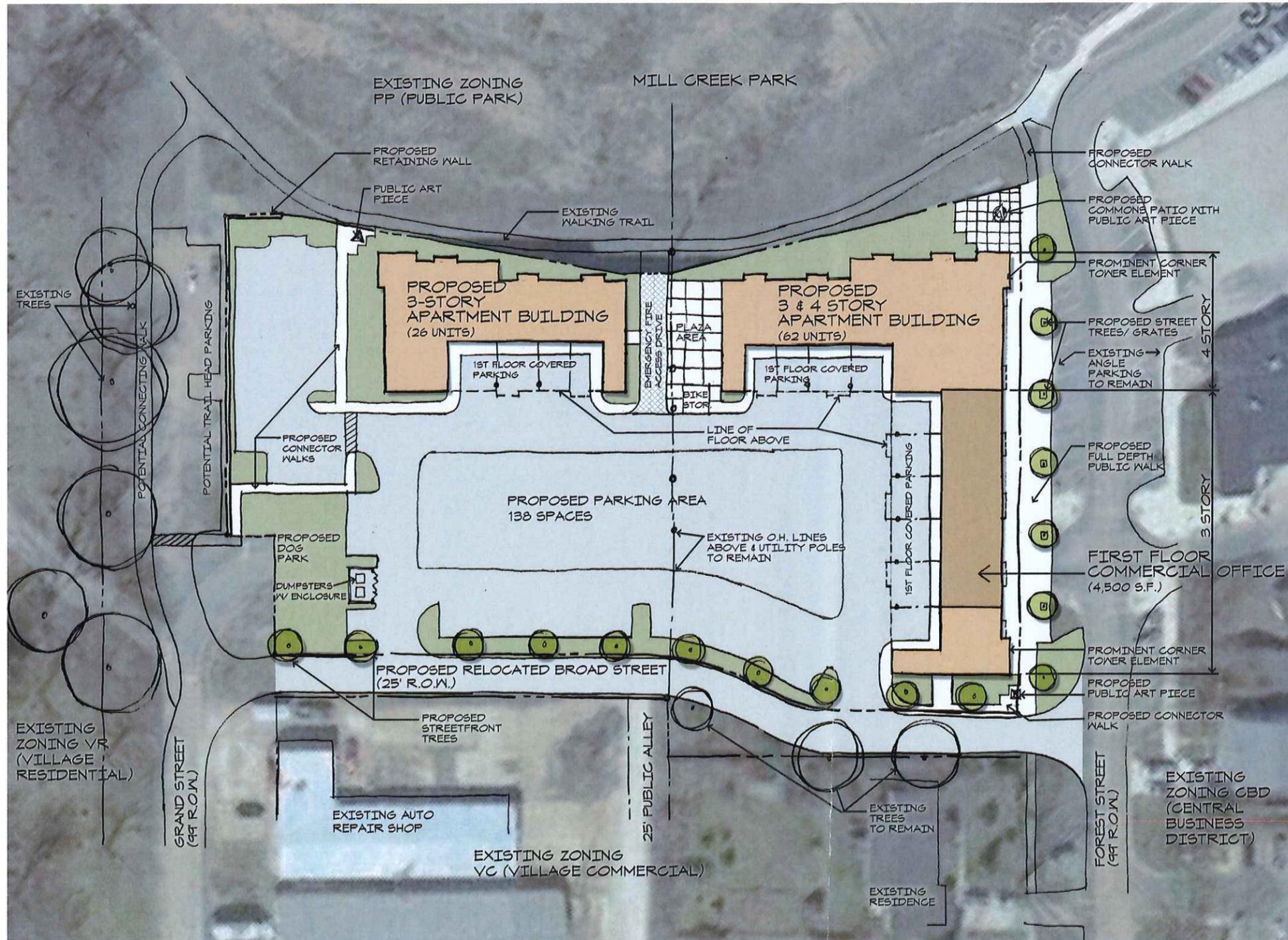
SCALE: 1" = 30'-0"



FOREMOST DEVELOPMENT COMPANY
PROPOSED MIXED USE
 DEXTER MICHIGAN

FSP FUSCO,
 SHAFFER &
 PAPPAS, INC.
 ARCHITECTS & PLANNERS
 550 E. NINE MILE RD.
 FERNDALE, MICHIGAN 48220
 PHONE 248.543.4100 FAX 248.543.4141
 www.fsparchitects.com

CITY REVIEW
 JUNE 8, 2016



SITE DATA

SITE AREA (GROSS)	
EXISTING	± 125,570 S.F. OR ± 2.88 AC
ZONING (CURRENT)	
EXISTING	CBD (CENTRAL BUSINESS DISTRICT) & VC (VILLAGE COMMERCIAL)
PROPOSED	P.U.D. W/ CBD BASE ZONING STANDARDS
BUILDING HEIGHT	
ALLOWABLE	45 FEET - 3 STORY
PROPOSED	57 FEET - 4 STORY
UNIT COUNT	
STUDIO UNITS	10 D.U. (11.4%)
1 BR UNITS	60 D.U. (68.2%)
2 BR UNITS	18 D.U. (20.4%)
TOTAL	88 D.U.
PARKING	
REQUIRED	
APARTMENTS	
UNITS (1 BR - 1 SPACE & 2 BR - 2 SPACES/UNIT)	106 SPACES
GUESTS (1 BR - 1 SPACE/UNIT & 2 BR - 2 SPACE/UNIT)	18 SPACES
OFFICE (3 CARS/1000 S.F.)	14 SPACES
TOTAL	138 SPACES
PROPOSED (INCLUDES 24 COVERED SPACES)	138 SPACES
BIKE PARKING	12 SPACES

NOTE: ALL INTENSITY AND DIMENSIONAL DATA NOTED AS "REQUIRED OR "ALLOWABLE" IS BASED ON THE CBD BASE ZONING STANDARDS.



CONCEPTUAL SITE PLAN - SCHEME 'B'

SCALE: 1" = 30'-0"



FOREMOST DEVELOPMENT COMPANY
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**CONCEPTUAL
FOREST STREET ELEVATION (PARTIAL)-ALTERNATE 'A'**

SCALE: 1/8" = 1'-0"



FOREMOST DEVELOPMENT COMPANY
PROPOSED MIXED USE
 DEXTER MICHIGAN

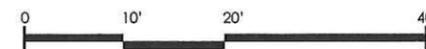
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CONCEPTUAL FOREST STREET ELEVATION (PARTIAL)-ALTERNATE 'B'

SCALE: 1/8" = 1'-0"



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