

**THE CITY OF DEXTER
REGULAR VIRTUAL CITY COUNCIL MEETING
MONDAY, AUGUST 10, 2020**

A. CALL TO ORDER / PLEDGE OF ALLEGIANCE

The City Council Meeting was called to order at 6:00 PM by Mayor Keough held via an online Zoom conference call permitted by executive order of Michigan Governor Whitmer.

B. ROLL CALL: Mayor Keough

S. Bell	P. Cousins - arr 6:12
D. Fisher	J. Knight - arr 6:08
Z. Michels	J. Smith

Student Representatives:

A. Gilbert
I. Malek

Also present at Council Meeting: Courtney Nicholls, City Manager; Marie Sherry, Treasurer/Assessor/Finance Director; Michelle Aniol, Community Development Manager; Dan Schlaff, Public Services Superintendent; Justin Breyer, City Clerk and Assistant to the Manager; Mike Auerbach, Assistant City Planner; Scott Munzel, City Attorney; residents and media.

C. APPROVAL OF THE MINUTES:

1. Regular City Council Meeting – July 27, 2020

Motion Smith; support Bell to approve the minutes of the July 27, 2020 Regular City Council Meeting with the following corrections:

- Page 4, City Manager Report, bullet point 7, remove “in” and add “a” between host and document and add the word *event* following the word shredding.
- Page 5, Consent Agenda, Item J-4, list the position and name of the appointment, which would be “*Parks and Recreation Commission, Jake Young*”.
- Page 6, New Business Item L-4, correct “*Motion fails*” to “*Motion carries*”.

Ayes: Bell, Michels, Smith and Keough

Nays: None

Absent: Cousins, Knight, and Fisher (off-line)

Motion carries

D. PRE-ARRANGED PARTICIPATION:

None

E. APPROVAL OF THE AGENDA:

Motion Smith; support Bell to approve the agenda as presented.

Ayes: Bell, Smith, Michels and Keough

Nays: None

Absent: Cousins, Fisher (off-line) and Knight

Motion carries

F. PUBLIC HEARINGS:

None

G. NON-ARRANGED PARTICIPATION:

None

H. COMMUNICATIONS:

1. Upcoming Meeting List

I. REPORTS:

1. Public Services Superintendent – Dan Schlaff

Mr. Schlaff submits his written report as per packet. Mr. Schlaff provided the following updates:

- Grand and Hudson projects are coming along quite well. There is restoration work and two sewer leads that need to be completed. The contractor will be back on Thursday or Friday to finish up.
- At the update meeting last week for the Mill Creek Path, there was talk about laying asphalt. There will be a meeting tomorrow to discuss how to get the asphalt back to the path.
- I met with the contractor regarding Forest Street yesterday. They will be in to finish up the restoration tomorrow.

2. Community Development Manager – Michelle Aniol

Ms. Aniol submits her written report as per packet. Ms. Aniol provided the following updates:

- Planning Commission will conduct a Public Hearing at their September 8, 2020 meeting to consider proposed regulations and ordinances for Short-term Rentals and Bed & Breakfasts.
- I am expecting an email request from Chela's to consider deferring the tap fee payments in their water bills and applying them later in their payment cycle.

3. Board, Commission & Other Reports

None

4. Subcommittee Reports

None

5. City Manager Report – Courtney Nicholls

Ms. Nicholls submits her written report as per packet. Ms. Nicholls provided the following updates:

- It took a lot of time to prepare and conduct the August Primary Election and we are already beginning to prepare for the November Election. We were done with the counting quite early and had our records to the County by 10 PM. There was a good turnout at the polls and all went well.
- The Huron River Watershed Council is re-writing their plans and they have asked for a City Representative to sit on this committee. I have volunteered to do so.
- City Council approved a survey of the property at Dexter-Ann Arbor Road and Meadowview Drive several months ago. This will be reviewed by City Attorney, Scott Munzel to clear up any issues with the property.
- An offer was extended for the DPW hire. He will start on August 24, 2020.
- Mr. Breyer discussed the citizen-initiated petition for a Referendum of Legislation of the City Ordinance #2020-04, Land Sale Ordinance on property located at 7651 Dan Hoey Road. Mr. Breyer has certified the signatures on the petition and has met with the City Attorney, Scott Munzel.

Motion Smith; support Bell to add New Business Item L-4 to postpone the Fire Station Training Workshop until after the November Election and the swearing in of the new Council Members.

Ayes: Smith, Bell, Fisher and Keough

Nays: Cousins, Knight and Michels

Motion carries

6. Mayor Report – Shawn Keough

Mr. Keough submits his written report as per packet. Mr. Keough provided the following updates:

- I included in my report information from DTE on Green Power and it will be placed on a future agenda.
- DAFD will begin union negotiations in the near future. The Fire Chief will be interviewing applicants for a list of possible new fire personnel.

7. Council Member Reports

- a. Paul Cousins – Council Member Cousins submits his report as per packet.
- b. Zach Michels - Council Member Michels submits his report as per packet
Mr. Michels presented a chart that shows how costs of construction have escalated over time for a fire station. Mr. Michels also encouraged Council Members to tour other fire stations in the area.

J. CONSENT AGENDA:

1. Consideration of: Bills and Payroll in the amount of \$131,495.92

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

Ayes: Fisher, Smith, Cousins, Knight, Bell and Keough

Nays: None

Abstain: Michels

Motion carries

K. OLD BUSINESS-Consideration and Discussion of:

None

L. NEW BUSINESS-Consideration and Discussion of:

1. Consideration of: Planning Commission Recommendation to Approve the Amendment to Approved Combined Site Plan for UIS, 2290 Bishop Circle East

Motion Smith; support Cousins based on the recommendation of the Planning Commission and information provided by the applicant, staff, CWA, OHM and DAFD, and reflected in the minutes of this meeting, the City Council moves to approve AP2020.21-01 Amendment to Approved Combined Preliminary and Final Site Plan for UIS, dated July 3, 2020, in accordance with the requirements of Article XXI of the Zoning Ordinance, subject to the following conditions:

1. The following waivers granted by the Planning Commission:
 - a. The 4-foot setback requirement for the north entrance driveway is waived, based the need to align driveway with existing Mill Creek Drive and the support of the City Engineer.
 - b. Waiver to allow more then 10% of Eastern White Pine, Norway Spruce, White Spruce, American Cranberry Viburnum, and Burning Bush species.
 - c. Tree preservation credit.
2. The terms of the Agreement, between UIS Real Estate, Inc. and the City of Dexter. Dated April 24, 2020;
3. Staff review, dated July 29, 2020;
4. CWA review, dated July 20, 2020;
5. OHM review, dated July 20, 2020;
6. DAFD review, dated July 12, 2020;
7. Washtenaw Engineering response letter, dated July 28, 2020; and
8. Approval of a Land Division of parcel 08-08-07-125-049.

Ayes: Bell, Michels, Knight, Cousins, Smith, Fisher and Keough

Nays: None

Motion carries

2. Consideration of: Extension of the Emergency Ordinance to Mitigate Impacts of SARS Cov-19 (2020-06)

Motion Cousins; support Michels to approve the extension of the Emergency Ordinance up to an additional 60 days, in accordance with the Resolution to Adopt the Emergency Ordinance, adopted June 15, 2020 and in accordance with the City Charter.

Ayes: Knight, Fisher, Smith, Cousins, Bell, Michels and Keough

Nays: None

Motion carries

3. Consideration of: ASTI Phase 1 Environmental Site Assessment, Asbestos, Lead-Based Paint, and Hazardous Material/Universal Waste Survey Proposal for 8140 Main Street for an Amount not to exceed \$7,500

Motion Smith; support Michels to approve the ASTI proposal, dated July 17, 2020, for a Phase 1 Environmental Site Assessment, Asbestos, Lead-Based Paint, and Hazardous Material/Universal Waste Survey, for property located at 8140 Main Street, subject to the City obtaining an Environmental Assessment Grant from the Washtenaw County Brownfield Authority.

Ayes: Cousins, Knight, Bell, Fisher, Michels, Smith and Keough

Nays: None

Motion carries

4. Consideration of: Postponement of Fire Station Training Workshop with Ken Newell

Motion Smith; support Bell to move the Fire Station Training Workshop with Ken Newell to a date after the November Election and when the new Council is sworn in.

Ayes: Fisher, Bell, Smith and Keough

Nays: Knight, Michels and Cousins

Motion carries

M. COUNCIL COMMENTS:

Knight None.

Cousins None.

Bell This past Saturday, I made it down to the Farmer's Market for the first time this season. What a great venue.

Gilbert I am glad to see the community open up and remember to social distance in the Park.

Fisher None.

Smith Keep an eye on the radar this evening for possible bad weather.

Michels Is there any interest in inspecting the 8140 Main Street for hazardous materials?

Malek It was a good meeting.

N. NON-ARRANGED PARTICIPATION:

Phil Mekas of 7203 Ulrich and owner of The Beer Grotto thanked City Council for the approval of the use of the parking spaces in front of his business for outdoor seating. He appreciated the extension into October of the Emergency Ordinance and would recommend looking at going a step further by going into the winter months.

O. CLOSED SESSION TO CONSIDER INFORMATION OR RECORDS SUBJECT TO ATTORNEY-CLIENT PRIVILEGE IN ACCORDANCE WITH MCL 15.268 Sec. 8

Motion Fisher; support Smith to go into Closed Session to consider information or records subject to attorney-client privilege in accordance with MCL 15.268 Sec. 8 with the following non-Council Members present at the meeting: Carol Jones, Recording Secretary; Courtney Nicholls, City Manager; Justin Breyer, Assistant to the City Manager and City Clerk; and Scott Munzel, City Attorney at 6:57 PM.

Ayes: Smith, Michels, Fisher, Bell, Knight, Cousins and Keough
Nays: None
Motion carries

Motion Fisher; support Smith to leave the Closed Session at 7:43 PM.

Ayes: Fisher, Michels, Knight, Cousins, Smith, Bell and Keough
Nays: None
Motion carries

Motion Smith; support Bell to place the citizen-initiated petition for a Referendum of Legislation of City Ordinance 2020-04, Land Sale Ordinance of 7651 Dan Hoey Road on the agenda for August 24, 2020.

Ayes: Bell, Cousins, Michels, Smith, Fisher, Knight and Keough
Nays: None
Motion carries

Motion Smith; support Bell to direct staff to proceed as discussed in Closed Session.

Ayes: Michels, Knight, Smith, Bell, Fisher, Cousins and Keough
Nays: None
Motion carries

P. ADJOURNMENT

Motion Smith; support Bell to adjourn the meeting at 7:47 PM.

Unanimous voice vote approval.

Respectfully submitted,

Justin Breyer

City Clerk and Assistant to the City Manager

Approved for Filing: _____