

**CITY OF DEXTER
REGULAR CITY COUNCIL MEETING
MONDAY, SEPTEMBER 26, 2022**

A. CALL TO ORDER / PLEDGE OF ALLEGIANCE

The City Council Meeting was called to order at 7:00 PM by Mayor Keough and was held at 7610 Ann Arbor Street Dexter, MI.

B. ROLL CALL:

Sanam Arab – Present
Paul Cousins – Absent
Donna Fisher – Present
Jamie Griffin – Present
Wa-Louisa Hubbard – Present
Zach Michels – Present
Mayor Shawn Keough – Present

Student Representatives:

Bonnie Keating – Present
Adam DiGregorio – Present

Also attending: Justin Breyer, City Manager and City Clerk; Josh Tanghe, Assistant to the City Manager; Tim Stewart, Public Services Superintendent; Michelle Aniol, Community Development Manager; Pamela Weber, Recording Secretary; residents; and media.

Attending remotely: Grace Whitney, Associate Planner; Marie Sherry, Finance Director/Treasurer/Assessor, and residents.

C. APPROVAL OF THE MINUTES

1. City Council Meeting – September 12, 2022

Motion Griffin; support Fisher to approve the minutes of the September 12, 2022 Regular City Council Meeting with the following change:

- On page 3 under Upcoming Meeting List, change “Trial Towns” to “Trail Towns”.

Ayes: Fisher, Arab, Michels, Griffin, Hubbard, Keough

Nays: None

Absent: Cousins

Motion carries

D. PRE-ARRANGED PARTICIPATION

1. Girl Scout Troop 40500 – Composting Presentation

Ella Jensen, Clair Beneteau, and Emelia Stinnett presented an idea for a community composting program in Dexter. The recommendation is for a composting center managed by volunteers or the City of Dexter that would include a compost turner, a large compost bin, an area to place completed compost and a system for people to get the completed compost. The group indicated that the benefits of such a program would consist of: preventing soil erosion, reducing waste, promoting healthier plant growth, conserving water, combatting climate change and promoting soil health. Cost and location of the potential program are yet unknown. The Scouts suggested seeking input from Dexter residents as well. A Council Member mentioned locating the center near the community garden on Dan Hoey Road as a possibility.

2. Jennifer Olmstead, Ann Arbor SPARK

Ms. Olmstead thanked City Council for their support of regional economic development and Ann Arbor SPARK. She reported that the City of Dexter provides support to Ann Arbor SPARK in the amount of \$2,000/year. Ann Arbor SPARK staff work closely with City staff, specifically Ms. Aniol, and are on-call to support the City of Dexter. SPARK's business development team helps companies prosper and succeed. They work with companies acquiring new talent, seeking space for an office expansion or relocation, exploring funding resources, and navigating state, regional, and local incentives.

3. Washtenaw County Parks and HWPI - Update Regarding Dexter-Chelsea Trail Connector

Peter Sanderson, Roy Townsend and a non-profit partner provided an update on the connecting trail between Dexter and Chelsea. Mr. Sanderson and Mr. Townsend provided the following information:

- Four of the seven miles between Dexter and Chelsea are complete, although not contiguous;
- The flood plain is being analyzed;
- In 2023, the County is working on constructing trail towards Parker Road, looking to connect into the Miller Smith property;
- Trying to get buy-in before going forward. The project involves Lima and Scio Townships, the Washtenaw County Road Commission and the City of Dexter;
- Speaking with private land owners on the south side of Dexter-Chelsea Road to get easements;
- Looking at two options for how to cross Mill Creek, and would like City Council's input on that and the potential location of the bridge near Forest Lawn Cemetery.
 - Option one is to repurpose the Bell Road Bridge (It is the 3rd oldest bridge in the state, from 1880). It has been disassembled and is ready to be

repurposed. Some boardwalk would be required on each side due to the flood plain.

- Option two is to construct a new bridge of the type most recently used in Dexter Huron Metropark.
- In comparison, it is \$600,000 less expensive to repurpose the Bell Road bridge. (\$1.9M or \$2.5M) for the whole project. Repurposing the old bridge is also more attractive from a fund-raising perspective.
- The project is complicated. A survey will determine the grade level coming into town.
- A modest expansion of where the three trails would meet might be needed.
- The goal is to begin construction sometime in 2024. Would like to advance the engineering and permitting forward due to the length of time permitting takes. No state or federal money is being used.
- Mr. Breyer said the City would like to partner with Washtenaw County for maintenance of the bridge so that Dexter does not fully bear future maintenance costs.

A City Council Member commented that it would be nice to have the ribbon cutting as part of Dexter's Bicentennial.

E. APPROVAL OF AGENDA

Motion Fisher; support Michels to approve the agenda as presented with the following changes: move Agenda Item M-3 to the beginning of New Business, and move New Business Item M-7 to M-1.

Ayes: Hubbard, Arab, Griffin, Fisher, Michels, Keough

Nays: None

Absent: Cousins

Motion carries.

F. DECLARATION OF CONFLICTS OF INTEREST

Council Member Michels – Consent agenda has an item to pay bills to his employer, Carlisle Wortman Associates, so he will abstain from voting on the consent agenda.

G. PUBLIC HEARINGS:

None

H. NON-ARRANGED PARTICIPATION

Mr. Joe Semifero, 3214 Boulder Court – reported that he was impressed with the presentation from the Girl Scouts and on the B2B. He stated that he is always amazed with what is coming along next in Dexter. He stated that he was present to speak about item M-2, Council Member Fisher's eligibility for office. He stated that it is absurd, and that the accusation is being made and the alleged source is unnamed and has been watching the comings and

goings of Councilmember Fisher. He stated that it is obvious that she is a member of the City by many criteria. Per the state law per the state guidelines, she qualifies as a resident. It is literally not a question. He asked about why these questions are being asked? How is it a reliable source? He stated that Council Member Fisher only has one residence. He indicated that we have never had on Council a question like this come onto the agenda. With great power comes great responsibility. False allegations stick with people. Despite the fact that council Members can put any item on the agenda, it stays with people and in their minds. He indicated that he hopes all of Council will consider this in their discussions tonight.

Ray Tell, 3539 Hudson St. – stated that he wanted to address the elephant in the room right now. He stated that it goes without saying, that he is sure everyone has their opinion. What is allowed in the Charter is allowed in the Charter. He stated that he has a problem with the unnamed source, the reliable source - it is like watching Fox News. He stated that when he was on Council, until you were ready to tell him what you heard and who you were, it was really hearsay until there was actual evidence. He stated that he did not take someone's word for it. He indicated that he was sure it did not work that way all of the time. He stated that he has known Donna since the 1980s and Paul Cousins too, coming on 40 years. Council Members can do what they want because it is in the Charter. I found it strange it was exacted so swiftly. He thanked Donna, for her service and friendship. He stated that they have been on may committees together, and that she has always played it straight. He finds it hard to believe that she would do anything that disingenuous on purpose. There has been a question raised and he would like to see the answer to that question, if possible, before Council Member Fisher leaves. He thanked Council Member Fisher for her friendship and her time. He stated that he is sure that you will survive. Good luck to you.

I. COMMUNICATIONS:

Upcoming Meeting List – The CAPT/DART meeting on 10/5/22 will be held at the lower level of Chelsea City Hall with representatives from SPARK there. It will not be held at the address listed on the meeting schedule.

J. REPORTS:

1. Public Services Superintendent – Tim Stewart

Mr. Stewart provided his written two-work report as per packet. Mr. Stewart provided the following update:

- A question was asked about a stop sign as it relates to the sidewalk. Mr. Stewart stated it cannot be moved due to visibility. Uniform standards for sign placement will be reviewed by Mr. Stewart to ensure compliance.
- There is a barricade due to the construction being completed at Kensington and Dexter-Ann Arbor Roads because of construction vehicles going in/out.
- The leaf machine is ready to be used starting the second week of October. A draft schedule is in the upcoming newsletter.
- Additional hydroseed has been put down on Second Street.

- The pavers are on site and are planned to start curbing at Third and Broad Streets with the goal of completion by next week. Penalties will be incurred otherwise. The delays are due to the contractor and have been documented through OHM. It is an MDOT project.

2. Community Development Manager – Michelle Aniol

Ms. Aniol submitted her written report as per packet. Ms. Aniol provided the following update:

- A Councilmember thanked Ms. Aniol for the update on the ordinance enforcement.
- Some clean-up has occurred at 8250 Huron. Today is the deadline for them. One vehicle has been moved. The case will not be closed until better compliance has been achieved.
- Following up on Council's discussion at the July 11th meeting, staff have begun drafting a revised amendment to the General Code. Regarding lawn and weed maintenance, a comprehensive review and comparison of the IPMC and the City's General Code will be completed before drafting a rental inspection ordinance. Council members input is to do one amendment that covers both lawn/weed maintenance and rental inspections.

3. Board, Commission, & Other Reports-

Washtenaw County Sheriff - A Council Member commented that the level of enforcement has gone up from last year and the department's visibility has increased as well.

4. Subcommittee Reports - None

5. City Manager Report – Justin Breyer

Mr. Breyer submitted his written report as per packet. Mr. Breyer provided the following update:

- Tim, Kurt and Mr. Breyer met with a concrete grinding/cutting company. Looking at starting this near Wings N' Things.
- Looking at alternative dates for the public session on public safety facilities as October 11th will not work for some Council Members. Mr. Breyer will look at other options and will try to have this information for the upcoming newsletter.
- Absentee ballots are going out today and tomorrow. There are approximately 1200 for the November election which is about a third of the voters in Dexter.
- Halloween scheduling is typically 5-7 p.m. Council briefly discussed increasing the hours to 5:00-7:30 p.m. to allow those working to get home and take their children trick-or-treating.
- A suggestion was made to list council and staff names consistently on the front and back pages of the newsletter. Kudos to Mr. Tanghe for his work on the newsletter.

6. Mayor Report – Shawn Keough

Mr. Keough submitted his written report as per packet. Mr. Keough provided the following update:

- On Sept. 14th Mayor Keough, Jim Carson and the supervisors from Dexter, Webster and Scio Townships met to discuss a new home for the senior center. The group is helping them to set up their own authority. They are reviewing other communities that have done the same, such as Traverse City. The seniors have one more year in their current location. They need help to seek the funding they need for self-governance. Once that occurs, they can ask the voters for funding directly on their own.
- Dexter Downtown Development Authority (DDA) meeting – the DDA voted to approve the Pre-Development Agreement with Common Sail and recommend the agreement to City Council.

7. Council Member Reports –

- a. Council Member Griffin reached out to Lieutenant Hunt about The U.S. Department of Homeland Security designating September 25 as national “If You See Something, Say Something®” Awareness Day. The purpose of this day is to “remind the public to be aware of suspicious activity and how to report it to law enforcement.” Per National Neighborhood Watch (www.nnw.org), suspicious activity is any incident, event, or activity that seems unusual or out of place. Importantly, only a person’s behavior, not their immutable characteristics, can be suspicious. She indicated that as a member of the City of Dexter City Council, though not speaking on its behalf, she was reaching out to the community to increase awareness about this day, recent notable activities in and around the city, and steps we all can take to protect ourselves and our loved ones.

K. CONSENT AGENDA:

1. Consideration of: Bills & Payroll in the amount of: \$312,434.94.
2. Consideration of: Appointment of Julie Knight to Parks and Recreation Commission.
3. Consideration of: Catch Basin Repair Award to Bostwick Company, Inc. for an Amount not to Exceed \$5,100.
4. Consideration of: Purchase of WWTP Digester Heater to Madison Electric for an Amount not to Exceed \$9,000.
5. Consideration of: Water Distribution System Materials Inventory Award to M&K Jetting & Televising for an Amount not to Exceed \$25,000.

Motion Fisher; support Arab to approve items 1-5 of the Consent Agenda.

Ayes: Fisher, Arab, Hubbard, Griffin, Keough

Nays: None

Absent: Cousins

Abstain: Michels

Motion carries

L. UNFINISHED BUSINESS-Consideration and Discussion of: None

M. NEW BUSINESS-Consideration and Discussion of:

3. Consideration of: Direction to Washtenaw County Parks Regarding Dexter-Chelsea Trail

Motion Fisher; support Griffin to approve pursual of the re-use of the Bell Road Bridge at the location near Forest Lawn Cemetery.

Ayes: Hubbard, Fisher, Arab, Griffin, Michels, Keough

Nays: None

Absent: Cousins

Motion carries

7. Discussion/Consideration of: Fire Station Design & Bond Information

Mr. David Glassen of PARTNERS In Architecture, PLC reviewed the plans in the supplement that was provided to City Council for the September 26, 2022 meeting. The information provided included concept renderings of a new build at the MAV site and the renovated public safety facility at the current Main Street location. Additionally, a conceptual estimate of probable total project cost was provided for each building. A committee including Interim Chief Armstrong, Councilperson Arab and the architect worked to identify efficiencies and work on functional improvements within each of the buildings to achieve cost savings. The MAV site was reduced from 17,000 sq.ft. to 14,840 and a sixth bay was added. The Main Street location has four functional bays. Moving the Sheriff Office and administration to the lower level allows for two additional larger bays to be added. There is also additional unfinished raw space for future use.

Additional questions/answers were discussed:

Q: How important is it to have longer bays?

A: Chief Armstrong stated longer is important to house trucks that better fit under the viaduct. Also, for future arial apparatuses.

Q: Have there been geological studies for the slope use at the Main Street location?

A: Not as of yet.

Q: What alternative building façade options are there to help with additional cost reduction?

Q: How do the designs compare with the facility needs assessment?

Mr. Breyer indicated that he would update the bond millage information in the newsletter and get it to the printer by the end of the week.

Motion Arab; support Hubbard to direct City Staff to make administrative changes to the informational piece and to post that and the Facilities Options in the newsletter and in other appropriate locations.

Ayes: Fisher, Arab, Hubbard, Griffin, Keough

Nays: Michels

Absent: Cousins

Motion carries

1. Consideration of: Formally Excusing Paul Cousins' Absences

Motion Michels; support Fisher to excuse the absences of Council Member Paul Cousins from the July 25, August 8, August 22, and September 12 regular City Council Meetings.

Ayes: Michels, Arab, Hubbard, Griffin, Fisher, Keough

Nays: None

Absent: Cousins

Motion carries

2. Discussion of: Council Member Fisher's Eligibility for Office

City Council discussion included:

- Having this as an agenda item about council eligibility in general would have been more productive.
- What are the residency requirements to qualify for City Council?
- Getting input on this topic from the City Attorney.
- Adding this topic as a consideration on a future Council agenda.

4. Consideration of: Commitment of Fund Balance to Public Safety Facilities Project

Motion Fisher; support Arab to approve the commitment of \$1,000,000 in General Fund fund balance towards the public safety facilities project, incorporating the allocation of previously committed amounts of \$188,840.92 and \$300,000.

Ayes: Griffin, Hubbard, Arab, Michels, Fisher, Keough

Nays: None

Absent: Cousins

Motion carries

5. Consideration of: 3045 Broad Pre-Development Agreement with Common Sail

Motion Arab; support Fisher to accept the recommendation of the DDA and to authorize Mayor Keough to execute the 3045 Broad Street Pre-Development Agreement with the Dexter DDA and Common Sail Development Group.

Ayes: Arab, Hubbard, Fisher, Griffin, Michels, Keough

Nays: None

Absent: Cousins

Motion carries

6. Consideration of: Setting a Public Hearing for 8050 Main St. Lease Ordinance for October 24, 2022

Motion Fisher; support Hubbard to set a public hearing on October 24, 2022 for an Ordinance Leasing Property Located at 8050 Main St. to Hotel Hickman for a Period of Two Years.

Ayes: Michels, Hubbard, Griffin, Arab, Fisher, Keough

Nays: None

Absent: Cousins

Motion carries

N. COUNCIL COMMENTS

Griffin: “My role on council is to advocate for residents. When they reach out with concerns, I do my best to address them and to get the answers they need. I know my motivations. My family and friends can attest to my character. Will I get it right every time? No. In hindsight, I would have revised this to be an agenda item about council eligibility in general. Although it’s not hard to imagine that my motivations for doing so even then would have been challenged. It is clear some on council and in the community still harbor ill will towards me. That’s your and their prerogative. At the same time, there are many more in the community whose trust I have earned. I want to close by reciting a passage by Theodore Roosevelt that has motivated me in times past and comes to mind tonight:
It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that

his place shall never be with those cold and timid souls who neither know victory nor defeat.”

- Michels: “My reflections will not be Roosevelt based, either Roosevelt, but I am going to be more guarded with conversations I have with Staff and Mr. Keough.”
- Cousins: Absent
- Fisher: None
- Arab: "To me tonight's biggest agenda item and the most important for our city was the discussion on Fire Station. It is very unfortunate to see that even though we started that discussion first, the rest of the agenda and the atmosphere it created impacted the fantastic, amazing work that has been done by this Council, by the group that came together, by Partners in Architecture, and the Fire Department. We have two amazing plans to put in front of our residents to see where we want to move forward with this. To me, that's an amazing thing that we have done, and it is very unfortunate that it didn't have the joyous atmosphere it should have had. Another point for me, I have been running operations for various levels of library for the University of Michigan for the last 15 years, so I am very familiar with "See Something, Say Something" training. Every August for my team of about 52, we do the training for all of them, new and returning team members. The U of M Police Department comes in and does that for us. A very small phrase was put in the report, but I want to bring up, one of the first and foremost things of "See Something, Say Something" is to be careful that we are not profiling anyone. To make sure that things we are doing are not to surveil our neighbors and community, but actually to keep an eye for things that are suspicious. It's a very fine line of seeing something and profiling, and that's the first thing in the training that they tell you. I appreciate the Theodore Roosevelt quote. I think a lot of it shows the dedication that Ms. Fisher has done for this town for the last 30 years, and I am sorry for this coming up. I want to thank you, Donna, for the service you have done for this community all these years."
- Hubbard: "I'll keep it brief. As I said before, I have no problem generally discussing and clarifying what constitutes eligibility for office. Jamie, I'm glad that you clarified in your comments that in hindsight, that could have been done here because that absolutely could have been done here. That would have satisfied the resident's concern to say we'll talk about it at council, clarify it with legal and if there actually was an issue, then we could go from there. It's been really upsetting to me coming up to this meeting to think that we couldn't have just done that. Instead, we had to single out somebody who was born and raised here. Who has served this community in public service for 30 plus years and who has done so with her whole

heart. And who will continue to do so even when she's not in office anymore. So, Donna, thank you. You have mentored me through a lot of things here in Dexter, and I appreciate everything you've done for me outside of what you do for the community. That's all I really have to say about that. I would like to piggyback off what Sanam said and just say that I'm glad we were able to get something out to the public (on the fire station), so they can understand where we are coming from with this ballot language. We will get a resolution on what they are thinking through the vote and go from there with this. I'm pleased that we were able to work together to finally get that question out there to the people."

Student Representatives:

DeGregorio: "Thanks everyone for a good meeting. I think we made a lot of good decision at this meeting. I would like to thank Mrs. Fisher again for the work you have done for our city. I will not be present at the next meeting because of tech week for the drama club and our production of The Lion, The Witch and The Wardrobe. I hope you all make it to our production. I know how hard the drama club works to put on a show. It is running October 20th to October 23rd. I encourage you all to support the Dexter Drama Club."

Keating: "I have found that this Council has restored a lot of my hope in government. For a long time, it has felt almost Kafkaesque...did we get bogged down in politics. So, seeing you all work together solving problems has inspired me a lot and has even made me want to look at a possible future in politics, which I would never have considered before. It is part of the reason it was so disappointing or heartbreaking even, to see so much time spent on a topic that had little or no consequence to the people in this community. That fact that the agenda item was even brought up when we have so much on our plate. I loved the composting presentation by the girl scouts and I would love to have compost for my plants and welcome the opportunity to buy it."

O. NON-ARRANGED PARTICIPATION

Ray Tell, 3539 Hudson – Indicated that it was an interesting meeting. He stated that he wanted to acknowledge Ms. Griffin for her tenacity. That is something that he admires and stated that he would have done that. He stated that Council Member Griffin had something to say and that she dug in and said it. Council now knows there is a shortcoming in the Charter, maybe it can be addressed in some way. He stated that Council Member Griffin is very by the book and that can be a real help to this council. The law is the law and she does not want to skip over something. He applauds that and stated that Council Member Griffin has grit. He stated that he can't say what's this or that and doesn't know what preceded the meeting, but he does not really care. However, someone made a complaint and Council Member Griffin did her due diligence as she should have. The way she did it, it wasn't necessarily the way he

would have done it. Council Member Griffin is Council Member Griffin and that's the way she does it. Sometimes you have to dig around. Now that you know there is something wrong with the Charter, you have to put in some definition. This group has huge potential and he would hate to see that potential wasted. He stated that he is sorry that Council Member Michels will be cautious speaking to staff and Mayor Keough. But you have your reasons and that's fine. He stated that he has always found staff to be very helpful. He never really relied on them for decisions, but he relied on them for giving the information that he needed. He stated that he never really relied on anyone. He didn't care what they thought. He stated that the Student Representatives were something else.

P. ADJOURNMENT

Motion Fisher; support Arab to adjourn the meeting at 10:14 PM.

Unanimous voice vote approval.

Respectfully submitted,

Justin Breyer
City Manager and City Clerk

Approved for Filing: _____

Meeting Calendar

Agenda: 10/10/22
Item: I-1

Board	Date	Time	Location	Website	City Representative
Urban County Executive Committee	10/5/2022	2:00 p.m.	Washtenaw County LRC, Huron Room		Michelle Aniol
CAPT/DART - As Needed	10/5/2022	7:00 p.m.	12172 Jackson Rd.		Zach Michels/Sanam Arab
Arts, Culture, and Heritage Committee	10/5/2022	7:00 p.m.	3515 Broad St.	https://www.dextermi.gov/governn	Sanam Arab
Washtenaw Area Transportation Study - Technical	10/5/2022	9:30 a.m.	200 N Main St., Basement	http://www.miwats.org/	Tim Stewart
Dexter Area Historical Society Board	10/6/2022	7:00 p.m.	Dexter Area Historical Museum	http://www.dexterhistory.org/	
Dexter Community Schools Board of Education	10/10/2022	7:00 p.m.	Creekside Intermediate School	https://www.dexterschools.org/	
Dexter City Council	10/10/2022	7:00 p.m.	St. Andrew's Church Fellowship Hall	https://www.dextermi.gov/government/cc.php	
Dexter City Council Work Session	10/13/2022	6:00 p.m.	St. Andrew's Church Fellowship Hall	https://www.dextermi.gov/government/cc.php	
Zoning Board of Appeals - As Needed	10/17/2022	7:00 p.m.	St. Andrew's Church Fellowship Hall	https://www.dextermi.gov/governn	Sanam Arab
Parks and Recreation Commission	10/18/2022	7:00 p.m.	3515 Broad St.	https://www.dextermi.gov/governn	Jamie Griffin
Washtenaw Area Transportation Study - Policy	10/19/2022	9:30 a.m.	110 N. Ave., Ann Arbor	http://www.miwats.org/	Shawn Keough
Dexter Area Fire Board	10/20/2022	6:00 p.m.	Dexter Township Hall	https://dexterareafire.org/	Shawn Keough/Zach Michels
Downtown Development Authority	10/20/2022	7:30 a.m.	St. Andrew's Church Fellowship Hall	https://www.dextermi.gov/governn	Shawn Keough
Dexter Community Schools Board of Education	10/24/2022	7:00 p.m.	Creekside Intermediate School	https://www.dexterschools.org/	
Dexter City Council	10/24/2022	7:00 p.m.	St. Andrew's Church Fellowship Hall	https://www.dextermi.gov/government/cc.php	

Due to the possibility of cancellations, please verify the meeting date with the listed website or City representative

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**DEPARTMENT OF PUBLIC SERVICES
TWO WEEK REPORT ENDING OCTOBER 2, 2022**

DPW

- Billy goat (vacuum) downtown (over bricks to clean them)
- Asphalt water break at Hudson/Forest
- Dropped off supplies and set up barricades for Apple Daze
- Patched sidewalk toe catches
- Pulled out failing ADA dome at 4th and Dover
- Dropped off parts at Carrier and Gable
- Picked up parts for backhoe
- Traffic control for homecoming parade
- Worked on lights on leaf machine
- Installed grill at MCP North
- Put water bags on new trees per Michelle
- Moved cabinets and sinks at new office into storage
- Saw-cut asphalt at Hudson and the shop
- Ground stumps around town
- Swept city streets
- Picked up truck from Rite-Tech after they completed MDOT inspection
- Fixed kiosk glass on Baker
- Fixed power washer
- Cleaned lawn mowers
- Union meeting
- 2nd Interviews for DPW
- Second Street cost meeting
- Set up Bee's barricades
- Took tank out of Judy's RTV
- Met police about parade route
- Put up signs for crack sealers

WATER

- Reads (final, beginning, NUBCO)
- Miss Digs: 18
- Backwash:
 - 09/21/22 - 32,000Gals
 - 09/28/22 - 33,600Gals
- Well 5 Depth:
 - 09/19/22 - 24.5FT
 - 09/26 - 24.4FT
- The average water use for the week of 09/19 to 09/25 was 0.461 MGD
- The average water use for the week of 09/26 to 10/02 was 0.423 MGD
- Clean up Ryan Dr. well house
- Meet with OHM to get the depth and location of the water line on 3rd St.
- Contractor replaced galvanized water line on 5th St.
- Picked up water van from dealer
- Replaced chlorine chemical feed tube at the Filter building
- Installed new MXU on Central St.

- Cleaned out utility truck
- Inspected MXU wire on Huron St. All good
- Flushed hydrant for Apple Daze
- Helped DPW with Homecoming Parade
- Inspected water line repair on Baker
- 3 x meter and MXU installs in Grandview Commons
- Coded bills
- Contractor hydroseeded 2nd St. project for the 3rd time
- Meeting about train depot drive to storage unit
- DPW 2nd Interviews
- Talked to Kurt about installing stop bars at Forest and Baker
- Paving was completed at 3rd and Broad St. project
- Attended Fire Hall and Cornman Farm meetings

SEWER

- Respond to Industrial Park power failure, notified DTE of outage
- Submitted PFAS report to EGLE
- Measure and order bulk ferric
- 2nd St. progress meeting
- Completed repair of raw sludge pump #1. It is now back in service; all is good
- After-hours call-in: system wide power failure
- Reduce wasting to balance low bio mass numbers 2X
- Troubleshoot and reset WWTP equipment after overnight power failure
- Schedule M&K for 3 days of sanitary cleaning maintenance in October
- Received filled and shipped scrap dumpster from Razor back metals
- Ordered and received HVAC filters from CMR mechanical
- Clean, sanitize and acid rinse lab water still
- Ground 7 stumps near sanitary manhole behind DPW
- Cleared brush within 6 ft of manhole
- Communications with bio tech looking to coordinate fall sludge disposal for late October
- Replaced diesel pump hose and installed new filters in both the diesel and gas pumps
- After-hours call: Westridge comm. failure and Huron low wet well alarms, suspect intermittent power disruption
- Painted WWTP entry sign and installed new face sign
- Recycled concrete items around WWTP
- Trim WWTP bushes
- Assist DPW with parade traffic control
- City provided new meter for location to replace existing brass meter
- Towed meter van back to LaFontaine for repair
- Van continues to stall when driving
- Ordered and received orthophosphate and chlorine
- Investigate water leak at 3031 Baker Rd.
- Service line leaking on property side of curb stop. Owner had Knights Excavating repair the next day

STAFF REPORT

Agenda: 10/10/22

Item: J-2

To: Mayor Keough and City Council
Justin Breyer, City Manager

From: Michelle Aniol, Community Development Manager

RE: Staff Report for October 10, 2022

1. Upcoming Virtual Meetings/Webinars: October 2022:

- 1) Planning Commission, October 3rd
- 2) Urban County Executive Committee – October 6th
- 3) City Council, October 10th
- 4) Michigan Association of Planning Annual Conference, Oct 13-15th
- 5) ZBA, October 17th
- 6) DDA, October 20th
- 7) City Council, October 24th

2. General Update:

- A. Lawn and Weed Maintenance** – Staff has come to learn that the consensus she thought there was regarding doing one amendment to the General Code dealing for both lawn & weed maintenance and rental inspection, may not have been a consensus at all. Therefore, to help clear-up any confusion, staff has a rough draft of a lawn and weed amendment, which is attached to this memo. Would Council prefer to move forward with a lawn & weed maintenance amendment now or wait approximately six months (anticipated) to do a lawn and weed maintenance amendment with the rental inspection ordinance amendment?
- B. Planning Commission Public Hearings:** The Planning Commission conducted public hearings regarding the following:

- 1) Special Land Use Highline Spirits Tasting Room**– The Planning Commission conducted a public hearing on Monday, Oct 3, 2022, to consider an Application for Special Land Use, for a tasting room for spirits produced off-site. The applicant is Yellowstone Architecture & Construction. The property owner is Maser Dexter, LLC. Christina Lower is the CEO and Founder of the Highline Spirits Company. Ms. Lower proposes a craft cocktail lounge & tasting room use, along with an outdoor service area at 3126 Broad St, Suite 102 (08-08-06-210-011). Suite 102 would be renovated for the proposed new business/use. Ms. Lower also states that the distillation of the spirits will occur off-site and food preparation will not occur on-site.

The subject site is zoned CBD Central Business District. In the CBD, Bars/Taverns/Lounges are special land uses. An outdoor service area is a principal permitted use in the CBD, and subject to administrative review and approval, in accordance with Section 3.31 of the Zoning Ordinance.

Following presentations by the planning and engineering consultants, staff and the applicant, the public hearing was opened at 7:55 pm. Chris Carol, 3416 Central Street asked if the Sheriff was aware of the new business and that there would be more intoxicated drivers on the road.

There were no other comments from the public (in-person or virtual) and the hearing was closed at 7:56 pm.

The Planning Commission then discussed the requested special land use with questions regarding hours of operation, potential impacts to the two single-family properties that abutted the subject site to the south, and pedestrian access and circulation. Following their

discussion, the Planning Commission voted unanimously to recommend approval of the special land use request to City Council, subject to the following conditions:

1. The use of lighting, landscaping, vertical elements like umbrellas (in the outdoor service area), and contrasting color, either in the improvements to the rear façade or proposed furniture, shall be provided to the satisfaction of the Zoning Administrator.
2. Applicant must obtain a zoning compliance permit for the outdoor service area, in accordance with Section 3.31 of the Zoning Ordinance.
3. The applicant shall address concerns cited herein regarding both the existing front and rear doors functioning as primary entrances to the satisfaction of the Zoning Administrator.
4. A FOG control (fat/oil/grease separator) system shall be installed and clarification provided regarding refuse disposal.
5. Safe vehicular and pedestrian access and circulation shall be provided, as cited herein.
6. Staff review, dated September 26, 2022.
7. CWA review, dated September 20, 2022.
8. OHM review, dated September 20, 2022.
9. DAFD review, dated September 26, 2022.

Staff anticipates this case will be on the City Council's September 24th agenda. A copy of staff's full report accompanies this memo.

2) Zoning Ordinance Update – Based on the feedback received from the public, staff and CWA presented the Planning Commission with proposed changes to the Zoning Ordinance Update (Memos attached). After those presentations the public hearing was opened at 9:00 pm. Jim McCargar, 3580 Hudson read a prepared statement, which is included with this memo. John Coy, 8825 Trinkle Rd, Lima Township and owner of 8033 Huron St, supported the change of his property from VR-1 to VC, as the VR-1 zoning would make his property non-conforming and take away the currently allowed multiple family use of the property. There were no other comments from the public (in-person or virtual), but written comments were included in the packet and entered into the public records. The hearing was closed at 9:11 pm.

The Planning Commission then reviewed the changes and final considerations outlined in staff's September 29, 2022 review (attached), addressing them one at a time, before voting unanimously to recommend approval of the updated Zoning and Subdivision Ordinances to City Council, subject to the following changes, as discussed in the meeting:

- i) VR-1 zoning district **shall** be limited to the areas in the original Village currently zoned VR, which includes an area from Alpine Street to the railroad, to the north side of Central Street, and to the CBD border;
- ii) The remainder of the Old Village neighborhood, which were proposed for VR-1, **shall** be change to VR-2;
- iii) The parcels located on the east side of Central, between the railroad and the Huron River **shall** be rezoned to VR-2;
- iv) The two RD District parcels on Second Street (i.e., Adair and neighboring parcel to the northeast) **shall** revert back to the current I-1 zoning district;
- v) The eastern block facing Second Street, between Inverness and Hudson Streets **shall not** be changed to VR 2;
- vi) The zoning of 8033 Huron Street **shall** be changed to VC district;

- vii) First floor residential uses on Type A and E parcels on Downtown B and Village Streets **shall** be allowed in the CBD District;
- viii) The setback between principal buildings and accessory structures in the PF, I-1 and RD districts **shall** be changed to 10 feet and the maximum height of an accessory structure not exceed the height of the principal building or maximum building height for the zoning district, whichever is less; and
- ix) There **shall not** be a requirement for a 25% lot coverage in the required rear yard in the R-1, VR-1 and VR-2 districts.

Staff anticipates the Updated Zoning Ordinance and Subdivision Ordinance will be considered by City Council at its First meeting in November. However, since the Subdivision Ordinance is part of the General Code of Ordinances for the City of Dexter, City Council must, pursuant to the City Charter, hold a public hearing before taking action on the Planning Commission's recommendation. A discussion item regarding the update to the Subdivision Ordinance has been placed on council's October 10th agenda.

3. On-going Projects (Not Updated Since Last Report)

- A. Forest Street Sidewalk Connection to Mill Creek Park Pathway** – At its August meeting, the DDA was informed that City Council was seeking an easement from the DDA, for the purpose of constructing a new sidewalk and sidewalk connector along Forest Street, and a portion of which would encroach onto a portion of the 3045 Broad Street, which is owned by the DDA.

Consensus of the DDA was that since the DDA and City are in the process of negotiating a pre-development agreement with a developer, the board felt the project was not prudent at this time, but indicated a willingness to revisit the topic in March or April of 2023. (September)

- B. Cornman Farms Update:** A second meeting has been scheduled with representatives from Cornman Farms. The purpose of the meeting is to review capacity study proposals from OHM and F&V, and discuss next steps. (September)

C. Code Enforcement Updates:

1) 8250 Huron St

- a. On August 30, 2022 the Washtenaw County Building Inspection Office posted a Dangerous Building Notice on property you own, which is located at 8250 Huron Street (08-03-31-475-003). On September 13, 2022 the Washtenaw County Building Inspection Department posted a Stop Work Order on that same property, after observing repairs to the building had been initiated, without first obtaining a building permit from the County. On September 14, 2022 staff conducted an inspection of the same property and issued a notice of violation, to the property owner and occupant (business), for the following code violations:
 - i. Public nuisance and blight activity, as defined in Chapter 18, Article II, Section 18-31 of the General Code of Ordinances;
 - ii. Operation of a trucking operation without obtain Special Land Use approval and operation of a use not permitted, in violation of Article 16, I-1 Limited Industrial District, Section 16.03.D and H, of the City of Dexter Zoning Ordinance; and
 - iii. Failure to obtain a Zoning Compliance permit, in violation of Article 22, Administration and Enforcement, Sections 22.04 - 22.06, of the City of Dexter Zoning Ordinance.

Staff is hopeful the property owner and occupant will work with the County and City to bring the site into compliance. (September)

- 2) 3536 Dover – Staff conducted a reinspection of the property at 3536 Dover on September 15, 2022. Staff observed the lawn was mowed, but the property owner had not addressed the junk/rubbish in the front yard or the inoperable and unlicensed truck and trailer in the side

and rear yards. Following the inspection, staff contacted the Washtenaw County Sheriff and requested a ticket be issued to the property owner. Staff has informed the City Attorney, who will request a hearing and a court order from Washtenaw County 14A District Court, to allow the city or its contractor to clean up the property, with all costs associated with any cleanup to be paid by the property owner or a special tax against the property will be assessed, in accordance with the City's General Code and state tax laws. (September)

- 3) 3455 Inverness – Staff has inspected the property and regularly cutting the lawn. The enforcement case is closed. (September)
- 4) 3075 Baker – Staff has inspected the property and observed the site has been graded and the parking lot and curbing have been installed. Construction is in the final stages and is continuing to progress. Construction materials are being stored in the garage and all other debris has been removed. The enforcement case is closed. (September)

- D. Annual Planning Report** – The Michigan Planning Enabling Act (PA 33 of 2008, as amended) requires the Planning Commission to prepare an annual report to City Council. There is no required format for how that report must be presented. In the past, our quarterly reports, including the end of the year report, consisted mostly of an excel spreadsheet, which documents zoning compliance permitting and development reviews, in each quarter, and compares end of the year totals against previous FYs. The written portion of the report was very simply. This year staff took a different approach to the preparation of the Annual Report.

Using the Redevelopment Ready Communities template, along with a small bit of creative license, staff prepared an Annual Planning Report for FY2021-2022 and presented it to the Planning Commission in August. As you will see, the written portion of the report not only has a more professional appearance, it has structure, which results in a more comprehensive document that allows the information to be presented with context and purpose. (September)

- E. 3165 Baker Road** – A pre-application meeting was conducted on Thurs, Aug 11th to review and discuss a mixed-use concept, submitted on behalf of the property owners, Kent Brown and Pam Byrnes Brown. Membership of a pre-application committee attending the meeting included Mayor Keough and Councilmember Arab, Planning Commissioners Hill and Phillips, city administration and DPW staff, the City's planning and engineering consultants (CWA and OHM), and DAFD. Overall, the concept of a mixed-use development with the density proposed was well-received. Issues regarding zoning, circulation, trash and loading/unloading were discussed. A copy of the concept accompanies this report. The meeting was recorded, so if you would like to view the video, please let me know. (August 2022)
- F. Mill Creek Brewery Update** – The applicant is waiting for the Zoning Ordinance Update to be completed before resubmitting a revised combined site plan for Planning Commission consideration and action. (August 2022)
- G. Noble Appliance and Dexter Crossing Shopping Plaza** – An application for a boundary adjustment has been submitted for 7001 and 7061 Dexter-Ann Arbor Road. 7001 Dexter-Ann Arbor is the location of Noble Applicant and 7061 Dexter-Ann Arbor is the Dexter Crossing Shopping Plaza. The requested adjustment does not propose or result in any changes to the approved Dexter Crossing PUD plan. (August 2022)
- H. Verizon Small Cell Wireless Permit update-** Last October, City Council granted conditional approval of a small cell wireless facility permit for small cell equipment and a new decorative pole at the corner of Alpine and Main St. One of the conditions of approval requires Verizon to provide a decorative pole, similar to the existing decorative poles in the downtown. Verizon has submitted a fluted pole, similar to the existing decorative poles in the downtown and matching the color; however, the base of the pole would not be tapered or fluted. I consulted with Doug Weber of Urban Wireless Solutions, our consultant in these matters. According to Mr. Weber, the pole design chosen by Verizon places much of the electronic equipment (radios and such) in the base, and that by placing the electronics in the base, Verizon is able to limit the visual clutter

higher up on the pole, which he and I agree would be a good thing. He said that while there are tapered and fluted base covers that could be placed around the bottom of the pole, he did not recommend a base cover, in this case. He explained that the electronic equipment at the base of the pole will generate heat, and placing a base cover would trap that heat and cause the electronic equipment to overheat and malfunction. After speaking with Mr. Weber and weighing the pros and cons, staff is comfortable with the pole design. (June 2022)

- I. **Enforcement** – Staff has sent out two rounds of letters regarding lawn mowing and weeds (each having a 10-day waiting period before the next step). Staff has also initiated the enforcement process on a few other properties following resident complaints. Staff has developed a memo, which is attached to this report, about the enforcement process and the length of due diligence time that the current ordinance provides, and the research that staff has done to provide alternative options for reducing the length of time between recognition of a needed enforcement and resolution (ticket or court). (June 2022)
- J. **No Bike Sidewalk Sign** – The Park and Recreation Commission (PaRC) reviewed and discussed walk you bike signs, which would be chalk painted onto the sidewalks along the north and south sides of Main Street, from Alpine to Central Street, and on the east side of Broad Street. (June 2022)
- K. **Housing is Economic Development - A Guidebook for using Tax Increment Financing for Housing Development** - The need for diverse options of affordable housing has become increasingly relevant for the economic development community, especially in Michigan. Private companies seek communities that have a healthy inventory of homes when making location decisions, but today's market has not been able to keep up because housing costs have increased faster than incomes. To address the situation, the Michigan Economic Developers Association (MEDA) has published a guide called: Housing is Economic Development - A Guidebook for using Tax Increment Financing for Housing Development. (May 2022)
- L. **Planning Commission Request** – At the May 2nd Planning Commission meeting, a commissioner asked about the procedure for reconsidering the Commissions April 4th motion to waive 14 parking spaces for the Mill Creek Brewery project. Staff stated that only a commissioner who voted to approve the motion, would be able to make a motion to reconsider. Chair Kowalski added that he thought any such motion had to happen at the next meeting, after the meeting in which the motion in question occurred, but neither he nor staff were 100% sure of that. Staff reviewed Robert's Rules of Order, consulted with the City Attorney, and offers the following clarifications:
 - City Council does not have the authority to waive or reduce parking. In the case of Mill Creek Brewery, if the applicants are not satisfied with the decision by the Planning Commission to waive 14 spaces, instead of the 28 requested, they can appeal the decision to the Zoning Board of Appeals. It would not be appropriate, nor is there a legal procedure set forth in the Zoning Ordinance for the applicants to appeal the decision to City Council.
 - If the Planning Commission recommends approval of a site plan for which a parking waiver was granted, City Council could not approve that site plan with less parking than was recommended by the Planning Commission. To do so would be "arbitrary and capricious" because it would not be consistent with the regulations, process or procedures in the Zoning Ordinance.
 - Pursuant to Section VII of its Bylaws, the Planning Commission could vote on a motion to surpass Robert's Rule of Order. However, this is not a decision to be entered into lightly, especially since there is a process by which the applicant can appeal the decision. In the event a vote to surpass Robert's Rule of Order passes, by a majority of the members present, then a motion to reconsider the vote on the motion to waive 14 of 87 off-street parking spaces required in Section 5.03A, for AP2021.22-09 PSP/SLU Mill Creek Brewery, can be made by a member who voted in the affirmative back on April 4, 2022. Reconsideration of the vote should not be confused with rescinding the vote. (May 2022)

- M. DDA:** The DDA voted to authorize staff to purchase 36 orange and white water-well barriers, at a cost not to exceed \$360/unit. At the same time, the DDA also voted to authorize staff to purchase banners to cover the barriers, at a cost not to exceed \$105/banner. (March 2022)
- N. 7525 Huron River Drive** – Staff was contacted by and met with the owners of the property located at 7525 Huron River Dr, Kirk and Alexis Evensen. Council may remember that 7525 Huron River Dr is one of the 425 Agreement properties, located on the southwest corner of Huron River Dr and Mast Rd, in Webster Township. The Evensens are researching the possibility of requesting an annexation of the property into the City. According to the 425 Agreement:
- The Evensen's property is shown in Exhibit B and would be transferred from the Township to the Village (City), effective upon the date the Village (City) Council takes action to accept the property, following receipt of a written request from a property owner.
 - Prior to final approval of any non-residential zoning or rezoning request, plat or non-residential use of the property, the Village (City) must inform and seek comment from the Webster Township Board. (Jan 2022)
- O. Development Inquires** - Recently, staff has been fielding a number of inquiries regarding potential development options for two vacant parcels in downtown; 1) 3862 Central St, the property where the white rental house was demolished earlier this year, and 2) 3165 Baker Road, located on the west side of Baker Road, just south of the intersection of Baker Rd and Main St. Inquires focus on zoning, density, setbacks and access to public utilities (e.g., public water and public sewer). Staff is scheduled to have a phone consultation with a development entity interested in two vacant parcels along Dexter-Chelsea Road (8299 and 8375). The purpose of the meeting is to discuss accessing public utilities, zoning, density, etc. If the development entity decides to pursue a potential project, the next steps would be to engage Scio Township officials. (Dec 2021)
- P. Urban County Update:** The Washtenaw Office of Community and Economic Development has executed a Grant Agreement with the U.S. Department of Housing and Urban Development (HUD) for 2021-2022 Community Development Block Grant funding in the amount of \$2,228,571.00. Of that amount, the City of Dexter has been allocated \$9,366.00 in for FY2021. That allocation combined with an additional \$21,655 from the 3 previous Fiscal Years (i.e., 2018, 2019 and 2020) will be used to fund ADA Curb Cut (i.e., crosswalk ramp) improvements at Wilson Dr./Taylor Ct. (Huron Farms) and Wellington Dr/Carrington Dr (Dexter Crossing). (September 2021)
- Q. Census 2020 – Population:** SEMCOG distributed newly release Census 2020 data. Staff needs to take a deep dive, but at first blush:
- 1) The population in the City of Dexter grew from 4,067 in 2010 to 4,500 by 2020.
 - 2) The voting age population (Age 18 and up) from 2,809 in 2010 to 3,322 by 2020.
 - 3) The Child age population is 1,178 in 2020, down slightly from 1,259 in the 2010 Census. (August 2021)

STAFF REVIEW

To: Chairman Kowalski and Planning Commission
Justin Breyer, City Manager

From: Michelle Aniol, Community Development Manager

Re: **AP2022.23-02 Highline Spirits Tasting Room**, 3126 Broad Street, Application for Special Land Use received, September 6, 2022, site plan dated, August 23, 2022.

Applicants: Yellowstone Architecture & Construction- Andrew Hauptman

Property Owner: Maser Dexter LLC- Matt Schuster

Business Owner: Christi Lower, CEO & Founder, Highline Spirits Co., LLC

Zoning: CBD, Central Business District

Date: September 26, 2022

The Planning Commission is scheduled to conduct a public hearing on Monday, May 2, 2022. The purpose of the public hearing is to consider an Application for Special Land Use, for a tasting room for spirits produced off-site. The applicant is Yellowstone Architecture & Construction. The property owner is Maser Dexter, LLC. Christina Lower is the CEO and Founder of the Highline Spirits Company. In the written statement submitted with the application, Ms. Lower proposes a craft cocktail lounge & tasting room use, along with an outdoor service area at 3126 Broad St, Suite 102 (08-08-06-210-011). Suite 102 would be renovated for the proposed new business/use. Ms. Lower also states that the distillation of the spirits and all food preparation will occur off-site.

The subject site is zoned CBD Central Business District. In the CBD, Bars/Taverns/Lounges are special land uses. An outdoor service area is a principal permitted use in the CBD, and subject to administrative review and approval, in accordance with Section 3.31 of the Zoning Ordinance.

Accompanying this review, you will find the following documentation:

- Special Land Use Application, received September 6, 2022;
- Site Plan, dated August 23, 2022;
- CWA review, dated September 20, 2022;
- OHM review, date September 20, 2022; and
- DAFD review, dated September 26, 2022.

SPECIAL LAND USE PROCESS

Section 8.02 sets forth the process and procedures for considering an application for special land use approval. The Planning Commission is required to conduct a public hearing (Section 8.02.B). At the public hearing, the Planning Commission must review the application in accordance with Section 8.03, Standards for Special Land Uses and any specific standards in Section 8.11, Special Land Use Specific Requirements, before taking action to postpone for more information, or recommending of approval, denial or approval with conditions to City Council. City Council is responsible for taking final action to approve, deny, or approve with conditions. In this case, there are no specific standards to consider.

REVIEW SUMMARY

The proposed special land use application and plans have been reviewed by staff, the City's planning (CWA) and engineering (OHM) consultants, and the dexter Area Fire Department (DAFD), pursuant to the general review standards listed in Section 8.03 of the Zoning Ordinance, and the following comments are provided for your consideration:

- A. Compatibility with the Master Plan. *The Special Land Use will be consistent with the goals, objective and future land use plan described in the Dexter Master Plan.*

Staff comments: The proposed use for 3126 Broad St, Suite 102 is generally in compliance with the City of Dexter Master Plan. The re-use of a vacant space in a multi-tenant building makes the best use of the existing public services, utilities and infrastructure, and the outdoor service area has the potential to contribute to the character and unique sense of place in Downtown Dexter. The use of lighting, landscaping, vertical elements like umbrellas, and contrasting color, either in the improvements to the rear façade or proposed furniture, would be enhancements, as cited in the CWA review.

- B. Compatibility with Zoning Standards. *The Special Land Use will be consistent with the stated intent of the zoning district.*

Staff comments: The proposed use is complimentary to the Downtown and could be compatible with Zoning, provided the applicant obtains a zoning compliance permit for the outdoor service area, in accordance with Section 3.31 of the Zoning Ordinance.

- C. Compatibility with Character of the Surrounding Area. *The Special Land Use will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity in consideration of environmental impacts, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values or similar impacts.*

Staff comments: Staff concurs with the findings and recommendations from CWA reviews regarding pedestrian access and circulation. The proposed use could be compatible with the existing and intended character of the surrounding area provided the applicant addresses concerns regarding both the existing front and rear doors functioning as primary entrances.

- D. Impact on the Overall Environment. *The proposed Special Land Use shall not unreasonably impact the quality of the natural features and the environment in comparison to the impacts associated with typical permitted uses.*

Staff comments: No additional impacts to the natural environment are anticipated since the site is already developed and used for commercial purposes.

- E. Impact on Public Facilities. *The proposed Special Land Use shall be served adequately by public facilities and services such as police and fire protection, schools, drainage systems, water and sewage facilities, streets, pedestrian or bicycle facilities, and refuse disposal. Such services shall be provided and accommodated without an unreasonable public burden.*

Staff comments: The site is currently served adequately by public facilities and services. Although the business owner is not proposing on-site food preparation, she is proposing the possibility of hosting rehearsal dinners or corporate events. Staff concurs with the city engineer (OHM) that to ensure fat, oil and grease, from food served during a special event does not enter the city's sanitary sewer system, a FOG control (fat/oil/grease separator) system must be provided. Additionally, clarification is need regarding refuse disposal, as cited by both CWA and OHM.

- F. Traffic Impact. *The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.*

Staff comments: Staff concurs with the concerns cited in the CWA, OHM, and DAFD reviews regarding pedestrian access to the site and building entrance clearance and accessibility. This criterion could be satisfied provided the applicant (and building owner) address the following recommended improvements:

- Utilize both the front and the rear doors as primary entrances to the space proposed to be occupied. Directional signs, posted or painted on the ground, would be needed to guide

patrons to the rear entrance and to distinguish the loading area from the pedestrian walkway to the rear.

- Move the bumper blocks back to create a five to seven (5-7) foot barrier-free walkway on the existing surface. If spaces are less than twenty (20) feet in depth, those space will need to be signed as for cars only. Also, all active parking space must have bumper blocks and areas not to use as parking must be striped as such. If the bumper blocks are to be moved from their current location or spaces to be striped, a note to that extent must be added to the site plan.
- Restripe the area in front of the door on Broad Street to align with the concrete apron for the entrance to the space proposed to be occupied.
- Confirm or update that the interface between the concrete apron and the existing parking area is flush and barrier-free.
- Use landscaping and the required removable enclosure for the outdoor seating area to designate the proper entrances and routes to the proposed outdoor seating area and rear entrance.
- Provide an unobstructed pathway, from Suite 101, through the proposed outdoor service area, and then out to Broad Street.

G. Public Safety and Welfare. *The proposed use shall be designed, located, planned, and operated to protect the public health, safety, and welfare.*

Staff Comments: The proposed craft cocktail lounge and tasting room is not uncommon use in a downtown, but in this case, the subject site abuts two single-family residences. While the outdoor service area is subject to administrative review and approval of the Zoning Administrator, the outdoor service area is associated with the special land use request. As such, the Planning Commission should consider restrictions on certain activities, such as hours of operation or amplified music, along with recommendation for improvements to the design of the outdoor service area.

CONCLUSIONS

The proposed craft cocktail lounge and tasting room:

1. Is generally compatible with the City of Dexter Master Plan; however, the use of lighting, landscaping, vertical elements like umbrellas (in the outdoor service area), and contrasting color, either in the improvements to the rear façade or proposed furniture, could enhance visitors experience and provide a focal point in the downtown, which are envisioned in the Master Plan for the Downtown;
2. Is complimentary to the Downtown and could be compatible with Zoning, subject to administrative review and approval of the outdoor service area, in accordance with Section 3.31 of the Zoning Ordinance;
3. Could be compatible with the existing and intended character of the surrounding area provided the applicant addresses concerns regarding both the existing front and rear doors functioning as primary entrances;
4. Will not negatively impact the natural environment;
5. Is adequately served by public services; however, to ensure fat, oil, and grease does not enter the city's sanitary sewer system, from food prepared off-site and served during special events, a FOG control (fat/oil/grease separator) system must be installed and clarification provided regarding refuse disposal;
6. Could provide safe vehicular and pedestrian access and circulation, subject to the following:

- a. Utilization of both the front and the rear doors as primary entrances to the space proposed to be occupied. Directional signs, posted or painted on the ground, would be needed to guide patrons to the rear entrance and to distinguish the loading area from the pedestrian walkway to the rear.
 - b. Move the bumper blocks back to create a five to seven (5-7) foot barrier-free walkway on the existing surface. If spaces are less than twenty (20) feet in depth, those space will need to be signed as for cars only. Also, all active parking spaces must have bumper blocks and areas not to use for parking must be striped as such. If the bumper blocks are to be moved from their current location or spaces to be striped, a note to that extent must be added to the site plan.
 - c. Restripe the area in front of the door on Broad Street in order to align with the concrete apron at the entrance to the unit 102.
 - d. Confirm or update that the interface between the concrete apron and the existing parking area is flush and barrier-free.
 - e. Use landscaping and the required removable enclosure for the outdoor service area to designate the proper entrances and routes to the proposed outdoor service area and rear entrance.
 - f. Provide an unobstructed pathway, from Suite 101, through the proposed outdoor service area, and then out to Broad Street.
7. Could protect public health, safety and welfare, so long as restrictions on certain activities associated with the outdoor service area, such as hours of operation and/or amplified music are restricted and improvements to the design of the outdoor service area are provided.

RECOMMENDED MOTIONS

Based on the information presented by the applicant, staff, the planning and engineering consultants, and DAFD, and following a public hearing, which the Planning Commission conducted during the October 3, 2022 Planning Commission meeting, the Planning Commission finds **AP2022.23-02 Special Land Use request for Highline Spirits Tasting Room, (MEETS/FAILS TO MEET)** the requirements set forth in Article 8 of the Zoning Ordinance, and further recommends (**APPROVAL/ DENIAL**) to City Council, subject to the following conditions:

1. The use of lighting, landscaping, vertical elements like umbrellas (in the outdoor service area), and contrasting color, either in the improvements to the rear façade or proposed furniture, shall be provided to the satisfaction of the Zoning Administrator;
2. Applicant must obtain a zoning compliance permit for the outdoor service area, in accordance with Section 3.31 of the Zoning Ordinance.
3. The applicant shall address concerns cited herein regarding both the existing front and rear doors functioning as primary entrances to the satisfaction of the Zoning Administrator;
4. A FOG control (fat/oil/grease separator) system shall be installed and clarification provided regarding refuse disposal;
5. Safe vehicular and pedestrian access and circulation shall be provided, as cited herein;
6. The hours of operation and amplified music for the outdoor service area shall be restricted, based on the recommendation of the Planning Commission;
7. Staff review, dated September 26, 2022;
8. CWA review, dated September 20, 2022;
9. OHM review, dated September 20, 2022; and

10. DAFD review, dated September 26, 2022.

OR

Based on the information presented by the applicants, staff, the planning and engineering consultants, and DAFD, and following a public hearing, which the Planning Commission conducted on October 3, 2022, the Planning Commission moves to **(POSTPONE) AP2022-02 Special Land Use request for Highline Spirits and Tasting Room, located at 3126 Broad Street, Unit 102** until **(DATE)**, to allow the applicant more time to address the following:

1. _____
2. _____
3. _____

Please let me know if you have any questions or comments.

**Draft Amendment to the General Code of Ordinances Public Nuisances –
Overgrown Lawns and Noxious Weeds**

Staff has prepared a rough draft on an amendment to the General Code, regarding overgrown lawn and noxious weeds (new text is underlined, while ~~strike through~~ text would be deleted):

1. Delete subsection (3).b from Chapter 18, Environment, Section 18-31, Definition of public nuisance and blight, as follows:

Sec. 18-31. Definition of public nuisance and blight.

For the purposes of this article, a public nuisance and blight is any activity upon, condition of or use of property that:

- (1) Constitutes a public nuisance at common law;
- (2) Endangers the health or safety of the inhabitants; or
- (3) Satisfies any one of the following:
 - a. Accumulation of junk or rubbish, including unlicensed or inoperable motor vehicles, parts of machinery or automobiles, remnants of metal, appliances or other household equipment and other equipment in disrepair and inoperable, boats and trailers, except in a completely enclosed building.
 - ~~b.~~ ~~Growth of lawn, noxious weeds, or other harmful plants over eight inches in height.~~
 - eb. Existence of dead animals, excessive amounts of manure or other unhealthful animal or vegetable substances.
 - ec. Existence of any structure which, because of fire, wind or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for any commercial purpose.
 - ed. Existence of any vacant dwelling, garage, or other outbuilding which is not kept adequately secured against unlawful entry by any person.
 - ee. Open storage of building materials of any kind, including, but not limited to lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating and cooling supplies or equipment, shingles, etc., unless there is in force a valid building permit for construction upon the property and the materials are intended for use in connection with such construction or unless the materials are stored in a completely enclosed building. "Open storage" as used in this article shall mean such storage or accumulation which is visible from any street or sidewalk or adjoining property.
 - ef. The pollution of any stream, well or body of water by sewage, industrial wastes, or other harmful substances.
 - eg. The storage of harmful or polluting substances upon the land except in secure and properly labeled containers.
 - eh. Emission of smoke, noxious fumes, gas, or other substances into the air in harmful quantities.
 - ei. The keeping of animals upon premises where such keeping is harmful or offensive to city residents.
 - ej. Offering for sale unsanitary or harmful food products.
 - ek. Maintenance of gambling devices or games upon the premises.
 - el. Using the premises for the purposes of prostitution.

~~am.~~ The existence of any vacant dwelling, garage, or other building, unless said structure is kept securely locked, windows are glazed, exterior surfaces are kept clean and painted, porches and stairs are stable and free of cracked boards and/or block, and are otherwise protected to prevent entry of the elements, unauthorized persons, or animals.

~~en.~~ Incomplete construction, including but not limited to:

1. Incomplete construction is any form of unfinished exterior construction, including excavations, on which there has been no substantial construction activity for at least six months.
2. An owner of real estate containing incomplete construction shall be deemed guilty of maintaining a nuisance and/or blight.
3. The city council may authorize the continuation of incomplete construction for an additional period of up to six months. Such permission shall be conditioned on the posting of a cash bond or letter of credit. The form of such security must be approved by the city attorney. The amount of the security shall not be less than the city building official's estimate of the cost of removal of the construction and restoration of the property.

2. Add a new Article III, Grass and Weeds, under Chapter 62 Vegetation, to regulate grass and weeds, as follows:

Article III. Grass and Weed Control¹

Section 62-50 Unlawful growth

It shall be unlawful for any owner or possessor of any lot or premises, occupied or vacant, within the city limits to permit or maintain on such property any growth of long grass or weeds, or noxious or harmful vegetation to a greater height than six (6) inches on the average, or to permit or maintain any accumulation of dead grass, weeds, brush or noxious or harmful vegetation.

Section 62-51 Responsibility of Owner and/or Occupant

- (a) It shall be the responsibility of the owner or possessor of any lot or premises, occupied or vacant, within the city limits upon which vegetation is growing or standing, to cut, destroy, and remove, or cause to be cut, destroyed, and removed, all such weeds, grass, and vegetation growing, standing, resting, or accumulating on such premises as often as may be necessary to prevent them from going to seed and/or reaching a height of six (6) inches or more, but in any event, at least once a month, from May through September, and more often, as may be necessary
- (b) Where the property is occupied by a tenant, the tenant shall be responsible and subject to the penalties provided for violation of this article. However, this shall not relieve the owner of responsibility and upon failure to maintain the property as required by this article, the city may do such work as is required and assess its cost against the property.

Section 62-52 Enforcement Officer.

The city official charged with responsibility to determine when an unlawful growth exists, and to seek abatement of the unlawful growth in accordance with this article, shall be the city manager, who is referred to in this article as the enforcement officer. The city manager may enlist the assistance of city staff or consultants in carrying out the duties of this article.

¹ State law reference(s) – Noxious weeds, MCL 247.61 et seq.

Section 62-53 General notice by publication to owner, occupant to abate.

It is hereby made the duty of the enforcement officer to give general notice to every owner, occupant, or any person having control or management of any lot or parcel [of] land, as provided [in] section 62-51, wherein noxious weeds or any weeds, grass, brush, or deleterious, unhealthy growths exceeding a height of six (6) inches are growing, standing or present to cut down, destroy or remove same. Such general notice shall be made by publication in the official newspaper of general circulation in city at least twice in each year, once during first half of the month of April and again during the first half of July of each year, and shall read substantially as follows:

CITY OF DEXTER NOTICE OF PROVISIONS OF THE GRASS AND WEED CONTROL ORDINANCE

TO: All owners, occupants or possessors of any lot or parcel of land within the City of Dexter:

NOTICE IS HEREBY GIVEN that in accordance with Chapter 62, Article III, of the Code of Ordinances, City of Dexter, Michigan, all noxious weeds, or other weeds, grass, brush, or deleterious, unhealthy growths exceeding a height of six (6) inches, growing, standing or lying upon any property in the City of Dexter, shall be cut down, destroyed or removed as the case may be, at least at least once a month, from May through September, and more often, as may be necessary. If the owner or occupant, or any person or persons, agent, firm, or corporation having control or management of any lot or parcel of land upon which any building or buildings have been erected shall fail, refuse, or neglect to comply with the above mentioned Code provisions, the City shall cause the weeds, grass, brush, deleterious, unhealthy growths to be cut down, destroyed or removed and the owner or occupant, or any person or persons, agent, firm, or corporation having control or management shall be responsible for a municipal civil infraction. Provided, further, that any lot or parcel of land which is situated within any area between the lower or upper banks of such streams or watercourses shall be exempted from the provisions of such Code provisions. The expense incurred by the City in the cutting, destruction and/or removal of same, together with an administrative charge of \$100.00 or 25% of the contractor's fee, whichever is more, will be levied and collected against such property in the manner provided by law.

_____, 20____
Enforcement Officer
City of Dexter

Section 62-54. Specific notice by first class mail to owner to abate; civil infraction.

- (a) In addition to the general notice requirements set forth in section 62-52, it is hereby made the duty of the enforcement officer to give a specific notice in writing, to the owner and/or the occupant of any property upon which an unlawful growth, as set forth in section 62-50 hereof is found to exist, to remove or eliminate such causes of unlawful growth from such property within seven business days after service of the notice upon him. Such notice may be posted on the property and/or delivered by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate the unlawful growth are in progress.
- (b) Failure by the owner and or occupant to comply with such notice, within the time allowed shall constitute a violation of this article.
- (c) Any person responsible of violating or assisting in the violation of any provision of this article shall be subject to a municipal civil infraction pursuant to section 22-10. Each violation and every day upon which such violation shall occur shall be a separate offense. Violators shall also be responsible to reimburse the city for the actual costs incurred by the city to remedy the unlawful growth, as set forth in section 62-50 hereof and such liability may be enforced by a civil action filed in a court of competent jurisdiction.

Sec. 62-55. Abatement by city.

- (a) If the owner or possessor of any lot or premises, occupied or vacant, within the city limits fails, refused or neglected to comply with the provisions of this article, the enforcement officer is

hereby empowered, upon the giving of proper notice, to enter upon such lot or parcel of land for the purpose of accomplishing abatement of the violation by cutting by the city or its duly authorized agent.

- (b) For purposes of this article, the removal of weeds, grass, or vegetation by the city or its agent(s) shall include the removal of all debris, dead or rotting vegetation, and other obstructions necessary for the city to cut, or cause to have cut, and remove any standing or growing weeds, grass, or vegetation.
- (c) In the case of an easement, property such as an abandoned subdivision, and all other land as to which definite ownership is not known to the city and cannot be established, the city shall lien the property.
- (d) All expenses incurred by the city in the performance of any work performed under the provisions of this article shall be reimbursed by the owner of such lot or parcel of land, and in cases where not paid, the city shall have a lien for same in the manner provided in this article.
- (e) Whenever the enforcement officer shall enter upon any lot or parcel of land in order to accomplish abatement of an existing violation, pursuant to provisions of this article, the enforcement officer is hereby authorized and directed to keep an accurate account of all expenses incurred, and based upon same issue a certificate determining and certifying the reasonable cost involved for such work with respect to each lot or parcel of land.
- (f) The enforcement officer is authorized to include in such costs an administrative charge of one hundred (\$100.00) or twenty-five (25) percent of the contractor's fee, whichever is more, to cover the expenses of administering the work performed, costs of publication, overhead and other contingent expenses.
- (g) Within ten (10) days after receipt of the certificate, the city treasurer shall forward a statement of the total charges assessed on each lot or parcel of land to the person as shown by the last current assessment or tax roll and such assessment shall be payable to the city treasurer within thirty (30) days from the date the statement was forwarded.
- (h) If not paid within the prescribed thirty-day period, such statement shall be filed with the city assessor and shall thereupon be assessed against the land in question and become a lien on such property in accordance with the provisions of article 11 of the City Charter. Such amount shall be a debt of the person to whom assessed until paid and, in case of delinquency, may be enforced as delinquent city property taxes or by a suit against such person.

Section 62-56 Penalty.

The levy or collection of a special assessment for work done by the city or its employees or agents shall not relieve any person violating this article from the penalty prescribed for violation in Section 62-54, hereof.

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OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: City Manager Report – Meeting of October 10, 2022

1. Meeting Review:

- A. October 4, 2022 – Third & Board Meeting
- B. October 4, 2022 – 7300 Joy Road Meeting
- C. October 5, 2022 – Arts, Culture & Heritage Meeting
- D. October 6, 2022 – 3045 Broad St. Kickoff Meeting
- E. October 7, 2022 – Meeting Regarding 2023 Community Garden
- F. October 10, 2022 – Parks Accessibility Audit Meeting
- G. October 10, 2022 – City Council Meeting

Upcoming Meetings:

- H. October 12, 2022 – City Rate Study Meeting
- I. October 13, 2022 – OHM Update Meeting
- J. October 17, 2022 – WRRMA Meeting
- K. October 18, 2022 – Parks & Recreation Commission Meeting
- L. October 24, 2022 – City Council Meeting

2. General Updates:

- A. **Fall Newsletter.** After being delivered to the printers on Friday, September 30th, the newsletter is expected to be delivered to the post office on Friday, October 7th.
- B. **Union Contract Meeting.** Staff is working to set a date for a kick-off meeting to begin discussions on the City's contract renewal with the union. We are currently looking at the first week of November.

- C. **New DPW Hire.** After the second round of interviews, staff has extended an offer to Evan Fleck, who has accepted the position for the 5th DPW employee. Evan is a Dexter resident who worked over the summer with the City as one of the DPW's summer workers.
- D. **2nd Radar Sign.** City staff has placed an order for a second radar sign from Radarsign. The sign is expected to be shipped out in roughly eight weeks. With the addition of the new sign, staff hopes to be able to collect more traffic data and assist in bringing awareness to speeding across the City. The City's radar sign is currently out on Eastridge in the Westridge subdivision.
- E. **S'mores & More Event.** The S'mores N More event was held Saturday, October 1st in Monument Park following the end of Apple Daze. Members of the Arts, Culture & Heritage Committee created s'mores kits that were distributed to event-goers to make s'mores and enjoy performances by members of the community.
- F. **Fall Clean Up Day.** The Fall Clean Up Day for additional bulk item pick-up will take place on Monday, October 17, 2022.
- G. **Dexter-Ann Arbor Rd. Speed Limit.** The "Reduced Speed Ahead" sign on Dexter-Ann Arbor Rd. has been installed, and all signage is in-place relating to the reduction of speed TCO from 50 mph to 40 mph. This change applies to both in-bound and out-bound traffic.
- H. **Fall & Winter Leaf Collection.** Each Fall, the City of Dexter Department of Public Works (DPW) collects loose leaves. This is in addition to bagged compost collection by Waste Management and the DPW's weekly brush pick-up. Leaf collection for Fall 2022 will start the week of October 10th. For the past few years, we have noticed that the leaves from the pear trees and oak trees, mostly located in the newer neighborhoods, have been losing their leaves later in the season. To accommodate this, we have created the following schedule for loose leaf and bagged compost collection.

Collection Schedule:

- Week of October 10th - Loose leaf collection starts.
- November - Brush pick-up and chipping switch to every other Wednesday. The November chipping dates are November 9th and November 23th.
- Monday, November 28, 2022 - Last day of bagged compost pick-up by Waste Management.
- Week of December 5th - Loose leaf collection ends. Residents are asked to have all leaves raked to the curb no later than Monday, December 5th at 7:00 am for pick-up that week.
- Bagged leaves will be picked-up by the DPW on December 21st, January 4th, and January 18th. This is to accommodate the residents whose trees lose their leaves late in the season.
- No compost bag or leaf pick-up by the City or Waste Management will occur in February or March.
- Monday, April 3, 2022 - Bagged compost collection resumes.

Loose Leaf Collection Reminders

- Park cars as far away from leaf piles as possible

- Make sure that there is no debris in the leaf piles (garbage, sticks, etc.)
- Leaves should be raked in a line (windrow) as close to the curb as possible and not placed in the road.
- The closer the piles are to the curb, the quicker they are able to be collected by the City's equipment.

3. Updates to Ongoing Projects:

- A. **Stop Sign Along Baker.** As indicated at the September 26th meeting during discussion about stop signs at intersections on Baker Rd., attached is a memo from OHM Advisors discussing the composition of the intersection and turning radii.
- B. **Public Meeting for the Fire Station.** Staff has reserved the Fellowship Hall at St. Andrew's Church at 7610 Ann Arbor St. on Thursday, October 13th from 6:00pm to 8:00pm.
- C. **Absentee Ballots and Applications for November Election.** The first round of absentee ballots was sent to the post office on September 27th. To-date (10/4), staff has mailed approximately 1,250 absentee ballots.
- D. **ADA Evaluation Meeting.** After receiving approval by City Council at the August 22nd Council meeting, OHM Advisors began conducting the ADA audit of the parks. OHM has requested a meeting with staff on Monday, October 10th to go over preliminary observations and approach.
- E. **Paint Dexter Plein Air Festival Online Sale.** Some of the pieces produced during the August Paint Dexter Plein Air Festival, along with some pieces from previous Paint Dexter Plein Air Festivals have been posted for sale online. The artwork gallery is available at: <https://paintdexter.com/paint-dexter-online-store/>.
- F. **3515 Broad St. Update.** Construction has been continuing in full force at 3515 Broad St. Construction on the elevator pit appears to be nearing completion. Axiom has indicated that they anticipate the Council Chamber to be back into service by the end of October.
- G. **3rd and Broad Reconstruction.** The 3rd St. and Broad St. contractor ran into another set of delays. The decorative concrete sidewalks at Central St. and Broad St. were installed incorrectly, and the concrete contractor is anticipated to be back in town on Friday, October 7th and Friday, October 8th to remove and repour the sidewalks. This will delay the road opening until likely Monday, October 17th.
- H. **Resident Handbook Reprint.** Staff is completing final revisions on the resident handbook, which will be sent back to OHM Advisors. Staff plans to have resident handbooks ready for distribution upon completion of 3515 Broad Street so that addresses in the handbook do not need to note multiple addresses and prevent any confusion.

4. Ongoing Projects (Not Updated Since the Last Report)

- A. **Fido Fountain (9/26/22).** Staff was contacted by a resident expressing an interest in possibly donating a Fido Fountain in memorial of Ron Raiford. As at least one member of

City Council previously expressed an interest in such an installation, staff has been working to identify possible locations for the possible donation. One idea that has emerged is replacing the existing drinking fountain in Monument Park with a Fido Fountain. Staff was hoping to take this item to the Parks and Recreation Commission, but the Commission meeting was cancelled due to lack of quorum.

- B. Election Security Grant (9/26/22).** The Michigan Secretary of State's Office has released an application for purchases related to election security. The grant is \$1,500 per precinct. Staff is evaluating this grant for possible additional badge entry security systems for 3515 Broad St. and/or additional storage shelving/cabinets.
- C. Mill Creek Park Work Day (9/26/22).** The Mill Creek Park Work Day will take place on Saturday, October 22nd from 9am to 1pm in Mill Creek Park. After doing a park walk with Paul Evanoff, it was determined that the main project for the day would be weed control.
- D. Bicentennial Celebration (9/26/22).** At the last City Council meeting, there was discussion regarding what the City of Dexter planned to do for the Bicentennial Celebration, which included if City staff would take some of the planning activities. The Bicentennial Committee, which is not currently a formal committee of the City, wished to utilize the City's tax exemption status to begin purchasing items for the celebration. Unfortunately, since they are not a formal committee of the City, they are unable to utilize the City's tax exempt status.
- E. David Zinn Mural (9/26/22).** The Arts, Culture & Heritage Committee approved a recommendation to City Council regarding the creation of a mural by artist David Zinn. The Committee directed one of the members to provide a more detailed proposal, which staff anticipates will come before Council in the next month.
- F. WRRMA Recycling RFP (9/26/22).** As a member of WRRMA, the City of Dexter is being asked to be a part of a Request For Proposal (RFP) that would bundle the various refuse services for WRRMA members into the authority of WRRMA. The goal is to create greater cost-savings when it comes to refuse services for the City and other WRRMA communities as the contractor who is awarded the contract will take on all the WRRMA municipalities (excluding those who opt out). The first round is expected to include the City of Saline, Pittsfield Township, Ypsilanti Township, and the City of Dexter (if the City were to agree to take part). The City's current 5-year contract with Waste Management expires in 2024. In addition to the potential for cost-savings due to economy of scale, customer support could also be transferred to WRRMA, as they have the capacity to provide staff to answer resident requests and communicate with the contractor. Staff has asked WRRMA's attorney, Bob Davis, to attend a Council meeting in October to present on the RFP.

If the City were to participate in this RFP, the goal would be to have the service remain the same, but there could be a significant change to internal process. There are a significant number of process items to consider, including billing for services, service expectations, and City staff support.

- G. EGLE ROW Soil Gas Sampling Request (9/12/22).** Staff and City consultants met to review the EGLE right-of-way soil gas sampling request near the intersection of Main St. and

Jeffords. ASTI, the City's consultant will be submitting a FOIA request to EGLE to gain access to data and environmental assessments for the area. The goal is to be able to review all pertinent information, and then meet again with EGLE regarding their request.

H. Wavier of Sidewalk Cost Share (7/25/22). At the last City Council meeting, Council approved sidewalk design funding for repair/replacement of various sidewalks. Council member Griffin raised a point regarding the cost-sharing for residents mentioned in the General Code of Ordinances Chapter 46, Section 49, which states the following:

"The cost of construction of new sidewalks and the cost of reconstruction or replacement of existing sidewalks shall be paid as follows:

- (1) All new developments, commercial, residential, etc. shall put in sidewalks, at the developer's expense, that conform to the city sidewalk standards. PUDS and other developments must provide connectivity at the time of their zoning approval.
- (2) The City of Dexter shall pay 100 percent of the cost of new sidewalks in existing residential areas.
- (3) The City of Dexter shall pay 50 percent of the cost of new sidewalks in all other existing zoning areas at the time of construction of new sidewalks.
- (4) The City of Dexter shall pay 50 percent for the cost of replacing/repairing existing sidewalks. The City of Dexter Council may, by resolution, authorize the waiver of the cost share provision for repairs designated in areas identified in the city capital improvements program and approved in the city's annual budget. Such resolution shall specify the reason for waiver of the cost share."

Council has waived the cost-sharing in past. In a document attached to this report from the September 26th, 2005 City Council meeting, a resolution was passed to waive the fees for the residents of Cushing Court and 4th Street.

- I. Mill Creek Park North Project (6/27/22).** During the June Parks and Recreation meeting, the Commission reviewed information collected about various natural playground providers. Staff will be working with the Commission to review various vendor options and narrow the design focus.
- J. Pavement Markings (5/9/2022).** Staff has also confirmed that JV will not be holding their prices for the placement of pavement markings. Staff will be contacting the Washtenaw County Road Commission to determine if they have an open bid for pavement markings that the City could join for the upcoming season.
- K. Pedestrian Safety Project (5/9/2022).** Staff has re-engaged M-1 Studio on the production of a video that explains proper crossing techniques. The scope may potentially be updated to include items such as B2B trail safety and "walking your wheels" in the downtown area. The creation of the video will take place in the new fiscal year.
- L. 8140 Main St. Building Maintenance List (5/9/22).** During a DPW and utilities budget meeting, staff also reviewed a list of maintenance needs at 8140 Main St. provided by Chief Smith. Staff met with DAFD to go over the items of the list and are soliciting quotes

on applicable items for which the City is responsible. These include quotes related to electrical service, bay door replacement, and HVAC maintenance.

5. Current Full Tax Tribunal Cases:

As of September 22, 2022, Old National Bank has submitted a case to the full Tax Tribunal.

6. Upcoming Council Committee Agendas:

None

7. Updates on Outstanding Bids/RFPs:

None

8. Grant Applications:

- A. Connecting Community Grant (9/12/22).** The Washtenaw County Parks and Recreation Commission (WCPARC) has a grant that is designated to the improvement and expansion of non-motorized trails across Washtenaw County. Through 2024, the Connecting Community Initiative will be committing \$600,000 per year. For the 2022 round, Staff will be requesting \$75,000 toward the Grand St. Connector of the B2B Trail.
- B. CTAP Grant (6/13/22).** Staff submitted a grant application to Destination Ann Arbor's Community Tourism Action Plan (CTAP) grant for the creation and installation of the proposed new kiosk as recommended by the Parks and Recreation Commission, which will be located near the Forest Lawn Cemetery B2B trailhead. This \$5,000 grant has been received.
- C. MMRMA RAP Grant (6/13/22).** The City's insurance provider, the Michigan Municipal Risk Management Authority offers a grant that can be applied to purchases and projects designed to reduce or minimize risk. One possible application of this grant would be towards additional badge entry security for doors at 3515 Broad St. and other City facilities.

9. Roads, Sidewalks, and Traffic Control Orders:

- A. Central St. – Alley – Main St. Intersection (11/22/21).** Council received and discussed information relating to right turn only signage at the Central St. – Alley – Main St. intersection during their August 23, 2021 meeting. During that meeting, City Council asked the question "is this really a problem?" and directed staff to investigate crashes at or near that intersection. Staff conducted research and through SEMCOG's Traffic Crash Data, staff has prepared information for City Council's review relating to crash data for downtown Dexter. Staff will provide this information for the December 13, 2021 meeting.
- B. Compliant Regarding Mill Creek Middle School Left Turn (4/25/22).** Staff has received a complaint from a resident regarding the unprotected left-hand turn traveling north on Dexter Ann Arbor Road into the school. The resident told staff that without any kind of time to turn, cars are taking the left turns on red lights. They also mentioned it would be especially beneficial during drop-off and pick-up times. This issue can be referenced in

the OHM traffic memo from earlier this year and has an estimated cost of \$2,775, including \$1,500 for traffic data collection.

10. Ordinance Updates:

- A. Rental Inspection Ordinance & Property Maintenance Code (4/11/22).** Staff met to review the current status of the draft Rental Inspection Ordinance. Planning staff will be working to move this project forward by: 1) taking an inventory of existing property maintenance requirements in the General Code; 2) comparing the City's General Code requirements against the International Property Maintenance Code; 3) Identifying the best means to incorporate the IPMC into the City's General Code.
- B. Water/Sewer Ordinance Update (11/09/20).** A public hearing was held on October 26th. The ordinance will be provided to Council for adoption once it is given final approval by the EGLE.
- C. Traffic and Vehicles Ordinance (1/13/20).** During their September 17th meeting, the Parks and Recreation Commission had a conversation about sidewalks, non-motorized pathways (such as the B2B), and the appropriateness of various types of vehicles on them.
- D. Fire Code Review (1/13/20).** The Committee of the City of Dexter, Webster Township and the Fire Chief have completed our review meetings. Each community will now move the Fire Code through their own process. At this point it looks like it makes sense to adopt the 2018 code instead of the 2015 version. The changes between the two versions are not significant. Staff is working on a draft ordinance and will present it to set a public hearing at a future date.

Meeting	Potential Topics Discussed/Considered
October 24, 2022	8050 Main St. Lease Public Hearing WRRMA RFP Presentation and Discussion Fido Fountain Donation Acceptance Bicentennial Discussion Setting Public Hearing for Public Nuisance Ordinance Setting Public Hearing for Subdivision Ordinance Update
November 14, 2022	Approval of WRRMA Budget
November 28, 2022	Organizational Matters City Council Rules Public Nuisance Ordinance Subdivision Ordinance Update Zoning Ordinance Update
December 12, 2022	Appointments to Boards & Committees 2023 Board & Committee Meeting Dates

memorandum

Date: September 6, 2017

To: Courtney Nicholls, City Manager

From: Patrick Droze

Re: Forest Street and Baker Intersection

This memorandum is prepared in response to a recent request to maintain the current closure of parallel parking on Baker Road immediately south of Forest Street. Currently, 1 space is barricaded off with the goal to provide additional sight distance for drivers on westbound Forest Street as shown in Photograph 1.



Photography 1 - Barricaded Space and View from WB Forest Street



GUIDANCE

OHM's Traffic Engineering Department states that the minimum distance between on-street parallel parking and intersections is defined within the Michigan Vehicle Code in Section 257.674. The code states that parking cannot occur within 20' of a crosswalk or 15' from the right of way line (257.674 (f)). This prohibition is intended to open up sight triangles at the intersection.

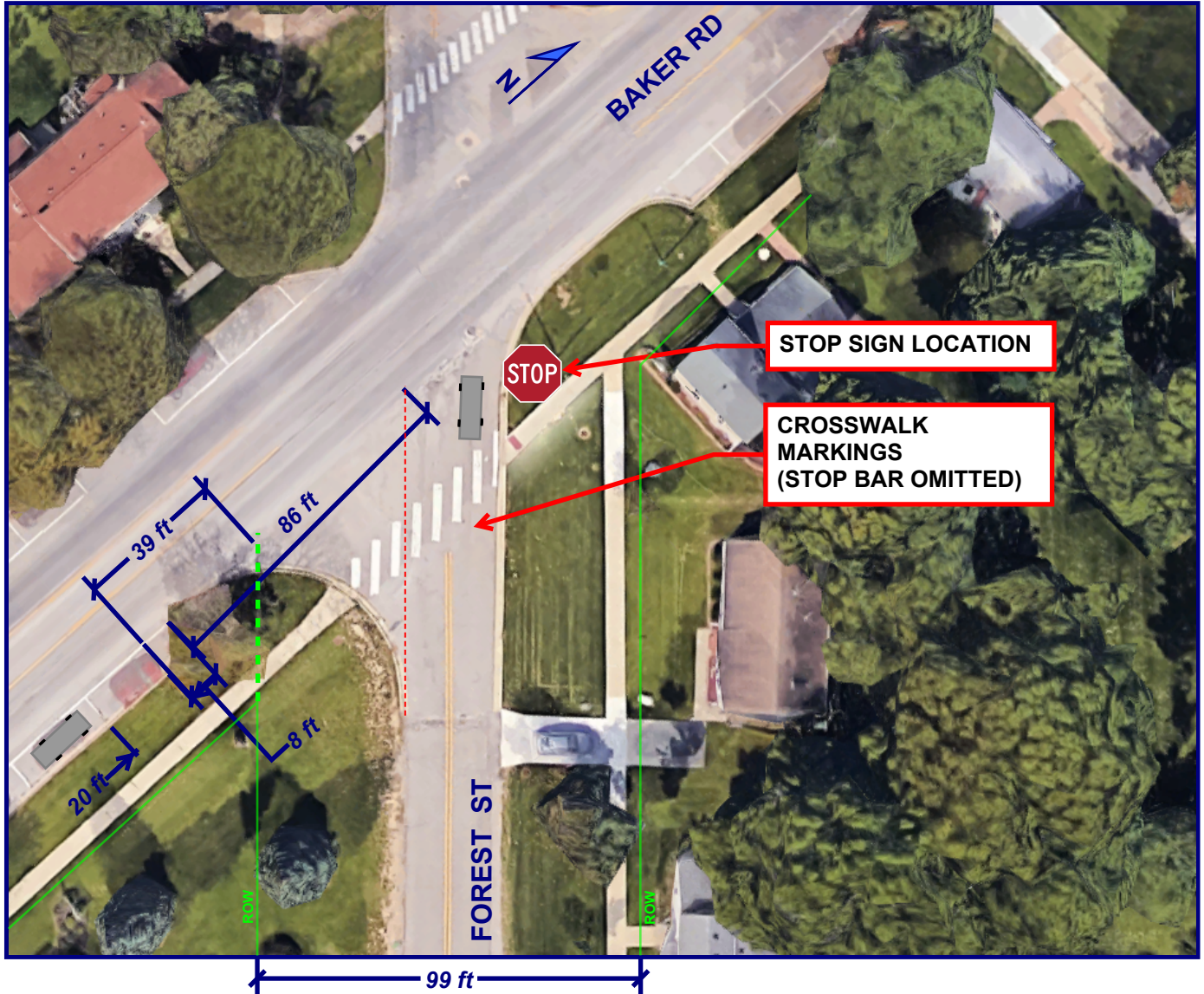
FINDINGS

Currently, it appears that 39' is provided on the southeast corner of the intersection between the end of the northernmost parking space and the right of way line. This dimension is compliant with the vehicle code for a 15' offset from the right of way line. There is currently no sidewalk on the south side of Forest Street so the 20' requirement does not apply.

RECCOMENDATION

Based on the overserved field conditions, the parking spaces are within the tolerances of the Michigan Vehicle Code and can be utilized in their current form. It should be noted that the lack of a stop bar at the intersection provides the driver with the opportunity to position their vehicle in a location that allows them to assess safely traffic conditions. By moving towards the street, drivers are able to gain sight distance to make appropriate maneuvers.

Attachment: Intersection Plan



CLIENT:		JOB #		SCALE H: 1"= V: 1"=	
				SHEET	
				BY DROZE	
34000 Plymouth Road Livonia, MI 48150 P (734) 522-6711 F (734) 522-6427 WWW.OHM-ADVISORS.COM					
COPYRIGHT 2007 OHM ALL DRAWINGS AND WRITTEN MATERIALS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF OHM AND THE SAME MAY NOT BE DUPLICATED, DISTRIBUTED, OR DISCLOSED WITHOUT PRIOR WRITTEN CONSENT OF OHM					



Hello Residents and Council,

Here is my report of recent activities since my last report and my calendar of planned activities looking ahead:

Appointment Recommendation

I am recommending that Anna Oostendorp (formerly Simmons) is appointed to a term on the Arts, Culture and Heritage Committee. This item has been included on the consent agenda along with Anna’s application. I was thrilled to talk to her and glad she wants to get involved again.

Recent Activities

October 5, 2022 – Conference call with City Manager Breyer, Superintendent Stewart and Streets Foreman

Upcoming Meetings/Activities

October 10, 2022 – City Council Meeting at St. Andrew’s Church, 7610 Ann Arbor St

October 13, 2022 – Tentative date for next meeting regarding the potential creation of an authority for the Dexter Senior Center with Jim Carson, Webster Township Supervisor John Kingsley, Dexter Township Supervisor Diane Ratkovich and Scio Twp Supervisor Will Hathaway.

October 13, 2022 – Public Meeting to discuss City Public Safety Facilities Ballot Initiative

October 20, 2022 – Dexter Downtown Development Authority (DDA) meeting

October 20, 2022 – Dexter Area Fire Authority (DAFD) Board meeting – the time and date of this meeting are subject to change due to a conflict with a Fire Fighter Awards Ceremony. Lieutenant Lee Root will be recognized as the 2022 Fire Fighter of the Year for Washtenaw County by the Washtenaw 100 Club. The ceremony is currently scheduled the same time as the DAFD meeting.

October 24, 2022 – City Council Meeting at St. Andrew’s Church, 7610 Ann Arbor St

Please stay safe and enjoy Dexter! I look forward to seeing you around our town.

Shawn Keough
Mayor, City of Dexter skeough@DexterMI.gov (313) 363-1434 (cell)

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SUMMARY OF BILLS AND PAYROLL			10/10/2022
Payroll Check Register	09/30/22	\$4,610.00	Council Pal
	10/05/22	\$49,941.57	Regular pay
Employer Costs (FICA/MERS/ICMA) paid via electronic transfer	09/30/22	\$352.67	Council pay
	10/05/22	\$5,684.43	Regular pay
Account Payable Check Register		\$167,051.84	
		\$227,640.51	TOTAL BILLS & PAYROLL EXPENDED ALL FUNDS
The due date column on the accounts payable worksheets represents the date of the Council meeting			
ALL PAYABLES ARE WITHIN ACCEPTABLE BUDGET LIMITS EXCEPT AS NOTED BELOW DETAIL VENDOR LIST AND ACCOUNT SUMMARY PROVIDED			
<i>"This is the summary report that will be provided with each packet. Approval of the total bills and payroll expended, all funds will be necessary."</i>			

Claimant	Amount Claimed	Amount Owed	Amount Rejected
1. 8 POINT ANN ARBOR	61.20		
2. ALEXANDRIA DIRKSE	152.80		
3. ANN ARBOR SPARK	2,000.00		
4. BARRISTERS SETTLEMENT OF MI	50.59		
5. BOONE & DARR	540.00		
6. BOULLION SALES	43.44		
7. CADILLAC ASPHALT, LLC	560.25		
8. CARQUEST AUTO PARTS	63.22		
9. CHELSEA STATE BANK	58,127.25		
10. CINTAS CORPORATION	953.78		
11. CMR MECHANICAL	198.00		
12. CORRIGAN OIL COMPANY	855.97		
13. CRIBLEY DRILLING	54.00		
14. DAN DAPPRICH	120.00		
15. DAVID BAUER	117.54		
16. DEXTER DENTAL CENTER	76.00		
17. ED YOUNG	40.00		
18. EMMA ROSE	320.00		
19. ETNA SUPPLY CO	2,940.00		
20. ETSIE ARRUDA	40.00		
21. EUROFINS	35.50		
22. F&V OPERATIONS	450.00		
23. GOOGLE LLC	222.00		
24. GRAINGER	91.84		
25. GRIFFIN PEST SOLUTIONS	225.00		
26. GRISSOM JANITORIAL	400.00		
27. HACKNEY HARDWARE	334.83		
28. HAVILAND PRODUCT CO	945.00		
29. HOPPER'S HOUSE LLC	207.90		
30. ISAAC ROUGHTON	40.00		
31. J.J. KELLER	3,195.00		
32. JACOBS FRESH FARM	36.00		
33. JANELLE RUHLIGS	38.00		
34. JAN-PRO DETROIT	885.00		
35. JOHN'S SANITATION	795.00		
36. JONAS DAINIUS BERZANSKIS	40.00		
37. JUDY JOHNSON	44.39		
38. JUDY WELSH	105.00		
39. KCI	1,149.51		
40. KEN DEWAARD	3,100.00		
41. KUHL'S KITCHEN	10.00		
42. LA FONTAINE	3,107.87		
43. LAKEVIEW DENTAL CARE	63.40		
44. LESSORS WELDING SUPPLY	40.00		
45. LODI FARMS LTD	8,775.00		
46. MARIE A. SHERRY	279.22		
47. MARK'S AUTO SERVICE, INC.	112.00		
48. MICHELLE ANIOL	74.98		
49. MICHIGAN MUNICIPAL LEAGUE UNEMPLOYM	14.72		
50. MICHIGAN MUNICIPAL RISK	28,645.00		

Claimant	Amount Claimed	Amount Owed	Amount Rejected
51. MMB EQUITIES LLC	106.08		
52. MMB EQUITIES, LLC	1.16		
53. MMB EQUITIES	88.64		
54. NOKA HOMESTEAD	44.00		
55. ORCHARD, HILTZ & MCCLIMENT INC	9,940.75		
56. PARTS PEDDLER AUTO SUPPLY	27.17		
57. PAULA EVERS	37.30		
58. POSTMASTER	275.00		
59. PREFERRED TITLE AGENCY	222.09		
60. RITE-TECH ENTERPRISES INC.	2,239.37		
61. SALINE FIDDLERS	40.00		
62. SEVA FARMS	61.00		
63. SIGNS IN 1 DAY LLC	505.00		
64. SOUTHEASTERN EQUIPMENT CO. INC	21.25		
65. STAPLES BUSINESS CREDIT	3,070.31		
66. THE SUN TIMES NEWS	349.50		
67. TRACTOR SUPPLY CREDIT PLAN	217.94		
68. U.S. BANK ST. PAUL	25,741.25		
69. WASHTENAW AREA TRANSPORTATION STUDY	1,000.00		
70. WASHTENAW COUNTY TREASURER	2,287.83		
TOTAL ALL CLAIMS	167,051.84		

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 172 CITY MANAGER					
101-172-721.000	HEALTH & DENTAL INSURANCE	ALEXANDRIA DIRKSE	DENTAL REIMBURSEMENT	152.80	52784
101-172-721.000	HEALTH & DENTAL INSURANCE	DEXTER DENTAL CENTER	JENNA KUICK PAYMENT FOR SERVICES	76.00	52797
101-172-721.000	HEALTH & DENTAL INSURANCE	LAKEVIEW DENTAL CARE	DENTAL REIMBURSEMENT-BRENDA TUSCANO	63.40	52824
101-172-955.000	MISCELLANEOUS	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	15.56	52849
Total For Dept 172 CITY MANAGER				307.76	
Dept 253 TREASURER					
101-253-861.000	TRAVEL & MILEAGE	MARIE A. SHERRY	EXPENSE REPORT	279.22	52846
101-253-977.000	EQUIPMENT	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	456.98	52849
Total For Dept 253 TREASURER				736.20	
Dept 262 ELECTIONS					
101-262-727.001	ELECTION SUPPLIES	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	153.98	52849
101-262-977.000	EQUIPMENT	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	1,770.95	52849
Total For Dept 262 ELECTIONS				1,924.93	
Dept 265 BUILDINGS & GROUNDS					
101-265-727.000	OFFICE SUPPLIES	CRIBLEY DRILLING	CITY OFFICE WATER	36.00	52794
101-265-727.000		HACKNEY HARDWARE	SEPTEMBER STATEMENT	4.99	52808
101-265-727.000	OFFICE SUPPLIES	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	298.43	52849
101-265-728.000	POSTAGE	POSTMASTER	PERMIT #100	275.00	52841
101-265-803.020	SOFTWARE MAINTENANCE CONTRACT	GOOGLE LLC	SOFTWARE	222.00	52804
101-265-804.001	CONTRACTED SERVICES - PEST CONTR	GRIFFIN PEST SOLUTIONS	8396 PARKRIDGE	225.00	52806
101-265-935.000	BUILDING MAINTENANCE & REPAIR	CINTAS CORPORATION	MATS	72.22	52791
101-265-935.000	BUILDING MAINTENANCE & REPAIR	CINTAS CORPORATION	MATS	72.22	52791
101-265-935.001		GRISSOM JANITORIAL	OFFICE CLEANING	400.00	52807
101-265-935.001	OFFICE CLEANING	JAN-PRO DETROIT	OFFICE CLEANING	885.00	52814
101-265-977.000	EQUIPMENT	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	96.65	52849
Total For Dept 265 BUILDINGS & GROUNDS				2,587.51	
Dept 285 CITY TREE PROGRAM					
101-285-731.001	LANDSCAPE SUPPLIES - TREES	LODI FARMS LTD	TREES	8,775.00	52826
Total For Dept 285 CITY TREE PROGRAM				8,775.00	
Dept 301 LAW ENFORCEMENT					
101-301-807.000		WASHTENAW COUNTY TREASUREF	POLICE SERVICES	2,287.83	52853
Total For Dept 301 LAW ENFORCEMENT				2,287.83	
Dept 400 PLANNING DEPARTMENT					
101-400-901.000	PRINTING & PUBLISHING	THE SUN TIMES NEWS	ADS	349.50	52850
101-400-955.000	MISCELLANEOUS	MICHELLE ANIOL	EXPENSE REPORT	74.98	52828
Total For Dept 400 PLANNING DEPARTMENT				424.48	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-740.000	OPERATING SUPPLIES	CRIBLEY DRILLING	DPW WATER	18.00	52794
101-441-740.000	OPERATING SUPPLIES	LESSORS WELDING SUPPLY	CYLINDER RENTAL	40.00	52825
101-441-740.000	OPERATING SUPPLIES	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	68.90	52849
101-441-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	46.26	52791
101-441-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	44.60	52791
101-441-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	61.54	52791
101-441-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	61.54	52791
101-441-745.000	UNIFORM ALLOWANCE	TRACTOR SUPPLY CREDIT PLAN	CLOTHING	217.94	52851
101-441-937.000	EQUIPMENT MAINTENANCE & REPAIR	BOONE & DARR	BACKFLOW TESTING	180.00	52787

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Fund 101 GENERAL FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-960.000	EDUCATION & TRAINING	J.J. KELLER	PROF SERVICES	1,065.00	52812
Total For Dept 441 DEPARTMENT OF PUBLIC WORKS				1,803.78	
Dept 442 DOWNTOWN PUBLIC WORKS					
101-442-730.000	FARMERS MARKET SUPPLIES	ED YOUNG	MUSIC AT THE MARKET	40.00	52798
101-442-730.000	FARMERS MARKET SUPPLIES	ETSIE ARRUDA	FARMERS MARKET MUSIC	40.00	52801
101-442-730.000	FARMERS MARKET SUPPLIES	ISAAC ROUGHTON	MUSIC AT THE MARKET	40.00	52811
101-442-730.000	FARMERS MARKET SUPPLIES	JONAS DAINIUS BERZANSKIS	FARMERS MARKET MUSIC	40.00	52818
101-442-730.000	FARMERS MARKET SUPPLIES	JUDY WELSH	FARMERS MARKET SUPPLIES	105.00	52819
101-442-730.000	FARMERS MARKET SUPPLIES	SALINE FIDDLERS	MUSIC AT THE MARKET	40.00	52844
101-442-731.000	LANDSCAPE SUPPLIES	EMMA ROSE	STREETSCAPE CORN STALKS	320.00	52799
101-442-731.000	LANDSCAPE SUPPLIES	JUDY JOHNSON	LANDSCAPING SUPPLIES	44.39	52817
Total For Dept 442 DOWNTOWN PUBLIC WORKS				669.39	
Dept 728 ECONOMIC DEVELOPMENT					
101-728-802.000	PROFESSIONAL SERVICES	ANN ARBOR SPARK	2022 CONTRIBUTION	2,000.00	52785
Total For Dept 728 ECONOMIC DEVELOPMENT				2,000.00	
Dept 751 PARKS & RECREATION					
101-751-731.000	LANDSCAPE SUPPLIES	HACKNEY HARDWARE	SEPTEMBER STATEMENT	38.87	52808
101-751-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	SEPTEMBER STATEMENT	109.57	52808
101-751-802.000	PROFESSIONAL SERVICES	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	3,953.00	52838
101-751-944.000	PORTABLE TOILET RENTAL	JOHN'S SANITATION	PORTA POTTIES	695.00	52816
101-751-944.000	PORTABLE TOILET RENTAL	JOHN'S SANITATION	MONUMENT PARK PORTA POTTY	100.00	52816
101-751-970.000	CONTRACTED CAPITAL IMPROVEMENTS	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	389.50	52838
Total For Dept 751 PARKS & RECREATION				5,285.94	
Dept 801 ARTS, CULTURE & HERITAGE					
101-801-802.000	PROFESSIONAL SERVICES	KEN DEWAARD	PAINT DEXTER JUDGING AND WORKSHOP	3,100.00	52821
101-801-803.000	CONTRACTED SERVICES	HOPPER'S HOUSE LLC	PAINT DEXER TABLES/CHAIRS	207.90	52810
Total For Dept 801 ARTS, CULTURE & HERITAGE				3,307.90	
Dept 851 INSURANCE & BONDS					
101-851-719.000	UNEMPLOYMENT COMPENSATION	MICHIGAN MUNICIPAL LEAGUE	QUARTERLY CONTRIBUTION	14.72	52829
101-851-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	12,317.35	52830
Total For Dept 851 INSURANCE & BONDS				12,332.07	
Dept 901 CAPITAL IMPROVEMENTS					
101-901-975.023	3515 BROAD	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	2,539.50	52838
Total For Dept 901 CAPITAL IMPROVEMENTS				2,539.50	
Total For Fund 101 GENERAL FUND				44,982.29	
Fund 202 MAJOR STREETS FUND					
Dept 451 CONTRACTED ROAD CONSTRUCTION					
202-451-932.000	SIDEWALKS	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	1,318.88	52838
Total For Dept 451 CONTRACTED ROAD CONSTRUCTION				1,318.88	
Dept 463 ROUTINE MAINTENANCE					
202-463-802.000	PROFESSIONAL SERVICES	WASHTENAW AREA TRANSPORTA	MEMBERSHIP DUES	1,000.00	52852
202-463-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	2,578.05	52830
Total For Dept 463 ROUTINE MAINTENANCE				3,578.05	
Dept 474 TRAFFIC SERVICES					

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Fund 202 MAJOR STREETS FUND					
Dept 474 TRAFFIC SERVICES					
202-474-740.000	OPERATING SUPPLIES	DAN DAPPRICH	STREETLIGHT TIMING	120.00	52795
202-474-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	343.74	52830
Total For Dept 474 TRAFFIC SERVICES				463.74	
Dept 478 WINTER MAINTENANCE					
202-478-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	429.68	52830
Total For Dept 478 WINTER MAINTENANCE				429.68	
Total For Fund 202 MAJOR STREETS FUND				5,790.35	
Fund 203 LOCAL STREETS FUND					
Dept 451 CONTRACTED ROAD CONSTRUCTION					
203-451-932.000	SIDEWALKS	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	1,318.87	52838
203-451-975.022	DEXTER CROSSINGS	ORCHARD, HILTZ & MCCLIMEN	SEPTEMBER INVOICES	421.00	52838
Total For Dept 451 CONTRACTED ROAD CONSTRUCTION				1,739.87	
Dept 463 ROUTINE MAINTENANCE					
203-463-740.000	OPERATING SUPPLIES	8 POINT ANN ARBOR	SUPPLIES	61.20	52783
203-463-740.000	OPERATING SUPPLIES	CADILLAC ASPHALT, LLC	ROAD REPAIR	440.25	52789
203-463-740.000	OPERATING SUPPLIES	CADILLAC ASPHALT, LLC	PATCHING	120.00	52789
203-463-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	667.43	52830
Total For Dept 463 ROUTINE MAINTENANCE				1,288.88	
Dept 474 TRAFFIC SERVICES					
203-474-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	335.15	52830
Total For Dept 474 TRAFFIC SERVICES				335.15	
Dept 478 WINTER MAINTENANCE					
203-478-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	429.66	52830
Total For Dept 478 WINTER MAINTENANCE				429.66	
Total For Fund 203 LOCAL STREETS FUND				3,793.56	
Fund 226 SOLID WASTE COLLECTION FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
226-000-275.000	REFUSE	BARRISTERS SETTLEMENT OF MUB	refund for account: 1012205642	13.93	52786
226-000-275.000	REFUSE	DAVID BAUER	UB refund for account: 1012205089	86.14	52796
226-000-275.000	REFUSE	MMB EQUITIES	UB refund for account: 1012206780	0.91	52831
226-000-275.000	REFUSE	MMB EQUITIES	UB refund for account: 1012206741	37.90	52832
226-000-275.000	REFUSE	MMB EQUITIES LLC	UB refund for account: 5011800108	50.00	52833
226-000-275.000	REFUSE	MMB EQUITIES LLC	UB refund for account: 5011800109	4.94	52834
226-000-275.000	REFUSE	MMB EQUITIES LLC	UB refund for account: 5011800110	4.94	52835
226-000-275.000	REFUSE	MMB EQUITIES, LLC	UB refund for account: 5011800012	0.67	52836
226-000-275.000	REFUSE	PREFERRED TITLE AGENCY	UB refund for account: 1012206454	75.10	52842
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				274.53	
Total For Fund 226 SOLID WASTE COLLECTION FUND				274.53	
Fund 352 FACILITIES BOND DEBT SERVICE FUND					
Dept 850 LONG-TERM DEBT					
352-850-995.014	2021 FACILITIES BOND PRINCIPAL	CHELSEA STATE BANK	2021 CAPITAL IMPROVEMENT BONDS	35,000.00	
352-850-996.014	2021 FACILITIES BOND INTEREST	CHELSEA STATE BANK	2021 CAPITAL IMPROVEMENT BONDS	20,764.75	
Total For Dept 850 LONG-TERM DEBT				55,764.75	

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Fund 352 FACILITIES BOND DEBT SERVICE FUND					
Total For Fund 352 FACILITIES BOND DEBT SERVICE FUND				55,764.75	
Fund 353 ROAD BOND DEBT SERVICE FUND					
Dept 850 LONG-TERM DEBT					
353-850-996.011	'14 ROAD BOND INTEREST	CHELSEA STATE BANK	2014 CAPITAL IMPROVEMENT BONDS	2,362.50	
Total For Dept 850 LONG-TERM DEBT				2,362.50	
Total For Fund 353 ROAD BOND DEBT SERVICE FUND				2,362.50	
Fund 394 DDA DEBT FUND					
Dept 850 LONG-TERM DEBT					
394-850-997.006	2015 REFUNDING - TAXABLE BOND	U.S. BANK ST. PAUL	2015 DDA REFUNDING BONDS	25,741.25	
Total For Dept 850 LONG-TERM DEBT				25,741.25	
Total For Fund 394 DDA DEBT FUND				25,741.25	
Fund 402 EQUIPMENT REPLACEMENT FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	BOULLION SALES	PARTS	43.44	52788
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	HACKNEY HARDWARE	SEPTEMBER STATEMENT	71.88	52808
402-441-939.000		PARTS PEDDLER AUTO SUPPLY	PARTS	11.69	52839
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	RITE-TECH ENTERPRISES INC.	MDOT INSP	87.50	52843
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	RITE-TECH ENTERPRISES INC.	VEHICLE MAINTENANCE	2,151.87	52843
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	SOUTHEASTERN EQUIPMENT CO.	CUSTOMER 2027850 PART FOR BACKHOE	21.25	52848
Total For Dept 441 DEPARTMENT OF PUBLIC WORKS				2,387.63	
Total For Fund 402 EQUIPMENT REPLACEMENT FUND				2,387.63	
Fund 590 SEWER ENTERPRISE FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
590-000-275.000	SEWER	BARRISTERS SETTLEMENT OF MUB	refund for account: 1012205642	16.13	52786
590-000-275.000	SEWER	MMB EQUITIES	UB refund for account: 1012206780	0.58	52831
590-000-275.000	SEWER	MMB EQUITIES	UB refund for account: 1012206741	30.09	52832
590-000-275.000	SEWER	MMB EQUITIES LLC	UB refund for account: 5011800108	20.36	52833
590-000-275.000	SEWER	MMB EQUITIES LLC	UB refund for account: 5011800109	2.01	52834
590-000-275.000	SEWER	MMB EQUITIES LLC	UB refund for account: 5011800110	2.01	52835
590-000-275.000	SEWER	MMB EQUITIES, LLC	UB refund for account: 5011800012	0.25	52836
590-000-275.000	SEWER	PREFERRED TITLE AGENCY	UB refund for account: 1012206454	119.63	52842
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				191.06	
Dept 548 SEWER UTILITIES DEPARTMENT					
590-548-728.000	POSTAGE	KCI	UTILITY BILLS	635.30	52820
590-548-740.000	OPERATING SUPPLIES	GRAINGER	SUPPLIES	21.17	52805
590-548-740.000	OPERATING SUPPLIES	GRAINGER	WWTP PUMP REPAIR	49.63	52805
590-548-740.000		HACKNEY HARDWARE	SEPTEMBER STATEMENT	37.09	52808
590-548-740.000	OPERATING SUPPLIES	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	104.43	52849
590-548-742.000	CHEMICAL SUPPLIES - PLANT	HAVILAND PRODUCT CO	CHEMICALS	945.00	52809
590-548-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	161.96	52791
590-548-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	MATS AND CLOTHING	157.72	52791
590-548-751.000		CORRIGAN OIL COMPANY	GAS	855.97	52793
590-548-802.000	PROFESSIONAL SERVICES	F&V OPERATIONS	PROF SERVICES	450.00	52803
590-548-824.000	TESTING & ANALYSIS	EUROFINS	NUBC TESTING SEWER	35.50	52802
590-548-901.000	PRINTING & PUBLISHING	KCI	UTILITY BILLS	514.21	52820
590-548-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	8,593.50	52830

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Fund 590 SEWER ENTERPRISE FUND					
Dept 548 SEWER UTILITIES DEPARTMENT					
590-548-935.000	BUILDING MAINTENANCE & REPAIR	CMR MECHANICAL	FILTERS	198.00	52792
590-548-935.000	BUILDING MAINTENANCE & REPAIR	HACKNEY HARDWARE	SEPTEMBER STATEMENT	23.99	52808
590-548-935.000	BUILDING MAINTENANCE & REPAIR	SIGNS IN 1 DAY LLC	WWTP SIGN	505.00	52847
590-548-937.000	EQUIPMENT MAINTENANCE & REPAIR	BOONE & DARR	BACKFLOW TESTING	225.00	52787
590-548-937.000	EQUIPMENT MAINTENANCE & REPAIR	CARQUEST AUTO PARTS	PARTS	63.22	52790
590-548-939.000	VEHICLE MAINTENANCE & REPAIRS	MARK'S AUTO SERVICE, INC.	REPAIR	112.00	52827
590-548-960.000	EDUCATION & TRAINING	J.J. KELLER	PROF SERVICES	1,065.00	52812
Total For Dept 548 SEWER UTILITIES DEPARTMENT				14,753.69	
Total For Fund 590 SEWER ENTERPRISE FUND				14,944.75	
Fund 591 WATER ENTERPRISE FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
591-000-275.000	WATER ONLY	BARRISTERS SETTLEMENT OF	UB refund for account: 1012205642	20.53	52786
591-000-275.000	WATER	DAVID BAUER	UB refund for account: 1012205089	31.40	52796
591-000-275.000	WATER	MMB EQUITIES	UB refund for account: 1012206780	0.41	52831
591-000-275.000	WATER	MMB EQUITIES	UB refund for account: 1012206741	18.75	52832
591-000-275.000	WATER	MMB EQUITIES LLC	UB refund for account: 5011800108	18.22	52833
591-000-275.000	WATER	MMB EQUITIES LLC	UB refund for account: 5011800109	1.80	52834
591-000-275.000	WATER	MMB EQUITIES LLC	UB refund for account: 5011800110	1.80	52835
591-000-275.000	WATER	MMB EQUITIES, LLC	UB refund for account: 5011800012	0.24	52836
591-000-275.000	WATER	PAULA EVERS	UB refund for account: 0000004689	37.30	52840
591-000-275.000	WATER ONLY	PREFERRED TITLE AGENCY	UB refund for account: 1012206454	27.36	52842
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				157.81	
Dept 556 WATER UTILITIES DEPARTMENT					
591-556-740.000	OPERATING SUPPLIES	GRAINGER	SUPPLIES	21.04	52805
591-556-740.000	OPERATING SUPPLIES	HACKNEY HARDWARE	SEPTEMBER STATEMENT	48.44	52808
591-556-740.000	OPERATING SUPPLIES	STAPLES BUSINESS CREDIT	AUGUST/SEPT STATEMENT	104.43	52849
591-556-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	MATS AND CLOTHING	118.00	52791
591-556-745.000	UNIFORM ALLOWANCE	CINTAS CORPORATION	CLOTHING AND MATS	157.72	52791
591-556-911.000	LIABILITY INSURANCE	MICHIGAN MUNICIPAL RISK	7/1/22-7/1/23	2,950.44	52830
591-556-937.000	EQUIPMENT MAINTENANCE & REPAIR	BOONE & DARR	BACKFLOW TESTING	135.00	52787
591-556-937.000	EQUIPMENT MAINTENANCE & REPAIR	LA FONTAINE	REPAIRS	3,107.87	52823
591-556-939.000	VEHICLE MAINTENANCE & REPAIRS	PARTS PEDDLER AUTO SUPPLY	PARTS	15.48	52839
591-556-960.000	EDUCATION & TRAINING	J.J. KELLER	PROF SERVICES	1,065.00	52812
591-556-973.001	WATER METERS - REPLACEMENT	ETNA SUPPLY CO	METERS	2,590.00	52800
591-556-977.000	EQUIPMENT	ETNA SUPPLY CO	METER WIRE	350.00	52800
Total For Dept 556 WATER UTILITIES DEPARTMENT				10,663.42	
Total For Fund 591 WATER ENTERPRISE FUND				10,821.23	
Fund 701 CUSTODIAL FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
701-000-252.001	FARMERS MARKET BRIDGE CARD PASS	JACOBS FRESH FARM	REIMBURSEMENT FOR BRIDGE CARD	36.00	52813
701-000-252.001	FARMERS MARKET BRIDGE CARD PASS	JANELLE RUHLIGS	REIMBURSEMENT FOR BRIDGE CARD	38.00	52815
701-000-252.001	FARMERS MARKET BRIDGE CARD PASS	KUHL'S KITCHEN	REIMBURSEMENT FOR BRIDGE CARD	10.00	52822
701-000-252.001	FARMERS MARKET BRIDGE CARD PASS	NOKA HOMESTEAD	REIMBRUSEMENT FOR BRIDGE CARD	44.00	52837
701-000-252.001	FARMERS MARKET BRIDGE CARD PASS	SEVA FARMS	REIMBURSEMENT FOR BRIDGE CARD	61.00	52845
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				189.00	
Total For Fund 701 CUSTODIAL FUND				189.00	

10/05/2022 04:30 PM

User: BRENDA

DB: Dexter

INVOICE GL DISTRIBUTION REPORT FOR CITY OF DEXTER

EXP CHECK RUN DATES 10/05/2022 - 10/05/2022

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: POOL

Page: 6/7

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
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Fund Totals:

Fund 101 GENERAL FUND	44,982.29
Fund 202 MAJOR STREETS I	5,790.35
Fund 203 LOCAL STREETS I	3,793.56
Fund 226 SOLID WASTE COI	274.53
Fund 352 FACILITIES BONI	55,764.75
Fund 353 ROAD BOND DEBT	2,362.50
Fund 394 DDA DEBT FUND	25,741.25
Fund 402 EQUIPMENT REPL	2,387.63
Fund 590 SEWER ENTERPRI	14,944.75
Fund 591 WATER ENTERPRI	10,821.23
Fund 701 CUSTODIAL FUND	189.00

Total For All Funds:	<u>167,051.84</u>
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OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk

Re: Consideration of: Setting Trick or Treating Hours – October 31, 2021 from 5:00 – 7:30pm

Date: October 4, 2022

Requested Action

City Council is asked to consider setting Trick or Treat hours on Halloween, Sunday, October 31, 2022 from 5:00 – 7:30pm.

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OFFICE OF THE MAYOR

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: City Council
From: Mayor Keough
Re: Consideration of: Appointment of Anna Oostendorp (Simmons) to the Arts, Culture, and Heritage Committee
Date: October 5, 2022

I would like to recommend the following appointment. As a new appointee, the application is attached to this memo.

Arts, Culture, and Heritage Committee Commission – Term Ending June 2025
Anna Oostendorp (Simmons)

* Denotes re-appointment

Current Vacancies

Downtown Development Authority (1)
Parks and Recreation Commission (1)
Economic Development Corporation (1)
Zoning Board of Appeals – Alternate (1)
Art Selection Committee (2)

APPLICATION FOR APPOINTMENT AS COMMISSION OR COMMITTEE MEMBER

Name: _____ Date: _____

Address: _____

Email: _____

Phone: _____ Best time to call: _____

Which Commission/Committee are you applying for?

Zoning Board of Appeals

Downtown Development Authority

Planning Commission

Parks and Recreation Commission

Arts, Culture & Heritage Committee

Tree Board

Board of Review

Election Commission

Economic Development Corporation

Other (Specify) _____

Why are you interested in serving on this Commission/Committee? Are there current events that have spurred your interest? _____

What particular skills and/or background do you feel that you could bring to this appointment? What other, if any, commissions or committees have you served on?

Please list/attach any other information that you would like to have considered. _____

OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Consideration of: Direction Regarding Proposed Dan Hoey Sidewalk Alignment

Date: October 5, 2022

Background

Road work on Dan Hoey Rd. is proposed to take place in FY 2022-23, starting in June 2023. Included with that proposed work is the addition of sidewalk along Dan Hoey Rd. In preparation for the design of the road project, OHM has provided construction and engineering estimates of four individual segment options along Dan Hoey Road.

Staff was also contacted by Craig McCalla with the Dexter Community Schools, and Donald Wesley with Avalon Housing regarding desired sidewalk connections with Hilltop Apartments. During an on-site meeting between staff, OHM, Mr. McCalla and Mr. Wesley, an issue was relayed to staff regarding children crossing Dan Hoey Rd. at unmarked crossing locations in front of Hilltop Apartments. During that meeting, Segment 4 (listed below) was identified as a possible alternative to Segment 1, and a possible solution to the problem identified. During that meeting, Mr. Wesley indicated that there could be possible funding from Avalon to support a road crossing such as Segment 4.

These options are as follows:

1. Segment 1 – Approximately 500 feet of sidewalk along the south side of Dan Hoey Road from Dongara Drive east to the Hilltop Apartments
 - a. Construction: \$97,000
 - b. Engineering: \$25,000
2. Segment 2 – Approximately 850 feet of sidewalk along the north side of Dan Hoey from the existing sidewalk terminus, north of Dongara Drive, west to Baker Road
 - a. Construction: \$121,000
 - b. Engineering: \$31,000
3. Segment 3 – Approximately 750 feet of sidewalk along the south side of Dan Hoey from Hilltop Apartments to East Bishop Road
 - a. Construction: \$110,000
 - b. Engineering: \$28,000
4. Segment 4 – A mid-block crossing at Hilltop Apartments
 - a. Construction: \$63,000
 - b. Engineering: \$16,000

OHM and City Staff are looking for input from City Council as to which segment(s), if any, Council would like to incorporate into the 2023 Dan Hoey Rd. project.

The City had also applied for a TED-B grant, but unfortunately was not awarded the funding. An extensive memo from OHM has been attached to this memo which provides additional information and imagery showing the proposed sidewalk segments.

Action Requested

City Council is asked to consider providing direction to staff and OHM Advisors regarding the incorporation of various possible sidewalk segments in the 2023 Dan Hoey Rd. project.



memorandum

Date: September 7, 2022

To: Mr. Justin Breyer
City Manager
cc: Patrick Droze, P.E.
Marcus McNamara
From: Stacie Serdar

Re: Dan Hoey Road – Sidewalk Connection

As part of the Dan Hoey Road resurfacing project, the City requested that OHM perform preliminary construction cost estimates, including both design engineering and construction engineering costs, for constructing a portion of sidewalk along Dan Hoey Road. The City is interested in the following segments:

Segment 1: Approximately 500 feet of sidewalk along the south side of Dan Hoey Road from Dongara Drive, near the Walkabout Creek Apartments, east to the newly constructed Avalon House, located at 7651 Dan Hoey Road.

Segment 2: Approximately 850 feet of sidewalk along the north side of Dan Hoey Road from the existing sidewalk terminus, north of Dongara Drive, west to Baker Road.

Segment 3: Approximately 750 feet of sidewalk along the south side of Dan Hoey Road from the Avalon House east to Bishop Road.

Segment 4: A mid-block crossing at the Avalon House.

After a preliminary walk-through with the City on August 16, 2022, the following items were evaluated.

Segment 1

This sidewalk segment connection may be difficult due to the existing rapid flashing beacon (RFB) located at the crosswalk near the Walkabout Creek Apartments, as well as the existing detention basin located within cross proximity to the Dan Hoey Road ROW.

Segment 2

If the City wishes to pursue a sidewalk connection from Dongara Drive, near the Walkabout Creek Apartments, to Baker Road, it is recommended that it be constructed on the north side. The north side provides more space and less grading challenges.

Segment 3

This sidewalk segment may be difficult due to the existing trees within the ROW. In order to avoid tree removals for this segment, an easement from MC3 may be necessary for ease of construction.



Segment 4

The Avalon House representative and Dexter Schools superintendent wish to construct a mid-block crossing on Dan Hoey Road near the Avalon House to provide safe access and connectivity for pedestrians and kids to access the nearby schools. It was determined that the best location for a new mid-block crossing would be to connect to the existing Avalon House sidewalk that runs internal to their site. This crossing would include ADA ramps, solar-powered RFBs, advance warning signage, and pavement markings.

Conclusion

The preliminary total costs for this work, including the anticipated design engineering and construction engineering costs, can be found in Table 1. A concept sketch of potential sidewalk alignments, as well as a complete cost breakdown of the proposed work, is attached to this memo for reference. It shall be noted that the cost breakdowns do not include the anticipated engineering costs.

It shall also be noted that additional quantities may be necessary after official topography data is gathered in the field. The project cost provided is preliminary and was not based on specific field measurements at this time. The proposed sidewalk work may involve potential easements with nearby residents, as well as utility relocation. Costs for easement assistance and utility relocation efforts are not included in this estimate.

Table 1: Estimated Costs

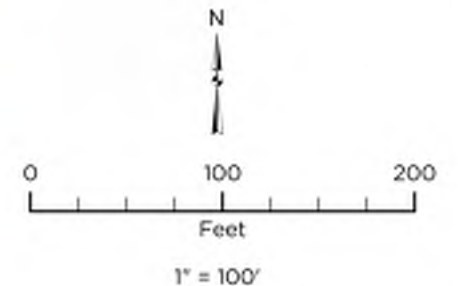
Segment	Estimated Construction Cost w/ Contingency	Engineering Cost	Total Estimated Project Cost
1	\$97,000	\$25,000	\$122,000
2	\$121,000	\$31,000	\$152,000
3	\$110,000	\$28,000	\$138,000
4	\$63,000	\$16,000	\$79,000
Total			\$491,000

Please let us know if you have any questions.

Dan Hoey Rd Sidewalk Connections



- Proposed Sidewalk**
- █ Segment 1
 - █ Segment 2
 - █ Segment 3
 - █ Segment 4
 - ▨ Potential Vegetation Removal
 - ▭ ROW Needed For Sidewalk Installation
 - ▭ Parcels



Source: Data provided by Neotrip and OHM Advisors. OHM Advisors does not warrant the accuracy of the data and/or the map. This document is intended to depict the approximate spatial location of the mapped features within the Community and all use is strictly at the user's own risk.

Coordinate System: NAD 1983 2011 StatePlane Michigan South FIPS 2115 Fv 1sft

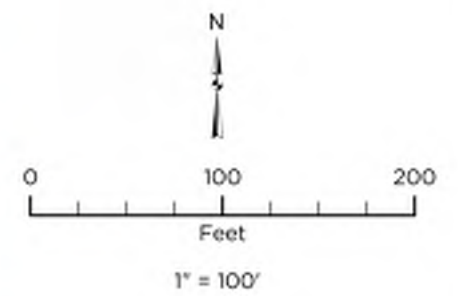
Map Published: September 1, 2022



Dan Hoey Rd Sidewalk Connections



- Proposed Sidewalk**
- █ Segment 1
 - █ Segment 2
 - █ Segment 3
 - █ Segment 4
 - ▨ Potential Vegetation Removal
 - ROW Needed For Sidewalk Installation
 - Parcels



Sources: Data provided by Neatmap and OHM Advisors. OHM Advisors does not warrant the accuracy of the data and/or the map. This document is intended to depict the approximate spatial location of the mapped features within the Community and all use is strictly at the user's own risk.

Coordinate System: NAD 1983 2011 StatePlane Michigan South FIPS 2115 Fv 1sft

Map Published: September 1, 2022





OPINION OF PROBABLE CONSTRUCTION COST

ORCHARD, HILTZ & McCLIMENT, INC.

34000 Plymouth Road, Livonia, Michigan, 48150

Telephone: (734) 522-6711 FAX: (734) 466-4557

PROJECT: Dan Hoey Resurfacing - Sidewalks
 LOCATION: _____
 WORK: _____

DATE: September 7, 2022
 PROJECT #: _____
 ESTIMATOR: SLS
 CHECKED BY: MJM
 CURRENT ENR: _____

ITEM CODE	DESCRIPTION	UNIT	TOTAL	UNIT PRICE	COST
CATEGORY 1 - Segment 1					
1507051	Audio Video Route Survey_Segment 1	LS	1	\$ 2,500.00	\$ 2,500.00
1507051	Contingency, 20%_Segment 1	LS	1	\$ 16,717.00	\$ 16,717.00
1507051	Mobilization, Max. 5%_Segment 1	LS	1	\$ 3,823.00	\$ 3,823.00
1507051	Traffic Maintenance and Control_Segment 1	LS	1	\$ 7,500.00	\$ 7,500.00
2017002	Clearing and Grubbing	Sta	5	\$ 500.00	\$ 2,500.00
2020004	Tree, Rem, 6 inch to 18 inch	Ea	13	\$ 1,000.00	\$ 13,000.00
2040020	Curb and Gutter, Rem	Ft	20	\$ 20.00	\$ 400.00
2040055	Sidewalk, Rem	Syd	12	\$ 15.00	\$ 180.00
2057002	Station Grading	Sta	5	\$ 750.00	\$ 3,750.00
2080020	Erosion Control, Inlet Protection, Fabric Drop	Ea	2	\$ 125.00	\$ 250.00
3020010	Aggregate Base, 4 inch	Syd	278	\$ 35.00	\$ 9,730.00
4037051	Storm Sewer	LSUM	1	\$ 10,000.00	\$ 10,000.00
5010025	Hand Patching	Ton	2	\$ 400.00	\$ 800.00
8020038	Curb and Gutter, Conc, Det F4	Ft	20	\$ 25.00	\$ 500.00
8030010	Detectable Warning Surface	Ft	10	\$ 45.00	\$ 450.00
8030030	Curb Ramp Opening, Conc	Ft	12	\$ 25.00	\$ 300.00
8030044	Sidewalk, Conc, 4 inch	Sft	2600	\$ 7.00	\$ 18,200.00
8032002	Curb Ramp, Conc, 6 inch	Sft	150	\$ 8.00	\$ 1,200.00
8107050	Sign, Erect, Salv	Ea	2	\$ 100.00	\$ 200.00
8167002	Restoration	Sta	5	\$ 1,000.00	\$ 5,000.00
CATEGORY 2 - Segment 2					
1507051	Audio Video Route Survey_Segment 2	LS	1	\$ 2,500.00	\$ 2,500.00
1507051	Contingency, 20%_Segment 2	LS	1	\$ 20,793.00	\$ 20,793.00
1507051	Mobilization, Max. 5%_Segment 2	LS	1	\$ 4,772.00	\$ 4,772.00
1507051	Traffic Maintenance and Control_Segment 2	LS	1	\$ 7,500.00	\$ 7,500.00
2017002	Clearing and Grubbing	Sta	8.5	\$ 500.00	\$ 4,250.00
2020004	Tree, Rem, 6 inch to 18 inch	Ea	6	\$ 1,000.00	\$ 6,000.00
2040020	Curb and Gutter, Rem	Ft	10	\$ 20.00	\$ 200.00
2040055	Sidewalk, Rem	Syd	17	\$ 15.00	\$ 255.00
2057002	Station Grading	Sta	8.5	\$ 750.00	\$ 6,375.00
2080020	Erosion Control, Inlet Protection, Fabric Drop	Ea	2	\$ 125.00	\$ 250.00
3020010	Aggregate Base, 4 inch	Syd	473	\$ 35.00	\$ 16,555.00
4037051	Storm Sewer	LSUM	1	\$ 10,000.00	\$ 10,000.00
5010025	Hand Patching	Ton	2	\$ 400.00	\$ 800.00
8020038	Curb and Gutter, Conc, Det F4	Ft	20	\$ 25.00	\$ 500.00
8030030	Curb Ramp Opening, Conc	Ft	6	\$ 25.00	\$ 150.00
8030044	Sidewalk, Conc, 4 inch	Sft	4400	\$ 7.00	\$ 30,800.00
8107050	Sign, Erect, Salv	Ea	8	\$ 100.00	\$ 800.00
8167002	Restoration	Sta	8.5	\$ 1,000.00	\$ 8,500.00



OPINION OF PROBABLE CONSTRUCTION COST

ORCHARD, HILTZ & McCLIMENT, INC.

34000 Plymouth Road, Livonia, Michigan, 48150

Telephone: (734) 522-6711 FAX: (734) 466-4557

PROJECT: Dan Hoey Resurfacing - Sidewalks
 LOCATION: _____
 WORK: _____

DATE: September 7, 2022
 PROJECT #: _____
 ESTIMATOR: SLS
 CHECKED BY: MJM
 CURRENT ENR: _____

ITEM CODE	DESCRIPTION	UNIT	TOTAL	UNIT PRICE	COST
CATEGORY 3 - Segment 3					
1507051	Audio Video Route Survey_Segment 3	LS	1	\$ 2,500.00	\$ 2,500.00
1507051	Contingency, 20%_Segment 3	LS	1	\$ 19,075.00	\$ 19,075.00
1507051	Mobilization, Max. 5%_Segment 3	LS	1	\$ 4,330.00	\$ 4,330.00
1507051	Traffic Maintenance and Control_Segment 3	LS	1	\$ 7,500.00	\$ 7,500.00
2017002	Clearing and Grubbing	Sta	7.5	\$ 500.00	\$ 3,750.00
2020004	Tree, Rem, 6 inch to 18 inch	Ea	6	\$ 1,000.00	\$ 6,000.00
2040020	Curb and Gutter, Rem	Ft	10	\$ 20.00	\$ 200.00
2057002	Station Grading	Sta	7.5	\$ 750.00	\$ 5,625.00
3020010	Aggregate Base, 4 inch	Syd	417	\$ 35.00	\$ 14,595.00
4037051	Storm Sewer	LSUM	1	\$ 10,000.00	\$ 10,000.00
5010025	Hand Patching	Ton	2	\$ 400.00	\$ 800.00
8020038	Curb and Gutter, Conc, Det F4	Ft	20	\$ 25.00	\$ 500.00
8030010	Detectable Warning Surface	Ft	5	\$ 45.00	\$ 225.00
8030030	Curb Ramp Opening, Conc	Ft	6	\$ 25.00	\$ 150.00
8030044	Sidewalk, Conc, 4 inch	Sft	3750	\$ 7.00	\$ 26,250.00
8032002	Curb Ramp, Conc, 6 inch	Sft	75	\$ 8.00	\$ 600.00
8107050	Sign, Erect, Salv	Ea	4	\$ 100.00	\$ 400.00
8167002	Restoration	Sta	7.5	\$ 1,000.00	\$ 7,500.00
CATEGORY 4 - Segment 4					
1507051	Audio Video Route Survey_Segment 4	LS	1	\$ 1,500.00	\$ 1,500.00
1507051	Contingency, 20%_Segment 4	LS	1	\$ 11,004.00	\$ 11,004.00
1507051	Mobilization, Max. 5%, Segment 4	LS	1	\$ 2,476.00	\$ 2,476.00
1507051	Traffic Maintenance and Control_Segment 4	LS	1	\$ 5,000.00	\$ 5,000.00
2040055	Sidewalk, Rem	Syd	12	\$ 15.00	\$ 180.00
3020010	Aggregate Base, 4 inch	Syd	84	\$ 35.00	\$ 2,940.00
5010025	Hand Patching	Ton	2	\$ 400.00	\$ 800.00
8030010	Detectable Warning Surface	Ft	10	\$ 45.00	\$ 450.00
8030044	Sidewalk, Conc, 4 inch	Sft	850	\$ 7.00	\$ 5,950.00
8032002	Curb Ramp, Conc, 6 inch	Sft	150	\$ 8.00	\$ 1,200.00
8107051	Rapid Flashing Beacon	LSUM	2	\$ 15,000.00	\$ 30,000.00
8167002	Restoration	Sta	1.5	\$ 1,000.00	\$ 1,500.00
SUBTOTAL FOR CATEGORY 1 - Segment 1					\$ 97,000.00
SUBTOTAL FOR CATEGORY 2 - Segment 2					\$ 121,000.00
SUBTOTAL FOR CATEGORY 3 - Segment 3					\$ 110,000.00
SUBTOTAL FOR CATEGORY 4 - Segment 4					\$ 63,000.00
TOTAL OPINION OF PROBABLE CONSTRUCTION COST =					\$ 391,000.00

OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Consideration of: Second Street Water Main Replacement and Sidewalk Installation Project Final Balancing Change Order for an Amount not to Exceed \$97,394.83

Date: October 5, 2022

The City's engineering firm, OHM Advisors has performed final accounting on the Second Street water main and sidewalk project, and has notified City staff that the final balancing change order for the project has come-in at \$97,394.83 over the approved contract amount of \$728,786.69. OHM has prepared a memo outlining the causes of the overage.

OHM Advisors performs final balancing on all construction projects, and normally a final balance will come in at or around a net change of \$0 (or preferably below) after adds and deducts. The City has not typically approved construction contingency associated with projects; rather, OHM Advisors typically builds contingency into the bid through conservative estimation of materials. Then, as the project is bid and awarded, those amounts are designed to cover necessary on-site add/deduct changes.

As outlined in the OHM memo, there are several factors leading to the overage: 1) there was a discrepancy between the material quantities shown on the plans (actual) compared to the quantities on the bid sheet (lower than they should have been); 2) the contractor bid using a pipe material that did not meet the City's engineering standards – staff expected that the contractor was going to accept the cost difference, but this was not the case; 3) miscellaneous on-site judgement calls – normally these would be offset by “deduct” items or covered by contingency. In this case, because material quantities were missed, there was no contingency to offset the project increases.

OHM has indicated that they have met internally to review their processes and are making internal changes to project management. In response to this news, staff has: 1) let OHM representatives know that more frequent reporting will be necessary on projects going forward; 2) staff is working to evaluate the need for including a project contingency on all projects going forward; 3) staff will be recommending pre-project “potholing” for all projects going forward to reduce project assumptions (“unknowns”); and 4) staff will be sitting down with the OHM engineer that is actually designing the plans prior to each project to do a 60% plan completion “page turn” to verify that the City's expectations of the project are clear and engineering standards are followed; 4) reviewing the City's Engineering Standards.

As noted in the OHM memo, there is an item in the change order to reflect work performed for a resident of 2nd St. to replace their residential water line. This work was identified and requested during the project. The resident reached-out to staff to see if the work could be coordinated with the contractor on-site. The contractor indicated that they would be able to accommodate the request.

The City served as a pass-through from the resident to the contractor (the resident paid the full cost of the added work) and this work was cost-neutral to the City.

Staff anticipates that this overage will be split between the Water Fund and the Roads Fund. The project, prior to the notice of the overage would have left approximately \$100,000 of unused Federal ARPA grant funds in the Water Fund. The increase will leave approximately \$50,000 in unused ARPA funds, so the increased cost to the Water Fund can be covered by these remaining funds. The Major Roads Fund balance is capable of absorbing the increase to that fund.

Action Requested

City Council is asked to approve the Second Street water main replacement and sidewalk installation project final balancing change order for an amount not to exceed \$97,394.83.



October 5, 2022

Mr. Justin Breyer, City Manger
City of Dexter
8140 Main Street
Dexter, MI 48130

Regarding: Second Street Water Main Replacement & Sidewalk Installation
Final Balancing Change Order

Dear Mr. Breyer,

The Second Street project is substantially complete and all quantities have been reconciled with the contractor. Change Order #1 representing a contract increase of \$42,460 was previously executed to add the storm sewer enclosure between Central and Dover per the City's authorization. The attached Change Order #2 is the final balancing change order representing a contract increase of \$97,394.83 resulting in a total contract amount of \$826,181.52. This is the final contract amount; there will be no additional increases or deductions.

OHM has been working with the contractor since the substantial completion of the project to reconcile all contractor claims and quantity measurements. The change order balances all of the contract pay items. Several pay items came in under contract quantity, however the net result of balancing the items is a contract increase. The net increase can be attributed to five main reasons which are subdivided and explained below. Changes in OHM and/or City procedures to reduce the risk of similar occurrences on future projects are described for each group. The City should be aware that the Contractor did concede on several of their initial claims entirely, and/or offered reduced pricing in an effort to be a partner with the City on the project.

The significant factors associated with the increased costs were:

1. Unforeseen Field Conditions Requiring Field Design Changes. These items are all associated with changes to the original design that resulted from utility conflicts or other field conditions that required installation to deviate from the original design plans.
 - Water main alignment shift between Hudson and Inverness. The gas main was approximately 3' east of where it was shown on the utility plans provided by DTE. This resulted in the water main shifting closer to the road to provide adequate clearance. Affected pay items include the sand backfill trench, tree removal, and sidewalk removal and replacement totaling approximately \$7,000.
 - Restocking charges for unused material because of storm sewer conflict with duct bank of approximately \$6,000

Corrective Action: *On future projects with significant underground construction, the City and OHM will work with a contractor to "pothole" and locate existing underground infrastructure at key locations during the design phase of future projects. This will allow field verification of City utility and franchise utility record plans. This process should reduce field changes to address discrepancies between record plans and field conditions at key utility crossings.*



2. Plan Quantity Discrepancies. The Second Street project was a somewhat unique project when compared to typical city infrastructure projects. For this project, OHM completed a roadway design for the future Second Street with the goal being to avoid the need to reconfigure infrastructure when the roadway is reconstructed in the future. As a result, curblines and storm sewer we laid out vertically and horizontally for the future condition. The locations of the future improvements were shown on the plans, but not intended for the 2022 construction project. As the project went to bid, only those items intended for 2022 were quantified in the bid form. Unfortunately, as part of this process, some of the quantities on the bid form did not ultimately coincide with what was constructed.

Below are several items that were either quantities that overran the estimated quantities in the contract, or items shown on the approved plans that did not have quantities in the bid form. These were not changes in work shown on the approved plans, and would have been in the original bid amount if the quantities were correctly reflected on the bid form. The specific source of this work can be summarized within three areas:

- There was storm sewer south of Hudson shown on the plan as future work that was intended to be constructed as part of this project. The quantities for this work were not included in the bid form of the original bid. This additional quantity of storm sewer, structures, and rip rap total approximately \$15,000.
- There was N-12 plastic pipe included in the design and shown on the plans that was omitted from the quantity table and bid form. This accounts for an increase of approximately \$10,000.
- HMA driveway replacement quantities exceeded estimated quantities. Additional HMA and stone base total additional cost of approximately \$13,000.

***Corrective Action:** These issues were associated with this project being designed to accommodate future road reconstruction and the incorrect grouping of infrastructure as future work. This specific issue is unlikely to occur on future projects due to the unique phasing of this nature is not typical. However, to ensure a similar issue is not repeated, OHM has enhanced the internal QA/QC process to include a 'contractor take-off' final quantity and pay item review prior to bidding the project. This process will include an internal mock bid of the project utilizing the final plans and specifications with special attention to bid item quantities and contingency factors.*

3. City Directed Additional Work. This was additional work directed by the City during the project to improve the storm sewer collection system for the purposes of reducing long term maintenance issues for both the DPW and residents.
 - Additional ditch enclosures and storm structures were added to better accommodate yard drainage as directed by the City during construction. This additional storm work is approximately \$18,000.

***Corrective Action:** Engineering Standards updates with specific criteria for ditch enclosures and yard basin placement to ensure future projects include the appropriate work in the base bid.*

4. Change In Materials. This item is associated with the water main pipe material.
 - The contractor submitted a request for a water main material change at the onset of the project due to supply chain issues. As part of this request, it was discovered that the water main specification allowed for pressure class 350 ductile iron pipe, which is a thinner wall and therefore cheaper than CL 54. The City standards require class 54 Ductile Iron pipe. The incremental increase for the CL 54 material was approximately \$20,000. The contractor reduced their original claim on this item due to the fact that the procurement of the Class 350 pipe would have impacted the project schedule.

***Corrective Action:** The City's Special Provision for water main installation has been updated to reference the correct material.*



5. Private Homeowner Work Paid Through Contract (Reimbursed by Homeowner). This work was specific for the benefit of a private property owner. There was an advantage to the homeowner to have the work completed as part of the City project. To streamline the payment process, the City directed the contractor to perform the work through the contract and submitted a reimbursement invoice to the homeowner separately.
- Sanitary sewer lead repair was completed per homeowner request. Homeowner was billed for work, but it was paid to the contractor through the contract, approximately \$8,600.

Corrective Action: None. It is beneficial to both the City and the homeowner to address private side utility service issues as part of the City's contract. It is a net zero to the City as the homeowner is backcharged, however the contractor is paid through the contract so on the final balancing change order of the contract it will appear as an increase.

Please feel free to contact me at (734) 368.5746 or marcus.mcnamara@ohm-advisors.com if you have any questions.

Sincerely,
OHM ADVISORS

Marcus J McNamara

cc: Tim Stewart, Superintendent of Public Services
Patrick Droze, OHM
File

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Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Consideration of: 3515 Broad Street Contract Change Order AWP 01R2 with Axiom Construction for an Amount not to Exceed \$15,563.89

Date: October 5, 2022

Axiom Construction has submitted a second change order request for the 3515 Broad St. City Hall project. The City did not approve construction contingency as part of this project. As a result, the City is being asked to consider change orders through the project.

These adds and deducts are primarily related to the elevator pit designs not meeting the necessary specifications for the elevator manufacturer that was selected by Partners in Architecture. There are additional add items related to conditions discovered following demolition. Axiom and Partners in Architecture spent a significant period of time evaluating and debating the items included in this change order.

Per Partners in Architecture, the adds included in this change order should constitute the bulk of outstanding issues as the digging and demolition portion of the project have been completed and potential issues identified. However, there will be another final balancing change order prior to the completion of the project, which should have a set of deducts, including resolution of the City Council column issue.

Partners in Architecture has prepared a memo detailing the line items included in the change order, which is attached to this memo.

Action Requested

City Council is asked to consider the 3515 Broad St. project change order AWP 01R2 with Axiom Construction for an amount not to exceed \$15,563.89.



10-3-2022

RE: Dexter City Hall
PIA Project #21-113
Axiom AWP No. 01R2

Justin Breyer
City Manager and City Clerk
City of Dexter
8123 Main Street, 2nd Floor
Dexter, MI 48130

Dear Justin:

The following is a narrative description of work proposed in Bulletin No. 1 dated 5-12-22 and quoted by Axiom in a revised final AWP No. 01R2 on 9-13-22.

1. Item S-2: Revised misc. steel details resulting in reduction of steel and related labor. This resulted from additional information about existing building framing discovered from partial demolition. CREDIT of \$560.00
2. Item S-3 and S-4: Steel framing details revised to incorporate added engineering to address coordination with architectural details as well as revisions related to width of elevator door masonry opening required by elevator manufacturer's requirements for installation. Width requested is wider than typical masonry opening at elevators. 2 steel lintel beams added at first and second floor elevator door opening in lieu of masonry lintels, plus 4 bearing plates, 8 studs on top of beam plus 5/16 plate on bottom of beam. ADD of \$1,780.
3. Item E-2: Added power furnished and installed for proposed elevator sump pump which the current elevator code requires for all new installations. This was not clearly understood by mechanical at the time of design. ADD of 2,357.64.
4. Item A-4: Added laminated veneer lumber (LVL) header framing to support second floor in place of removed bearing walls above the first-floor lobby. Depth of LVL is increased due to higher loading potential. This was revised from original design due to new field information about existing framing in the area of the new lobby on the first floor plus added gyp cladding on LVL due to header depth below ceiling plane. Item S-2 Revised structural details related to the new header mentioned in A-4 above. Includes new posts to replace 2 x 4 studs to support the new added LVL's. Also new structural wood temporary shoring at all locations where walls are removed in the area of the new entry lobby as required. Item S-3 Revised framing adjacent to the elevator at the second floor related to #2 above. Item S-5 revised header schedule required by updates to the wood framing as required to address changes in Items A-4, S-2, S-3 and S-5. ADD of \$2,304.00
5. Item M-1: This was originally for plumbing related to the sump in the elevator pit. After working on a solution between our mechanical engineer and the plumber working on site, this line item was deleted. Original cost proposed for \$5,495. Final proposed cost \$0.00. (No added cost).



6. Item S-7 and M-I: Added cost for revisions to the masonry elevator shaft header length at the wider openings on the first floor and second floor levels required by the elevator manufacturer for their cab installation. This included added concrete soaps at the added lintel grout and sealant. Added cost to install drain tile around the elevator pit and connect into the building. This included pea stone and filter fabric for improved drainage. It was unknown during design if there was any drain tile at the building to tie into and as a result it was not included in the proposed new work. Arch & Mech team recommended this work be included. ADD of \$5,461.00.
7. Revised Bulletin No 1: Owner decided to combine all gas piping into one for a new gas meter. ADD of \$1,936.00.

SUB TOTAL DIRECT COSTS FOR AWP #01R2: \$13,278.64

TOTAL ADDED COSTS FOR AWP #01R2 INCLUDING BONDS & INSURANCE, GENERAL CONDITIONS AND CONTRACTOR FEE: \$15,563.89.

Total costs for this add amount to 1.3% of original construction bid.

Sincerely,

PARTNERS in Architecture, PLC

A handwritten signature in black ink, appearing to read "Stephen Lechman".

Stephen Lechman

File Ref: 21-113

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OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Discussion of: Preparing for October 13th Public Information Session

Date: October 5, 2022

Staff has secured the St. Andrew's Church Fellowship Hall for a City Council Work Session / Public Information Meeting on Thursday, October 13th from 6:00 – 8:00pm. This item is provided to allow City Council the opportunity to discuss the flow of that meeting, presenters, and what material should be provided at the meeting.

Attached to this memo are:

- The proposed agenda for the October 13, 2022 Work Session Meeting
- The Public Safety Facilities Informational Flyer
- 8140 Main St. and MAV site costs and plans provided by Partners in Architecture

**CITY COUNCIL
WORK SESSION
MONDAY, OCTOBER 13, 2022
6:00 – 8:00PM**

**THE CITY OF DEXTER
CITY COUNCIL**

**7610 Ann Arbor St., Dexter, MI 48130
(St. Andrew's Church Fellowship Hall)**

Public Access to Zoom Meeting

<https://us06web.zoom.us/j/89929071995>

Dial In

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 899 2907 1995#

The purpose of this work session is to discuss the Public Safety Facilities Bond Proposal.

- 1) **Non-Arranged Participation**
- 2) **Discussion of: Public Safety Facilities Bond Proposal**
- 3) **Non-Arranged Participation**

This is a Council Work Session meeting; action will NOT be taken.

“This meeting is open to all members of the public under Michigan Open Meetings Act”

City of Dexter

PUBLIC SAFETY FACILITIES

BOND MILLAGE INFORMATION

— Vote November 8th —

WHY IT IS ON THE BALLOT?

On August 8, 2022, the Dexter City Council voted to place a Public Safety Facilities Bond Proposal on the November 8th ballot. The request to the voters is for 2 mils, which would equate to roughly \$8.4 million. The purpose of the millage is to construct and/or renovate public safety facilities that would meet current fire operational standards and building codes to serve our firefighters and sheriff's deputies.

Based on architectural, building, and fire operations evaluations, the existing fire station and sheriff's substation at 8140 Main Street no longer meet the standards of a modern fire/police station that is tasked with serving the Dexter Area Fire Department (DAFD) and Washtenaw County Sheriff's Office (WCSO) service areas.

City Council contracted with an architectural firm to develop project concepts for two locations for Council's consideration. Renderings of these two concepts are provided as part of this informational packet.

WHAT DOES 2 MILS LOOK LIKE?

For a house in the City of Dexter with a market value of \$200,000, 2 mils would be roughly \$200 per year. The median State Equalized Value for a home in the City is \$173,000. This millage would be levied for 20 years to pay off the bond (debt) issuance.

The Dexter City Council also has voted to allocate an additional \$1 million from the City's General Fund balance to help fund the construction.

WHAT DOES THE BALLOT QUESTION LOOK LIKE?

Shall the City of Dexter, County of Washtenaw, Michigan, borrow the principal sum of not to exceed Eight Million Four Hundred Twenty-Three Thousand Eight Hundred Ninety Dollars (\$8,423,890) and issue its general obligation unlimited tax bonds, payable over a period not to exceed twenty (20) years from date of issuance, for the purpose of paying the cost of acquiring, designing, renovating and/or constructing public safety facilities in the City, which facilities may be used by the DAFD and the Washtenaw County Sheriff's Office, including: site acquisition; design; related site improvements; and furnishing and equipping the facilities, including all appurtenances and attachments thereto? The estimated millage to be levied in 2023 is 2 mils (\$2 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 2 mils (\$2 per \$1,000 of taxable value).



A BRIEF HISTORY

The building currently occupied by the DAFD and WCSO is located at 8140 Main St. This approximately 10,000 sq. ft. facility was constructed in 1957 for use by the Village of Dexter, including the Village's fire department and department of public works. The Village's law enforcement occupied a different building downtown.

The DAFD was formed in 1985 via an interlocal agreement consisting of the City of Dexter, Dexter Township, and Webster Township. When the DAFD was formed, it assumed the fire fighting assets of the Village of Dexter Fire Department and continued to occupy the facility located at 8140 Main Street.

For more information, please contact the City Office at (734) 426-8303 or visit www.dextermi.gov/government/public_safety_facilities_project.php

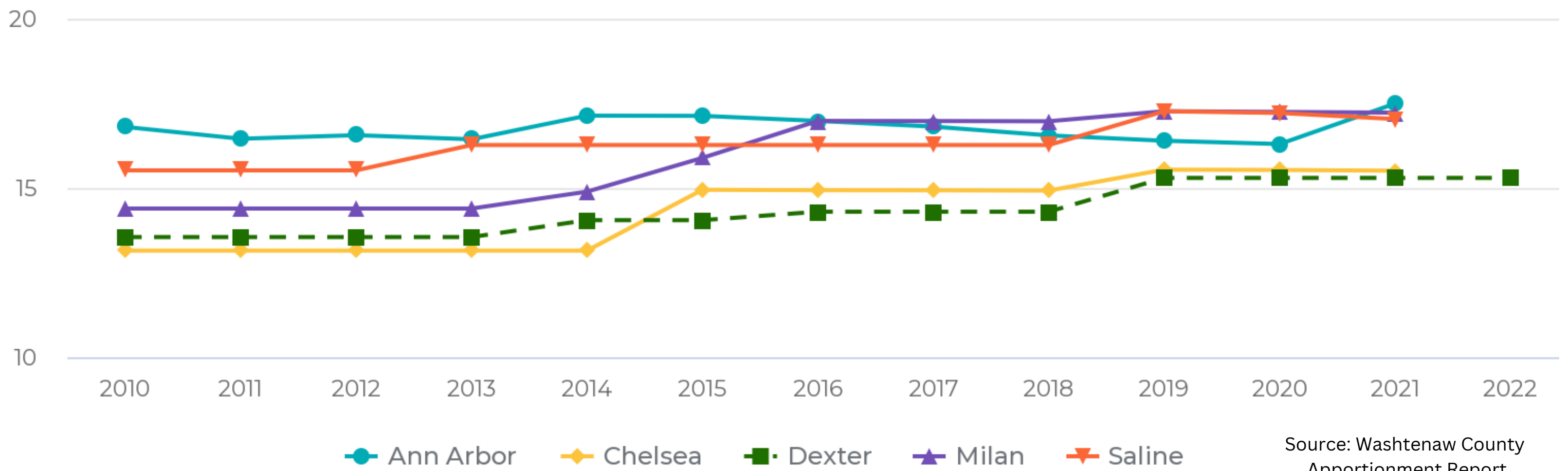
City of Dexter

PUBLIC SAFETY FACILITIES

BOND MILLAGE INFORMATION

— Vote November 8th —

Washtenaw County City Millages



Source: Washtenaw County Apportionment Report

Millage Rate Components	City of Dexter Millage Rates (mils)												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
General Operating	10.6601	10.6688	10.6688	10.6688	10.6182	10.6182	10.8987	10.8987	10.8987	10.8987	10.8987	10.8987	10.8987
Roads	2.8961	2.8874	2.8874	2.8874	3.438	3.438	3.4075	3.4075	3.4075	4.4075	4.4075	4.4075	4.4075
Total	13.5562	13.5562	13.5562	13.5562	14.0562	14.0562	14.3062	14.3062	14.3062	15.3062	15.3062	15.3062	15.3062

CURRENT PUBLIC SAFETY SERVICES

Today, the DAFD responds to approximately 1500 calls per year. It operates out of three stations, with one station in each jurisdiction - City of Dexter, Dexter Township, and Webster Township.

The DAFD administrative staff is comprised of a full-time Chief and two Assistant Chiefs, a fire inspector (captain), and an administrative assistant. It also employs 12 full-time firefighters (not including the Fire Chief) and approximately 12 paid-on-call firefighters.

The DAFD provides 24-hour coverage for an area of 85 square miles with a population of over 25,000 people. The Washtenaw County Sheriff's Office provides 24-hour coverage of policing services to several communities within Washtenaw County, including the City of Dexter.

Per the DAFD interlocal agreement and the contract with the WCSO, the City is to provide facilities for these entities.

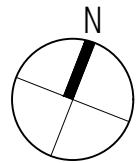
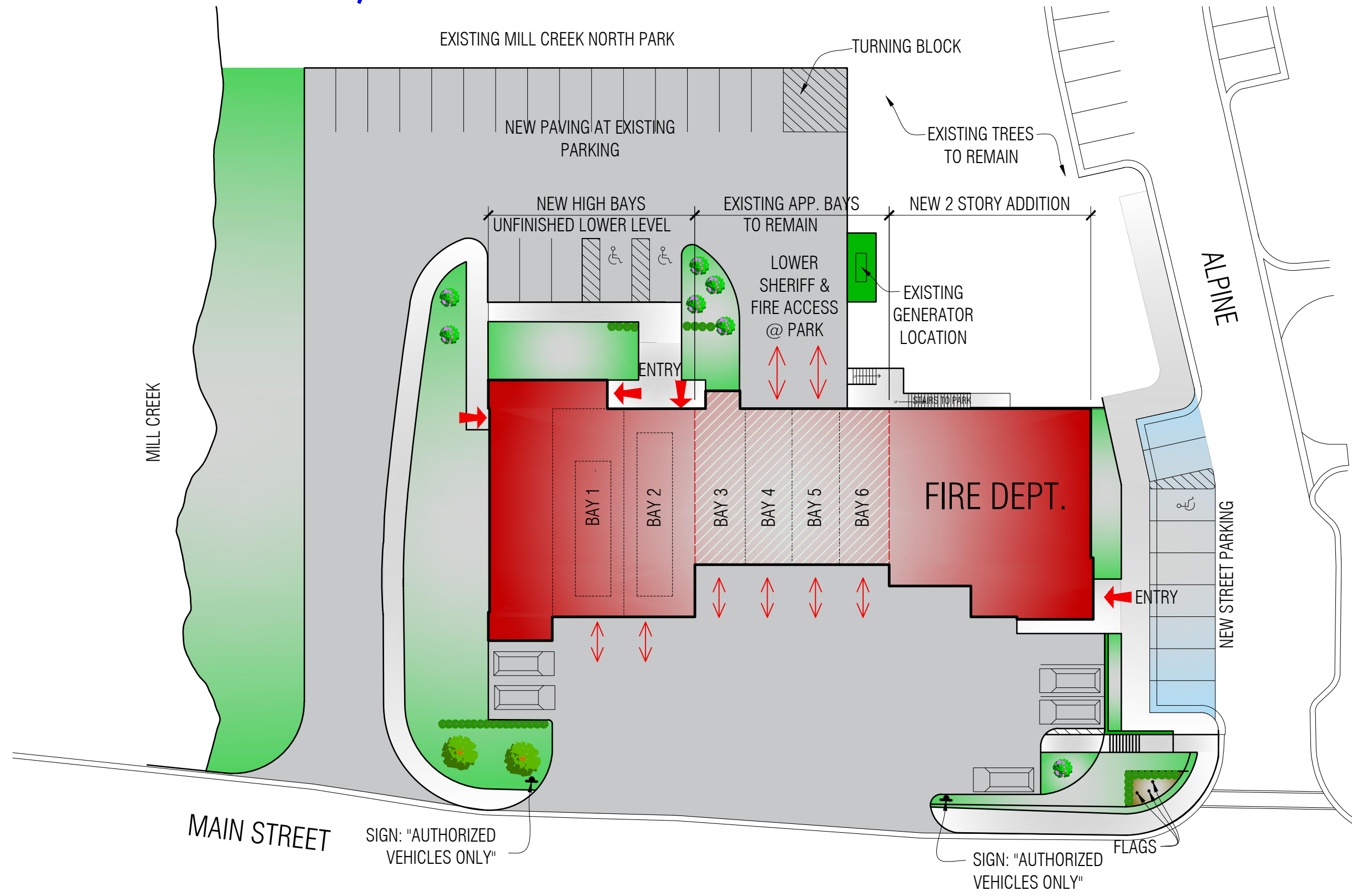
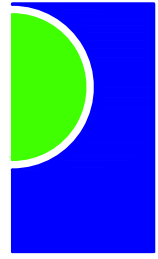
WHAT WOULD THE BOND ISSUANCE DO FOR FIRE?

- Increase operational capacity of the DAFD out of the Dexter City fire facility
- Expand apparatus bay to meet modern standards including vehicle clearance
- Allow for larger firefighting vehicles
- Provide space for equipment maintenance and preparedness activities
- Provide space for fire gear maintenance, decontamination and hose storage
- Provide code-compliant dorm area for firefighters
- Create office space for record-keeping and office staff

WHAT WOULD THE BOND ISSUANCE DO FOR POLICE?

- Larger office space for expansion in the future
- Increase in-office privacy to allow for law enforcement operations and security for sensitive information
- Toilet and locker room facilities
- Firearm and equipment storage
- Separate functionality of squad room, break room, and secondary egress path
- Increase storage space for files and evidence and office/maintenance supplies
- Space for communications and server equipment

For more information, please contact the City Office at (734) 426-8303 or visit www.dextermi.gov/government/public_safety_facilities_project.php



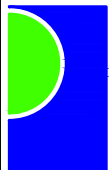
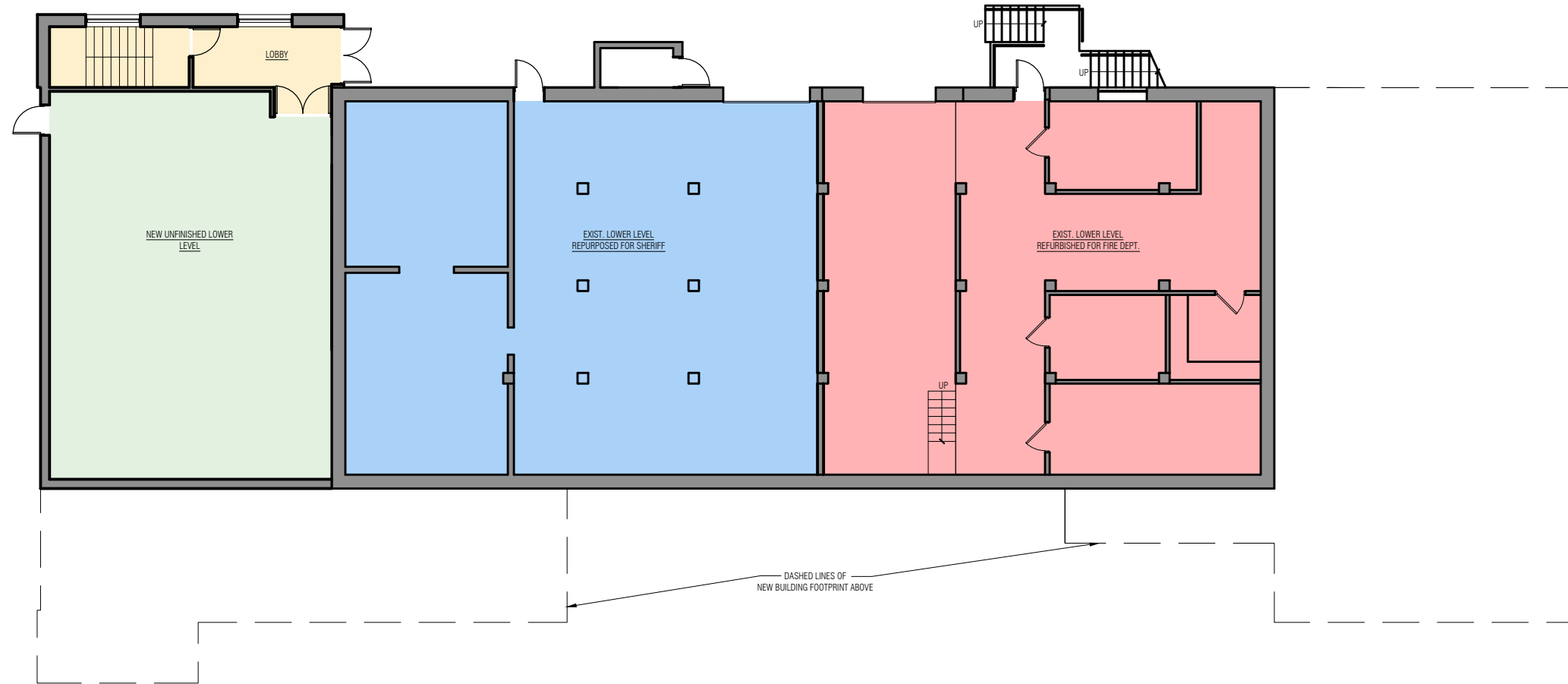
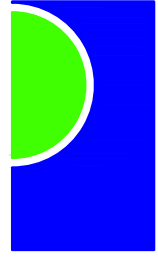
CITY OF DEXTER FIRE STATION

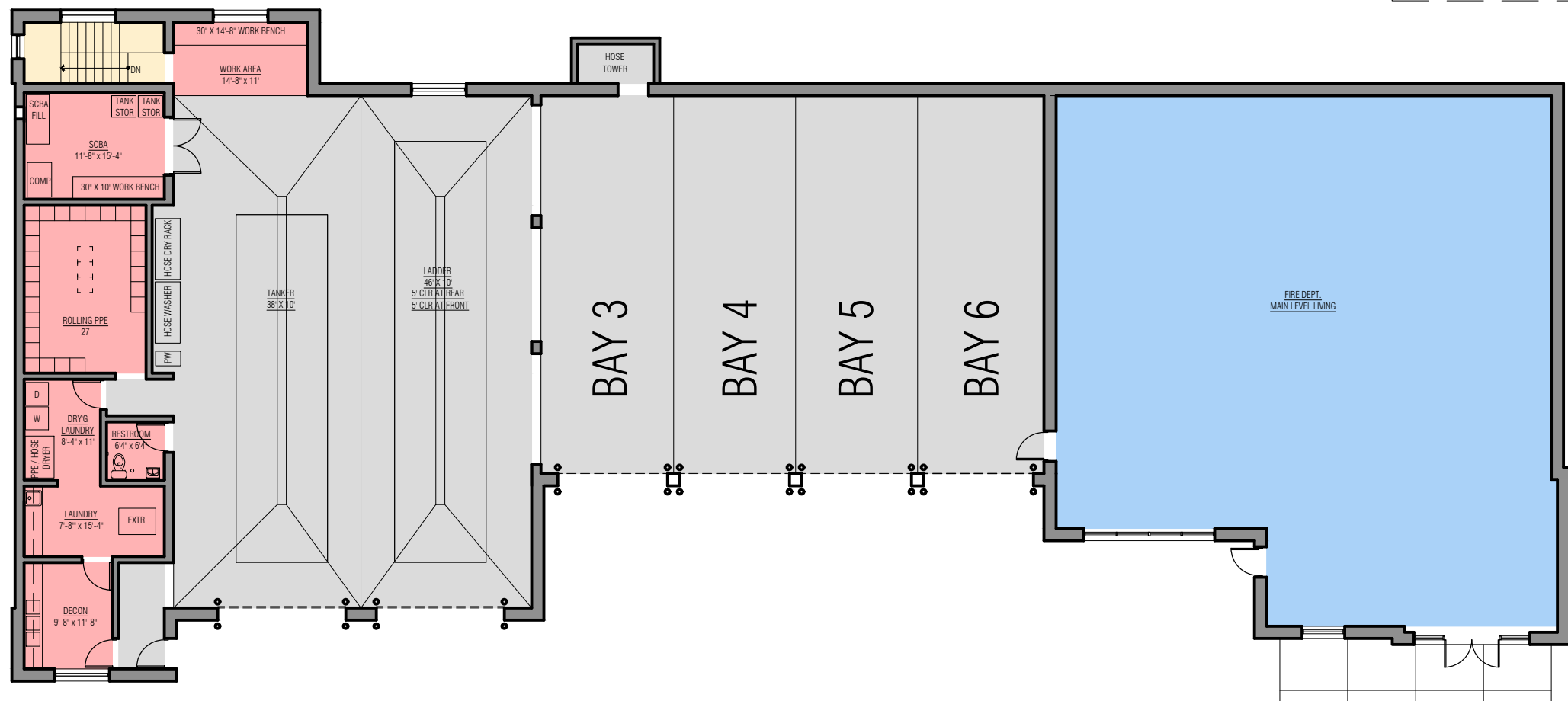
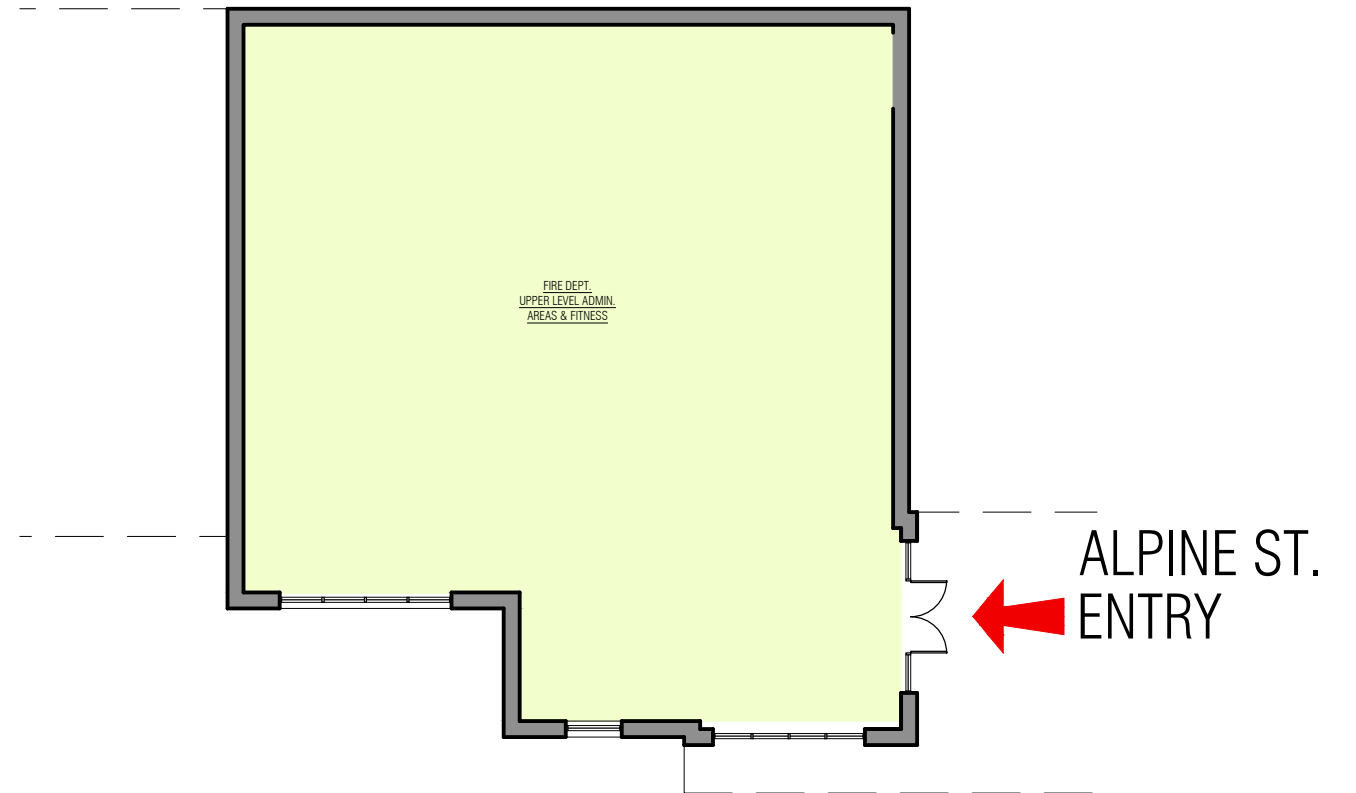
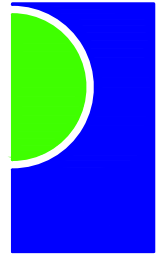
SEPTEMBER 26, 2022 PROJECT NUMBER 22-142

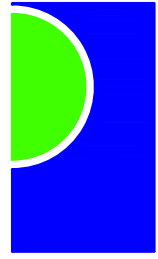
8140 MAIN STREET - SITE PLAN

SCALE: 1" = 30'-0"

DEXTER, MI







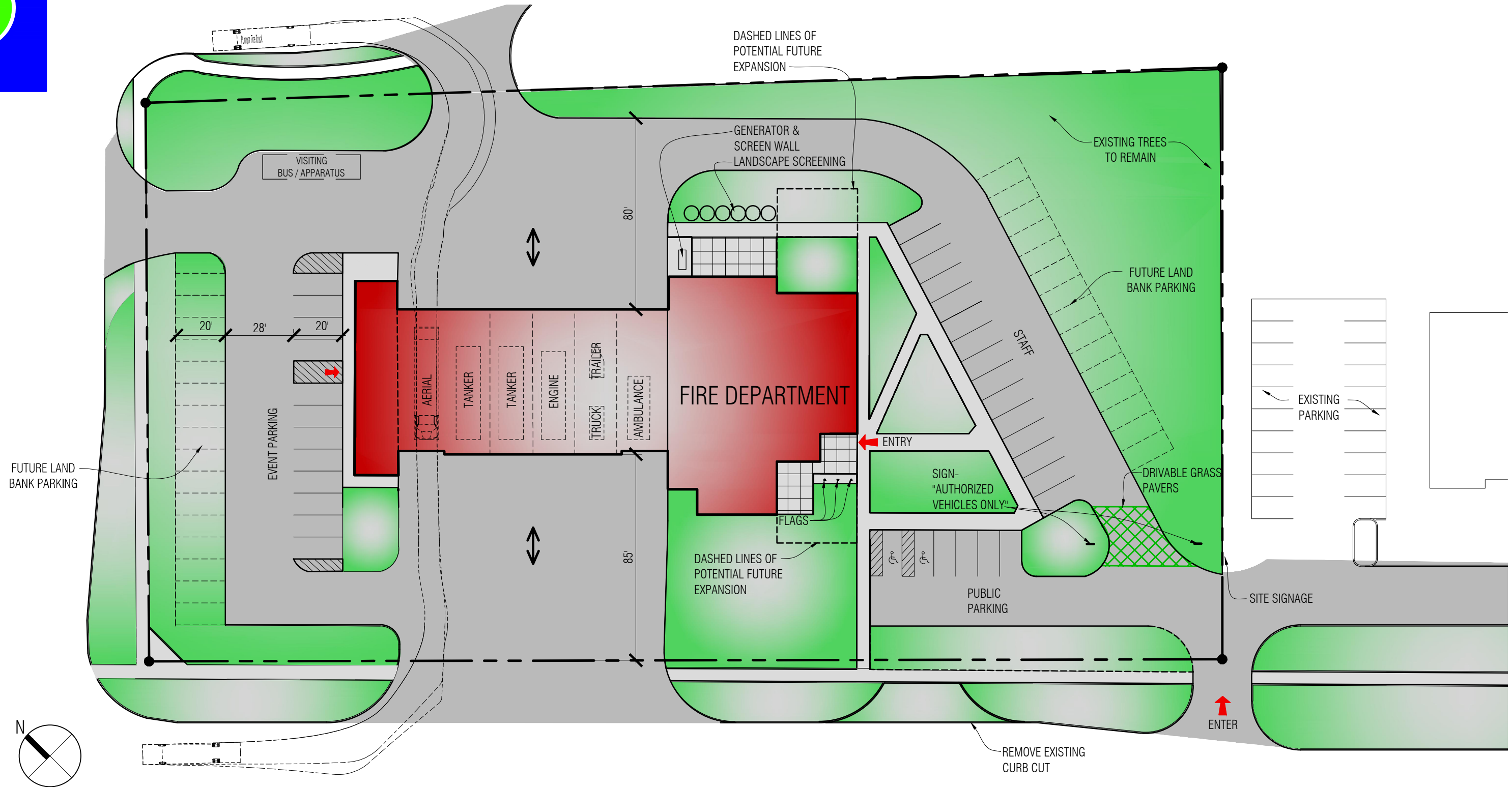
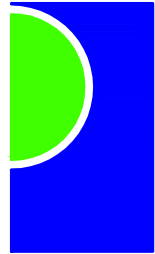
City of Dexter Renovation / Expansion Main Street Fire Station

September 2022 - Conceptual Estimate of Probable Total Project Cost

Gross Building Area - 18,550 SF

New Area 10,000sf, LL Unfinished Area 1,750sf, Refurb. Existing 4 Bays 2,400sf, Refurb. LL 4,400sf (2,200 ea - Fire and Sheriff)

Item	Estimated Cost
Demolition and Site Development	890,000
New Expansion Area -no mezzanine	3,940,000
Refurbished Existing Building that remains for Fire Department use	1,270,000
Construction Subtotal Cost	\$6,100,000
Project General Conditions - 9%	548,000
Contractor's OH&P - 5%	305,000
Escalation / Design & Estimating Contingency - 12%	731,000
Project Construction Cost Estimate	\$7,684,000
Construction Contingency - 7.5%	576,000
Professional Fees - Legal/Arch./Eng - 9.5%	729,000
Other Owner Soft Cost Allowance (not including bond or debt service)	537,000
Consider 7-10% escalation after 2023 bidding season	
Total Probable Fire Station Project Cost Estimate with Soft Costs	\$9,526,000
<i>Storm Shelter not included - code requirement still pending.</i>	
<i>Existing lower level mezzanine could be utilized for Fitness Area and reduce total Fire Station cost \$110,000</i>	
<i>Reduce Admin Area by 2 Offices until future potential expansion and add at that time - Reduce \$120,000</i>	
<i>Reduce New Bay Area Depth from 56' to 50' (requires special order Aerial) and total cost (including above) of F.S. to \$9,196,000</i>	
<i>New 15,000sf Fire Station option on Main Street Site total project cost \$9,380,000</i>	
Sheriff Option - at Lower Level (no mezzanine, approximately 1,250 SF)	\$465,000



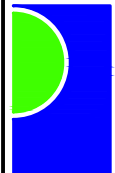
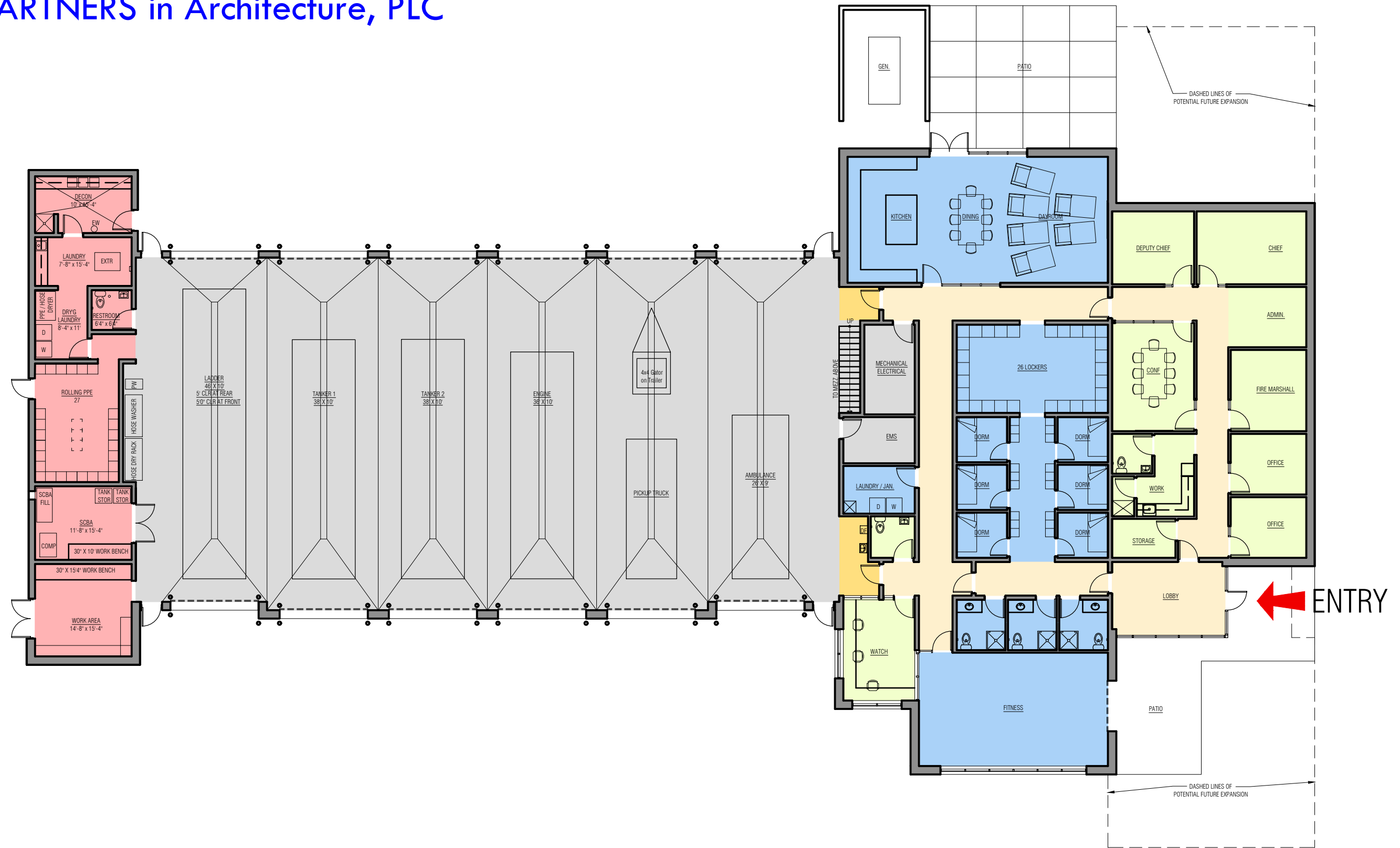
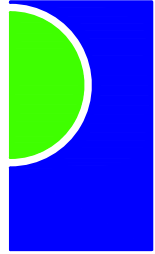
CITY OF DEXTER FIRE STATION

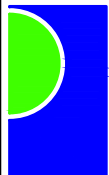
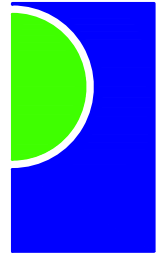
SEPTEMBER 26, 2022 PROJECT NUMBER 22-142

MAV PROPERTY - SITE CONCEPT DIAGRAM

SCALE: 1" = 40'-0"

DEXTER, MI



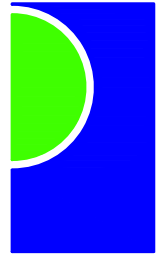


CITY OF DEXTER FIRE STATION

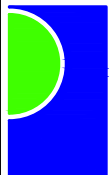
SEPTEMBER 26, 2022 PROJECT NUMBER 22-142

MAV PROPERTY - EXTERIOR CONCEPT

DEXTER, MI



PARTNERS in Architecture, PLC



CITY OF DEXTER FIRE STATION

SEPTEMBER 26, 2022 PROJECT NUMBER 22-142

MAV PROPERTY - EXTERIOR CONCEPT

DEXTER, MI

PARTNERS

The ideas, concepts, drawings and thoughts conveyed herein are the intellectual property of PARTNERS in Architecture, PLC, 65 Market Street, Mount Clemens, MI, 48043 (P 586.469.3600). This set of drawings, in whole or in part, may not be reproduced without the written consent of PARTNERS in Architecture, PLC. This information is protected under U.S. Copyright Law, all rights reserved.

City of Dexter New MAV Site Fire Station

September 2022 - Conceptual Estimate of Probable Total Project Cost

Fire Station Gross Building Area - 14,840 SF - including 640 SF Mezzanine.

Item	Estimated Cost
Site Development - Utilizing existnig site storm detention	940,000
New 6 Bay Pull-Through Station	5,170,000
Construction Subtotal Cost	\$6,110,000
Contractor General Conditions - 7.5%	458,000
Contractor's OH&P - 5%	305,000
Escalation / Design & Estimating Contingency - 12%	732,000
Project Construction Cost Estimate	\$7,605,000
Owner Construction Contingency - 5%	380,000
Professional Fees - Legal/Arch./Eng - 9%	684,000
Other Owner Soft Cost Allowance (not including bond or debt service)	380,000
Consider 7-10% escalation after 2023 bidding season	
Total Probable Fire Statioin Project Cost Estimate with Soft Costs	\$9,049,000
<i>Storm Shelter not included, code requirement still pending.</i>	
<i>Reduce Admin Area by 2 Offices and utilize Growth Dorm Area until future expansion and add at that time - Reduce \$120,000</i>	
<i>Reduce Bay Depth from 56' to 50' (requires special order Aerial) and reduce total cost (including above) of Fire Station to \$8,690,000</i>	
Sheriff Option	\$600,000
Sheriff not including technology, furnishings, loose equipment	
<i>Main Street refurbished area approach could be utilized in lieu of above and reduce cost</i>	
Total Probable Project Cost Estimate including (without reductions above) Sheriff with Soft Costs	\$9,649,000

STAFF MEMORANDUM

Agenda: 10/10/22

Item: M-5

To: Mayor Keough and City Council
Justin Breyer, City Manager

From: Michelle Aniol, Community Development Manager

Date: October 5, 2022

RE: **Discussion:** Subdivision Ordinances Update

On October 3, 2022 the Planning Commission conducted a public hearing to consider updates to the City of Dexter Zoning and Subdivision Ordinances. The recommended updates to the Zoning Ordinance are address in the Community Development report and are anticipate to be considered by City Council at its November 26, 2022 meeting. However, since the Subdivision Ordinance is part of the General Code of Ordinances for the City of Dexter, City Council must, pursuant to the City Charter, hold a public hearing before taking action on the Planning Commission's recommendation.

The Subdivision Ordinance (Chapter 20, Article 2 of the General Code, Divisions 1-7) sets forth the procedures and requirements for platting of subdivisions, in accordance with PA 288 of 1967 (the Subdivision Control Act), as amended. Updates to the Subdivision Ordinance include street design and layout, landscaping and property line for future residential, commercial, and industrial subdivisions. It also proposes reviewing options for new developments, with multiple buildings on large parcels, which are only likely to apply, if the City expands by annexation. The City's commitment to Complete Streets has been incorporated into the document, as well. The following is a summary of the proposed changes:

- Allowances for marginal access streets are proposed for deletion and rear-service alleys to be allowed in their place. Currently, alleys are not permitted.
- Half streets are proposed to be prohibited, except if Planning Commission determines their use is essential to reasonable development.
- Cul-de-sacs are proposed to be "avoided" and the maximum street length reduced to 200 feet.
- Right-of way width for major streets is proposed to increase to 99 feet.
- An allowance for the City Engineer to require mid-block pedestrian crossings is proposed.
- Requirement for sidewalks on both sides of the street, except in Industrial Parks, is proposed.
- The minimum lot width and size for lots in business or commercial plats is proposed to be reduced to 50 feet in width and 21,780 square feet in area.
- Minimum block lengths and perimeters are proposed for residential plats to be based on the future land use of the area. The lengths and perimeters for areas planned for Village Residential, Multi-Family Residential, Baker Road Corridor and Village Commercial or similar are smaller than the others and based on patterns in the Village plat and annex.
- If a plat abuts or is located within 500 feet of a public trail, a requirement for a direct link to the public trail from the subdivision is proposed.
- Regulations for the Cluster Developments are proposed to be moved to the Zoning Ordinance and cross-referenced.
- For commercial and industrial developments, the parking and landscaping regulations are proposed for deletion, replaced with cross-references to those requirements in the Zoning Ordinance.
- For industrial developments, a provision for bicycle traffic, by multi-use pathways or bicycle lanes, is proposed.

A copy of redline changes to the Subdivision Ordinance and draft Resolution of Adoption accompanies this memorandum.

Next Steps

Staff anticipates the recommended updates to the Subdivision Ordinance will be placed on Council's Oct 24, 2022 agenda, in order to scheduling a public hearing for November 26, 2022.

ARTICLE II

SUBDIVISIONS

DIVISION 1. - GENERALLY

Sec. 20-21. - Short title.

The ordinance from which this article was derived shall be known and referred to as the "City of Dexter Subdivision Regulations."

Sec. 20-22. - Purposes.

These subdivision regulations have been enacted to promote development patterns that support the creation of complete neighborhoods with a mix of housing, civic, retail, and service choices within a compact, walkable environment, for the purpose of protecting the safety, convenience and welfare of the residents of the city and of insuring the orderly growth and harmonious development of the city in accordance ~~with in keeping with~~ the City of Dexter's ~~master~~ Master plan Plan. The purpose of these regulations is ~~to by~~ requiring:

- (1) Provide clear standards for private development that influence the function and character of a neighborhood.
 - (2) Ensure orderly growth and development through the conservation, protection, and proper use of land through adequate provisions for circulation, utilities, and services.
 - (3) Ensure street connectivity and safety within walkable neighborhoods having numerous route options.
 - (4) Promote walkable urban places.
 - (5) Provide access to open space.
 - (6) Promote the health, safety, and general welfare of the City
- ~~(1) Proper arrangement of streets in relation to existing and/or planned streets and/or to the comprehensive plan;~~
 - ~~(2) Adequate and convenient open space for traffic, utilities, access for fire fighting and emergency response equipment, recreation, light, air, privacy, and safety from fire hazards;~~
 - ~~(3) Avoidance of population congestion;~~

- ~~(4) Establishment of standards for the construction of any and all improvements as herein required; and~~
- ~~(5) Establishment of standards for yard and open space drainage.~~

Sec. 20-23. - Authority.

Where regulations are made, interpreted and enforced by the ~~city council~~City Council and ~~cityCity planning commission~~Planning Commission under authority of the State of Michigan, Land Division Act, Act 288, Public Acts of 1967, as amended.

Sec. 20-24. - Interpretation.

The provisions of the regulations shall be construed to be the minimum requirements necessary for the preservation of public health, safety, and welfare within the ~~city~~City. These regulations are not intended to repeal, abrogate or supersede any existing regulations of the State of Michigan or Washtenaw County, except that these regulations shall prevail in cases where they impose a lawful restriction or requirement more severe than existing statutes, laws, or regulations.

Sec. 20-25. - Scope.

Subsequent to the effective date of these regulations, no plat within the City of Dexter shall be approved by the ~~city council~~City Council unless it conforms to these regulations. In the absence of a ~~city council~~City Council approved master plan, reference to such plan shall mean the general development plan plus any expansions thereof.

DIVISION 2. - DEFINITIONS

Sec. 20-26. - Definitions.

For the purpose of this Ordinance, from which this article was derived, certain rules of construction apply for the text:

- (1) ~~Words~~ used in the present tense include the future tense, ~~and~~
- (2) The singular includes the plural unless the context clearly indicates the contrary; ~~‡~~
- (3) The term "shall" is always mandatory and not discretionary and "may" is permissive; ~~w~~
- (4) Words or terms interpreted or defined by this ~~a~~Article shall be used with a meaning of common or standard utilization.
- (5) Any word or term not defined herein shall have the meaning of common or standard use, which is reasonable for context in which used herein.

The following definitions shall apply in the interpretation and enforcement of the ordinance from which this article was derived unless otherwise stated. The following definitions apply to the meanings of respective terms as they are to be construed in these regulations.

Alleys. A strip of land dedicated to public use, generally for the purpose of providing access to the rear of properties to which the principal access is provided by an abutting street.

As-built plans. Construction plans revised to show an improvement as actually constructed.

Block . A tract of land that is bounded by a combination of streets, parks, cemeteries, civic spaces, railroad right-of-way, subdivided acreage, lines of watercourses, or water bodies, municipal boundary lines, or any other barrier to the continuity of development.

Building line . A line established in a plat for the purpose of prohibiting construction of any portion of a building or structure between such line and any easement, right-of-way, other public area, lakeshore, or riverbank.

~~*Caption.* The name by which the plat is legally and commonly known.~~

Certificate of final completion. A certificate issued by the ~~city engineer~~City Engineer, which signifies that the improvement for which the certificate is issued was installed according to the approved engineering plans and the City of Dexter engineering ~~standards, and~~standards and has passed final ~~city~~City inspection.

City . The City of Dexter, Washtenaw County, State of Michigan.

City clerk . The clerk of the City of Dexter.

City council. The ~~city council~~City Council of Dexter, Washtenaw County, Michigan.

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City engineer. A civil engineer registered in the State of Michigan as a professional engineer and appointed to the position of ~~city engineer~~City Engineer by the ~~city council~~City Council.

City staff. The ~~city~~City manager, administrator, fire chief, ~~city engineer~~City Engineer, ~~city~~City financial manager, and community development manager.

Cluster development. A subdivision in which houses are grouped together in several modules, each one visually identifiable as an individual group, and the remainder of the subdivision being developed and reserved for the common enjoyment of the residents of the subdivision as open space or recreation area.

Commercial development. A planned-commercial center providing building area, parking areas, service areas, screen planting, and turning movement and safety lane roadway improvements where necessary or required.

Common open space. An area within a subdivision which is held out of development by the proprietor and designed for the common use or enjoyment of residents of the subdivision. Common open space may contain such complementary structures as are necessary and appropriate for the use or enjoyment of the common open space.

Comprehensive development. A commercial or industrial park ~~or a planned unit development~~.

Council . The City of Dexter ~~city council~~City Council and mayor.

County . Washtenaw County, State of Michigan, U.S.A.

~~County drain commissioner. Washtenaw County drain commissioner.~~

County health ~~Health department~~Department. Washtenaw County ~~health~~ Health departmentDepartment.

~~County plat board. Washtenaw County plat board.~~

County R ~~road commission~~ Commission. Washtenaw County road commission.

County Water Resources Commissioner. Washtenaw County Water Resources Commissioner.

Crosswalk/way . Right-of-way dedicated to public use, which crosses a block to facilitate pedestrian access to adjacent streets and properties.

Cul-de-sac or cul-de-sac street. A ~~short~~ local street with only one (1) end open to vehicular traffic and being permanently terminated at the other end by a vehicular turn-around.

Dead end street. A street with only one end open to vehicular traffic and not provided with a vehicle turn-around at the other end.

Dedication . The intentional appropriation of land by the owner to public use.

~~*Definitions .* For the purpose of the ordinance from which this article was derived, certain rules of construction apply for the text: words used in the present tense include the future tense and the singular includes the plural unless the context clearly indicates the contrary; the term "shall" is always mandatory and not discretionary and "may" is~~

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~~permissive; words or terms interpreted or defined by this article shall be used with a meaning of common or standard utilization. The following definitions shall apply in the interpretation and enforcement of the ordinance from which this article was derived unless otherwise stated.~~

Development. Any subdivision of land as herein defined or any material change in the use or appearance of any parcel of land subject to the provisions of the ordinance from which this article was derived, or the act of building structures and installing site improvements.

Easement. A grant by the property owner of the use of a strip of land by the public, a corporation, or private person or persons for a specific purpose or purposes.

Engineer. A civil engineer registered in the State of Michigan as a professional engineer.

Filing date. The date of the ~~planning commission~~Planning Commission meeting at which the ~~planning commission~~Planning Commission receives complete application from the ~~city clerk~~City Clerk.

Floodplains. ~~The area adjoining a river, stream, water course, or lake which is inundated by a flood discharge which results from a 100 year storm of a 24 hour duration. The flood plain shall include the stream channel and overbank area (the floodway) and the fringe areas of the floodway. That area of land adjoining the channel of a river, stream, watercourse, lake or other similar body of water, which will be inundated by a flood that can reasonably be expected for that region.~~

Master plan. ~~The master plan for the City of Dexter, Washtenaw County, Michigan as adopted by the city planning commission in accordance with Act 33 of Public Acts of 2008, as amended.~~

Greenbelt or Buffers. A landscaped strip or parcel of land, privately restricted or publicly dedicated as an open space, located between residential property and/or commercial property and/or industrial property and/or institutional property, or between residential property and/or commercial property and/or industrial property and/or institutional property and a primary or collector street for the purpose of protecting and enhancing the environment of the subdivision and/or limiting access to certain streets.

Improvements. Any additions to the natural state of the land, which increase its value, utility or habitability. Improvements include street pavement, with or without curbs and gutters, sidewalks, water mains, storm and sanitary sewers, street trees, and other appropriate and similar items.

Industrial development. A planned industrial area designed specifically for industrial use providing screened buffers, wider streets, and turning movement and safety lane roadway improvements, where needed.

Land Division Act. Act 288, 1967, of the State of Michigan Public Acts, as amended, formerly and commonly known as the Subdivision Control Act, Act 288, 1967.

Lot. A measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.

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- (1) *Lot area* . The total area within the lot lines of the lot exclusive of any abutting public street right-of-way or private road easements, or the area of any lake.
- (2) *Lot depth*. The horizontal distance between the front and rear lot lines, measured along the median between the lot lines.
- (3) *Lot width*. The horizontal straight-line distance between the side lot lines, measured between the two (2) points where the front setback line intersects the side lot lines, distance between the side lot lines measured at the setback line and at right angles to the lot depth.
- (4) *Lot coverage*. That part or percent of the lot occupied by buildings or structures including accessory buildings or structures, such as, but not limited to decks, stairways, porches, breezeways and swimming pools, but excluding sidewalks and driveway within non-required yards.

Master Plan . The Master Plan for the City of Dexter, Washtenaw County, Michigan as adopted by the City Planning Commission in accordance with Act 33 of Public Acts of 2008, as amended.

Model home . A dwelling unit used initially for display purposes which typifies the type of dwelling units that will be constructed in the subdivision.

Outlot . An "outlot" when included within the boundary of a recorded plat, means a lot set aside for purposes other than a building site such as a park or other land dedicated to public use or reserved to private use.

Parcel or tract . A unit of land in single or joint ownership that has not been divided or subdivided according to the provisions of the Subdivision Control Act.

Pedestrian way. A separate right-of-way dedicated to or reserved for public use, which crosses blocks or other tracts of land for the purpose of facilitating pedestrian access to adjacent streets and properties.

~~*Planned unit development* . A large-scale development to be constructed, usually in stages, involving a related group of residences and associated uses, planned as an entity and which can be planned, developed, and regulated as one land use, rather than as an aggregation of individual buildings on separate lots.~~

~~*Planning commission*~~ *Commission* . The Planning Commission of the City of Dexter as established under Act 33, Public Acts of 2008, as amended.

Plat . A map or chart of a subdivision of land showing the lot and street arrangement or other features of the area being subdivided.

- (1) *Pre-preliminary plat* . A sketch plan of a proposed subdivision at sufficient accuracy and scale to serve the purposes of procedure as set forth in the ordinance from which this article was derived.
- (2) *Preliminary plat*. A map showing the salient features of a proposed subdivision submitted to the ~~__city council~~ City Council for purposes of preliminary consideration.

- (3) *Final plat*. A map of all or part of a subdivision prepared and certified as to its accuracy by a registered engineer or land surveyor. Such map must meet the requirements of the ordinance from which this article was derived and of the Land Division Act, Act 288, Public Acts of 1967, as amended.
- (4) *Replat* . The process of changing, or a map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot is not a replat.

Proprietor . Any natural person, firm, association, partnership, corporation, or combination of these, including a governmental agency undertaking any development as defined in the ordinance from which this article was derived, and which hold an ownership interest in land, whether recorded or not. The term "proprietor" includes such common references as subdivider, developer, and owner. The word "proprietor" shall not include a person, firm, partnership, corporation, or combination of these, which hold an option to purchase land.

Public utility. ~~A public corporation, franchise, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or Municipal regulations to the public: gas, steam, electricity, sewage disposal, telephone service (excluding cellular phone facilities), cable television services, telegraph, transportation, or water. All persons, firms, corporations, co-partnerships, or municipal or other public authority providing gas, electricity, water, steam, telephone, telegraph, storm sewers, sanitary sewers, transportation, cable or subscription T.V., or other services of a similar nature.~~

Reserve strip . A strip of land in a subdivision which extends across the end of a street proposed to be extended by future platting or a strip which extends along the length of a partial width street proposed to be widened by future platting, to the minimum permissible width. All reserve strips shall be designated as outlots on the plat.

Right-of-way . A strip of land occupied or intended to be occupied by a street, pedestrian way, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line, or for another special use. The term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way. Such land area within the right-of-way shall not be included within the dimensions or areas of adjoining lots or parcels. Right-of-way intended for streets, pedestrian ways, water main, sanitary sewers, storm drains, or any other use involving maintenance by a public agency, shall be dedicated to public use by the proprietor, when dedication is requested by the governing body.

Right-of-way, street . The distance between property lines measured at right angles to the centerline of the street.

Sidewalk . A facility, placed within the right-of-way of streets, or a facility connecting with buildings, parking lots, or other activities having access to the street right-of-way, for the purpose of providing safe movement of pedestrians.

Street . A right-of-way dedicated and deeded for public use, other than an alley, which provides for vehicular and pedestrian traffic.

- (1) *Major* . Those streets of considerable continuity having the primary functions of accommodating relatively large volumes of vehicular traffic and serving to connect areas of principal traffic generation and designated as an arterial in the comprehensive development plan of the subdivision.
- (2) *Collector* . Those streets used to collect and distribute traffic between local and major streets, including principal entrance streets to large residential and nonresidential developments.
- (3) *Local* . Those streets having a primary function of providing service access to abutting land uses and not designed for high volume of traffic.

Street width . The shortest distance between those lines delineating the right-of-way of streets.

Structure . Any object constructed, erected, or placed with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground.

Subdivide or subdivision . The partitioning or dividing of a parcel or tract of land by the proprietor thereof or by his heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale, or lease of more than one year, or of building development, where the act of division creates five or more parcels of land each of which is ten acres or less in area; or five or more parcels of land each of which is ten acres or less in area are created by successive divisions within a period of ten years. The term subdivision also refers to any area, which is subdivided in accordance with the foregoing definition.

Subdivider . Any natural person, firm, association, partnership, corporation, or combination of these, including a governmental agency undertaking any development as defined in the ordinance from which this article was derived, and which hold an ownership interest in land, whether recorded or not. The term "proprietor" includes such commonly references as subdivider, developer, and owner. The word "proprietor" shall not include a person, firm, partnership, corporation, or combination of these, which hold an option to purchase land.

Surveyor . A land surveyor who is registered in the State of Michigan.

Topographical map . A map showing existing physical characteristics, with contour lines, to permit determination of proposed grades and drainage.

Zoning Ordinance . The ~~zoning-Zoning ordinance-Ordinance~~ of the City of Dexter, Washtenaw County, Michigan, adopted in accordance with the provisions of Act 110 of the Public Acts of 2006, as amended, and which is now in effect as the ~~zoning-Zoning ordinance-Ordinance~~ of the City of Dexter, Washtenaw County, Michigan.

DIVISION 3. - SUBDIVISION PROCEDURE

Sec. 20-27. - Initial procedures.

Before making or submitting a final plat for approval, the proprietor may make a pre-preliminary plat, and shall make a preliminary plat and a final plat for review by ~~city~~City staff. The proprietor is encouraged to consult the ~~City of Dexter Master Plan~~, general development plans and detailed plans of any units of government that effect the tract to be subdivided and the area surrounding it. The proprietor should also become acquainted with the ~~zoning ordinance~~Zoning Ordinance of the ~~city~~City, this ~~subdivision~~Subdivision ordinance, and other ordinances and requirements, which regulate the subdivision of land in the ~~city~~City. The proprietor should also discuss the concepts of the proposed subdivision with the ~~city engineer~~City Engineer, the ~~city council~~City Council, and the ~~planning commission~~Planning Commission.

Sec. 20-28. - ~~Pre-preliminary plat~~application review meeting.

~~A~~ ~~Pre-preliminary application~~ review ~~meeting~~ is recommended as an aid both to the developer and to the ~~city~~City. Under this procedure, a developer provides ~~the information~~concept plan, which is described below, and the ~~planning commission representatives from the reviewing agencies, including City Council and Planning Commission~~, then reviews the information provided. During the ~~pre-preliminary application review~~ design stage, changes and additions, which may have to be made before a mutual agreement is reached, can be made as such with minimal difficulty. Acceptance of the ~~pre-preliminary plat concept plan~~ does not assure acceptance of the preliminary or final plats. This material is intended to serve as an information base for discussions between the developer and ~~city~~City, County and State officials and staff.

- (1) *Submittal.* The proprietor shall submit to the ~~city~~City ~~clerk~~ Zoning Administrator, at least 30 days prior to a ~~planning commission meeting~~, an electronic copy and ~~fifteen~~(15) paper copies of the ~~pre-preliminary plat~~concept plan. The ~~city~~City ~~clerk~~Zoning Administrator shall promptly transmit copies to the ~~city~~City ~~planning commission~~Planning Consultant, ~~d~~Department of ~~public~~Public servicesServices, Dexter ~~area~~Area ~~fire~~Fire departmentDepartment, and ~~city engineer~~City Engineer and any other agency that must attend or be informed of the ~~preapplication review meeting per item 3 of this Section~~.
- (2) *Information required.* The following information shall be shown on the ~~pre-preliminary plat~~concept plan or submitted with it:
 - a. The plat date, north arrow, and scale;
 - b. The proposed name of subdivision or development, including the name of the ~~city~~City and the county;
 - c. Names and addresses of the proprietor, planners, designer, engineer and/or surveyor who designed the subdivision layout;

- d. The pre-preliminary plat shall be drawn at a scale of 100 feet to one inch or larger and shall include a legal description of the entire site to be subdivided. The legal description shall include the location of the subdivision giving the numbers of the section, township and range;
- e. An overall map showing the relationship of the subdivision to its surroundings, such as existing road rights-of-way, buildings, watercourses, railroads, public spaces and other physical features on and adjacent to the tract;
- f. Aerial photograph of the site and surrounding area, with the site defined;
- g. Location and purpose of existing and proposed rights-of-way of streets, alleys, easements, parks, open spaces and lot lines with dimensions;
- h. All parcels of land proposed to be dedicated to public use and conditions of such dedication;
- i. Zoning status of the property and of all the adjacent properties, including zoning of parcels on and adjacent to the tract;
- j. Civil jurisdiction of all properties;
- k. The tentative lot layout, number of lots and typical lot size;
- l. Stages of ~~development, if~~ development if the subdivision or development will be completed in more than one stage. Sequential listing is required for the various stages;
- m. Existing natural features such as trees, wooded areas, streams, marshes, ponds, and other wetlands with a clear indication of all natural features to remain and to be removed. Groups of trees shall be shown by an approximate outline of the total canopy;
- n. Identification, location, and nature of all uses other than single-family residences to be included within the subdivision;
- o. The proprietor shall furnish the ~~planning commission with~~ a statement indicating the proposed use to which the subdivision will be put, along with a description of residential building and number of dwelling units contemplated or the type of business so as to reveal the effect of the development on traffic, fire hazards or congestion of population. Such proposed uses may not be in conflict with the ~~zoning ordinance~~ Zoning Ordinance;
- p. Other related data as the ~~planning commission~~ Planning Commission deems necessary;
- q. If the proprietor has an interest or owns any parcel identified as "outlots" or "excepted," the pre-preliminary plat shall indicate how this property could be developed in accordance with the requirements of the existing or proposed zoning district in which it is located and with an acceptable relationship to the layout of the proposed pre-preliminary plat;

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- r. An affidavit, signed by the proprietor, certifying the identity of all legal owners of record of the property in the subject subdivision; and
 - s. Proposed deed restrictions or protective covenants: if none, a statement of such in writing; ~~and~~
 - t. ~~Any additional information as required per the City of Dexter Zoning Ordinance, Article 21, Site Plan Review and Approval.~~
- (3) Pre-application review meeting. The preapplication review meeting shall take place not later than 30 days after the written request and concept plan are received. The meeting shall be attended by the proprietor, Zoning Administrator, City Engineer, City Planning Consultant, representatives of the City Council, Planning Commission, Public Services, Dexter Area Fire Department, the Water Resources Commissioner, the Health Department and the Road Commission, if the proposed subdivision includes or abuts roads under the jurisdiction of the Road Commission. Representatives of the Michigan Department of Transportation, Department of Labor and Economic Opportunity, and Department of Environment, Great Lakes and Energy must be informed of and may attend the preapplication review meeting, if they are entitled to review the preliminary plat under sections 115 to 117 of the State of Michigan, Land Division Act, Act 288, Public Acts of 1967, as amended.
- (4) School authorities . The ~~school~~ School board ~~Board~~ or ~~superintendent~~ Superintendent of the school district having jurisdiction in the area concerned shall be informed and made aware of the ~~proposed pre-preliminary plat~~ preapplication review meeting by the ~~proprietor~~ Zoning Administrator. A letter or document from the ~~school~~ School board ~~Board~~ or ~~superintendent~~ Superintendent indicating awareness of the ~~proprietor's intentions~~ proposed plat shall be submitted to the Zoning Administrator ~~planning commission and reviewed as part of the pre-preliminary plat~~ during the preapplication review meeting.
- (4) Procedures. The ~~planning commission~~ shall follow the following procedures ~~shall be followed~~ :
- a. The ~~planning commission~~ Zoning Administrator, City Planning Consultant and City Engineer shall review all details of the proposed subdivision within the framework of the ~~zoning ordinance~~ Zoning Ordinance, within the various elements of the ~~comprehensive development plan~~ City Master Plan and within the standards of this ~~subdivision~~ Subdivision regulations ordinance Ordinance.
 - b. After reviewing comments of the reviewing parties or agencies copies of the ~~pre-preliminary plat~~ concept plan, the ~~planning commission~~ officials and representatives attending shall make appropriate comments and suggestions concerning the proposed development. ~~The planning commission may require the proprietor to resubmit the pre-preliminary plat if substantial changes are required.~~ The ~~planning commission~~ Zoning

Administrator shall retain one copy of the ~~pre-preliminary plat~~concept plan which shall become a matter of permanent record in the planning commissionCity's files and the proprietor shall ~~receives a marked-up copy of the pre-preliminary plat with any suggested changes~~minutes of the preapplication review meeting.

- c. The ~~planning commission~~Zoning Administrator shall inform the Planning Commission and city councilCity Council of the results of the ~~review of the pre-preliminary plat~~preapplication review meeting.

Sec. 20-29. - Preliminary plat—Tentative approval.

Tentative approval under this section shall confer upon the proprietor for a period of (1) one year from date, approval of lot size, lot orientation, and street layout. Such tentative approval may be extended if applied for by the proprietor and granted by the ~~city council~~City Council in writing.

- (1) *Submittal.* The proprietor shall submit ~~45-one (1) electronic copy and ten (10) paper~~ copies of the preliminary plat and other data to the ~~city clerk~~City Clerk at least 30 days before a meeting of the ~~planning commission~~Planning Commission, and copies shall be distributed to:
 - a. City ~~clerk~~Clerk/staff;
 - b. Planning ~~commission~~Commission;
 - c. City ~~engineer~~Engineer;
 - d. City Planning Consultant
 - d. Superintendent of schools; and
 - e. Dexter ~~area~~Area ~~fire~~Fire ~~department~~Department.
- (2) *Information required.* The following information shall be shown on the preliminary plat or submitted with it:
 - a. All items required as part of the ~~pre-application review concept plan~~preliminary plat submission in section 20-28(2) of this chapter;
 - b. Name and addresses abutting property owners and subdivisions;
 - c. Layout of the streets indicating street names, surface composition, right-of-way widths and connections with adjoining platted streets;
 - d. Lot layout, dimensions, setback requirements, area of each lot in square feet or acres, and lot numbers;
 - e. Indications of parcels of land intended to be dedicated or set aside for the use of property owners in the subdivision;
 - f. Contours shall be shown on the preliminary plat with sufficient detail to determine appropriate development of the site;

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- g. The proprietor shall submit preliminary engineering plans for street, water, sewers, drainage, sidewalks, and other required public improvements. The engineering plans shall contain enough detail to enable the ~~city engineer~~City Engineer to make preliminary determination as to conformance of the proposed improvements to the latest City of Dexter engineering standards;
- h. Identification, location and nature of all uses other than single-family residences to be included within the subdivision;
- i. Ten (10) copies of the proposed protective covenants and deed restrictions, or statement in writing that none are proposed;
- j. Zoning status of property included in the preliminary plat and of all the adjacent properties, civil jurisdiction of all properties; and
- k. Any additional information as required per the City of Dexter Zoning Ordinance, Article 21, Site Plan Review and Approval.

If the preliminary plat does not meet all requirements, the Zoning Administrator shall notify the proprietor by letter, giving the earliest date for resubmission of the plat and additional information required.

(3) *Procedures.*

- a. The ~~city clerk~~City Clerk shall request the ~~chairman~~ of the ~~planning commission~~Planning Commission to place the preliminary plat on the agenda of the next regular meeting of the ~~planning commission~~Planning Commission. A public hearing shall be on the agenda with the preliminary plat, with due notice to be sent by registered mail to the applicant, owners of real property and occupants of structures within three hundred (300) feet of the proposed plat and published in a newspaper of general circulation in the City, at least fifteen (15) days before the date of hearing.
- b. The ~~planning commission~~Planning Commission shall review the preliminary plat, ~~and the comments of the City staff and consultants and hold the public hearing. The following procedure shall be followed: city~~City staff and if the plat meets all requirements, shall:
 - ~~1. Provide for an adequate public hearing, giving due notice to be sent by registered mail to the applicant and owners of land immediately adjoining the proposed plat, and published in a newspaper of general circulation in the city~~City, at least 15 days before the date of hearing;
 - 2. After the public hearing, the ~~planning commission~~Planning Commission may recommend tentative approval, tentative approval with conditions, or rejection of the preliminary plat to the City Council;
 - ~~3. If the preliminary plat does not meet all requirements, the planning commission shall notify the proprietor by letter, giving the earliest date for resubmission of the plat and additional information required;~~

42. Give its report to the ~~city council~~City Council not more than ~~63~~33 days after the preliminary plat ~~is~~was submitted to the ~~planning commission~~City Clerk. ~~The 63-day period may be extended if the applicant consents. If no action is taken within 63 days, the preliminary plat shall be deemed to have been approved by the planning commission; a certificate to that effect shall be issued by the planning commission upon request of the applicant.~~
- c. The ~~city council~~City Council on or before their second meeting after receiving the recommendation from the ~~planning commission~~Planning Commission shall review said preliminary plat and shall tentatively approve, tentatively approve with conditions, or reject, the preliminary plat. The ~~city council~~City Council shall record their approval on the plat and return one copy to the proprietor or set forth in writing its reasons for rejection and requirements for tentative approval within the following time period, as applicable:
1. ~~Within sixty (60) days after the preliminary plat was submitted to the City Clerk, if a preapplication review meeting was conducted under Section 20-28 of this Subdivision Ordinance.~~
 - 4.2. ~~Within ninety (90) days after it was submitted to the clerk, if a preapplication review meeting was not conducted under Section 20-28 of this Subdivision Ordinance..~~
- d. The proprietor upon receiving tentative approval from the ~~city council~~City Council shall submit the preliminary plat to all authorities as required by the Land Division Act, Act 288, Public Acts of 1967, as amended.

Sec. 20-30. - Preliminary plat—Final approval.

Final approval of the preliminary plat under this section shall confer upon the proprietor for a period of two years from date of approval, the conditional right that the general terms and conditions under which preliminary approval was granted will not be changed. The two-year period may be extended if applied for by the proprietor and granted by the ~~city council~~City Council in writing. Written notice of the extension shall be sent by ~~city council~~City Council to the other approving authorities.

- (1) *Submittal*. The preliminary plat for final approval shall be submitted to the ~~city clerk~~City Clerk.
- (2) *Information required*. The following information shall be shown on the preliminary plat or submitted with it:
 - a. A list of all such authorities to the ~~city clerk~~City Clerk, certifying that the list shows all authorities as required;
 - b. Submit all approved copies of the preliminary plat to the ~~city clerk~~City Clerk after all necessary approvals have been secured;

- c. Copy of the receipt from the ~~city~~ City treasurer-Treasurer that all fees, as provided for in the ~~ordinance~~ Ordinance from which this article was derived, have been paid; and
 - d. Engineering review and inspection fees, and other charges and deposits provided for in the ordinance from which this article was derived.
- (3) *Procedures.* The ~~city council~~ City Council, after receipt of the necessary approved copies of the preliminary plat, shall:
- a. Consider and review the preliminary plat at its next meeting, or within twenty (20) days from the date of submission, and approve it if the proprietor has met all conditions laid down for approval of the preliminary plat;
 - b. Instruct the ~~city clerk~~ City Clerk to promptly notify the proprietor of approval or rejection in writing, and if rejected, to give reasons;
 - c. Instruct the ~~city clerk~~ City Clerk to note all proceedings in the minutes of the meeting; said minutes shall be open for inspection;
 - d. No construction of improvements shall be commenced by the subdivider until ~~he has~~ they have:
 - 1. Received notice of final approval of the preliminary plat by the ~~city council~~ City Council;
 - 2. Entered into a subdivision agreement with the ~~city~~ City for construction of all required subdivision improvements; and
 - 3. Deposited with the ~~city~~ City a performance escrow as required guarantee and cash under ~~section~~ Section 20-47 of this ~~chapter~~ Chapter.

Sec. 20-31. - Final plat.

Following final approval of the preliminary plat by the ~~city council~~ City Council, the proprietor shall cause a survey and five true plats thereof to be made by a surveyor.

- (1) *Submittal.* Final plats shall be submitted to the ~~city clerk~~ City Clerk. A final plat shall not be accepted after the date of expiration of the preliminary plat approval.
- (2) *Information required .* All final plats of subdivided land shall comply with the provisions of survey and mapping requirements cited in the Land Division Act, Act 288, Public Acts of 1967, as amended.
 - a. A policy of title insurance currently in force, covering all of the land included within the boundaries of the proposed subdivision.
 - b. Submit all approved copies of the preliminary plat to the ~~city clerk~~ City Clerk after all necessary approvals have been secured.
- (3) *Procedures .*

Subdivisions Ordinance

- a. The final plat shall be reviewed by the ~~city engineer~~City Engineer as to compliance with the approved preliminary plat and plans for utilities and other improvements.
- b. The ~~city council~~City Council shall review all recommendations and ~~take action~~act on the final plat within 30 days.
- c. The ~~city council~~City Council shall require all improvements and facilities to be constructed or require a bond in lieu of construction of facilities before it approves the final plat. (Refer to section 20-48 of this ~~chapter~~Chapter.)
- d. Upon the approval of the final plat by the ~~city council~~City Council, the subsequent approvals shall follow the procedure set forth in the Land Division Act, Act 288, Public Acts of 1967, as amended. If disapproved, the ~~city council~~City Council shall give the proprietor its reasons in writing.
- e. The ~~city council~~City Council shall instruct the clerk to record all proceedings in the minutes of the meeting, which shall be open for inspection and to sign the ~~city~~City certificate of the approved plat ~~in~~on behalf of the ~~city council~~City Council.
- f. A final plat received by the ~~state~~State Treasurer more than one year following the date of approval of the ~~city~~City or county treasurer shall be returned to the treasurer who shall make a new certificate currently dated, relative to paid or unpaid taxes, special assessments and tax liens or titles.

DIVISION 4. - DESIGN STANDARDS FOR SUBDIVISION PLANNING

Sec. 20-32. - Streets and alleys.

The specifications herein set forth are hereby declared to be the standards and general plan adopted by the City of Dexter council for the width and location of all highways, streets, and alleys, which may hereafter, be platted or accepted within the City of Dexter. All such regulations are intended to be in harmony with all road and right-of-way standards and policies of the Washtenaw County ~~road~~Road Commission and the City of Dexter ~~engineering~~Engineering Standards and to implement the City's commitment to Complete Streets, with accommodations for vehicles, bicycles, transit and pedestrians.

Design of streets and alleys shall conform to all road and right-of-way standards and policies of the City of Dexter Engineering Standards, the Washtenaw County ~~road~~Road Commission and the City of Dexter ~~engineering standards~~, and to the latest publication and revision of *A Policy on Geometric Design of Highways and Streets* by the American Association of State Highway and Transportation Officials. Where there is a conflict between any of the aforementioned, the more restrictive shall govern.

- (1) *Layout*. The layout of proposed streets shall provide for the continuation of existing streets in surrounding areas and/or shall conform to a plan for the neighborhood approved by the ~~city~~Planning Commission in cases where topographical or other conditions preclude the continuation of existing streets. In general, such streets shall be of a width as great as that of the street so extended. Due consideration shall be given to the following:
 - a. ~~traffic~~Traffic safety;
 - b. ~~Due consideration shall be given to the subdivider to the attractiveness of the Continuation of the street layout from surrounding areas~~ in order to integrate subdivisions into the fabric of the City obtain the maximum livability and amenity of the subdivisions;
 - a.c. ~~Consideration shall also be given to t~~he proposed use of the subdivision and proper allowance made in commercial and industrial subdivisions, for potential and existing railroad right-of-way as conditions will permit. Any intersection occurring on a street which crosses a railroad track shall not be less than 400 feet from the nearest railroad right-of-way. Greater distances may be required if it is deemed necessary for safety, approach gradients or future grade separations.
- (2) *Major streets*. Where the subdivision abuts or contains an existing or proposed major street, the ~~city~~City planning commissionPlanning Commission may, at its discretion, require the construction of deep lots with rear-service alleys, marginal access streets, double frontage of lots with provision of a screen planting contained in a no-access reservation along the rear property lines, ~~deep lots with rear-service alleys,~~ or other treatment which the ~~said commission~~Planning

Commission considers essential ~~to-for adequate protection of residential lots and~~ separation of through and local traffic and adequate protection of residential lots.

- (3) *Private streets and alleys.* Private streets and alleys shall not be permitted ~~_, but~~ rather ~~a~~ All streets and alleys shall be dedicated to the public.
- (4) *Access to property. The following provisions apply:*
 - a. All lots must have frontage on a public street.
 - b. All proposed buildings shall have access to a public street or alley.
 - c. Each residential lot within a subdivision shall be provided with a satisfactory means of access for pedestrians and vehicles.
 - d. ~~Building permits shall not be issued for the construction of buildings, which do not have access onto a public street. All lots must have frontage on a public street.~~ There shall be no reserve strips controlling access to a street, except where the control of such is definitely placed with the ~~city council~~ City Council.
 - e. Driveways and curb cuts shall conform to the ~~Washtenaw County Road Commission standards and the~~ City of Dexter ~~engineering~~ Engineering Standards and the Washtenaw County Road Commission standards, when the Road Commission has jurisdiction over the street in question.-
- (5) *Intersections.* Intersecting streets shall be laid out so that the intersection angles are 90 degrees. Deviations from this may be considered by the ~~city engineer~~ City Engineer. No more than two streets shall cross at one intersection.
- (6) *Visibility.* No fence, wall, structure, or planting shall be erected, established or maintained on any corner lot which will obstruct the sight distance of the driver of a vehicle approaching the intersection. The minimum clearance of any overhanging portion of a tree thereof shall be ten (10) feet over sidewalks and ~~fourteen~~ (14) feet over all streets.
- (7) *Half-street.* Half-streets shall ~~be prohibited-not be permitted where a subdivision adjoins underdeveloped property,~~ except for such major streets as may be recommended in the ~~city general development plan~~ City Master Plan or by the Washtenaw County Road Commission. They shall be permitted only when the ~~city~~ City planning commission Planning Commission considers the use of a half-street essential to the reasonable development of the subdivision in accordance with the intent of these regulations and where ~~said commission~~ it finds it practicable to require the dedication of the other half of the right-of-way when the adjoining property is subdivided. Wherever there already exists a dedicated and recorded half-street or half alley on an adjoining plat, the other half shall be dedicated on the proposed plat to make the street or alley complete. A one-foot reserve may be required to be placed between a half-street and the subdivision boundaries. This reserve shall be designated as an outlot and shall be deeded in fee simple to the ~~city~~ City at such time as the ~~city~~ City so requests in writing.

- (8) *Street jogs.* Street jogs with centerline offsets of less than 150 feet shall be ~~avoided~~prohibited. Where streets intersect major streets, their alignment shall be continuous.
- (9) *Cul-de-sac and cul-de-sac streets .* ~~Cul-de-sac and cul-de-sac streets shall be avoided.~~ Where required for the ~~full and best~~ utilization of the property, cul-de-sacs may be ~~utilized~~allowed by the Planning Commission. The maximum permissible length of cul-de-sacs streets shall be ~~500~~two hundred (200) feet measured from the right-of-way line of the nearest intersecting street to the farthest point on the right-of-way.
- (10) *Dead-end streets.* Dead-end streets shall be permitted only in cases where the ~~city planning commission~~Planning Commission is of the opinion that there is a reasonable expectation that such streets will be extended to a suitable outlet when the adjacent property is platted. If the ~~commission~~Planning Commission permits the platting of dead-end streets with the expectation of such future extension, the ~~Planning Commission~~commission shall determine whether the subdivider shall provide a temporary turnaround at the closed end of the street. A one-foot reserve may be required to be placed at the end of a dead-end street, which terminates at subdivision boundaries. This reserve shall be designated as an outlot and shall be deeded in fee simple to the ~~city~~City at such time as the ~~city~~City so requests in writing.
- (11) *Alleys .* Alleys ~~shall not~~may be permitted ~~or required~~ in residential areas, ~~for the purposes of vehicular access and trash pick-up.~~ Alleys ~~but~~ may be permitted or required in commercial or industrial areas for the purpose of service access, such as for off-street parking and loading. Alleys shall meet the following standards:
- a. All ~~such~~ alleys shall have a minimum width of ~~twenty-six~~ (26) feet.
- b. A diagonal cut-off shall be made at all acute and right-angle intersections of two alleys sufficient to provide an inside turning radius of ~~thirty~~ (30) feet.
- ~~a.c.~~ Dead-end alleys shall be prohibited except when provided with forty (40) foot outside turning radius at the dead end.
- (12) *Street names .* Street names shall not be permitted which might cause confusion with names of existing streets in or near the City of Dexter. Streets that will be continuations of existing streets shall be called by the same names as such existing streets. All names shall be approved by the ~~city~~City ~~planning commission~~Planning Commission, the ~~fire chief~~Fire Chief, and the Washtenaw County Road Commission.
- (13) *Building lines and setback lines.* Building lines shall conform to the requirements of the ~~city~~City ~~zoning ordinance~~Zoning Ordinance.
- (14) *Right-of-ways width.* Minimum right-of-way width shall be 66 feet. Greater right-of-way widths for major streets as required by the ~~Washtenaw County~~ Road Commission or designated on the ~~city~~City ~~development plan~~Master Plan may be required as necessary.

Subdivisions Ordinance

TYPE OF STREET	RIGHT OF WAY WIDTH
Major	86 99' (no on-street parking)
Collector streets	66' (no on-street parking)
Local streets	66'
Local streets in industrial subdivision	66'

- (15) *Horizontal alignment.* The centerline of pavement shall coincide with the centerline of right-of-way, except for roads with irregular right-of-way widths and with the approval of the ~~city~~City planning commissionPlanning Commission.
- (16) *Street grades and curvature.* Horizontal and vertical alignment shall be provided on all proposed streets.
- (17) *Radii at intersections.* Minimum edge of pavement or curb radii shall be uniform at intersections and shall be 40 feet at intersections of major streets, 35 feet at intersections with collector streets and 25 feet on local streets.
- (18) *Surface drainage.* Surface drainage and detention shall be provided in accordance with the City of Dexter ~~engineering~~Engineering standardsStandards. In the event it is found to be essential to the economical development of substantial portions of a project, drainage easements may be permitted.
- (19) *Street drainage .* All streets and alleys shall be provided with facilities for adequate surface drainage. Storm drains shall be underground and only curb-type design shall be permitted. Plans for such drainage shall be approved by the ~~city engineer~~City Engineer.
- (20) *Other required streets.* Where a subdivision borders on or contains a railroad right-of-way or a limited access highway right-of-way, the ~~planning commission~~Planning Commission may require a street approximately parallel to and on one or both sides of such right-of-way, at a distance suitable for the appropriate use of the intervening land (such as for park purposes in residential areas, or the commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
- (21) *Streets standards and specifications.* Streets and roads shall be provided in accordance with the street and road standards adopted by the Michigan Department of Transportation, the ~~Washtenaw~~County Road Commission, and the City of Dexter.

Sec. 20-33. - Pedestrian ways.

- (a) A right-of-way ~~and/or facilities~~ for ~~mid-block~~ pedestrian crosswalks in the middle of ~~long~~ blocks may be required where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas. ~~The City Engineer should decide whether the right-of-way or facilities are needed based on land uses, present and future demand, pedestrian compliance, speed, safety, and crash history of the street or similar streets in the City. They~~ Right-of-way and/or facilities for mid-block pedestrian crosswalk shall be placed in locations with appropriate sight distance as certified by an engineer. The right-of-way shall be at least ten feet wide and extend entirely through the block. Appropriate signing, ~~and~~ pavement markings ~~and appurtenances~~ shall be provided.
- (b) ~~Sidewalks. Sidewalks with sufficient right-of-way shall be installed on both sides of the street in all subdivisions, except in Industrial Parks under Section 20-42 of this Subdivision Ordinance. Sufficient right of way shall be provided so that sidewalks may be installed on both sides of all streets.~~ Access easements may be required should the sidewalks be installed outside of the public right-of-way.

Sec. 20-34. - Utility and other easements.

- (a) A subdivider shall contact the City of Dexter Department of Public Services for preferred locations of utilities. Water main and sanitary sewer service shall be placed within public right-of-way, except with written approval of ~~city~~City staff and ~~city council~~City Council. If public utilities are placed outside of the public right-of-way, easements shall be granted in accordance with the City of Dexter engineering standards.
- (b) All public utilities within the subdivision shall be underground.
- (c) Storm sewer, drainage and surface drainage easements shall be provided along sewers, any natural water course, drainage ditch, channel or stream. Such easements shall be of adequate width for the particular conditions of the site.
- (d) The subdivider shall work with private utilities to determine the placement of such utilities and easements.

Sec. 20-35. - Lots.

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision as for the type of development and use contemplated. Lots shall be of such size as to permit a variety of house types, to provide side yards for desirable access, light, air, privacy, and safety from fire hazard, and to provide for setbacks from the street line and allow sufficient space for household purposes. All lots shall conform to the requirements of the ~~city~~City zoning ordinanceZoning Ordinance. All lots when developed, shall be connected to ~~city~~City sewer and water systems.

Subdivisions Ordinance

- (1) *Area* . The width and depth of lots shall be such that the minimum lot areas will be in accordance with the adopted City of Dexter Zoning Ordinance.
- (2) *Width* . The minimum width of any lot shall be ~~60-50~~ feet, except that greater widths may be required in the ~~zoning ordinance~~Zoning Ordinance. Where desirable to plat wedge-shaped lots so as to best utilize a parcel of land, the required lot width shall be measured at a line located 25 feet from the front of property line.
- (3) *Depth* . No lot shall be less than one hundred and twenty (120) feet in depth. The depth of a lot should not exceed a depth to width ratio of ~~2½~~four to one (4 to 1).
- (4) *Side lot lines* . Side property lines of lots shall generally be perpendicular to straight lines or radial to curved street line. ~~unless a variation from this rule will give a better lot plan.~~ Property lines on sides and rear of lots should be straight. The Planning Commission may allow variations to match the lot shapes of adjacent areas, preserve natural features, allow for recreational facilities or pathways.
- (5) *Corner lots* shall have extra width to permit appropriate building setbacks from both streets. If the ~~zoning ordinance~~Zoning Ordinance does not require a greater width, this ~~ordinance~~Ordinance shall control in which case the corner lot should be ten to 20 percent wider than minimum interior lots. Lots abutting a pedestrian mid-block crosswalk shall be treated as corner lots unless the width of the crosswalk right-of-way is not less than one-third of the width of the street right-of-way that the crosswalk intersects.
- (6) Single-family residential Lots-lots shall not open or face directly onto a freeway right-of-way, an arterial street or other heavily traveled street, shopping centers, or other large nonresidential area. In such situations, single-family residential lots shall be laid out in one of the following ways:
 - a. Lots can back onto the above features, but shall be separated there from by a ~~permanent fence or wall and a 20-foot wide~~ landscaped strip with a berm, wall, or fence along the rear property line. The landscaped strip must meet the requirements for landscape screening between land uses in the Zoning Ordinance. The ~~20-foot wide~~landscaped strip shall not be considered part of the lot's minimum length or area. The landscaping shall be such as to create a screen to insure the privacy of each lot.
 - b. ~~Lots may face onto a marginal access street. Such a street shall be separated from the right-of-way of the main street or the edge of the nonresidential area by a landscaped median strip not less than 20 feet wide. The median may be dedicated to the governing body or other appropriate public agency.~~
 - b. Lots may face onto a heavily traveled street with a shared driveways and rear alley. A maximum of five (5) single-family residential lots can share a single driveway.

Subdivisions Ordinance

- c. Lots may be faced onto intersecting streets with driveways opening onto the intersecting streets. These corner lots, which abut the major street right-of-way, ~~shall or the non-residential area, shall each have the~~ 20-foot wide landscape strip ~~with street trees~~ as required in ~~subsection (6)(b) of this section~~Zoning Ordinance. Where the landscaped strip abuts a residential street at a major street right-of-way, a clear vision (sight) easement shall be designated on the plat.
 - d. Lots may be grouped around short ~~cul-de-sac or~~ loop streets, which open onto the major street. In such situations, the corner lots abutting the major street right-of-way shall each contain the landscaped strip required in subsections (6)(a) and (6)(c) of this section.
 - e. The layout of lots, whichever method is used, is intended to restrict the number of access points to the major streets and thereby reduce the number of traffic hazard points and preserve the traffic carrying ~~capacity~~capacity of the major street and to protect each lot's privacy and its freedom from noise and litter. Any landscaped strip required above shall not be part of the normal road right-of-way or utility ~~easement, but~~easement but be designated as an outlet.
- (7) ~~Lots in B~~business or commercial lots-plats . No lot or parcel within a plat classified as business or commercial shall be platted that is less than ~~200-fifty~~(50) feet in width, nor less than ~~one acre~~twenty-one thousand seven hundred and eighty (21,780) square feet in area, nor shall it exceed four ~~(4)~~ acres or ten percent ~~(10%)~~ of the total planned acreage to be developed whichever is greater. Exceptions to the above may be approved by the ~~planning commission~~Planning Commission. Off-street parking and loading shall be in accordance with the requirements of the ~~zoning ordinance~~Zoning Ordinance.
- (8) *Lot division*. The divisions of a lot in a recorded plat is prohibited, unless approved following application to the ~~city council~~City Council. The application shall be filed with the ~~city clerk~~City Clerk and shall state the reasons for the proposed division. The resulting lots shall be not less in area than permitted by the City of Dexter Zoning Ordinance. No building permit shall be issued, or any building construction commenced, until the division has been approved by the ~~city council~~City Council and the suitability of the land for building sites has been approved by the county. The division of a lot resulting in a smaller area than prescribed herein may be permitted, but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form.
- (9) *Division of unplatted parcel*. The division of unplatted land shall conform to the ~~city~~City Land Division Ordinance.

Sec. 20-36. - Blocks.

The size and shape of blocks shall be appropriate for the type of lots and land use proposed. Blocks shall be designed so as to continue the established street pattern of the City, permit good lot orientation, safe street design and economical use of the land.

- (1) Length . The Length-length of blocks between intersecting streets shall meet the regulations in the table below:

<u>Future Land Use</u>	<u>Min. Block Length (feet)</u>	<u>Max. Block Length (feet)</u>
<u>Village Residential – 1, Village Residential -2, Multi Family Residential, Baker Road Corridor (for residential blocks only), Village Commercial or similar</u>	<u>400</u>	<u>800</u>
<u>Suburban Residential, Dexter Ann Arbor Road Corridor (for residential blocks only) or similar</u>	<u>500</u>	<u>1,300</u>
<u>Light Industrial, Research Development or similar</u>	<u>None</u>	<u>None</u>

~~normally be from 800 to 1,000 feet. This~~The Planning Commission may allow exceptions to the above regulations form shall be altered only where the topography of the land makes it advisable to do so in order to protect the public safety and convenience, ~~and in no event should blocks be less than 500 feet or more than 1,300 feet in length.~~In blocks exceeding 800 feet in length, the planning commissionPlanning Commission may require the reservation of a 20-foot wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic of ten feet wide for pedestrian traffic only where needed or desirable, and may specify further, at its discretion, the five-foot wide paved footpath be provided by the proprietor. ~~Blocks intended for non-residential purposes shall be especially designed for such purposes, and in accordance with zoning ordinance provisions. In such cases, the above dimensions do not apply.~~

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- (2) Perimeter .The perimeter of a block, measured by the length of all four (4) street faces, shall meet the regulations below:

<u>Future Land Use</u>	<u>Min. Block Perimeter (feet)</u>	<u>Max. Block Perimeter (feet)</u>
<u>Village Residential – 1, Village Residential -2, Multi Family Residential, Baker Road Corridor (for residential blocks only), Village Commercial or similar</u>	<u>1,115</u>	<u>1,915</u>
<u>Suburban Residential, Dexter Ann Arbor Road Corridor (for residential blocks only) or similar</u>	<u>1,260</u>	<u>1,560</u>

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Light Industrial, Research Development or similar	None	None
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[The Planning Commission may allow exceptions to the above regulations where the topography of the land makes it advisable to do so in order to protect the public safety and convenience.](#)

- (23) *Arrangement* . A block shall be so designed as to provide two tiers of lots. [A single tier of lots may be permitted in the following situations: ,except where](#)
 - [a. Lots back into an arterial street, natural feature or subdivision boundary; or](#)
 - [a.b. A portion of or an entire tier is a dedicated park, recreation space, pathway or facility.](#)
- (34) *Non-residential blocks*. Blocks intended for purposes other than residential shall be especially designed for such purposes and shall have adequate provision for off-street parking and loading in accordance with the requirements of the [zoning ordinanceZoning Ordinance](#).

Sec. 20-37. - Use.

- (a) *Control* . No property shall be subdivided for residential use if such is considered unsuitable for building purposes by existing State of Michigan Local Ordinance and Statutes.
- (b) *Restrictions* . Wherever property is subdivided with the intention that it shall have a use different than that designed in the [zoning ordinanceZoning Ordinance](#), such use shall be stated in an application for an amendment to the [zoning ordinanceZoning Ordinance](#) in a separate statement filed with the [planning commissionPlanning Commission](#). Conformance with the objectives of the [cityCity](#) general development plan shall be required so as to [insureensure](#) general uniformity of land uses within blocks and neighborhoods.
- (c) *Conformance with [zoning ordinanceZoning Ordinance](#)*. Property use and area restrictions must be in accordance with the [zoning ordinanceZoning Ordinance](#).
- (d) *Land subject to flooding*. Any area of land within the proposed subdivision which is subject to flooding or inundation by storm water shall be clearly shown on final plat. Such land shall not be platted for residential occupancy, or for such uses as may increase danger to health, life or property, or unduly aggravate the flood hazard. No building shall be placed within the 100-year floodplain. Any earth change within the 100-year floodplain shall only be allowed with permission of the Michigan Department of Natural Resources.

Sec. 20-38. - Open spaces and Linkages.

In the design of the plat, thorough and equitable consideration shall be given by the subdivider and the ~~planning commission~~Planning Commission for the provision of suitable sites for recreation; including tot lots, both active and passive recreation areas, schools, and for other public purposes. Linkages to the Non-Motorized Network in the City of Dexter shall be considered as well. All plats shall meet the following standards:

(a) The area reserved for recreation shall be provided for all plats having twenty (20) or more residential dwelling units the size of such reserved area for recreation shall be no less than three hundred (300) feet by three hundred (300) feet or ninety thousand (90,000) square feet. This reserved area shall be increased in size by two hundred (200) square feet for each residential dwelling unit in the development exceeding thirty (30) dwelling units.

~~(a)~~(b) If a plat abuts or is located within five hundred (500) feet of any portion of a public trail, a direct linkage from the subdivision to such public trail shall be provided.

Sec. 20-39. - Commercial or industrial modification.

These subdivision design standards may be modified in accordance with division 5 of this ~~article~~Article in the case of subdivisions specifically for commercial or industrial development, including shopping district, wholesaling areas, and planned industrial districts. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation.

Sec. 20-40. - Cluster developments.

Where ~~the Section 12.02 of the zoning ordinance~~Zoning Ordinance permits, a proposed residential subdivision may be designed instead as a cluster subdivision ~~for the purpose of creating a more desirable living environment than is possible under the ordinances as applied to individual residential lots; encouraging the provision and maintenance of open space and recreational areas for the residents of the subdivision; obtaining creativity, variety, efficiency, and economy in the physical development pattern of the community and their inclusion into the development pattern of the subdivision and community.~~

The plan for a cluster development shall be submitted in accordance with the procedures and standards of the Zoning Ordinance and this Ordinance ~~from which this article was derived.~~

~~The development must be designed to produce a stable and desirable residential character. Overall densities shall not exceed those permitted in appropriate districts in the zoning ordinance. Open space areas shall meet the standards of open space and recreation areas established in the adopted comprehensive development plan. The~~

~~governing body, with advice from the planning commission, shall have the right and responsibility to reject a proposed cluster development if the open space areas are, in its opinion, of such size and shape as to be unusable or unmaintainable for open and recreation purposes. Open space provided under cluster or planned unit development and retained by the developer or deeded to an association of homeowners shall remain permanently open for recreation purposes. The open space character of the area shall be secured by restrictive covenant or other means to protect the public's interest in maintaining the density of development and open space character. Such open space and recreation areas shall be set aside as common land for the sole benefit, use, and enjoyment of the subdivision lot owners, present, and future. All open space, tree cover areas, where acreage is utilized in determining the size and extent of common land, shall be included in the covenant or other measures as permanent open space.~~

~~Open space in any one cluster development shall be laid out, to the maximum feasible extent, so as to connect with other open space, existing or proposed, in the vicinity, whether such areas are or will be public or private. In the case of two or more adjacent developments, proprietors may cooperatively allocate open space areas, if such areas are coordinated in design and location to an extent acceptable to the planning commission.~~

~~Cluster developments shall be laid out so as to reduce the lineal feet of street for economy and safety that would otherwise be needed to serve the area; to economize on cost of utility installations; to retain and take advantage of existing natural features and vistas; to reduce the amount of grading required; to take maximum advantage of storage, absorption, and drainage characteristics of the natural landscape; and to otherwise secure the objectives set forth in this section. In so doing, the minimum lot areas, lot widths, and other standards may be modified in accordance with the ordinance from which this article was derived and the city zoning ordinance.~~

~~The cluster development shall be laid out so that its development can be staged in an efficient and economical manner with respect to the opening and maintenance of new streets, the provision of utilities, access to schools and other public and private service facilities, and similar considerations.~~

~~Utility easements may be included in the open space area calculation only if they are available to residents of the development. The easements may be landscaped and developed for open space or recreational purposes provided that the landscaping does not adversely impact the utilities, and are safe for use by persons engaging in open space and recreation activities.~~

~~Open drainage courses, suitably graded and stabilized with sod or other ground cover, and planted with trees, shrubs, and other landscape materials, and made an integral part of the overall open space and recreation system may be acceptable, if approved by the city engineer and the city staff.~~

~~In cluster subdivisions, the common space shall remain and be maintained in open space in perpetuity. The proprietor shall insure the permanence of both the existence and proper maintenance of the open space by either dedicating it to public agency responsible for areas and activities or by dedicating it to a homeowner's association to be made up of the residents of the subdivision. The latter method is, in general, to be preferred.~~

~~Where homeowner's associations are to be used, the following conditions shall be met:~~

- ~~(1) The association shall be established before dwellings are sold.~~
- ~~(2) Membership shall be mandatory for each homebuyer and any successive buyer.~~
- ~~(3) Open space must be held and maintained as open space in perpetuity.~~
- ~~(4) The association shall be responsible for local taxes, maintenance of grounds and facilities, liability insurance, and other similar duties of ownership. Proprietor shall file declaration of covenants and restrictions with the preliminary plats, setting forth these and other features of the association. He shall also supply to the governing body a copy of articles of incorporation and a complete set of bylaws of the association.~~

~~The governing body may require that, in addition to the restrictive covenants and the homeowner's association, an easement over the open space area be given to the public to insure that the area will remain open in perpetuity. Such an easement is intended only to preserve open space, and is not intended to provide public access thereto.~~

Sec. 20-41. - Commercial developments.

Where commercial developments such as shopping centers, or office parks fall within the definition of subdivision as set forth in Act 288, P.A. 1967, as amended, such development shall conform to all provisions of the ~~Subdivisions ordinance~~ Ordinance from which this article was derived that may be reasonably applied. Such development shall conform to all ~~zoning ordinance~~ Zoning Ordinance requirements.

In addition to other requirements of ~~the this ordinance~~ Ordinance from which this article was derived, the plan shall show the following:

- ~~(1) Basic building pattern to be constructed. and t~~
- ~~(2) The general pattern of tenants or types of stores and shops.~~
- ~~(3) The parking and circulation pattern shall be clearly delineated and shall be designed so that the circulation system is safe and convenient to customers, can be used with a minimum of congestion, and permits ease of entry and exit from parking spaces.~~
- ~~(4) Compliance with standards in Article 5 of the City of Dexter Zoning Ordinance. Parking traffic and traffic entry, exit, and general circulation should be separated (but interconnected) to the maximum feasible extent. Trucking and other service traffic should have its separate circulation pattern. Traffic entering or leaving parking spaces should be controlled so that it cannot move in random patterns, but should be channeled into clearly marked and designed traffic ways. Entry drives shall be so designed and located so as to be a safe access point, and not to create congestion or hazardous conditions on the streets serving the center. Traffic ways from parking areas, in their intersections with entry/exit drives shall be located so as not to interfere with traffic entering or leaving the center.~~

~~Parking areas shall be divided into sections and shall be landscaped by planting boxes with trees and shrubs. Wheel spots or other devices shall be used to channel traffic movements within the parking bays.~~

~~Buffer strips, at least 20 feet wide and landscaped, shall be provided along the perimeter of the center. The planning commission may require provision of a fence, wall, or screen, if it determines such is necessary to protect the adjacent areas from litter, trespass, and other nuisances. The planning commission may also require a wider buffer strip for community and regional shopping centers.~~

~~(2)(5)~~ Landscaping features ~~around the building on the site~~ should be provided pursuant to the ~~City of Dexter~~ Zoning Ordinance.

~~(3)(6)~~ Any intended future expansion should be provided for in the layout of the initial center and should be shown on the pre-preliminary plat. The area to be included in the expansion, and all connections thereto shall be indicated on the preliminary and final plats. Parking areas, utilities, landscaping, etc., shall be designed with future expansion in mind.

~~(4)(7)~~ All separate buildings in the center, not connected to the principal center buildings, such as but not limited to supermarkets, gasoline service stations, theaters, offices, drive-ins, and facilities, shall be shown on the plans, along with the circulation and parking patterns to service such facilities.

~~(5)(8)~~ Pedestrian movement from parking bays to the center and other buildings should be clearly defined and so laid out as to separate, to the greatest extent possible, pedestrians from moving vehicles.

Sec. 20-42. - Industrial parks.

Where industrial developments, such as industrial parks fall within the definition of subdivisions as set forth in Act 288, P.A. 1967, as amended, such developments shall conform to all provisions of the ordinance from which this article was derived that may be reasonably applied. Such developments shall conform to all ~~zoning ordinance~~Zoning Ordinance requirements.

In addition to the requirements of the ~~e-ajs Ordinance and the Zoning Ordinance from which this article was derived~~, the plan ~~should~~shall show

(1) ~~the~~The basic pattern of streets, service drives, parking areas, and blocks.

~~(4)(2)~~ Individual lots within each block should be defined as they are sold. The plan should emphasize flexibility to accommodate various industrial needs for space and should concentrate on the size and shape of blocks rather than on individual lots.

~~(2)(3)~~ The plan shall clearly show the various stages for developing the industrial park.

(4) The parking areas and circulation systems shall be clearly delineated in such a way as to provide safe traffic movements.

Subdivisions Ordinance

- (5) Service and loading areas should be separate from other parts of the parking and circulation system.
- (6) The parking lots shall be designed so as to channel traffic into appropriate aisles and to prohibit random movement.
- ~~(3)~~(7) Streets shall be laid out so as to prohibit through traffic.
- (8) All streets within the park shall be designed and constructed to ~~safely, easily and conveniently accommodate the movement of large trucks~~ accommodate the movement of large trucks safely, easily and conveniently.
- (9) The internal circulation system, and the points of its connection to the public street system serving it, shall be so designed and constructed to provide a safe roadway such that congestion or hazardous traffic conditions on either system will not be created.
- ~~(4)~~(10) Streets within the park shall not be extended to the boundaries of adjacent existing or potential residential ~~areas, or~~ areas or connected to streets intended for predominantly residential traffic.
- (11) Landscaping features on the site should be provided pursuant to the Zoning Ordinance. The entire park, ~~parking lots and common areas~~, shall be landscaped with trees, sod, shrubs, and other materials suitable for this area. ~~Parking lots shall be landscaped.~~
- ~~(5)~~(12) Maintenance requirements for landscaping on each lot shall be set forth in restrictive covenants.
- ~~Buffer strips of at least 20 feet in width, and landscaped, shall be required along the side and rear property lines of the industrial park where these abut a residential, agricultural, institutional, or commercial area. The planning commission may require provision of a fence, wall, or screen, if it determines such is necessary to protect the adjacent areas from litter, trespass, and other nuisances.~~
- (13) Pedestrian movements within the park shall be provided for with sidewalks and clearly marked pedestrian paths. These shall be convenient and safe, with the greatest separation from vehicular traffic feasible.
- ~~(6)~~(14) Bicycle traffic within the park shall be provided for with multi-use pathways or clearly marked bicycle lanes. These shall be convenient and safe, with the greatest separation from vehicular traffic feasible.
- ~~(7)~~(15) Restrictive covenant carried in deeds or leases are encouraged to be provided by the proprietors. Items such as, but not limited to, types of activities permitted, minimum site size, site coverage, outdoor storage, landscaping, building design and construction, and sign control should be covered. The covenants should be discussed with the ~~planning commission~~ Planning Commission in the pre-preliminary plat and preliminary plat stages. The covenants should be coordinated with, and complementary to, the ~~city~~ City policy power controls.

~~(8)~~(16) The proprietor's continuing interest in the park shall be clearly described.

~~(9)~~(17) All streets in the industrial district shall be designed according to the City of Dexter ~~engineering Engineering standards Standards and the standards of the Washtenaw County Road Commission~~. All streets shall be paved with curb and gutter.

(18) Parking and loading on all streets in the ~~Industrial~~ and Research Development Zoning district-Districts shall be prohibited. Adequate parking and loading areas, and space necessary for maneuvering trucks in loading/unloading operations shall be provided on each site.

~~(10)~~(19) Parking and loading areas shall be paved and loading areas shall be adequately screened.

Sec. 20-43. - Restrictive covenants.

Covenants designed to preserve the character of the subdivision and to help retain its stability, permanence, and marketability are encouraged. Such covenants should be recorded with the plat and should be blanket covenants that apply to the entire subdivision. Such covenants are intended to complement the ~~city~~City's continuing regulation of the subdivision through its zoning and building code powers.

Blanket covenants may contain items such as, but not limited to:

- (1) ~~-~~Land use control.
- (2) Architectural control, including walls and fences as well as buildings; yards and setback requirements.
- (3) Minimum lot size.
- (4) Prohibition of nuisances
- (5) Regulation of signs.
- (6) Control of type, duration, location, etc., of temporary buildings or vehicles, such as travel trailers, etc., to be stored on each site;
- (7) Scenic or open space easements;
- (8) Other similar controls.

Covenants shall be discussed with the ~~planning commission~~Planning Commission during the initial procedures and/or preliminary plat stages and shall be coordinated with existing or anticipated police power controls.

Covenants shall be recorded prior to the sale of any lot within the subdivision. The ~~city council~~City Council has authority to enforce covenants as conferred by the Land Division Act, Act 288, 1967, as amended.

Sec. 20-44. - Subdivision improvements.

- (a) *Purpose.* It is the purpose of this ~~section~~ Section to establish and define the public improvements which the proprietor will be required to provide as conditions for final plat approval; to outline the procedures and responsibilities of the proprietor and the various public officials and agencies concerned with the administration, planning, design, construction and financing of public facilities; and to establish procedures for assuring compliance with these requirements.
- (b) *General .*
 - (1) *Standards .* Improvements shall be provided by the proprietor in accordance with these regulations, the latest revision of the City of Dexter engineering standards or with any other applicable standards and requirements which may from time to time be established by ordinance by the governing body, and by the published rules of the various departments of the City and county and state agencies. The improvements required under this article shall be considered as the minimum acceptable standard.
 - (2) *Preparation of plans.* It shall be the responsibility of the proprietor to have prepared by a registered engineer a complete set of construction plans for the required public streets, utilities, and other facilities required in subsection (d) of this section. Such construction plans shall conform to the preliminary plans, which have been approved with the tentative preliminary plat, and shall be prepared in conjunction with the final preliminary plat. Construction plans are subject to approval by the responsible public agencies and shall be prepared in accordance with the City of Dexter engineering standards and their standards and specifications.
- (c) *Engineering drawings of improvements.*
 - (1) *Required prior to construction .* Engineering drawings of all required improvements shall be reviewed and approved by the ~~city~~ City-engineer Engineer. Improvements to be made under the jurisdiction of the County Road Commission, County ~~Drain Water Resources commissioner~~ Commissioner, or other county or state agencies, shall be submitted to the appropriate agency for review and approval. Where review and approval of engineering drawings is made by a county or state agency, the ~~city-engineer~~ City Engineer shall obtain written confirmation of such approvals.

No grading, land filling, removal of trees or other vegetation, or construction of improvements shall commence until the engineering drawings of same have been approved as provided in the ordinance from which this article was derived.
- (d) *Modification during construction.* All installations and construction shall conform to the approved engineering drawings. If the proprietor chooses to make minor modifications in design and/or specifications during construction, s/he shall submit revisions to the ~~city~~ City-engineer Engineer, and any other agency having jurisdiction, for approval. No work outside of the approved engineering drawings shall be allowed until approval has been granted. The ~~city~~ City may require that any work done prior to

approval of the changes be removed at the expense of the proprietor. All changes shall be shown on the as-built drawings.

- (e) *As-built drawing.* Upon completion of construction, the proprietor shall submit to the ~~city~~City-engineer Engineer three copies of as-built engineering drawings for review and approval prior to final plat approval. Each set of drawings shall be certified by the proprietor's engineer. Similar drawings shall also be submitted of improvements installed under bond, after final plat approval.
- (f) *Easements .* Upon completion of construction, descriptions of all easements within the subdivision shall be provided to the ~~city-engineer~~City Engineer for review and approval. Once approved, it is the responsibility of the proprietor to record the easements with the Washtenaw County Register of Deeds. Copies of the recorded easements shall be submitted to the ~~city~~City staff and the ~~city-engineer~~City Engineer prior to final plat approval.
- (g) *Construction schedule.* The proprietor shall submit to the ~~city-engineer~~City Engineer a general schedule of the timing and sequence for the construction of all required improvements prior to final approval of the preliminary plat. The schedule shall meet the procedural requirements and inspection needs of the ~~city~~City, county, and state agencies.

Sec. 20-45. - Utilities and improvements.

In order to provide healthful, clean and desirable living conditions, the subdivider shall be entirely responsible for installing the following site ~~improvements, or~~improvements or shall furnish a surety bond acceptable to the ~~city-council~~City Council sufficient to permit the completion of all contemplated improvements, before a plat shall be accepted by the ~~city~~City.

- (1) *Street pavement and storm drainage.* All subdivisions shall have streets and intersections of bituminous pavement surfacing with enclosed storm sewers as required in the City of Dexter engineering standards and approved by the ~~city~~City staff and ~~city-engineer~~City Engineer. All such improvements shall be provided by the subdivider/developer. All work shall be carried out under the supervision of the ~~city-engineer~~City Engineer.
- (2) *Installation of public utilities.* Public utilities shall be located in accordance with the City of Dexter engineering standards. The underground work for utilities shall be stubbed to the property line and made available for future connection. All public utilities in a subdivision shall be underground.
- (3) *Sanitary sewerage system.* The location and design of all trunkline and lateral sanitary sewers and any other necessary appurtenances, such as pump stations, shall conform to the City of Dexter engineering standards and be approved by the ~~city~~City staff and ~~city-engineer~~City Engineer and all applicable reviewing agencies. All work shall be carried out and provided by subdivider/developer under the supervision of the ~~city-engineer~~City Engineer.

- (4) *Water system.* The location and design of water mains with house connections and the installation of fire hydrants, and any other necessary appurtenances shall conform to the City of Dexter engineering standards and be approved by the ~~city~~City staff, ~~city engineer~~City Engineer, the fire chief, and all applicable reviewing agencies as to suitability. All work shall be carried out and provided by subdivider/developer under the supervision of the ~~city engineer~~City Engineer.
- (5) *Sidewalks.* Sidewalks, along with crosswalks where necessary, shall be provided along all streets and at any other location where the ~~city council~~City Council and/or ~~planning commission~~Planning Commission shall determine that sidewalks are necessary for public safety or convenience. Sidewalks shall conform to the City of Dexter engineering standards and be approved by the ~~city engineer~~City Engineer and all applicable reviewing agencies as to suitability. All work shall be carried out and provided by subdivider/developer under the supervision of the ~~city engineer~~City Engineer.
- (6) *Curbs and gutters.* Concrete curbs and gutters shall be required on all streets and shall be constructed in accordance with the City of Dexter engineering standards. All work shall be carried out and provided by subdivider/developer under the supervision of the ~~city engineer~~City Engineer.
- (7) *Driveways.* All driveway openings in curbs shall conform to the City of Dexter engineering standards.
- (8) *Street name signs.* Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the requirements of the City of Dexter.
- (9) *Trees.* Trees shall be provided in the margins of both sides of all streets, public or private, and shall be placed at the minimum rate of two per single family residential lot or at a maximum distance apart of ~~60~~forty (40) feet. Trees may also be required to be installed according to the same distances in pedestrian ways. Trees to be installed in the street margins shall be of the large deciduous type—see Article 6 ~~of the Zoning Ordinance~~, Landscaping Standards, for permitted and prohibited species. However, ornamental trees may be installed in the margin. Both kinds of trees may be provided in pedestrian ways.

All trees shall be protected from damage by wind and other elements during the first full year after planting.
- (10) *Street lighting.* Streetlights, where provided, shall have underground wiring. Light standards shall meet the minimum specifications of the electric utility company serving that area of the proposed subdivision. Where lights are to be provided, they should be installed prior to the occupancy of structures within the subdivision. Streetlights shall be provided in all subdivisions except those one acre or larger residential lots.

Sec. 20-46. - Protection of natural features.

Due regard shall be shown for all natural features, such as large trees, exceptionally fine groves of trees, water courses, scenic points, historic spots, and similar community assets, which if preserved, will add attractiveness and value to the subdivision. The subdivider/developer shall take every precaution against injury to natural features, to store his apparatus, materials, supplies, and equipment in such a manner as not to damage trees or other natural features. Any trees or natural features liable to damage shall be fenced or boxed in.

Sec. 20-47. - Guarantee of completion of improvements required by the ~~city~~City.

- (a) *Financial guarantee arrangements, exceptions.* In lieu of the actual installation of the required public improvements, the ~~city council~~City Council, on recommendation of the ~~planning commission~~Planning Commission, may permit the subdivider to provide a financial guarantee of performance for those requirements, which are not under the jurisdiction of the county road commission, county drain commissioner or any other agency responsible for the administration, operation and maintenance of the applicable public improvement. The ~~planning commission~~Planning Commission may recommend, and the ~~city council~~City Council may waive, financial guarantees of performance under the ordinance from which this article was derived for sidewalks, streetlights, or street trees. The completion of public improvements shall be required prior to the issuance of occupancy permits.
- (b) *Performance bond.*
- (1) *Accrual.* The bond shall accrue to the ~~city~~City, covering construction, operation and maintenance of the specific public improvement.
 - (2) *Amount.* The bond shall be in an amount equal to the total estimated cost of completing construction of the specific public improvement, including contingencies, as estimated by the ~~city council~~City Council.
 - (3) *Term length.* The term length in which the bond is in force shall be for a minimum period necessary to construct the public improvement, as specified by the ~~city council~~City Council.
 - (4) *Bonding or surety company.* The bond shall be with a surety company authorized to do business in the State of Michigan, acceptable to the ~~city council~~City Council.
 - (5) *The escrow agreement.* Shall be drawn and furnished by the ~~city council~~City Council.
- (c) *Cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit.*
- (1) *Treasurer, escrow agent or trust company.* A cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, such surety acceptable

by the ~~city council~~City Council, shall accrue to the ~~city~~City. These deposits shall be made with the ~~city~~City treasurer, or Treasurer or deposited with a responsible escrow agent or trust company, subject to the approval of the ~~city council~~City Council.

- (2) *Dollar value.* The dollar value of the cash deposit, certified check, negotiable bond, or an irrevocable bank letter of credit, shall be equal to the total estimated cost of construction of the specific public improvement including contingencies, as estimated by the ~~city council~~City Council.
- (3) *Escrow time.* The escrow time for the cash deposit, certified check, negotiable bond, or irrevocable bank letter of credit, shall be for a period to be specified by the ~~city council~~City Council.
- (4) *Progressive payment.* In the case of cash deposits or certified checks, an agreement between the ~~city~~City and the subdivider may provide for progressive payment out of the cash deposit or reduction of certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.

Sec. 20-48. - Condition of ~~city~~City approval of final plat—Financial guarantees.

With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishments of one of the following:

- (1) The construction of improvements required by the ordinance from which this article was derived shall have been completed by the subdivider and approved by the ~~city council~~City Council.
- (2) Surety acceptable to the ~~city~~City shall have been filed in the form of a cash deposit, certified check, negotiable bonds, irrevocable bank letter of credit or surety bond.
 - a. *Special agreement.* A special agreement shall be entered into between the subdivider and the ~~city council~~City Council where street trees and streetlights have been required by the ~~city council~~City Council.
 - b. *Inspection of public improvements under construction.* Before approving a final plat and construction plans and specifications for public improvements, an agreement between the subdivider and the ~~city council~~City Council shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans.
 - c. *Penalty in case of failure to complete the construction of a public improvement.* In the event the subdivider shall, in any case, fail to complete such work within such period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the

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responsibility of the ~~city council~~City Council to proceed to have such work completed. In order to accomplish this, the ~~city council~~City Council shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter or credit, or negotiable bond which the subdivider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding or surety company, and as included in a written agreement between the ~~city council~~City Council and the subdivider.

DIVISION 5. - VARIANCES

Sec. 20-49. - General.

The ~~city planning commission~~ Planning Commission may recommend to the ~~city council~~ City Council a variance from the provisions of ~~the ordinance from which this article was derived~~ this Ordinance on a finding that undue hardship may result from strict compliance with specific provisions or requirements of the ordinance from which this article was derived or that application of such provision or requirement is impracticable. The ~~planning commission~~ Planning Commission shall only recommend variances that it deems necessary to or desirable for the public interest. In making its findings, as required herein below, the ~~planning commission~~ Planning Commission shall ~~take into account~~ consider the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, the impact to public utilities and area drainage, and the probable effect of the proposed work in the proposed subdivision upon traffic conditions in the vicinity. No variance shall be recommended unless the ~~planning commission~~ Planning Commission finds after a public hearing:

- (1) That there are such special circumstances or conditions affecting said property that the strict application of the provisions of the ordinance from which this article was derived would clearly be impracticable or unreasonable. In such cases, the subdivider shall first state his reasons in writing as to the specific provision or requirement involved and submit them to the ~~planning commission~~ Planning Commission;
- (2) That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated;
- (3) That such variance will not violate the provisions of the State Land Division Act, Act 288, 1967, as amended;
- (4) The ~~planning commission~~ Planning Commission shall include its findings and the specific reasons therefore in its report of recommendations to the ~~city council~~ City Council and shall also record its reasons and actions in its minutes;
- (5) That such variance will not have the effect of nullifying the interest and purpose of the ordinance from which this article was derived and the general development plan of the ~~city~~ City.

Sec. 20-50. - Topographical/physical limitation ~~variance~~ modification.

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of the ordinance from which this article was derived would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions, or other such conditions which are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of the

Subdivisions Ordinance

ordinance from which this article was derived, the ~~planning commission~~ [Planning Commission](#) may recommend to the ~~city council~~ [City Council](#) ~~that variancea~~ modification or a waiver of these requirements be granted contingent upon the following:

- (1) The proposed project will constitute a desirable and stable community development.
- (2) The proposed project will be in harmony with adjacent areas.

DIVISION 6. - FEES

Sec. 20-51. - Schedule of fees.

The schedule of fees for subdivision plat shall be as follows:

- (1) *Application fees* . Pre-preliminary, preliminary and final plat review fees, planning fees, engineering fees, attorney fees, inspection fees and other applicable development charges shall be paid by the subdivider/developer as may be provided for as follows, or by other ordinances of the ~~city~~City. The subdivider/developer shall, upon first submission of a pre-preliminary plat pay to the ~~city clerk~~City Clerk a fee as listed in a fee schedule adopted by the ~~city council~~City Council.

There shall be an additional fee as listed in a fee schedule adopted by the ~~city council~~City Council.

- (2) *Engineering review fees* . Such fees shall be established by resolution of the ~~city council~~City Council.
- ~~(3) *Planned unit development*. Fees shall be established by resolution of the city council.~~

DIVISION 7. - VIOLATION—PENALTY

Sec. 20-52. - Penalty.

Any person who shall violate any of the provisions of the ordinance from which this article was derived, whether such person be the agent of the owner of the property, shall be fined not to exceed the sum of \$100.00, and the cost of the prosecution or by imprisonment for not more than 90 days or both, at the discretion of the court. Each day such violation shall exist shall constitute a separate offense. Furthermore, all persons shall be subject to the penalties set forth in the State Land Division Act, Act 288, 1967, as amended.

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OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Discussion of: Process for Obtaining Legal Counsel, in General

Date: October 5, 2022

Council Member Griffin requested an item related to the process for obtaining legal counsel, in general. Attached to this memo is an e-mail from Council Member Griffin containing her request.



Justin Breyer <jbreyer@dextertermi.gov>

Agenda items for October 10, 2022

Jamie Griffin <jgriffin@dextertermi.gov>
To: Justin Breyer <jbreyer@dextertermi.gov>
Cc: Shawn Keough <skeough@dextertermi.gov>

Mon, Oct 3, 2022 at 2:07 PM

Hi Justin,

Please add the following items to next week's agenda.

Thank you,
Jamie

1. Process for obtaining legal counsel, in general (discussion)

I am seeking clarity on the process for obtaining input from the City Attorney. Prior to last week's meeting, I indicated I was interested in getting input from counsel on a specific topic (council member eligibility) as did at least one other council member. Regarding that topic, the meeting packet stated: "Staff has not consulted with the City Attorney, but can do so, pending direction from a majority vote of City Council." Prior to the meeting, Mr. Breyer indicated via email: "I have asked Scott Munzel to be present for tonight's meeting. He indicated that he plans to Zoom-in." During the meeting, at which Mr. Munzel was, in fact, present (and paid to be so), at least three members of Council expressed interest in getting input from counsel, but Mr. Munzel was not invited to participate in the conversation. Instead, interested parties were encouraged to contact the Michigan Municipal League. Was the expectation that Council would take an official vote to obtain Mr. Munzel's participation in that conversation?

As an aside, in the same packet, for an unrelated staff update, staff wrote: "Floorplans, cost breakdowns and 3D pictures will be made available to Council Members prior to the next City Council meeting. Mr. Breyer would like to run everything past the City Attorney to ensure it is all legal." Notably, Council never took a vote to approve staff's consultation with the City Attorney.

In short, is there a policy or procedure for obtaining input from the City Attorney? If so, what is it? Does that policy or procedure differ for questions raised by staff and questions raised by council members? Thinking back on past meetings, I am not able to identify a consistent policy or procedure.

Related background:

Per the Charter:

Section 7.04 CITY MANAGER – FUNCTION AND DUTIES

The City Manager shall be responsible to the Council for the proper management and administration of the affairs of the city.

The City Manager shall:

(c) Be the main point of communication and dissemination of information from the City Attorney

Also, per the Charter:

Section 7.08 CITY ATTORNEY

The City Attorney shall act as legal advisor and be responsible to the Council. The Council shall make the appointment on the basis of education, ability, training and experience. The City Attorney serves at the

pleasure of the City Council and may be removed by an affirmative vote of not less than four (4) of its members.

The City Attorney shall:

(a) Be the legal advisor and counsel for the city,

2. Council member eligibility, in general (consideration)

What are the necessary and sufficient conditions for maintaining eligibility for Council, once elected or appointed to office? Is there any restriction on time spent outside of the City?

Proposed motion: Direct staff to seek input from City Attorney regarding the necessary and sufficient conditions for maintaining eligibility for Council, including whether maintaining a principal residence exemption in the city is a sufficient condition.

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OFFICE OF THE CITY MANAGER

8123 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Mayor Keough and City Council

From: Justin Breyer, City Manager and City Clerk
Josh Tanghe, Assistant to the City Manager

Re: Discussion of: Council Member Eligibility, in General

Date: October 5, 2022

Per a request from Council member Griffin, an item has been included regarding the general eligibility for City Council. Provided below are Section 5.01 and 5.05 of the City Charter relating to eligibility for office. An e-mail from Council Member Griffin requesting the item is provided as an attachment to Item M-6.

ARTICLE 5 GENERAL PROVISIONS REGARDING OFFICERS AND PERSONNEL

Section 5.01 ELIGIBILITY FOR OFFICE

- (a) Any candidate for elected office must be a registered voter in the city for a minimum of one (1) year prior to the date of the election. A Council Member or Mayor who is appointed must be a registered voter of the city for a minimum of one (1) year prior to the date of appointment.
- (b) No person who is in default to the city shall be eligible for any elective or appointive position. The holding of office by any person who is in default shall create a vacancy unless such default shall be eliminated within thirty (30) days after written notice thereof has been served at the person's last known place of residence by the City Clerk, upon the direction of the Council; or unless the officer contests the liability for default in a court of competent jurisdiction.
- (c) No person who holds or has held an elected office for the city shall be eligible to hold any appointive office for which there is compensation paid by the city until one year has elapsed following retirement or resignation, unless a waiver is granted by the Council by two-thirds (2/3) vote. This provision shall not apply to appointments where nominal compensation may be paid by the city.
- (d) No administrative officer, person holding an appointive position, or employee shall hold an elective office of the city unless the person resigns the position with the city upon election or appointment to elective city office.

Section 5.05 VACANCIES, FORFEITURE OF OFFICE, FILLING OF VACANCIES

- (a) The office of Mayor or Council Member shall become vacant upon the member's death, resignation, or removal from office or forfeiture of office in any manner authorized by law.
- (b) A Mayor or Council Member shall forfeit that office if that Mayor or Council Member:
 - (1) Fails to meet the residency requirements, or

- (2) Violates any express prohibition of this charter, or
- (3) Is convicted of a crime involving moral turpitude, or
- (4) Fails to attend three (3) consecutive regular meetings of the Council without being excused by the Council.

The City Council shall be the judge of the qualification of its members, and of the grounds for forfeiture of their office. In order to exercise these powers, the Council shall have power to subpoena witnesses, administer oaths and require the production of evidence. A Council Member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one (1) or more newspapers of general circulation in the city at least one (1) week in advance of the hearing

(c) A vacancy in the office of Mayor or Council Member shall be filled in the following fashion:

- (1) City Council shall appoint a qualified, registered city elector within sixty (60) days from the date the vacancy was created. The appointment shall be for the balance of the term if within thirty (30) months of the expiration of the term. If the unexpired term exceeds thirty (30) months, the appointee shall hold office only until the first council meeting following the date of the next regular city election, at which election the office shall be filled for the remainder of the term.
- (2) If at any time the membership of the City Council is reduced to less than four (4), the remaining members may, by a majority vote of the members then on Council, fill such vacancies until the next regular November city election so that there are four (4) members of Council. Council shall then fill additional vacancies as provided in this section.
- (3) Notwithstanding the foregoing, no vacancy in any elective office shall be filled in any manner if the term of the person whose office has become vacant expires within ninety (90) days after the vacancy occurs.