

**REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 10, 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 – Absent
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 – Absent

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

Attending remotely: Michelle Aniol, Community Development Manager; Grace Whitney, Associate Planner; Marie Sherry, Finance Director/Treasurer/Assessor; Stephen Lechman & David Gassen, PARTNERS in Architecture; and residents

C. APPROVAL OF THE MINUTES

1. City Council Meeting – September 26, 2022

Motion Fisher; support Griffin to approve the minutes of the September 26, 2022 Regular City Council Meeting with the following addition:

- Add City Attorney Scott Munzel to those in attendance.

Ayes: Hubbard, Michels, Fisher, Griffin, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

D. PRE-ARRANGED PARTICIPATION

None

E. APPROVAL OF AGENDA

Motion Griffin; support Hubbard to approve the agenda as presented with the following change:

- Change M-7 from a discussion item to a consideration item.

Ayes: Hubbard, Fisher, Griffin, Michels, Keough

Nays: None

Absent: Cousins, Arab

Motion carries.

F. DECLARATION OF CONFLICTS OF INTEREST

None

G. PUBLIC HEARINGS:

None

H. NON-ARRANGED PARTICIPATION –

Chet Hill, 7550 Fourth Street – Indicated that he wanted talk about the Bell Road bridge. He stated that Wa Hubbard brought him up to speed at the Planning Commission meeting and he had investigated further. He stated that he has been a licensed landscape architect for 50 years with significant involvement in parks and bridges. He stated that he thinks the Bell Road Bridge is wonderful and a place should be found for it, but putting it at that location is a bit out of place. It is big bridge; it's a road bridge and you'll see it forever. He would like to see something lower, less of a presence than the Bell Road bridge would be. The cost presented was tilted toward the Bell Road bridge. The cost of a new bridge would be the same, maybe even less. Lastly, maintenance of the Bell Road bridge is going to be a lot down the road. A pedestrian bridge will not require the same maintenance down the road, maintenance costs that Council perhaps didn't anticipate.

Dan Schlaff, 7939 Forest Street – Indicated that as he was reading the Council packet, he saw a bit from Justin and a bit from OHM. He indicated that he believes it was his responsibility to give Council background on that item since he was the superintendent at that time. When he left July 1, 2022 after three meetings with Chris at OHM, the City was \$16,000 to the good. He stated that Council can read through the document that OHM provided to see where this information is coming from. He stated that he was very upset when he read this document. We have worked with OHM for 25-30 years and he expects a lot more from them than at the last minute to receive a bill for \$97,000 over budget. OHM didn't know the City standards. The quantities were wrong so the bid specs were wrong. This is all on OHM as far as he is concerned, not on staff. The City did add things to this project, we always do.

Donald Wesley of Ann Arbor MI, Construction Project Manager for Avalon Housing - Hill Top View is the new development across from the Anchor/Beacon schools. He expressed

thanks to Justin for meeting us on-site to walk through how the children will get to school. He stated that the group made some observations during that visit so he is advocating for a crosswalk so the kids can safely get across the street to school. It is a half mile to the crosswalk in one direction, passing the school and backtracking, and the same with the other direction. There is no crosswalk directly across from Hilltop. The biggest concern is it will be tempting to cross/dart over directly during inclement weather. Right now, Avalon does not have the financial resources to pay for that crosswalk so we wanted Council to take that into consideration as Council is thinking about the sidewalk and crosswalk options. Thank you for your support. We hope you will take this request under serious consideration.

Sarah Shugart of Dexter Township from Faith In Action – She stated that she is concerned about the safety of the students at Hilltop. She indicated that she knows what the traffic is like on Dan Hoey and hopes Council will consider putting in that crosswalk rather than expecting students to walk a half-mile down. She stated that she knows all these kids were really excited to start the new schoolyear and no one wants to have some tragedy happen. She asked for Council to please reach out if they have any questions from the Faith In Action perspective and appreciates their time. Thank you.

Kevin Pelto, 3030 Inverness – Indicated that he wanted to talk about the discussion last week about Council Members Fisher and Griffin. He stated that he saw people accusing Council Member Griffin of lying and having ulterior motives. He stated that if anyone wants to accuse someone of lying, accuse him. He stated that he started this. He stated that Council Member Fisher and himself are friends and hopes they can be friends after this. Council Member Griffin is not my friend. She is a local politician. He stated that they met a few times at the Library or on the street and he cannot let her take the heat for this. He mentioned that he thought that Council Member Fisher had not lived there for a long time. He stated that he cut her grass, shoveled her snow, vacuumed her leaves, taken in her garbage cans every week and considers her one of his very best neighbors. He stated that he knows she has health issues, and that they discussed many times, her taking care of her mom and what can be better than that. The truth is the truth and that has to be talked about. Council Member Griffin took the heat and she wasn't lying – it was him. He stated that he wanted to know the clarification; it was nothing against Council Member Fisher. He stated that he used to teach ethics. If Council Member Fisher hasn't been there, he does not think that it would diminish her service or dedication to the City. He reiterated that if anyone wants to bully or yell at somebody, yell at him. He stated that even though he might disagree with Council, he appreciates their time and dedication. He stated that he wants to thank almighty god that he lives in a country where he can address the government without fear of being absolutely retaliated or murdered.

Deneen Smith of Ann Arbor and Director of Transportation for Dexter Schools – Stated that she wanted to give input about the sidewalk on Dan Hoey Road. She has personally witnessed a child almost get hit there and witnessed accidents. When the kids miss the school bus, they are just darting across there. She stated that she is really concerned about their safety. The sun is blinding in the fall. She asked to have the sidewalk installed sooner than later. There is a parent that has a wagon with a preschooler in it and they do not watch. Someone is going to get hurt.

Joe Semifero, 3214 Boulder Court – Stated that he wanted to offer a couple of comments on going to attorney. He stated that in the past, Council had discussions about that. What it came down to is the City Manager has to consult with the attorney on a regular basis because it is part of their duties. Council has already approved that because it is a line item in the budget and Council approves the budget. And, the City Manager duties include administration of the budget so it is already approved. Thank you.

I. COMMUNICATIONS:

Upcoming Meeting List –

- Council Member Michels stated that the CAPT/DART meeting location continues to move each month. Trail Towns representatives will attend the November meeting; the location of which is yet to be determined.

J. REPORTS:

1. Public Services Superintendent – Tim Stewart

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

- Things are good to go on Third and Broad. We are waiting for things to cure, and that should occur by the end of the week. The area was power washed and seal coated today. P. K. will do the line painting after curing. A question was asked about project overages? Mr. Breyer said they do not expect much overage and any overages could potentially be offset by liquidated damages.
- A comment was made that some of the ADA strips at the base of sidewalk crossing slants are popping and peeling. Kurt has a list for repair/replacement. The plastic type is failing. The plan is to use steel going forward, where feasible.
- Water meters are in short supply and even more expensive so we are looking at a different avenue. There is a cellular option that offers remote access software. Residents would be able to look at their own meter readings. In the long run, it would eliminate the radio read outside. It gets rid of the MXU component. Preliminary reviews show a built in auto shut-off option and an alarm feature for unusual usage. Will bring something back in a few weeks for further discussion.

2. Community Development Manager – Michelle Aniol

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

- Ms. Aniol apologized to Council Members and Mr. McCargar for neglecting to place Mr. McCargar's comments in her report. She will get a copy out to all in an email tomorrow.
- Regarding the grass and weed ordinance, it has gone from 8" to 6" as Council decided at the June meeting. Discussion followed that Council prefers to move forward with a lawn & weed maintenance amendment now if it is ready. And, the

preference is for 8” height for grass and to remove noxious or harmful vegetation at any height. Like to define natural areas in parks and where people have natural prairie and it is allowed. We also have some people who do rain gardens. Ms. Aniol will ensure that is all covered.

- A question was asked about how the Highline Spirits and Tasting Room is different from a bar/restaurant if they are not making the spirits on site? Ms. Aniol to answer at a later date.
- The property owner and occupant at 8240 Huron Street are cooperating with the detailed enforcement.

3. Board, Commission, & Other Reports - None

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:

- A question was asked about an invoice for Griffin Pest Solutions. Mr. Breyer stated the cost is related to a residence that had bees and hornets in a street tree, for which the City is responsible.
- A question was asked about health and dental Insurance and dental reimbursement. Mr. Breyer reported the union contract states that staff is entitled to \$1,000 per year to cover what dental insurance does not.
- A question was asked about Farmers Market vouchers. Mr. Breyer said we get a grant through the State that pays for the vouchers.
- There will be a Council meeting for the second meeting in December, likely with a short agenda.
- The Fall newsletter went out in the mail last Friday.
- Evan Fleck is a new DPW hire. He worked as summer help and he is now full-time.
- Fall clean-up day for bulk items is this month.
- The Huron River Watershed calendar is being mailed this month.
- A question was asked about follow-up for the left turn into the middle school. Mr. Breyer is awaiting a proposal.

K. CONSENT AGENDA:

1. Consideration of: Bills & Payroll in the amount of: \$227,640.51.
2. Consideration of: Setting Trick-or-Treating Hours – October 31, 2022 from 5:00 – 7:30pm.
3. Consideration of: Appointment of Anna Simmons Oostendorp to the Arts, Culture, and Heritage Committee.

Motion Fisher; support Griffin to approve items 1-3 of the Consent Agenda.

Ayes: Griffin, Fisher, Michels, Hubbard, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

L. UNFINISHED BUSINESS-Consideration and Discussion of:

None

M. NEW BUSINESS-Consideration and Discussion of:

1. Consideration of: Direction Regarding Proposed Dan Hoey Sidewalk Alignment.

Motion Michels; support Fisher to direct staff and OHM Advisors to incorporate sidewalk segments 3 and 4 in the 2023 Dan Hoey Road project report included in the packet.

Ayes: Michels, Griffin, Fisher, Hubbard, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

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

Motion Griffin; support Fisher 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.

Ayes: Griffin, Fisher, Keough

Nays: Michels, Hubbard

Absent: Cousins, Arab

Motion carries

Motion Griffin; support Fisher to reconsider item M-2, Second Street Water Main Replacement and Sidewalk Installation Project Final Balancing Change Order for an Amount not to Exceed \$97,394.83, at the October 24, 2022 meeting.

Ayes: Fisher, Griffin, Hubbard, Michels, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

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

Motion Fisher; support Hubbard to approve the 3515 Broad St. project change order AWP 01R2 with Axiom Construction for an amount not to exceed \$15,563.89.

Ayes: Griffin, Fisher, Hubbard, Michels, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

4. Discussion of: Preparing for October 13th Public Information Session

Mr. Breyer reported that staff has secured the St. Andrew's Church Fellowship Hall for a City Council work session and public information meeting on Thursday, October 13th from 6:00 – 8:00pm. Council discussion included:

- Review of the proposed agenda for the October 13, 2022 work session meeting and the public safety facilities informational flyer. The agenda, bond millage information sheet and safety facilities renderings/budgets will be available as residents walk in.
- The room layout, moving tables out and chairs forward.
- The session will be more interactive than a typical work session.
- David Gassen will attend. It was suggested that Interim DAFD Chief Armstrong also attend.
- Mr. Breyer could review the info sheet, but cannot elaborate on designs and pros/cons. That will have to come from Council Members and David Glassen.
- Council Members can express their opinions if asked that question during the meeting. The decision has not been made about which option.
- Add public Q&A to the agenda.
- Add PowerPoint slides to help with the agenda.
- The comparison of the needs assessment to the final plans is not ready yet.
- The safety facilities images will be on foam boards.
- The session will be accessible by Zoom

5. Discussion of: General Code, Chapter 20, Article 2 Subdivision Ordinance Update

Ms. Aniol introduced the item by reviewing her October 5, 2022 memo in the packet. Proposed ordinance changes (page 91 of the packet) were reviewed. Council discussion included:

- A suggestion to make amendments to the change points on page 91 of the packet to clarify and reduce excess verbiage and to use modifications vs. variances language. Doing so may cause this item to move beyond the October 24, 2022 Council meeting, which would push the anticipated November public hearing to December.
- Does the Subdivision Ordinance include site condominiums?
- Council Member Michels offered a variety of additional changes, which staff will review for possible inclusion.

6. Discussion of: Process for Obtaining Legal Counsel, In General

City Council discussion included:

- A Council Member needing to make a motion to ask legal counsel a question.
- If one or two Councilmembers want a legal opinion, it should be brought to Council for a vote.
- Mr. Breyer has the authority to reach out to the City Attorney unless it will be over budget, then it has to come to Council. Or if something is sensitive, we would want to bring it to Council first to get agreement.
- When does Charter Section 5.05 come into play? Some members of Council expressed a desire for clarification about what it means to be eligible.

7. Consideration of: Council Member Eligibility, In General

Motion Griffin; support Michels to postpone this item until the October 24, 2022 meeting pending a cost estimate from the City Attorney to review and provide an opinion on this question.

Ayes: Griffin, Fisher, Michels, Hubbard, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

N. COUNCIL COMMENTS (paraphrased or summarized by Recording Secretary)

Michels: I can't promise I won't be grumpy next meeting. I told the Market Manager she is doing a very good job. It is nice to see lots of vendors at the Farmer's Market.

Cousins: Absent

Fisher: If you think I sounded grumpy, I apologize. I'm over that now and I'm moving to a different area. I will not be grumpy next meeting, I promise.

Arab: Absent

Hubbard: It was nice to see so many members of the public here today and to hear from people about various items. I hope it continues.

Griffin: None

Student Representatives:

DeGregorio: Absent

Keating: I am just glad about the Council consideration about the crosswalk.

O. NON-ARRANGED PARTICIPATION

Joe Semifero, 3214 Boulder – He stated that while the Council rules do say it's a minimum of 4 votes, the charter says a resolution is an official City Council action in the form of a motion adopted by the majority vote of the Councilmembers present. He didn't

know if Council Rules can supersede the Charter, but the Charter does say the majority present does pass. He stated that he thought Adam should be excused, because he said he wasn't going to be present tonight. Regarding the lawyer question, he stated it's a good idea to take a vote on Council because for situations that may be difficult or sensitive, it may put Justin in a bad spot. While he is not a political person, the City Manager can be put in a politically difficult position based on a request that he gets. He stated that another reason is if the majority of Council doesn't want to do it and it doesn't get voted yes, then you don't worry about spending the resources on it. Regarding eligibility, he stated that the other thing to note in the Charter it says City Council shall be the judge of the qualifications for its members. If there is a concern, it should be brought up for a vote. If it doesn't get enough votes, it doesn't go forward. If it does, then Council can say this is what we think eligibility is. He stated that for reconsideration, it was the two votes on the non-prevailing side, being Zach or Wa, who would need to make the motion. He indicated that the rationale of going from 35 to 50 was a big jump and it was not safe. He said that the distance between Dan Hoey Road and the second entrance to Dexter Crossing has to be about a quarter mile and there is lot of sight lines there to be able to see that. However, he mentioned that if you go to Westridge, the speed limit is 30 mph before you go under the bridge and it goes to 45 mph at the entrance to Westridge. There is only about 150' of sight there and you cannot see the cars coming out and coming up the hill. He guaranteed they are going 45 before they hit the 45-mph speed limit. He stated that it would be a good place to put the sign. He mentioned the other place is coming into town from the north coming down Mast. He didn't know if it breaks down there. He thanked City Council.

James McCargar, 3580 Hudson – He stated that based on tonight's packet and a comment from staff, he believed that the only portion of the zoning ordinance update that will include a public hearing before Council will be the new subdivision language. This surprised him given that he believes that is a substantial revision to a document that runs north of 500 pages. He found it unclear if Council will have additional chances to hear oral comments prior to action on the revised ordinance aside from the subdivision portion prior to the regular November meeting, except for the generic public comment period. He stated that he believes different constraints apply to the hearing and general comment period. In addition, he noted that the deadline for requesting prearranged participation comes before packets are normally publicly available, which makes gauging prearranged comment dependent on his cracked crystal ball. He stated he suspects Council already knows that a foundational change promoted in the proposed revision to the zoning ordinance is a switch from the conventional zoning to so called Form Based Zoning Code. He mentioned that his understanding of Form Based Coding is that it is a specific strategy for city governments to pursue Smart Growth, a planning approach designed to include long-term sustainability over short term expediency. Form Based Zoning offers reductions in bureaucratic oversight thus time and dollar savings to property owners in exchange for legally binding Smart Growth provisions. In over 500 pages of the 10-3 Commission packet, the associate staff statements and the Commission actions over the past week, he didn't recall seeing any references to Smart Growth or sustainability or overarching driving goals for the revisions that are consistent with his understanding of Form Based Zoning Code. He stated that the questions he heard tonight included street

length, lot size, sidewalk spacing, PUDs and cluster developments that to him must fall under the Smart Growth goals and strategies or the action is ill informed or worse, it's hypocritical and counterproductive. He mentioned he was less clear on related language for land use that emphasizes walkability and bike friendly streets and reducing the carbon footprint to target climate change. On the other hand, there are multiple references to making non-conforming properties into conforming parcels through the new zoning classifications and/or the new zoning map. He stated this zoning revision should not wave a magic wand to reduce zoning noncompliance in the old footprint of the city. He stated there is not even lip service to what kinds of sustainability benefits accrue to the citizens in the existing City prior to any future subdivisions or annexations. He mentioned he had additional concerns relating to Commission's proposed Second Street corridor study. This is particularly important given that the former Adair property appears to have changed hands on or around 6/6 this year. He stated that himself and others have been commenting on the impacts of Adair, its nonconformities and the importance of the adjoining properties including a city park for a couple of years now. He stated that there is a new owner and a new one-year delay for a quarter study subject to budget. He said he could not address those concerns tonight due to time. He did want to thank Michelle for stating her intent to forward his September Commission Public Hearing statement on the August version of the proposed zoning ordinance to Council. He stated he was unclear if that omission referred to including it in tonight's packet as his September 3rd statement. He mentioned that what he thinks Ms. Aniol was talking about was an unintentional omission from the Planning Commission packet for the public hearing from last week.

P. ADJOURNMENT

Motion Fisher; support Hubbard to adjourn the meeting at 10:04 PM.

Unanimous voice vote approval with Cousins and Arab absent.

Respectfully submitted,

Justin Breyer
City Manager and City Clerk

Approved for Filing: _____

**THE CITY OF DEXTER
CITY COUNCIL WORK SESSION
THURSDAY, OCTOBER 13, 2022**

A. CALL TO ORDER

The City Council Work Session Meeting was called to order at 6:06 PM by Mayor Keough and was held at City Hall located at St. Andrews Church Fellowship Hall, 7610 Ann Arbor St.

B. ATTENDANCE

Council Members: Arab, Fisher, Griffin, Hubbard, Michels (virtual)

Mayor: Keough

Also attending: Justin Breyer, City Manager and City Clerk; Josh Tanghe, Assistant to the City Manager; Marie Sherry, Finance Director/Treasurer/Assessor; Doug Armstrong, Chief of DAFD; David Gassen, Partners in Architecture; residents; and media

C. NON-ARRANGED PARTICIPATION

None

D. PUBLIC SAFETY FACILITIES BOND PROPOSAL PRESENTATION(S) AND Q&A

Mayor Shawn Keough provided an introduction to the meeting, including:

- The purpose of the meeting.
- History of City Council's discussions leading to Council's vote to place the bond proposal on the ballot.
- Reading the proposal language.

City Council, staff, and consultants engaged the public in a question and answer session relating to the bond proposal and public safety facilities. Topics covered included:

- Location options for both fire station and sheriff's substation.
- Variables that play a role in the site selection process.
- Cost of the design options presented.
- DAFD operations and how service deployment from the Dexter/Webster Township stations plays a role in the needs of the City of Dexter station.
- The process for bidding and issuing bonds for the project.
- The process by which the presented designs were developed.
- Flow of vehicles through the City and adjacency to various community populations.

E. NON-ARRANGED PARTICIPATION

None

F. ADJOURNAMENT

The meeting was adjourned at 8:04 PM.

Respectfully submitted,

Justin Breyer
City Manager and City Clerk

Approved for Filing: _____



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: Josh Tanghe, Assistant to the City Manager
Re: Consideration of: Ordinance to Lease Property at 8050 Main St. to Hotel Hickman
Date: October 19, 2022

Background

The agreement with Hotel Hickman for their lease of 8050 Main St. is set to expire on November 12, 2022. The lease is established by ordinance, and is limited by ordinance to two years. During the September 26, 2022 meeting, City Council voted to set a public hearing to consider adoption of a new ordinance to extend the lease agreement with Hotel Hickman to November 2024. A copy of the ordinance and the redlined lease agreement are attached for consideration.

Information from September 26, 2022 City Council Meeting

As indicated at the September 26th meeting, staff had contacted Jeff Evans of Swisher Commercial to ask about market conditions for rental properties downtown. Mr. Evans indicated that typical rents for commercial space are roughly \$16 to \$22 per sq. ft. per year. The building occupied by Hotel Hickman is approximately 576 sqft. At that rate, the market value for rent would fall between \$768 to \$1056 a month.

Hotel Hickman's current rent is \$685 per month or \$8,220 per year. Due to the limited size of the building and the historic condition, staff proposed a gradual increase to \$700 starting in November 2022, then \$725 in November 2023. These changes have been shared with Scott Thomas, owner of Hotel Hickman.

Action Requested

Following the public hearing, City Council is asked to consider an ordinance to lease property located at 8050 Main St. to Hotel Hickman for a period of two years.

CITY OF DEXTER
ORDINANCE # 2022 - XX
AN ORDINANCE LEASING PROPERTY LOCATED AT
8050 MAIN ST. TO HOTEL HICKMAN FOR A PERIOD OF TWO YEARS

At a regular meeting of the City Council of the City of Dexter, County of Washtenaw, State of Michigan, held on the ___ day of October, 2022, 7:00 PM Eastern Time at 7610 Ann Arbor St., Dexter, MI 48130.

PRESENT:

ABSENT:

The following Ordinance was offered by Member _____ and supported by Member _____:

The City of Dexter Ordains:

That the City of Dexter does hereby lease property located at 8050 Main to Hotel Hickman for a period of two years (November 12, 2022 to November 12, 2024).

The lease shall require monthly payments totaling \$8,400 in year 1 and \$8,700 in year 2. All other terms shall be as established by the lease agreement approved by City Council on October 24, 2022.

This Ordinance shall take effect upon publication as required by Section 15.12 of the City of Dexter Charter.

Roll Call Vote:

YEAS:

NAYS:

ABSENT:

ORDINANCE DECLARED ADOPTED THIS ___ DAY OF OCTOBER, 2022.

Shawn W. Keough, Mayor

CERTIFICATION

I, Justin Breyer, City Clerk for the City of Dexter, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted at a regular meeting of the City of Dexter City Council held on Monday, October ____, 2022.

Justin Breyer, City Clerk

City of Dexter
Commercial Real Estate Lease for 8050 Main Street

This agreement made this ____ day of _____, between the City of Dexter, a municipal corporation located at 8123 Main, Dexter, MI 48130; hereinafter called LANDLORD, and Scott Thomas dba Hotel Hickman Wild West Adventures, mailing address 2400 Hickman Road, Ann Arbor, MI 48105; hereinafter called TENANT.

THE PARTIES AGREE AS FOLLOWS:

1. DESCRIPTION. Landlord, in consideration of the rents to be paid and the covenants and agreements to be performed by Tenant, does hereby lease unto the Tenant and the Tenant hereby hires certain premises in the building known as 8050 Main Street. More fully described in the sketch of premises attached hereto and made a part hereof by reference as Exhibit A.
2. PURPOSES, USES AND WARRANTIES. The premises shall be used for the operation of a retail home cooking business and such other uses, as may be necessary and incidental to such purpose. No other use of the premises shall be made except by the mutual written agreement of the parties. Tenant assumes the responsibility of compliance with all zoning and building laws and codes in the use of the subject premises and in effecting any improvements to the premises to accomplish the use intended, and shall operate such business in compliance with all applicable laws and regulations concerning such a business purpose. No leasehold improvements may be undertaken without the prior written approval of the landlord. All improvements and alterations shall be consistent with the general character and historical nature of the building as well as the overall downtown streetscape, and are subject to prior approval by the Landlord.
3. TERM. This lease shall be for a term of two (2) years, commencing on November 13, 2022~~0~~ and ending on November 12, 2024~~2~~.
4. RENT. Tenant agrees to pay Landlord \$8,~~400~~~~220~~ as rent, payable at the rate of \$~~700~~~~685~~ per month, commencing the month of December 2022~~0~~. Tenant agrees to pay Landlord \$8,700 as rent, payable at the rate of \$725 per month, commencing the month of December 2023. Rent is due by the fifteenth day of each month for the term of the agreement.
5. CONDITION OF PREMISES AND IMPROVEMENTS. Tenant acknowledges having examined the subject premises and accepts the same as suitable for its intended purpose and use. Tenant shall at the end of the term restore the premises to better or equal condition they were in at the beginning of the term, except for normal wear and tear.

6. **PARKING.** The Tenant understands and agrees that even though the Landlord is the owner of certain adjoining property presently used for (public) parking purposes, this lease does not provide for any designated parking, and such parking as may be available for use by the Tenant is strictly open parking for the use of the public at large, without any guarantee that space will continue to be available to this or any other Tenant.
7. **MAINTENANCE AND REPAIRS.** Tenant shall, at its expense, maintain the premises and every part thereof in good repair, reasonable use and normal wear and tear thereof excepted, and damage by the elements excepted. Landlord shall maintain the outer walls and roof in good repair.
8. **UTILITIES.** Tenant shall pay all utilities, including but not limited to, phone service, water, sewer, refuse, gas and electric.
9. **COMPLIANCE WITH AUTHORITIES.** Tenant shall, at its own expense, under penalty of forfeiture and damages, promptly comply with all laws, orders, regulations, or ordinances of all municipal, county, state and federal authorities affecting the demised premise and the use thereof, or the cleanliness, safety, occupation and use of same.
10. **INSURANCE AND PUBLIC LIABILITY.** Tenant shall, at its expense, insure the premises against risk of loss or damage for personal property on or about the demised premises. The tenant shall provide liability insurance coverage. Tenant shall provide proof of such insurance, which shall also provide that Landlord be notified at least 30 days prior to any cancellation of or material change in such insurance coverage.

Tenant shall in addition, indemnify Landlord and save Landlord harmless from any liability or claim for damages because of any accident or casualty occurring in or about the premises.

Landlord shall provide building insurance against fire and damages due to the elements.
11. **ASSIGNMENT.** The Tenant shall not assign, transfer, or sublet the demised premises, or any part thereof, without the prior written consent of the Landlord.
12. **AMENDMENT.** This lease may be amended by the written, mutual agreement of the parties.
13. **OPTION TO RENEW.** Upon satisfactory completion of the terms and conditions of this lease by the Tenant, the Tenant, at its option, may renew this lease on a year to year basis, upon the same terms and conditions, except that the amount of rent due hereunder may be subject to increase. The renewable term option also assumes that said premises are not moved within the lease term. Tenant will require twelve (12)

month-notice of intent, [should the Landlord desire](#) to move the historical building.

14. RE-RENTING. During the period commencing six months prior to the expiration of the base term of this lease, or any extension hereof, the Landlord may re-enter and show the premises to prospective tenants.
15. HOLDING OVER. In the event that Tenant shall hold over after the termination of this lease, then the tenancy shall thereafter be from month to month.
16. DAMAGE OR DESTRUCTION. Should the demised premises prove untenable, rent shall abate until such time as premises are restored to a tenable state.
17. QUIET-ENJOYMENT. Landlord covenants that if Tenant shall faithfully perform all of the covenants and agreements herein contained, that Tenant may peacefully and quietly have, hold, occupy, and enjoy the demised premises for and during the term hereof, and any renewal thereof.
18. TERMINATION. This agreement may be terminated at any time by the mutual agreement of the parties, or upon the occurrence of the following defaults, at the option of the Landlord: defaults in the payment of rent, or in the performance of any other covenants or provision of this lease; abandonment of the demised premises; the filing, execution, or occurrence of a petition in bankruptcy, for or against the Tenant, or creditors arrangement or composition of creditors or other insolvency proceeding on the part of the Tenant however denominated, or the taking by any person of the leasehold premises or any part thereof upon execution, attachment or other process of law; provided, however, that the Landlord shall have the right to waive any such default.
19. SECURITY DEPOSIT. Tenant paid to the Landlord upon execution of the original lease (11-13-12 to 11-12-14), the sum of \$200 as a security deposit, which will continue to be held by the Landlord for the faithful performance of the terms of this lease.
20. BINDING. This agreement shall be binding upon the heirs, assigns, representatives and assigns of the parties hereto and sets forth the entire agreement between the parties.
21. NOTICES. All notices required hereunder shall be made to the addresses shown above or such other address as either party may designate by written notice to the other party and personally delivered or sent by certified mail.
22. RIGHT TO ENTER. Landlord may enter the demised premises during reasonable hours and upon reasonable prior notice for the purpose of inspecting the same.
23. OPTION TO BUY. The land upon which the historical building sits is held by the public and as such a private individual cannot be given rights to purchase.

24. ENTIRE AGREEMENT. This lease contains the entire agreement and understanding between parties. All prior understandings, terms or conditions, are deemed merged in this lease, and this lease cannot be changed or supplemented orally.

IN WITNESS WHEREOF, the parties have set their hands the day and year first written above.

In the presence of:

CITY OF DEXTER
LANDLORD

Justin Breyer
City Manager

TENANT

Scott Thomas
Hotel Hickman Wild West Adventures

Meeting Calendar

Agenda: 10/24/22
Item: I-1

Board	Date	Time	Location	Website	City Representative
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.dextertermi.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.dextertermi.gov/government/cc.php	
Western Washtenaw Area Value Express	10/25/2022	8:00 a.m.	Catherine Crippen Building	http://www.ridethewavebus.org/	Paul Cousins
Dexter Area Chamber of Commerce	10/26/2022	9:00 a.m.	Dexter Wellness Center	https://www.dexterchamber.org/	Shawn Keough/Donna Fisher
Huron River Watershed Council	10/27/2022	5:30 p.m.	1100 N. Main, Suite 210, Ann Arbor	https://www.hrwc.org/	Paul Cousins
Urban County Executive Committee	11/2/2022	2:00 p.m.	Washtenaw County LRC, Huron Room		Michelle Aniol
CAPT/DART - As Needed	11/2/2022	7:00 p.m.	12172 Jackson Rd.		Zach Michels/Sanam Arab
Arts, Culture, and Heritage Committee	11/2/2022	7:00 p.m.	3515 Broad St.	https://www.dextertermi.gov/governn	Sanam Arab
Washtenaw Area Transportation Study - Technical	11/2/2022	9:30 a.m.	200 N Main St., Basement	http://www.miwats.org/	Tim Stewart
Dexter Area Historical Society Board	11/3/2022	7:00 p.m.	Dexter Area Historical Museum	http://www.dexterhistory.org/	
Planning Commission	11/7/2022	7:00 p.m.	3515 Broad St. or St. Andrew's Fellowsh	https://www.dextertermi.gov/governn	Wa-Louisa Hubbard
Dexter District Library Board	11/7/2022	7:00 p.m.	Dexter District Library	https://dexter.lib.mi.us/	Martha Gregg
Dexter Community Schools Board of Education	11/14/2022	7:00 p.m.	Creekside Intermediate School	https://www.dexterschools.org/	
Dexter City Council	11/14/2022	7:00 p.m.	3515 Broad St. or St. Andrew's Fellowsh	https://www.dextertermi.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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TREASURER/FINANCE DIRECTOR'S OFFICE

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 580-2231 • Fax (734) 426-5614

**Report to the City Council
First Quarter Fiscal Year 2022-2023**

I am pleased to present to Council the financial report for the City of Dexter, as well as the activity for the Treasurer/Finance Director's Office, for the First quarter of Fiscal Year 2022-2023.

Activities Section

This report is intended to inform Council of activities throughout that may be of interest from a financial, operational or educational standpoint. Because it may address items included in the other two sections, it will go at the beginning of this report.

Revenue and Expenditure Section

Revenue and expenditure reports are used to track how the city is performing for a particular time period, as compared to its adopted budget. A general guideline is that each quarter represents 25% of the budget, although timing of receipts, projects or other types of expenses may cause a department to be over or under this guideline in any given quarter. If management is aware that a particular department or line item may become out of budgetary compliance, budget amendments will be submitted to Council for its consideration.

In its adopted budget document, the City identifies major funds, which are those funds that constitute more than 10% of the revenue and/or expenditures of the total appropriated budget or are of special interest to management. For the current fiscal year, these funds are the General Fund, Major Streets Fund, Local Streets Fund, Municipal Streets Fund, Solid Waste Fund, Sewer Fund and Water Fund. This report will present financial information for these funds on an individual basis, and will consolidate reporting for the City's non-major funds.

Cash Balances Section

Included in the financial section of this report are the City's cash balances, formatted by fund, which gives an overall picture of the cash flow available for the various activities. Some accounts are pooled, which means that the monies in those accounts are spread across several funds. Examples of this type of account are the Pooled Account and the Tax Savings Account. Included in this report is a table that shows available cash less the 15% fund balance that is set aside by budget policy, as well as the remaining expected revenue and expenditures for the fiscal year according to the revenue and expenditure reports.

Department Activities

Other Post-Employment Benefits (OPEB)

We have received our actuarial report for the fiscal year ending in June 2022, and were 119% funded as of that date. The main reason for this increase from 72% in 2020 was a change in how the cost share for retirees was factored into the calculations. I have attached the Summary of Valuation Results to this report.

As Council is aware, for FY 2022-2023 we moved the costs associated with retiree health care out of our operating funds and into the OPEB Fund but continued to budget for our annual contribution pending the results of this report. While we are still over 100% funded after the losses in the first quarter, the volatility of the stock market is such that it would be best to monitor and decide closer to fiscal year-end if the budgeted contribution should be made, either in part or in its entirety.

Fiscal Year 2022-2023 Budget Document

The budget document has been submitted to the Government Finance Officers Association for its Distinguished Budget Award.

Sewer and Water Rate Study

The rate study for the sewer and water funds has commenced. We have provided data to our consultant at Baker Tilly, and had an initial meeting to discuss parameters.

ClearGov Budgeting Platform

Staff has met with the team at ClearGov and provided the necessary general ledger information create the City's database. The next steps are to learn the software through on-line training and start using it for next year's budget.

Audit Fieldwork

Fieldwork for the audit of Fiscal Year 2021-2022 is largely complete and we are on track for our year-end filings.

2022 Tax Collection

2022 Summer tax bills were mailed on July 1st. If someone you know has not received one, please ask them to contact my office.

Michigan Tax Tribunal Cases Status Update

- Old National Bank (property owner is Dexter LLC): Answer has been filed.
- 8440 Parkridge: Case dismissed.

State Reports Filed this Quarter

- To the Michigan Department of Treasury:
 - Principal Residence Exemption Audit Program Data
- To the Michigan Department of Transportation:
 - Form 2068: Annual Certification of Employee-Related Conditions
- To Washtenaw County:
 - L-4029 Tax Rate Request
 - L-4015 Residential Sales (Review and Sign-Off)
 - L-4017 2022 24 Month Sales Ratio Study for Determining the 2023 Starting Base (Review and Sign-Off)
 - 2022 Clerk's Statement of Money to be Raised by Tax

Meetings and Training Attended this Quarter

- 7/11/2022: City Council
- 7/13/2022: 44North - human resources services
- 7/19/2022: July Board of Review
- 7/25/2022: ClearGov - implementation
- 7/25/2022: City Council
- 7/27/2022: ClearGov - implementation
- 8/8/2022: City Council
- 8/12/2022: ClearGov - implementation
- 8/16/2022: Huntington Bank – credit card implementation
- 8/22/2022: City Council
- 9/8/2022: ClearGov – implementation
- 9/12/2022: City Council
- 9/18 – 9/21/2022: Michigan Municipal Treasurers Association Fall Institute – in addition to being an attendee, presented a session on tax settlement
- 9/26/2022: City Council
- 9/30/2022: Michigan Municipal League Municipal Finance Committee

Committee Memberships

- Member of the Michigan Municipal League's Municipal Finance Committee
- Member of the Michigan Municipal Treasurers Association's Fall Conference Committee
- Treasurer of the Washtenaw Assessors Association

Revenue and Expenditure Reports

General Fund 101

DESCRIPTION	2022-23	2022-23 AMENDED BUDGET	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		09/30/2022	BALANCE	
			NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	
TOTAL REVENUES	3,962,500.00	3,962,500.00	3,321,353.82	641,146.18	83.82
101 - CITY COUNCIL	40,600.00	40,600.00	9,970.22	30,629.78	24.56
172 - CITY MANAGER	388,600.00	388,600.00	77,584.17	311,015.83	19.97
201 - FINANCE DEPARTMENT	29,600.00	29,600.00	668.79	28,931.21	2.26
210 - ATTORNEY	50,000.00	50,000.00	1,512.00	48,488.00	3.02
215 - CITY CLERK	7,300.00	7,300.00	627.22	6,672.78	8.59
253 - TREASURER	124,800.00	124,800.00	25,078.53	99,721.47	20.09
257 - ASSESSING DEPARTMENT	52,400.00	52,400.00	5,150.04	47,249.96	9.83
262 - ELECTIONS	19,700.00	19,700.00	10,286.39	9,413.61	52.22
265 - BUILDINGS & GROUNDS	126,300.00	126,300.00	43,753.92	82,546.08	34.64
285 - CITY TREE PROGRAM	43,000.00	43,000.00	19,600.00	23,400.00	45.58
301 - LAW ENFORCEMENT	606,600.00	606,600.00	125,067.56	481,532.44	20.62
336 - FIRE DEPARTMENT	810,700.00	810,700.00	185,376.59	625,323.41	22.87
400 - PLANNING DEPARTMENT	210,800.00	210,800.00	42,575.17	168,224.83	20.20
410 - ZONING BOARD OF APPEALS	1,700.00	1,700.00	110.50	1,589.50	6.50
441 - DEPARTMENT OF PUBLIC WORKS	216,100.00	216,100.00	22,919.15	193,180.85	10.61
442 - DOWNTOWN PUBLIC WORKS	93,300.00	93,300.00	23,553.38	69,746.62	25.24
447 - ENGINEERING	13,000.00	13,000.00	250.00	12,750.00	1.92
448 - MUNICIPAL STREET LIGHTS	81,000.00	81,000.00	13,496.64	67,503.36	16.66
728 - ECONOMIC DEVELOPMENT	3,200.00	3,200.00	2,000.00	1,200.00	62.50
751 - PARKS & RECREATION	403,100.00	403,100.00	44,806.10	358,293.90	11.12
801 - ARTS, CULTURE & HERITAGE	40,500.00	40,500.00	13,177.46	27,322.54	32.54
851 - INSURANCE & BONDS	234,400.00	234,400.00	38,239.83	196,160.17	16.31
875 - CONTRIBUTIONS	118,600.00	118,600.00	16,500.00	102,100.00	13.91
890 - CONTINGENCIES	20,500.00	20,500.00	0.00	20,500.00	0.00
965 - TRANSFERS OUT - CONTROL	224,600.00	224,600.00	174,600.00	50,000.00	77.74
TOTAL EXPENDITURES	3,960,400.00	3,960,400.00	896,903.66	3,063,496.34	22.65
NET OF REVENUES & EXPENDITURES	2,100.00	2,100.00	2,424,450.16	(2,422,350.16)	

Revenue: Tax collection is substantially complete. An amendment will be presented for a transfer in from Fund 402 for the commitment of \$300,000 towards public safety facilities.

Expenditures:

Elections Dept 262: One election complete, with another scheduled. Staff has also received an unbudgeted grant for the purchase of additional secure storage for election equipment. Management will monitor this department.

Buildings & Grounds Dept 265: Payment has been made for new ClearGov software. No amendment is anticipated at this time. Management will monitor this department.

City Tree Program Dept 285: Summer/Fall tree maintenance has been performed. Management will monitor this department.

Economic Development Dept 728: Payment has been made for Ann Arbor Spark. No amendment is anticipated.

Arts, Culture & Heritage Dept 801: The 2022 Plein Air Festival is complete, planning for the 2023 Festival will begin after January 1, 2023. No amendment is anticipated.

Transfers Out Dept 965: The transfers for bond payments have been made. No amendment is anticipated.

Major Streets Fund 202

DESCRIPTION	2022-23	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		AMENDED BUDGET	09/30/2022	
TOTAL REVENUES	1,017,800.00	1,017,800.00	336,668.75	681,131.25	33.08
248 - ADMINISTRATION	5,300.00	5,300.00	0.00	5,300.00	0.00
445 - STORMWATER	25,800.00	25,800.00	3,356.23	22,443.77	13.01
451 - CONTRACTED ROAD CONSTRUCTION	706,000.00	706,000.00	295,601.21	410,398.79	41.87
463 - ROUTINE MAINTENANCE	115,900.00	115,900.00	22,554.68	93,345.32	19.46
474 - TRAFFIC SERVICES	68,500.00	68,500.00	8,779.44	59,720.56	12.82
478 - WINTER MAINTENANCE	86,300.00	86,300.00	5,911.96	80,388.04	6.85
890 - CONTINGENCIES	10,000.00	10,000.00	0.00	10,000.00	0.00
TOTAL EXPENDITURES	1,017,800.00	1,017,800.00	336,203.52	681,596.48	33.03
NET OF REVENUES & EXPENDITURES	0.00	0.00	465.23	(465.23)	

Local Streets Fund 203

DESCRIPTION	2022-23	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		AMENDED BUDGET	09/30/2022	
TOTAL REVENUES	447,100.00	447,100.00	38,651.85	408,448.15	8.65
248 - ADMINISTRATION	5,300.00	5,300.00	0.00	5,300.00	0.00
445 - STORMWATER	29,100.00	29,100.00	2,923.23	26,176.77	10.05
451 - CONTRACTED ROAD CONSTRUCTION	213,000.00	213,000.00	1,698.50	211,301.50	0.80
463 - ROUTINE MAINTENANCE	84,500.00	84,500.00	11,723.59	72,776.41	13.87
474 - TRAFFIC SERVICES	35,300.00	35,300.00	3,781.29	31,518.71	10.71
478 - WINTER MAINTENANCE	69,900.00	69,900.00	3,829.29	66,070.71	5.48
890 - CONTINGENCIES	10,000.00	10,000.00	0.00	10,000.00	0.00
TOTAL EXPENDITURES	447,100.00	447,100.00	23,955.90	423,144.10	5.36
NET OF REVENUES & EXPENDITURES	0.00	0.00	14,695.95	(14,695.95)	

Municipal Streets Fund 204

DESCRIPTION	2022-23	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		AMENDED BUDGET	09/30/2022	
TOTAL REVENUES	1,227,500.00	1,227,500.00	1,073,621.71	153,878.29	87.46
248 - ADMINISTRATION	74,500.00	74,500.00	17,801.89	56,698.11	23.90
965 - TRANSFERS OUT - CONTROL	978,100.00	978,100.00	334,800.00	643,300.00	34.23
TOTAL EXPENDITURES	1,052,600.00	1,052,600.00	352,601.89	699,998.11	33.50
NET OF REVENUES & EXPENDITURES	174,900.00	174,900.00	721,019.82	(546,119.82)	

Revenue: Tax collection is substantially complete.

Expenditures: All departments are within budget with the exception of those related to contracted construction/road projects.

Solid Waste Fund 226

DESCRIPTION	2022-23	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		AMENDED BUDGET	09/30/2022	
TOTAL REVENUES	834,200.00	834,200.00	143,006.48	691,193.52	17.14
248 - ADMINISTRATION	5,100.00	5,100.00	2,277.79	2,822.21	44.66
528 - SOLID WASTE	811,200.00	811,200.00	142,188.29	669,011.71	17.53
TOTAL EXPENDITURES	816,300.00	816,300.00	144,466.08	671,833.92	17.70
NET OF REVENUES & EXPENDITURES	17,900.00	17,900.00	(1,459.60)	19,359.60	

Revenue: The July utility billing was moved back to last fiscal year.

Expenditures:

Administration Dept 248: Administration fees have been adjusted city-wide. Management will be monitoring this, and an amendment may be needed after future quarters are calculated.

Sewer Fund 590

DESCRIPTION	2022-23	2022-23	YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET		AMENDED BUDGET	09/30/2022	
TOTAL REVENUES	1,736,500.00	1,736,500.00	322,054.42	1,414,445.58	18.55
248 - ADMINISTRATION	87,000.00	87,000.00	16,945.22	70,054.78	19.48
548 - SEWER UTILITIES DEPARTMENT	728,400.00	728,400.00	151,969.24	576,430.76	20.86
850 - LONG-TERM DEBT	861,500.00	861,500.00	434,758.63	426,741.37	50.47
890 - CONTINGENCIES	15,000.00	15,000.00	0.00	15,000.00	0.00
901 - CAPITAL IMPROVEMENTS	36,500.00	36,500.00	0.00	36,500.00	0.00
TOTAL EXPENDITURES	1,728,400.00	1,728,400.00	603,673.09	1,124,726.91	34.93
NET OF REVENUES & EXPENDITURES	8,100.00	8,100.00	(281,618.67)	289,718.67	

Revenue: The July utility billing was moved back to last fiscal year.

Expenditures:

Long-Term Debt Dept 850: Includes principal payments made in the fall. No amendment is anticipated.

Water Fund 591

DESCRIPTION	2022-23		YTD BALANCE	AVAILABLE	% BDGT USED
	ORIGINAL BUDGET	2022-23 AMENDED BUDGET	09/30/2022	BALANCE	
TOTAL REVENUES	1,097,800.00	1,097,800.00	240,434.01	857,365.99	21.90
248 - ADMINISTRATION	78,000.00	78,000.00	16,917.02	61,082.98	21.69
556 - WATER UTILITIES DEPARTMENT	577,100.00	577,100.00	98,775.82	478,324.18	17.12
850 - LONG-TERM DEBT	256,900.00	256,900.00	184,304.52	72,595.48	71.74
890 - CONTINGENCIES	10,000.00	10,000.00	0.00	10,000.00	0.00
901 - CAPITAL IMPROVEMENTS	220,000.00	220,000.00	171,670.95	48,329.05	78.03
TOTAL EXPENDITURES	1,142,000.00	1,142,000.00	471,668.31	670,331.69	41.30
NET OF REVENUES & EXPENDITURES	(44,200.00)	(44,200.00)	(231,234.30)	187,034.30	

Revenue: The July utility billing was moved back to last fiscal year.

Expenditures:

Long-Term Debt Dept 850: Includes principal payments made in the fall. No amendment is anticipated.

Capital Improvements Dept 901: Second Street Project had additional costs. An amendment will be presented.

Fund 402: An amendment will be presented to reflect the transfer of \$300,000 of capital improvement funds to the General Fund for public safety facility improvements.

All other funds have performed as budgeted.

Cash Balances by Fund			
General Ledger Name	Bank & Account Name	Purpose	Balance 09/30/22
General Fund - 101			
Cash	Huntington Pooled	General operating	\$ 1,555,741.98
Arts, Culture & Heritage	Huntington Pooled	Available for Arts, Culture & Heritage	\$ 17,744.89
PNC Money Market	PNC Bank	General operating	\$ 50,052.14
Property Tax Savings	Huntington Property Tax	Clearing account for undistributed tax collections	\$ 158,599.28
Petty Cash	Office	Small cash purchases	\$ 100.00
Cash Drawer #1	Office	Cash Drawer	\$ 100.00
Cash Drawer #2	Office	Cash Drawer	\$ 100.00
MBIA Class	MBIA Class	General operating	\$ 611,807.43
Huntington Bank Investments	Meeder Investments	General operating	\$ 2,009,816.62
Huntington Bank Investments	Meeder Investments	Committed for Public Safety Facilities	\$ 1,000,000.00
Total General Fund			\$ 5,404,062.34
Major Streets Fund - 202			
Cash	Huntington Pooled	Restricted for major streets activities	\$ 4,088.36
Total Major Streets Fund			\$ 4,088.36
Local Streets Fund - 203			
Cash	Huntington Pooled	Restricted for local streets activities	\$ 53,935.86
Metro Act Account (Pooled)	Huntington Pooled	Restricted for right of way activities	\$ 90,207.53
Total Local Streets Fund			\$ 144,143.39
Municipal Streets Fund - 204			
Cash	Huntington Pooled	Available for transfer to Major & Local Streets	\$ 1,154,323.21
Property Tax Savings	Huntington Property Tax	Clearing account for undistributed tax collections	\$ 39,820.99
Huntington Bank Investments	Meeder Investments	Available for transfer to Major & Local Streets	\$ 238,761.75
Huntington Bank Investments	Meeder Investments	Restricted for public parking	\$ 99,804.87
Total Municipal Streets Fund			\$ 1,532,710.82
Solid Waste Fund - 226			
Cash	Huntington Pooled	Assigned for solid waste activities	\$ 58,028.37
Property Tax Savings	Huntington Property Tax	Clearing account for undistributed tax collections	\$ 139.54
Total Solid Waste Fund			\$ 58,167.91
Tree Replacement Fund - 275			
Cash	Huntington Pooled	Committed for tree activities	\$ -
MBIA Class	MBIA Class	Committed for tree activities	\$ 13,481.08
Huntington Bank Investments	Meeder Investments	Committed for tree activities	\$ 122,088.39
Total Tree Replacement Fund			\$ 135,569.47
Debt Service Fund - Facilities Bond - 352			
Cash	Huntington Pooled	Restricted for debt service	\$ 174,600.00
Total Facilities Bond Debt Service Fund			\$ 174,600.00
Debt Service Fund - Road Bond - 353			
Cash	Huntington Pooled	Restricted for debt service	\$ 94,800.00
Total Road Bond Debt Service Fund			\$ 94,800.00

General Ledger Name	Bank & Account Name	Purpose	Balance 09/30/22
Special Projects Fund - 401			
Cash	Huntington Pooled	Restricted for 3515 Broad	\$ -
Cash	Meeder Investments	Restricted for 3515 Broad	\$ 850,378.17
Total Road Bond Debt Service Fund			\$ 850,378.17
Equipment Replacement Fund - 402			
Cash	Huntington Pooled	Available for vehicle maintenance and purchase	\$ 170,243.42
Fire Department Capital Costs	MBIA Class	Committed for DAFD Capital Equipment	\$ -
Huntington Bank Investments	Meeder Investments	Available for vehicle maintenance and purchase	\$ 82,498.06
Total Equipment Replacement Fund			\$ 252,741.48
Sewer Enterprise Fund - 590			
Cash	Huntington Pooled	Restricted for sewer activities	\$ 4,512.20
Cash-Sewer Taps	Huntington Pooled	Restricted for sewer activities	\$ -
Property Tax Savings	Huntington Property Tax	Clearing account for undistributed tax collections	\$ 191.81
Michigan Class - Sewer Taps	Michigan Class Sewer/Water	Restricted for sewer activities	\$ 255,561.56
Huntington Bank Investments	Meeder Investments	Restricted for sewer activities	\$ -
Total Sewer Enterprise Fund			\$ 260,265.57
Water Enterprise Fund - 591			
Cash	Huntington Pooled	Restricted for water activities	\$ 4,044.96
Cash-Water Taps	Huntington Pooled	Restricted for water activities	\$ -
Property Tax Savings	TCF Property Tax Savings	Clearing account for undistributed tax collections	\$ 108.43
Michigan Class - Water Taps	Michigan Class Sewer/Water	Restricted for water activities	\$ 379,403.06
Huntington Bank Investments	Meeder Investments	Restricted for water activities	\$ 104,116.59
Total Water Enterprise Fund			\$ 487,673.04
Trust & Agency Fund - 701			
Site Plan Review	Huntington Pooled	Escrow for payment of development related fees	\$ 25,388.55
Performance Guarantees	Huntington Performance Guarantees	Escrow for development bonds	\$ 124,948.18
Tree Escrow	Huntington Pooled	Escrow for tree replacement	600.00
Farmers Market Bridge Card	Huntington Pooled	Pass through account	277.00
Luminary Account	Huntington Luminary Account	Escrow for luminaries	\$ 2,775.58
Total Trust & Agency Fund			\$ 153,989.31
Current Tax Collection Fund - 703			
Property Tax Savings	Huntington Property Tax	Tax collections for other units of government	\$ 112,017.63
Total Trust & Agency Fund			\$ 112,017.63
Retiree Health Care Fund - 736			
Cash	Mers	Restricted for other post employment benefits	\$ 2,051,896.75
Total Trust & Agency Fund			\$ 2,051,896.75
Payroll Fund - 750			
Cash	Huntington Payroll	Funds reserved for payment of accrued benefits	\$ 5,988.88
Total Trust & Agency Fund			\$ 5,988.88
Grand Total Cash			\$11,723,093.12

General Fund Balance Sheet Information		
Assets	General Fund Cash Balances	\$ 5,404,062.34
	Accounts Receivable	\$ 15,202.92
		<u>\$ 5,419,265.26</u>
Liabilities	Accrued Vacation/Sick Time/Wages Payable	\$ 74,820.38
	Unearned Revenue	\$ 266,141.88
	Accounts Payable	\$ 17,687.29
		<u>\$ 358,649.55</u>
Fund Balance	Committed for Public Safety Facilities	\$ 1,000,000.00
	Assigned for Sewer Fund Stabilization	\$ 212,204.43
	Assigned for Adaptive Play Equipment	\$ 12,000.00
	Assigned for LaFontaine Art	\$ 5,000.00
	Unassigned Fund Balance	\$ 1,370,193.21
		<u>\$ 2,599,397.64</u>
	Beginning Fund Balance	\$ 2,599,397.64
	Net of Revenue vs Expenditures	\$ 2,455,124.49
	Ending Fund Balance	<u>\$ 5,054,522.13</u>
	Total Liabilities and Fund Balance	<u>\$ 5,413,171.68</u>
General Fund Cash Available for Non-Operating Uses		
	Cash (Undesignated)	\$ 4,386,317.45
	Minimum Fund Balance (15% of budgeted revenue)	\$ (594,375.00)
	Accounts Receivable	\$ 15,202.92
	Accounts Payable	\$ (17,687.29)
	Unearned Revenue	\$ (266,141.88)
	Accrued Vacation/Sick Time/Wages Payable	\$ (74,820.38)
	Remaining Budgeted Revenue - Current Fiscal Year	\$ 641,146.18
	Remaining Budgeted Expenditures - Current Fiscal Year	\$ (3,063,496.34)
	Assigned for Adaptive Play Equipment	\$ (12,000.00)
	Assigned for LaFontaine Art	\$ (5,000.00)
	Excess stabilization funds set aside for sewer emergencies	<u>\$ (212,204.43)</u>
		<u>\$ 796,941.23</u>
Cash Available for Specific Uses		
	Streets (Major, Local and Municipal)	\$ 1,680,942.57
	Equipment Replacement	\$ 252,741.48
	Arts, Culture & Heritage	\$ 17,744.89
	Trees	\$ 135,569.47
	Fire Dept Capital Costs	\$ -
	Public Safety Facilities	\$ 1,000,000.00
	Excess Stabilization Payment	\$ 212,204.43
	3515 Broad	<u>\$ 850,378.17</u>

SUMMARY OF VALUATION RESULTS

Valuation Date	6/30/2022
Participant Data	
Active Employees	6
Deferred Retirees	0
Retirees and Covered Spouses	9
Total	<u>15</u>
Total OPEB Liability (TOL)	
Active Employees	\$ 1,013,270
Deferred Retirees	0
Retirees and Covered Spouses	818,213
Total	<u>\$ 1,831,483</u>
Fiduciary Net Position (FNP)	<u>2,179,776</u>
Net OPEB Liability (Asset)	<u>\$ (348,293)</u>
FNP as a % of TOL	119.02%
Normal Cost	\$ 17,135
As a percentage of payroll	3.57%
Actuarially Determined Contribution (ADC) for Year Ending	
June 30, 2023	\$ 0
June 30, 2024	0
OPEB Expense (Income) for Year Ending	
June 30, 2022	\$ (126,417)
June 30, 2023 (Projected)	(171,277)
Long-Term Rate of Return on Plan Assets	7.00%
Municipal Bond Rate	4.09%
Year Assets Depleted	N/A
Single Equivalent Discount Rate	7.00%

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**DEPARTMENT OF PUBLIC SERVICES
TWO WEEK REPORT ENDING OCTOBER 16, 2022**

DPW

- Put asphalt on roads
- Picked up table from Apple Daze/S'Mores and More and took to museum
- Met about 3rd and Broad crosswalks multiple times
- 3rd Street progress meeting
- Checked grass seed at Avalon
- Met about retaining wall on 3rd
- Put out barricades for traffic light update on Ann Arbor St.
- Cleaned up light hit by truck on Central
- Changed banners
- Bucket truck/crane inspection
- Started leaf pickup
- Picked up dead deer on Ann Arbor St.
- Inspected DTE street lights
- Put plate on catch basin in Industrial Park
- Swept around the City
- Replaced batteries in hot box
- Monthly chores (Engine Hrs, replaced furnace filter)
- Cleaned out bucket truck
- Hauled millings to compost site
- Picked up barricade and trash from Apple Daze
- Power washed backhoe
- Pulled and concreted ADA domes
- Worked on salt spreader couplers
- Went over leaf machine with Evan

WATER

- Reads (final, beginning, NUBCO)
- Miss Digs: 14
 - Backwash: 10/05 - 32,000Gals, 10/12 - 32,000Gals
 - Well 5 Depth : 10/03 - 24.4FT, 10/10 - 24.8FT
- The average water use for the week of 10/03 to 10/09 was 0.437 MGD
- The average water use for the week of 10/10 to 10/16 was 0.440 MGD
- Coded bills
- Decorative concrete sidewalk was finished on 3rd and Broad
- Picked up 2-inch replacement crop for water main
- Talked to contractor about water leak on Baker
- Ordered 2 X 2-inch water meters
- 3rd and Broad update meeting
- Picked up van from dealership
- 7300 West Joy Rd. meeting
- Started hydrant flushing
- Helped DPW pick up street signal box
- Shut down water main so contractor could move hydrant
- Looked over Council packet

- Kidsland Montessori meeting on Baker
- Water tower paint inspection
- Met with OHM about the wall on 3rd and Broad
- Looked over ROW permit for Grand St.
- Meeting with Justin about new water meters
- Eric, Todd and Cortney had confined space training class.
- Cut off tree from fence at Well 5
- Set up hydrant for Apple Days
- OHM updaters meeting

SEWER

- Turn on heat to main WWTP building
- Monthly alternation of WWTP equipment
- Review sanitary maintenance plan with staff
- Mixed secondary digester
- BioTech collected sludge samples
- Attend 3rd St. update meeting
- Received ferric chloride delivery
- Returned Clarifier #2 to service
- Drain mixing chamber ahead of WWTP maintenance cleaning
- Worked with M&K to clean WWTP influent pump station and flow channels throughout WWTP
- Two days of preventative sanitary main cleaning with M&K
- Changed oil on Clarifier #2
- Shut off bio gas system for fall sludge haul
- Transfer 60kagl sludge from primary to secondary digester for disposal
- BioTech on site for two days for fall sludge disposal
- Water leak in headworks building isolated till repaired
- Annual biosolids report to EGLE
- Performed monthly cyanide and mercury sampling
- Received chlorine delivery
- Submitted September operating report to EGLE
- Started hydrant flushing
- Received fluoride delivery at the Filter Building
- Weekend shut down of Ann Arbor St. water main between Kensington and Meadow View Dr. for a hydrant relocation at Care 2 Cure
- Water van had 4 new tires installed at Bridgewater Tire Co.
- Water shut off request on Grand St. Plumber was not ready for repair; owner to reschedule shutoff with office
- Submitted September operating report to EGLE
- Submitted September NPDES report to EGLE
- Received chlorine delivery
- Monthly bacti test
- Performed quarterly water quality parameter monitoring

Agenda: 10/24/22

Item: J-3

STAFF REPORT

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

From: Michelle Aniol, Community Development Manager

RE: Staff Report for October 24, 2022

1. Upcoming Virtual Meetings/Webinars: November, 2022:

- 1) Urban County Executive Committee, November 2nd
- 2) Planning Commission, November 7th
- 3) Washtenaw Economic Council Luncheon, November 10th
- 4) City Council, November 14th
- 5) DDA, November 17th
- 6) ZBA, November 21st
- 7) Thanksgiving, November 24th
- 8) City Council, November 28th

2. General Update:

- A. Subdivision Ordinance Update** - A discussion item regarding the update to the Subdivision Ordinance was placed on council's October 10th agenda. During that meeting, council requested clarification regarding maximum street length, minimum lot width and area, site condominium regulations, cluster development review requirements, and larger residential lots. Staff and CWA are working through these items and will be prepared to update council at its first meeting in November.
- B. Huron-Clinton Metroparks** – Staff participated in a zoom meeting hosted by the Huron-Clinton Metropark Authority (HCMA) on October 7th. The purpose of the meeting was to announce the start of its Community Recreation Plan Update and obtain input from surrounding communities. A copy of the HCMA's PowerPoint presentation accompanies this report.

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

- A. 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. (October 2022)

- B. 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)

- C. 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 2022)

D. 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)

- E. 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)

- F. 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)

- G. 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)

- H. 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)

- I. 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)

- J. 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)
- K. 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)
- L. 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)
- M. Planning Commission Request** – At the May 2nd Planning Commission meeting, a commissioner asked about the procedure for reconsidering the Commission's 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)

- N. 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)
- O. 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)
- P. 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)
- Q. 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)
- R. 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)

HURON-CLINTON METROPARKS **COMMUNITY RECREATION PLAN**

Planning and Development

October 7, 2022



COMMUNITY RECREATION PLAN OVERVIEW

Overview

- Update every 5 -10 years
- Develop recreation and resource conservation goals and objectives
- Establish recreation grant eligibility through the Michigan Department of Natural Resources.

Planning Process Considers

- Community Input
- Commissioner and Staff Input
- Evaluations of existing amenities
- Five county demographics and physical characteristics (Wayne, Oakland, Macomb, Livingston, Washtenaw)
- Recreation Trends
- Projected Needs and Opportunities

THE METROPARKS SYSTEM

OUR MISSION

To bring the benefits of the parks and recreation to the people of southeast Michigan.
All the people. All their lives.

OUR VISION

To be a unifying force – and indispensable resource – in southeast Michigan: One Region.
One Metroparks. Endless Experiences.

OUR VALUES

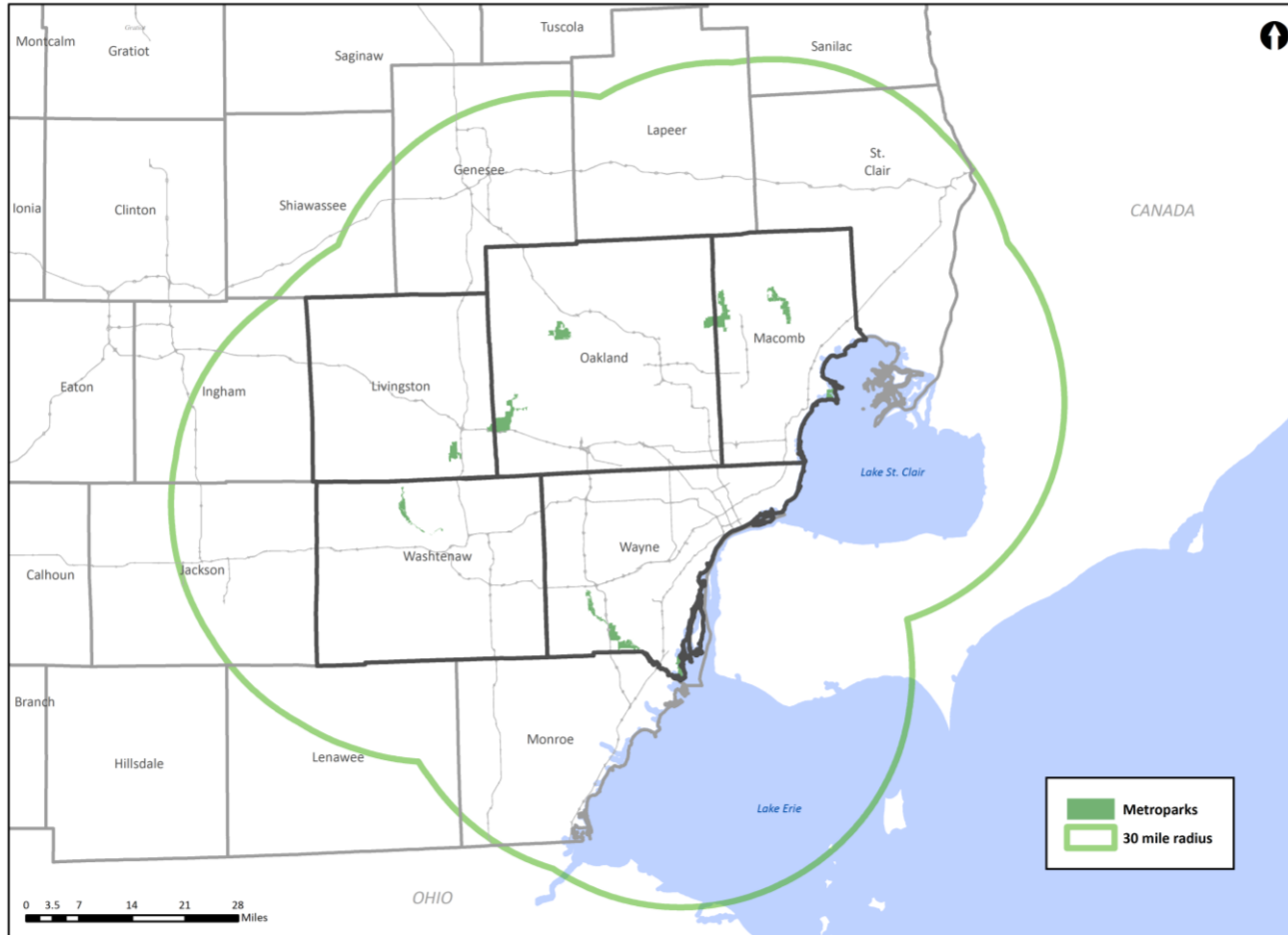
Access, Commitment, Diversity, Equity, Leadership, Stewardship

METROPARKS COMMUNITY

REGIONAL SERVICE AREA



METROPARKS COMMUNITY



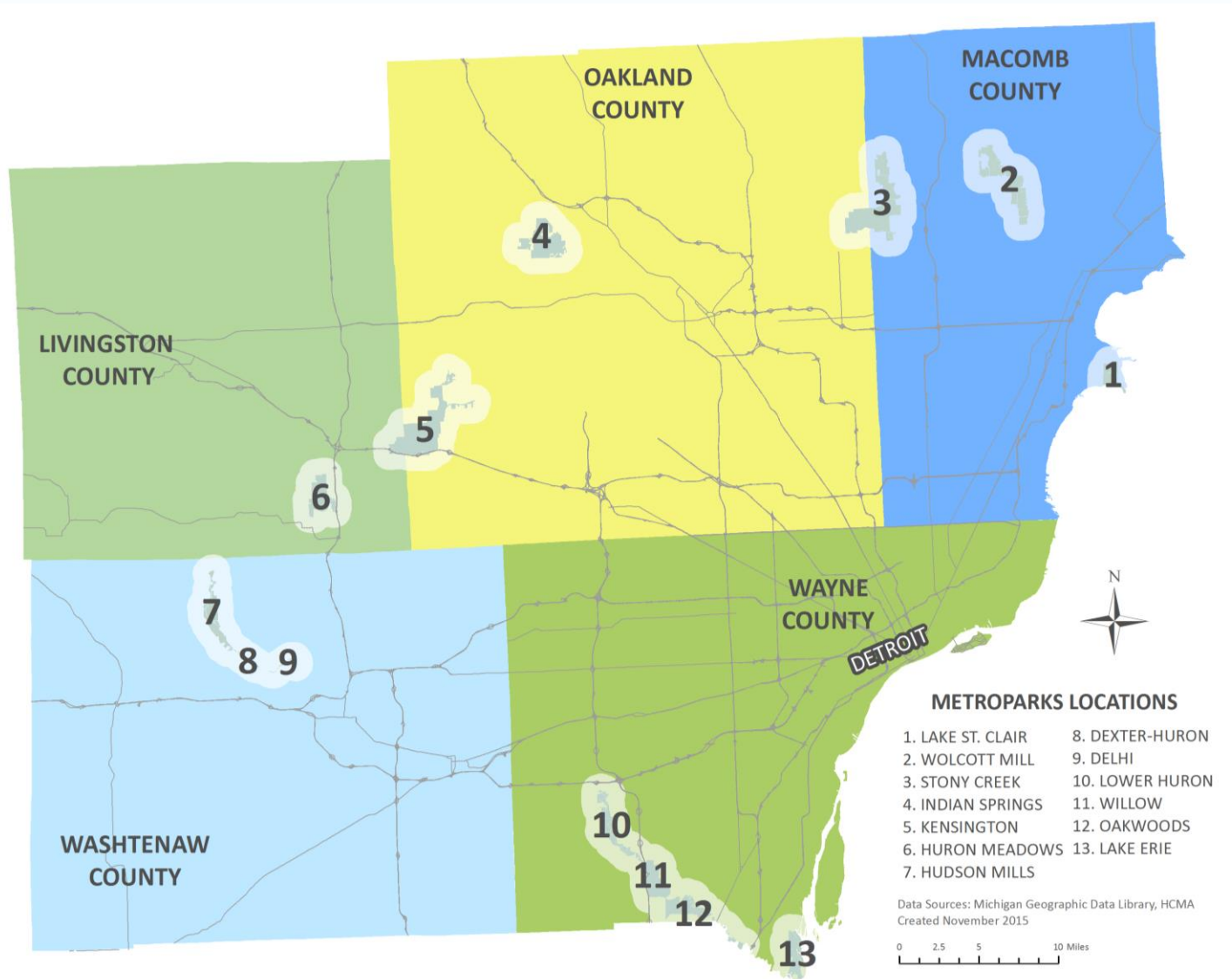
The Huron-Clinton Metropolitan Authority serves the residents of Macomb, Oakland, Livingston, Washtenaw, and Wayne counties in Southeast Michigan. This five-county region includes the City of Detroit and its suburbs, as well as other cities such as Ann Arbor, Pontiac, and Mt. Clemens. The area hosts a high concentration of the state’s businesses and industries and is home to over half the state’s population.

Municipality Type	Wayne	Oakland	Macomb	Washtenaw	Livingston
Cities	34	30	13	6	2
Villages	0	10	3	2	2
Charter Townships	7	15	5	6	3
General law Townships	2	6	6	19	13
Unincorporated Communities	0	45	25	11	28
Total	43	106	52	44	48

METROPARKS RECREATION INVENTORY



METROPARKS COMMUNITY



METROPARKS RECREATION INVENTORY

Facilities	
Golf Courses	8
Disc Golf Courses	5
Playgrounds	78
Picnic Shelters	86
Picnic Areas	87
Tennis Courts	4
Pickleball Courts	3
Basketball Courts	15
Sand Volleyball Courts	35
Baseball Fields	21

Winter Facilities	
Ice skating areas	4
Sledding areas	8
Cross country skiing	10
Snowboarding	2

Land	
All land (acres)	~25,000
Encumbered for recreation	14,761
Leased for farming	491
Leased for recreation	450
Leased for utilities	24

Trails	
Nature/hiking	59
Paved/shared use	91
Equestrian	36
Snowshoeing	1
Cross country ski (traditional/skate)	85
Mountain biking	22
Maintenance path	81
Total (miles)	375

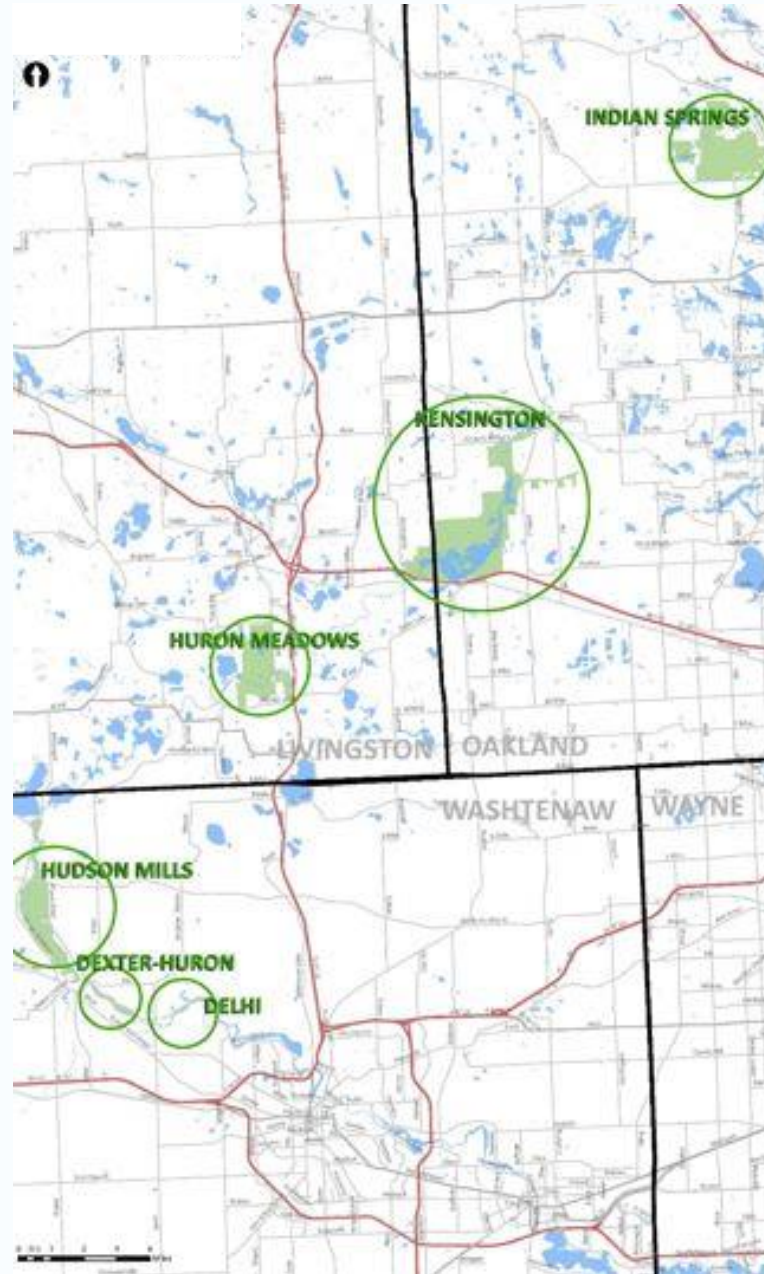
Aquatic Facilities	
Pools	4
Beaches	5
Spray pads	2
Boat launches	50
Canoe/Kayak launches	27
Boat rental facilities	7
Fishing platforms	18

Infrastructure	
Buildings	475
Roads (miles)	68
Parking Spaces	19,332

METROPARKS RECREATION INVENTORY

LIVINGSTON, OAKLAND, & WASHTENAW COUNTY





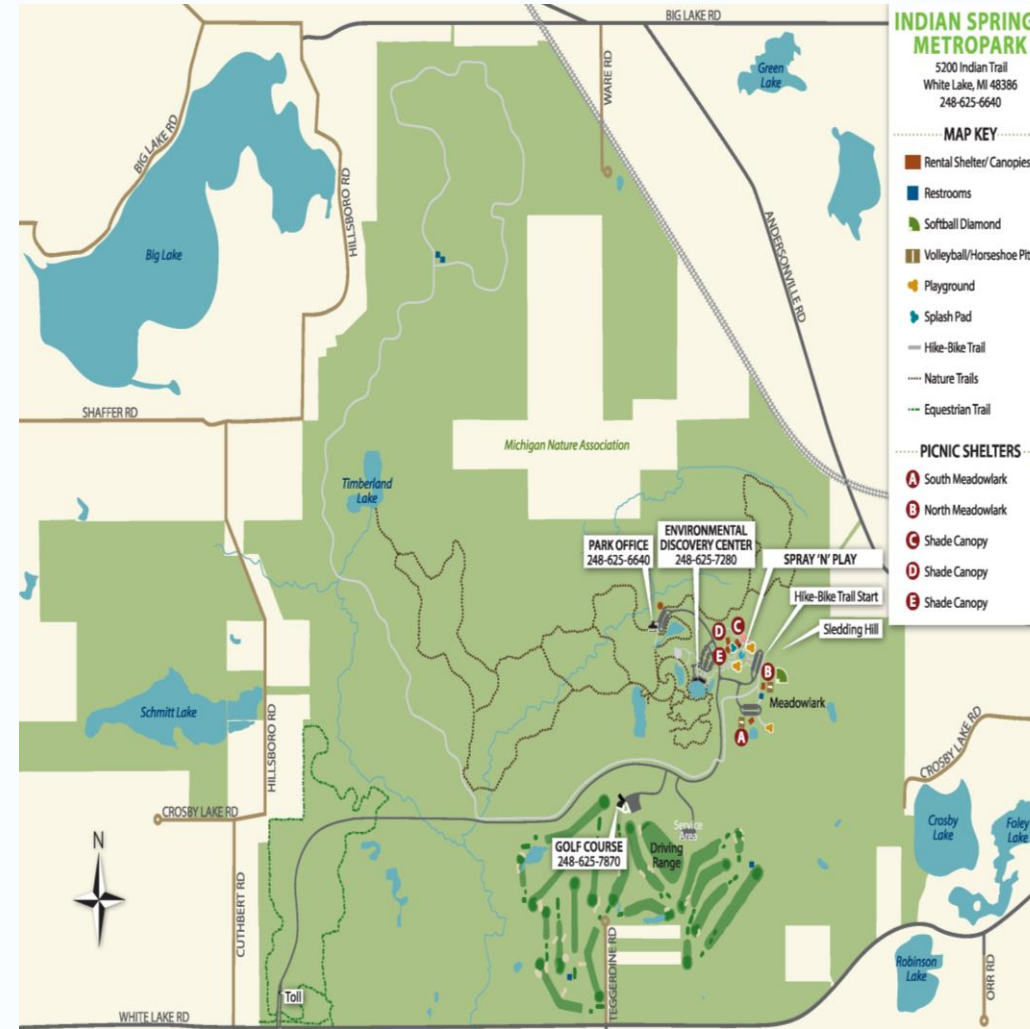
INDIAN SPRINGS METROPARK



INDIAN SPRINGS METROPARK

Infrastructure	
Public bldgs / avg age	3 / 24
Service bldgs / avg age	5 / 32
Comfort stations / age	1 / 21
Road miles	3.44
Parking lot acreage	4.73
Playgrounds	2
Percent of park mowed	2.7
Picnic shelters	5
Sand volleyball courts	2
Baseball fields	1
Fishing platforms	0
Tennis courts	0
Ice skating rinks	0
Basketball courts	0
Public canoe/kayak launches	0

Trail Miles	
Hike-Bike Trails	5.08
Nature Trails	7.27
Rustic Hiking Trails	0
Equestrian Trails	2.81
Cross Country Ski Trails	11.49
Mountain Bike Trails	0
Other Paths	6.98
Total	33.63



KENSINGTON METROPARK



KENSINGTON METROPARK

Infrastructure

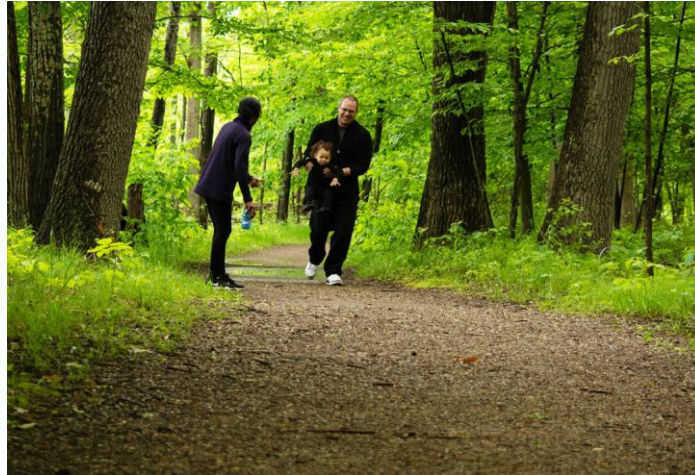
Public bldgs / avg age	9 / 31
Service bldgs / avg age	19 / 50
Comfort stations / avg age	12 / 31
Road miles	14.9
Parking lot acreage	37.83
Playgrounds	20
Percent of park mowed	8.8
Picnic shelters	18
Sand volleyball courts	8
Baseball fields	7
Fishing platforms	5
Tennis courts	0
Ice skating rinks	2
Basketball courts	0
Public canoe/kayak launches	3

Trail Miles

Hike-Bike Trails	13.55
Nature Trails	7.09
Rustic Hiking Trails	6.19
Equestrian Trails	17.4
Cross Country Ski Trails	11.09
Mountain Bike Trails	2.09
Other Paths	17.4
Total	74.81



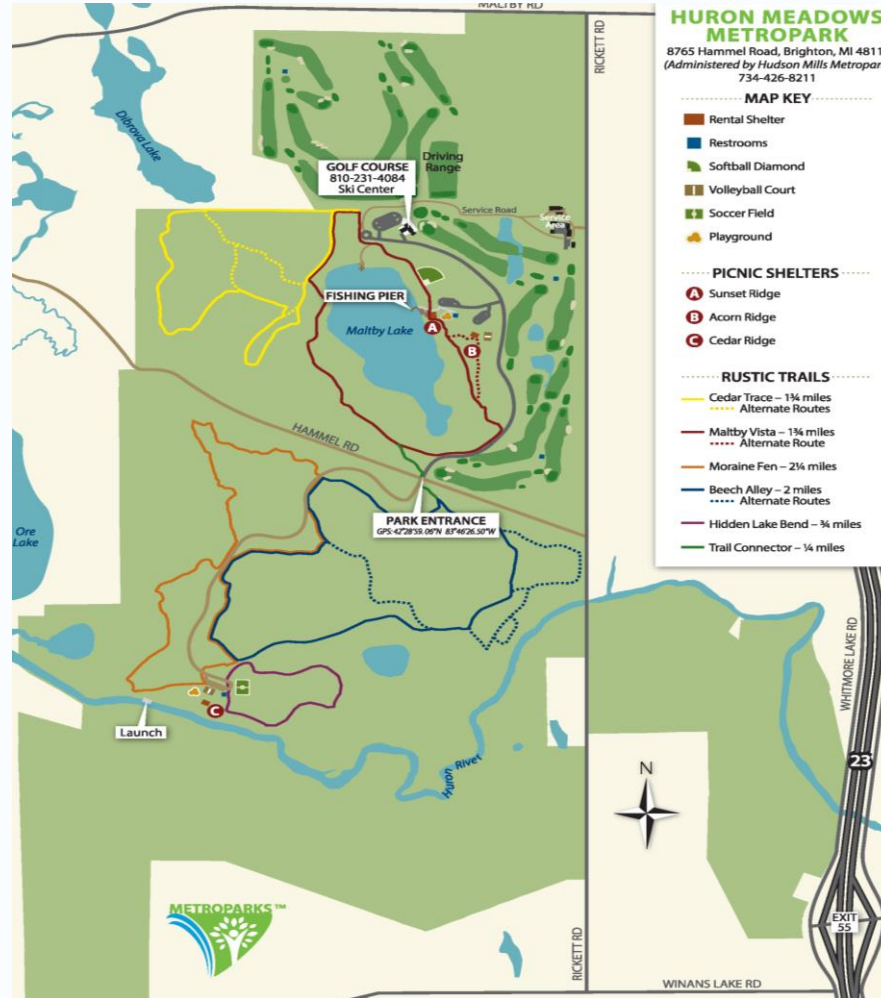
HURON MEADOWS METROPARK



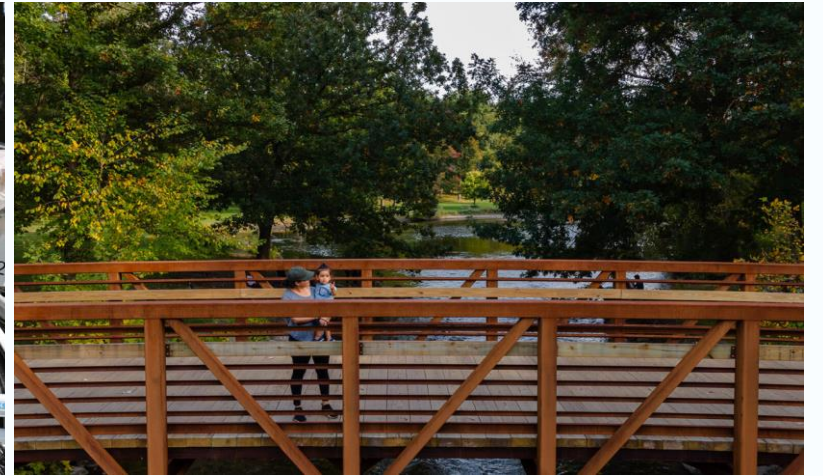
HURON MEADOWS METROPARK

Infrastructure	
Public bldgs / age	1 / 15
Service bldgs / avg age	6 / 50
Comfort stations / avg age	2 / 13
Road miles	2.12
Parking lot acreage	2.36
Playgrounds	2
Percent of park mowed	2.8
Picnic shelters	3
Sand volleyball courts	2
Baseball fields	1
Fishing platforms	2
Tennis courts	0
Ice skating rinks	0
Basketball courts	0
Public canoe/kayak launches	1

Trail Miles	
Hike-Bike Trails	0
Nature Trails	0
Rustic Hiking Trails	9.45
Equestrian Trails	0
Cross Country Ski Trails	12.67
Mountain Bike Trails	0
Other Paths	5.12
Total	27.24



HUDSON MILLS METROPARK



HUDSON MILLS METROPARK

Infrastructure	
Public bldgs / avg age	2 / 30
Service bldgs / avg age	4 / 30
Comfort stations / avg age	3 / 29
Road miles	3.22
Parking lot acreage	5.77
Playgrounds	4
Percent of park mowed	9.5
Picnic shelters	3
Sand volleyball courts	6
Baseball fields	4
Fishing platforms	0
Tennis courts	2
Ice skating rinks	0
Basketball courts	0
Public canoe/kayak launches	1

Trail Miles	
Hike-Bike Trails	7.28
Nature Trails	1.9
Rustic Hiking Trails	0.16
Equestrian Trails	0
Cross Country Ski Trails	3.79
Mountain Bike Trails	0
Other Paths	5.93
Total	19.06



DEXTER-HURON AND DELHI METROPARKS



DEXTER-HURON AND DELHI METROPARKS

Infrastructure		
	Dexter-Huron	Delhi
Public bldgs / avg age	0	0
Service bldgs / avg age	0	0
Comfort stations / age	1 / 26	1 / 16
Road miles	0.41	0.22
Parking lot acreage	1.6	0.13
Playgrounds	2	3
Percent of park mowed	9.9	58.4
Picnic shelters	3	1
Sand volleyball courts	0	0
Baseball fields	0	2
Fishing platforms	0	0
Tennis courts	0	0
Ice skating rinks	0	0
Basketball courts	0	0
Public canoe/kayak launches	1	2

Trail Miles		
	Dexter-Huron	Delhi
Hike-Bike Trails	1.42	0
Nature Trails	0	0
Rustic Hiking Trails	0.16	0
Equestrian Trails	0	0
Cross Country Ski Trails	0	0
Mountain Bike Trails	0	0
Other Paths	0.07	0.13
Total	1.65	0.13



COMMUNITY RECREATION

GOALS AND OBJECTIVES



GOALS AND OBJECTIVES

1. INNOVATION

MODERNIZE THE METROPARKS AND DEVELOP NEW REVENUE STREAMS.

1.1 Use new technology to increase connectivity and efficient communication throughout the system.

1.2 Construct and repurpose buildings to provide administrative and operations staff with workspaces that maximize employee productivity and wellness.

1.3 Redevelop targeted areas with innovative takes on current recreation trends to attract and retain a strong user base.

GOALS AND OBJECTIVES

2. MAINTENANCE & INFRASTRUCTURE

REPAIR, MAINTAIN, AND IMPROVE CORE PARK INFRASTRUCTURE.

2.1 Adopt a comprehensive and preventative approach to infrastructure management, maintaining an accurate inventory and investing in updates.

2.2 Continue to present visitors with a clean, functional, and pleasant park experience with excellent maintenance standards.

2.3 Plan for transition to ADA accessibility in all park system facilities, with an eye towards universal design.

GOALS AND OBJECTIVES

3. EDUCATION AND AWARENESS

DEVELOP AND ENHANCE PROGRAMMING, COMMUNICATION, AND OUTREACH EFFORTS.

3.1 Enhance visitors' understanding of and appreciation for Metroparks natural features and cultural

history through updated interpretive exhibits, programs, and signage.

3.2 Ensure ease of navigation and safety through clear, simple, and strategically placed wayfinding signage.

GOALS AND OBJECTIVES

4. STEWARDSHIP

PROTECT AND RESTORE NATURAL BIODIVERSITY WHILE BALANCING RESOURCE MANAGEMENT WITH RECREATIONAL ACTIVITIES.

4.1 Maintain clean, fresh water resources that facilitate both extraordinary recreation and healthy ecosystems.

4.2 Develop natural areas in the Metroparks to be exemplary metropolitan habitats for a wide range of flora and fauna.

4.3 Use early detection and rapid response to prevent disease and invasive species from damaging natural areas in the parks.

GOALS AND OBJECTIVES

5. SUSTAINABILITY

PRIORITIZE EMPLOYEE DEVELOPMENT, ENVIRONMENTAL HEALTH IMPROVEMENTS, AND FINANCIAL STABILITY.

5.1 Increase focus on environmental sustainability throughout the Metroparks system, especially by expanding recycling opportunities and reducing waste.

5.2 Invest in the valuable human resources of the park system through staff education and enrichment.

2022 COMMUNITY SURVEY



PRESENTED BY



MAY 2022



METHODOLOGY

- **Survey Description**

- Seven-page survey; took 10-15 minutes to complete

- **Method of Administration**

- By mail and online to randomly selected sample of households in Livingston, Macomb, Oakland, Washtenaw and Wayne counties

Location	Completed Surveys	% Precision
<i>Livingston County</i>	479	±4.5%
<i>Macomb County</i>	511	±4.3%
<i>Oakland County</i>	583	±4.1%
<i>Washtenaw County</i>	514	±4.3%
<i>Wayne County (Outside Detroit)</i>	407	±4.9%
<i>City of Detroit</i>	405	±4.9%
Total	2,899	±1.8%

Priorities for Parks & Recreation Facility Investments in the Huron-Clinton Metroparks Service Area

The Priority Investment Rating (PIR) was developed by ETC Institute to provide organizations with an objective tool for evaluating the priority that should be placed on Parks and Recreation investments. The Priority Investment Rating (PIR) equally weighs:

- the importance that households place on each facility/amenity/ activity/program
- how many households have unmet needs for the facility/amenity/activity/program

Facility	Priority Investment Rating (PIR)
<i>Trails-paved, multi-use (walking, biking)</i>	189.2
<i>Beaches</i>	174.7
<i>Natural areas</i>	145.7
<i>Trails-unpaved, nature trails</i>	139.7
<i>Trails-unpaved, hiking</i>	137.2
<i>Nature centers</i>	114.2
<i>Canoe/kayak launch sites</i>	110.2
<i>Outdoor swimming pools</i>	107.9

Results

Livingston County

Top Priorities Livingston County Facilities:

1. Paved multi-use trails for walking and biking
2. Beaches
3. Natural areas
4. Canoe/kayak launch sites
5. Unpaved trails for hiking
6. Unpaved trails, nature trails
7. Outdoor swimming pools

Top Priorities Livingston County Programs:

1. Concerts
2. Bird/wildlife watching programs
3. Pet-friendly programs
4. Camping
5. Movies in the park
6. Walking clubs/programs
7. Astronomy programs
8. Environmental education programs

Results

Oakland County

Top Priorities Oakland County Facilities:

1. Paved multi-use trails for walking and biking
2. Unpaved trails for hiking
3. Beaches
4. Natural areas
5. Unpaved trails, nature trails
6. Canoe/kayak launch sites · Nature centers

Top Priorities Oakland County Programs:

1. Concerts
2. Bird/wildlife watching programs
3. Walking clubs/programs
4. Pet-friendly programs
5. Environmental education programs
6. Astronomy programs
7. Art/photography
8. Guided nature hikes

Results

Washtenaw County

Top Priorities Washtenaw County Facilities:

1. Paved multi-use trails for walking and biking
2. Unpaved trails, nature trails
3. Unpaved trails for hiking
4. Beaches
5. Natural areas
6. Canoe/kayak launch sites

Top Priorities Washtenaw County Programs:

1. Concerts
2. Art/photography
3. Movies in the park
4. Swim lessons
5. Walking clubs/programs
6. Water fitness programs
7. Pet-friendly programs
8. Environmental education programs

**WE WANT TO
HEAR FROM
YOU!**





WASHTENAW COUNTY OFFICE OF THE SHERIFF



JERRY L. CLAYTON
SHERIFF

2201 Hogback Road ♦ Ann Arbor, Michigan 48105-9732 ♦ OFFICE (734) 971-8400 ♦ FAX (734) 973-4624 ♦ EMAIL sheriffinfo@ewashtenaw.org

MARK A. PTASZEK
UNDERSHERIFF

October 14, 2022

Agenda: 10/18/22
Item: J-4-1

To: Justin Breyer, Dexter City Manager
From: Nick Krings, Sergeant
Through: Alan Hunt, Lieutenant
Cc: Keith Flores, Police Services Commander / Nancy Hansen, Captain
Re: September 1st – September 30th, 2022 Police Services Monthly Report

During the month of September 2022 there were 304 calls for service (including traffic stops). Deputies conducted 175 traffic stops during this time with 29 citations issued.

Noteworthy events in Dexter City during last month include:

On September 27th Deputies were dispatched to the 8100 block of Main Street for a Fraud complaint. The victim reported that they had been informed that a fraudulent credit card had been used to purchase lottery tickets. Upon further investigation, the victim found that the suspect had used the card on three separate occasions to purchase nearly \$14,000 in lottery tickets. The suspect was described as a mid 20's black female, dark complected with a thin build. The suspect was reported to be driving a blue sedan, possibly with Illinois plates.

On September 29th Deputies were dispatched to the 5900 block of Kingsley Court for a Larceny from Auto complaint. The Victim reported that multiple vehicles had been broken into overnight. The victim checked the vehicles, however, was unable to determine if anything had been taken. Deputies attempted to locate any trace evidence on the vehicles but were unsuccessful.

Banked Hours Update:

The collaboration accumulated 172 banked hours during the month of September. The banked hours were generated due to a vacant shift and a personal day which went uncovered. 149.25 banked hours were used to fill vacant shifts and for extra traffic / bike patrols. As of the end of September, the collaboration has a yearly banked hours balance of 62.5 hours.

Dexter Collaboration Into/Out of Area Time:

- Into DWD Area Time – 881 mins (Year to Date – 7,718 mins)
- Out of DWD Area – 1,126 mins (Year to Date – 10,997 mins)

Dexter City Into Area Time - 238 mins (Year to date – 1,805 mins)
Dexter Twp. Into Area Time - 448 mins (Year to date – 3,289 mins)
Webster Twp. Into Area Time - 195 mins (Year to date – 2,624 mins)

The Sheriff's Office has recently implemented a new, on-line, police reporting portal. Citizens can now file certain types of police reports on-line without needing contact with a Deputy or coming to a station. The following types of incidents September be filed on-line:

- Harassing phone calls/ No Known Suspects
- Identity Theft/ No Known Suspects
- Lost property
- Larceny/Theft/ No Known Suspects
- Damaged Property/Vandalism
- Accidental/Non-Intentional Property Damage

Any and all incidents can still be reported by calling 911, Washtenaw Metro Dispatches non-emergency dispatch number (734) 994-2911 or in person at any of our Community Police Stations.

The on-line reporting portal can be accessed through the Washtenaw County Sheriff's Office website.

<https://www.washtenaw.org/3439/File-a-Police-Report>



DEXTER CITY MONTHLY POLICE SERVICES DATA September 2022

JERRY L. CLAYTON
SHERIFF

Incidents	Month 2022	Month 2021	% Change	YTD 2022	YTD 2021	% Change
Traffic Stops	175	85	106%	1426	626	128%
Citations	29	6	383%	132	47	181%
Drunk Driving (OWI)	0	0	-	2	1	100%
Drugged Driving (OUID)	0	0	-	0	0	-
Calls for Service Total	304	225	35%	2581	1580	63%
Calls for Service <i>(Traffic stops and non-response medicals removed)</i>	107	120	-11%	995	832	20%
Robberies	0	0	-	0	0	-
Assaultive Crimes	3	1	200%	15	10	50%
Home Invasions	0	0	-	8	0	+
Breaking and Entering's	0	0	-	2	0	+
Larcenies	2	0	+	8	1	700%
Vehicle Thefts	0	0	-	2	3	-33%
Traffic Crashes	4	9	-56%	45	66	-32%
Medical Assists	2	4	-50%	30	15	100%
Animal Complaints <i>(ACO Response)</i>	1	0	+	4	3	33%
In/Out of Area Time	Month <i>(minutes)</i>	YTD <i>(minutes)</i>	+ = Positive Change - = Negative Change			
Into Area Time	238	1805				
Out of Area Time	1126	10997				
Investigative Ops (DB)	0	1770				
Secondary Road Patrol	285	1405				
County Wide	435	642				
	Hours Accum.	Hours Used				
Banked Hours	172	149.25	62.5			

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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: City Manager Report – Meeting of October 24, 2022

1. Meeting Review:

- A. October 12, 2022 – City Rate Study Meeting
- B. October 13, 2022 – OHM Update Meeting
- C. October 17, 2022 – WRRMA Meeting
- D. October 18, 2022 – Parks & Recreation Commission Meeting

Upcoming Meetings:

- A. October 20, 2022 – Meeting with County Parks and Rec Director Regarding B2B Trail
- B. October 20, 2022 – Meeting with WCSO Contracting Partners
- C. October 24, 2022 – City Council Meeting
- D. October 25, 2022 – Meeting with ClearGov
- E. October 26, 2022 – OHM Monthly Update Meeting
- F. October 27, 2022 – 3515 Broad St. Construction Update Meeting
- G. November 1, 2022 – November 8th Public Accuracy Test
- H. November 2, 2022 – Union Contract Kick-Off Meeting
- I. November 2, 2022 – Arts, Culture & Heritage Committee Meeting
- J. November 8, 2022 – Election Day

2. General Updates:

- A. **Union Contract Meeting.** The first meeting to begin union contract negotiations has been scheduled for Wednesday, November 2nd.

- B. David Zinn Mural.** At a previous meeting of the Dexter Arts, Culture & Heritage Committee, the committee voted to recommend a David Zinn Mural be created. After discussions, ACH desired that the mural be located either in the Dexter District Library or the Farmers Market Pavilion. Staff wanted to get Council's feedback on the proposed locations and on the idea of the mural in general. Attached to this report is the proposal put together by a member of ACH.
- C. WRRMA Recycling RFP.** 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 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.

- D. Leaf Collection.** Leaf collection started the week of October 10th. The DPW was able to complete a rotation of the City for those residents that had raked their leaves to the road. Leaf collection will be on-going through December 5th.
- E. Mill Creek Park Work Day.** 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.
- F. 3515 Broad St. Update.** Construction is on-going at 3515 Broad St. Construction on the elevator pit appears to be nearing completion. The framing and walls of the addition have been installed, and Axiom has indicated that they anticipate the Council Chamber to be back into service by the end of October.



G. Council Chamber Furnishings. As construction progress on the Council Chambers is nearing the point where the City will be able to move public meetings back into that space, staff would like to discuss with Council the purchase of new furnishings – specifically tables and chairs - for the Council Chamber.

The tables previously being used were pulled from the section 3 meeting room. Staff would like to continue to have these tables (or similar tables) available in the section 3 meeting room going forward. Tables similar in color, size (72" x 30"), and collapsibility are available for purchase at a cost of approximately \$600/each. A non-flip version (but with grommets) is available for approximately \$450/each. Staff would suggest purchasing 7 tables for the Council Chamber (\$4,200)



(grommet, no flip, \$450)



(flip, no grommet, \$600)

The conference room-style chairs previously used by Council were not uniform (pulled from a variety of locations) and have holes in them. Staff would suggest purchasing a new set of uniform chairs for the Council Chamber and for the future meeting room in section 1 of the building. Chairs similar in style to the ones below are available for around \$350. Staff would suggest purchasing 22 conference chairs (\$7,700). This would allow for 14 chairs in the Council Chamber (11 members of ACH + student reps + staff) and 8 for the section 1 (office) meeting room.



(\$350)



(\$300)



(\$220)



For audience seating, staff received regular feedback that the wooden chairs that were set-out were not very comfortable or conducive to sitting for 3-hour meetings. Padded folding chairs similar to those shown below are available for approximately \$45/each. Staff would suggest purchasing 40 of these chairs (\$1,800)

Funds are available in the Buildings and Grounds Department of the General Fund. If City Council is supportive of moving forward with this package, staff will bring forward an item for an upcoming agenda.

H. Drinking Water Revolving Fund (DWRf) Letter of Intent. In speaking with the City's engineers at OHM Advisors, there is *potentially* a significant amount of federal funding that is likely to be flowing through the State of Michigan's State Revolving Fund programs – SRF and DWRf. While the grant portions of the programs have been explicitly targeted towards “underserved” communities, there are possible carve-outs for specific types of high-priority projects. For example, the State has been pushing testing and investigations related to non-copper water service lines. To comply with State requirements, the City just approved a potholing program to investigate “unknown” material service leads to determine whether they are copper, galvanized iron, etc. Further, the City is required to replace a certain percentage of these non-copper service leads each year.

With the Drinking Water Revolving Fund (DWRf) program, there is an amount of grant funding that has been set-aside for water lead replacement programs. While DWRf is primarily a low-interest loan program, there has been discussion about principle forgiveness for projects submitted in the upcoming year. It is staff's opinion that if the City is going to be required to replace these lines anyway, we should attempt to get grant funding from the State to help in this effort. In turn, staff has asked OHM Advisors to submit a letter of intent to the DWRf program. Submitting a letter of intent does not obligate the City to apply, nor does it obligate the City to accept any funding offered through the program.

I. October 13th Public Meeting Link. The link to the video for the October 13th City Council work session and public informational meeting for the public safety facilities ballot proposal is available at: <https://www.youtube.com/watch?v=mHxXFhnpHUA&t=10s>

3. Updates to Ongoing Projects:

A. Absentee Ballots and Applications for November Election. To date (10/18), staff has sent 1,375 absentee ballots, of which 351 have been returned to the Office.

B. 3rd and Broad Reconstruction. 3rd St. and Broad St. were opened to traffic in the late afternoon/evening of Friday, October 14th. Staff will be working with OHM and the contractor to complete punch list items.

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

- A. **Stop Sign Along Baker (10/10/22)**. 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. **ADA Evaluation Meeting (10/10/22)**. 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.
- C. **Resident Handbook Reprint (10/10/22)**. 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.
- 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. **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.
- F. **Waiver 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.

- G. 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.
- H. 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.
- I. 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.
- J. 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. **Complaint 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
November 14, 2022	WRRMA RFP Presentation and Discussion Approval of WRRMA Budget Setting Public Hearing for Subdivision Ordinance Update
November 28, 2022	Organizational Matters City Council Rules Public Nuisance Ordinance
December 12, 2022	Appointments to Boards & Committees 2023 Board & Committee Meeting Dates
December 26, 2022	

Proposal - 3D Mini Mural Art Installations, Dexter

Introduction: Everyone benefits from the positive effects of smiling and laughter. And Dexter benefits from additional foot traffic in the city. That's the beautiful combination these 3D mini murals aim to provide. "Hidden" around town, finding one of these 3D murals—or just happening upon one when you are strolling—is not only exciting, but memorable. And when you find the "sweet spot" for viewing, the murals come to life, creating a perfect 3D photo opportunity with each new discovery, and creating a destination activity for families as they hunt out each one, indoors and out.

Project Overview: Beginning with one initial mural to obtain community feedback, the goal is to slowly develop a series of these permanent 3D paintings, depicting Dexter life through fun, cheerful creatures found in and around the community. At least one of the creatures would be unique to the Dexter artwork, not found in any other artwork done by the artist. And the underlying principle behind the mini murals is that they subvert public art expectations by hiding in plain sight. Not only do "hidden" installations create a scavenger hunt mythos, but they have been shown to be less susceptible to vandalism because they don't attract the attention of graffiti-minded individuals.

Artist: David Zinn is a local Ann Arbor resident and an active promoter of his work; he is on Facebook <https://www.facebook.com/DavidZinnIllustration>, Instagram <https://www.instagram.com/davidzinn/>, TikTok <https://www.tiktok.com/@streetartbydavidzinn>, and has an active website: <https://zinnart.com/>. Well known for his family friendly 3D chalk art drawings, his 3D permanent artwork includes the full size 3D mural "Laughing at Clouds" in Ann Arbor. He has created permanent works outside the Toledo Museum of Art, inside the U of M Museum of Natural History, and in Sweden, Taiwan, Germany, France and the Netherlands (see Appendix A). His presentation at TEDx UofM (<https://www.youtube.com/watch?v=iSVXYrJs4S8>) has been viewed more than 35,000 times in less than two years, and he was recently interviewed for a piece by CBS Mornings. Books, calendars, postcards, and prints of his work are sold locally and internationally, including The Chalk Art Handbook, which spent several weeks on the top 10 lists of Michigan booksellers. Between Facebook, Instagram and TikTok, David has well over three million followers on social media.

Mural Locations & Requirements: Murals would be in unique locations fully approved by the City or property owners (see Financials) and will be in locations that are vertical and/or protected from precipitation by overhangs or awnings to prevent erosion. The best locations for these projects are on walls, building corners, masonry posts, waterspouts, electric boxes and the like, and can be both inside buildings and on outside walls and objects.

Installation: The initial recommendation is to complete one mini mural at the Dexter Library by the end of 2022 and obtain community feedback. If feedback is positive, we'd expand the number of mini murals around town over the next two to three years to create a series, for people to either happen upon, or to search out their hiding places. They would be painted at the availability of the artist, with a target of 6-8 murals in time for the Bicentennial.

Target Audience: Kids of all ages, no one is too young or too old; the art installations would be fun, light-hearted expressions of kindness, inclusion, and Dexter life, appealing to residents and visitors alike; and with the millions of David Zinn followers on social media, Dexter will be a destination city for viewing his latest works. They will provide a unique experience found only in Dexter; and if multiple murals are commissioned, it can create an afternoon of discovery and photo opportunities for young and old alike.

Mural Characters & Topics: The artist will create a series of playful characters (animals/insects found locally in the Dexter area) with at least one being exclusive to the Dexter mini murals. The characters will appear in the murals at the choice of the artist, doing activities enjoyed in the area. A list of suggested topics and characters will be provided (see Appendix B), but it will be at his discretion as to which topics and characters are used so they fit each location.

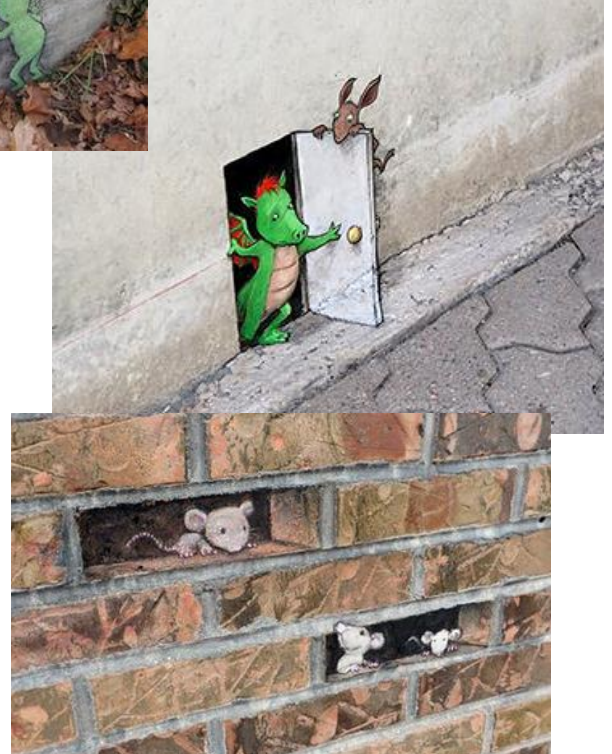
Collaboration: Potential to partner with the Chamber of Commerce to provide a downloadable "walking map" tour that shows locations of the mini murals and provides interesting information about each mural and location. Additional potential to partner with downtown building owners & business owners to draw people to the stores, benefiting both.

Financials: Estimated pricing is \$700-\$1,000 per mini mural, depending on the size (ranging from 4"-18" across), the complexity, and client-specified content. The ACHC is looking for an initial investment of \$1,000 by the City of Dexter to ensure funding for the initial mini mural to be painted at the Library. If the initial mural is well accepted by the community, additional funds of \$6,000-\$8,000 would be requested over a 2-3 year period to support the

addition of several more mini murals on city property. If more mini murals are commissioned, and non-city-owned properties would like murals, the owners of these privately owned buildings would need to provide the funding. The artist will pay for all expenses associated with painting the mini murals, including travel, paints, and brushes.

Upkeep of Artwork: Painting installations are recommended to be placed in covered areas to protect them from weathering, but the installations will continue to be maintained by the artist, should restoration be required, at a cost of 50% of the original fee. Restoration will be at the discretion of the city. To date, the artist's experience has been artwork that is protected from the elements has not required restoration.

Appendix A: Representative Examples of the Art



Appendix B: Potential Topics and Characters

TOPICS

Bicycling
Canoeing
Kayaking
Boating
Fishing
Farming / Orchards (field crops, animals, hay bales, beehives, apples, pumpkins...)
Hiking
Ice Fishing
Sledding
Ice skating
Cross country skiing
Snowboarding
Outdoor activities
Stargazing
Community
Family
Schools / Children
Learning
Restaurant Outings
Shopping Dexter
Farmer's Market
Paint Dexter Plein Air Festival
Attending symphony/band/choral concert or Friday Music in the Park
Dexter Daze Festival
Ice Sculptures
Bicentennial Celebration
Welcome to Dexter
Memorial Day Parade
Photography
Famous people in Dexter history
Native Americans
Environmental / Earth Friendly
Scenic Dexter
Spaceships (1960s "sightings")

CHARACTERS

Chipmunk
Great Blue Heron
Wild Turkey
Grey, brown or black Squirrel
Robin
Red Tail Hawk
Farm animals (cow, pig, lamb, goat, llama, chicken)
Brook Trout
Painted Turtle
Garter Snake
Raccoon
Opossum
Groundhog
Beaver
Muskrat
Fox
Skunk
Rabbit
Monarch Butterfly
Honeybee
Ruby-throated Hummingbird
Dragonfly
Firefly
White Tail Deer
Cricket
June Bug
Walking Stick
Pileated Woodpecker
Great Horned Owl
Little Brown Bat
Coyote
Horse
Tadpole
Bull Frog
Wolf Spider
Pill Bug
Red Ladybug
Praying Mantis
Pheasant
Killdeer
Bobwhite
Aliens

Thank you for your consideration,

The Arts, Culture & Heritage Committee of Dexter

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**Mayor Report – By Shawn Keough
Prepared on October 19, 2022**

Hello Residents and Council,

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

Recent Activities

October 13, 2022 – Meeting regarding the potential creation of an authority for the Dexter Senior Center with Jim Carson, Webster Township Supervisor John Kingsley and Dexter Township Supervisor Diane Ratkovich.

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

October 18, 2022 – Dexter Chamber of Commerce – Networking mixer at Chela’s

October 19, 2022 – WATS Policy Committee meeting – City Manager Breyer covered this meeting for me.

October 19, 2022 – Briefly attended a portion of the MML Conference as part of my role as a civil engineer

Upcoming Meetings/Activities

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

October 25, 2022 – 3045 Broad Street Subcommittee meeting with Common Sail – we will be discussing information sharing and next steps during the pre-development agreement.

October 26, 2022 – DAFD Union Negotiation meeting with Firefighters from Local 4090

November 2, 2022 – Union Contract Kick off meeting with City Bargaining employee representatives

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			10/24/2022
Payroll Check Register	10/19/22	\$51,120.65	Regular pay
Employer Costs (FICA/MERS/ICMA) paid via electronic transfer	10/19/22	\$5,954.88	Regular Pay
Account Payable Check Register		\$419,031.47	
		\$476,107.00	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. ASSOC. OF PUBLIC TREASURERS US	200.00		
2. BLUE CARE NETWORK	28,365.29		
3. BOSTWICK COMPANY	2,600.00		
4. BOULLION SALES	348.64		
5. BREUNINGER FARMS	2,250.00		
6. BRIDGEWATER TIRE COMPANY, INC.	820.00		
7. BS&A SOFTWARE	2,890.00		
8. CADILLAC ASPHALT, LLC	1,150.91		
9. CAPITAL TITLE INSURANCE AGENCY	100.42		
10. CARLISLE-WORTMAN ASSOCIATES	3,075.00		
11. CIVICPLUS	950.00		
12. COMCAST - INTERNET	1,674.33		
13. COMPUTER ALLEY	31.60		
14. CONNER KOCH	111.91		
15. CORRIGAN OIL COMPANY	952.07		
16. DAPPRICH ENTERPRISES INC.	1,600.00		
17. DELOOF DEVER EBY MILLIMAN & ISSA	4,368.00		
18. DEXTER AREA FIRE DEPARTMENT	184,067.23		
19. DEXTER MILL	1,482.85		
20. DTE ENERGY	12,429.72		
21. DTE ENERGY-STREET LIGHTING	6,839.90		
22. ECONO PRINT INC.	3,235.63		
23. EGLE TRAINING	25.00		
24. EGLE TRAINING	70.00		
25. EGLE TRAINING	70.00		
26. ELECTION SOURCE	395.23		
27. ELHORN ENGINEERING CO	2,574.60		
28. ETNA SUPPLY CO	1,085.00		
29. EUROFINS	1,671.50		
30. GOOGLE PLAY	3.98		
31. GOOGLE PLAY	1.99		
32. GOVERNMENT FINANCE OFFICERS ASSOC	345.00		
33. GRIFFIN PEST SOLUTIONS	547.00		
34. JADE SCIENTIFIC, INC	761.25		
35. LESSORS WELDING SUPPLY	40.00		
36. LOWE'S	54.98		
37. M&K JETTING AND TELEVISIONING	3,500.00		
38. MEEDER INVESTMENT MANAGEMENT	1,250.00		
39. MENARDS	110.94		
40. MENARDS	74.11		
41. MENARDS	34.96		
42. MICHIGAN PIPE & VALVE, INC.	365.93		
43. MLIVE MEDIA GROUP	379.00		
44. ODEN TRAINING	500.00		
45. OLD NATIONAL BANK	4,025.00		
46. PERKY 06	55.00		
47. PLANT WISE	1,779.17		
48. PVS TECHNOLOGIES INC	6,757.66		
49. RICOH USA, INC	935.41		
50. ST. AMBROSE CELLARS	12.60		

Claimant	Amount Claimed	Amount Owed	Amount Rejected
51. STATE OF MICHIGAN-MDOT	25,582.75		
52. THE SUN TIMES NEWS	79.00		
53. THOMAS STRINGER	1,016.00		
54. THOMPSON REUTERS	320.00		
55. TRACTOR SUPPLY	54.99		
56. TRACTOR SUPPLY	13.99		
57. UNUM LIFE INSURANCE	818.52		
58. UTILITIES INSTRUMENTATION SERV	624.00		
59. VERIZON WIRELESS	399.58		
60. WASHTENAW COUNTY TREASURER	41,376.51		
61. WASTE MANAGEMENT OF MICHIGAN	61,662.33		
62. ZOOM	114.99		
TOTAL ALL CLAIMS	419,031.47		

INVOICE GL DISTRIBUTION REPORT FOR CITY OF DEXTER
 EXP CHECK RUN DATES 10/19/2022 - 10/19/2022
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: POOL

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 101 CITY COUNCIL					
101-101-901.000	PRINTING & PUBLISHING	ECONO PRINT INC.	FALL NEWSLETTER	3,235.63	52873
Total For Dept 101 CITY COUNCIL				3,235.63	
Dept 172 CITY MANAGER					
101-172-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	4,614.34	52856
101-172-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	182.45	52893
Total For Dept 172 CITY MANAGER				4,796.79	
Dept 201 FINANCE DEPARTMENT					
101-201-802.000	PROFESSIONAL SERVICES	GOVERNMENT FINANCE OFFICE	BUDGET AWARD	345.00	
101-201-802.000	PROFESSIONAL SERVICES	THOMPSON REUTERS	SOFTWARE	320.00	
101-201-840.100	INVESTMENT ADVISOR CHARGES	MEEDER INVESTMENT MANAGEM	SEPT. 2022	1,250.00	52882
Total For Dept 201 FINANCE DEPARTMENT				1,915.00	
Dept 210 ATTORNEY					
101-210-810.000	ATTORNEY FEES	DELOOF DEVER EBY MILLIMAN	PROF. SERVICES	2,940.00	52869
101-210-810.000	ATTORNEY FEES	THOMAS STRINGER	PROF SERVICES	1,016.00	52891
Total For Dept 210 ATTORNEY				3,956.00	
Dept 215 CITY CLERK					
101-215-815.000	ORDINANCE CODIFICATION	CIVICPLUS	ONLINE HOSTING	950.00	52865
Total For Dept 215 CITY CLERK				950.00	
Dept 253 TREASURER					
101-253-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	42.50	52893
101-253-861.000	TRAVEL & MILEAGE	ST. AMBROSE CELLARS	CONF. MEAL	12.60	
101-253-955.000	MISCELLANEOUS	ASSOC. OF PUBLIC TREASURE	INV. POLICY CERT.	200.00	
Total For Dept 253 TREASURER				255.10	
Dept 257 ASSESSING DEPARTMENT					
101-257-977.000	EQUIPMENT	BS&A SOFTWARE	PROF. SERVICES	1,762.00	52861
101-257-977.000	EQUIPMENT	VERIZON WIRELESS	PHONES	40.01	52895
Total For Dept 257 ASSESSING DEPARTMENT				1,802.01	
Dept 262 ELECTIONS					
101-262-727.001	ELECTION SUPPLIES	ELECTION SOURCE	ELECTION SUPPLIES	395.23	52874
101-262-901.000	PRINTING & PUBLISHING	THE SUN TIMES NEWS	ADVERTISING	79.00	52892
Total For Dept 262 ELECTIONS				474.23	
Dept 265 BUILDINGS & GROUNDS					
101-265-803.020	SOFTWARE MAINTENANCE CONTRACT	GOOGLE PLAY	SUBSCRIPTION	1.99	
101-265-803.020	SOFTWARE MAINTENANCE CONTRACT	ZOOM	AUDIO CONF.	114.99	
101-265-803.020	SOFTWARE MAINTENANCE CONTRACT	GOOGLE PLAY	SUBSCRIPTION	3.98	52887
101-265-804.001	CONTRACTED SERVICES - PEST CONTR	GRIFFIN PEST SOLUTIONS	ONE SHOT-8468 PARKRIDGE	225.00	52878
101-265-920.000	UTILITIES	COMCAST - INTERNET	3515 BROAD ST	314.90	
101-265-920.000	UTILITIES	COMCAST - INTERNET	8123 MAIN ST	224.70	
101-265-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	786.67	
101-265-920.001	UTILITIES - TELEPHONES	COMCAST - INTERNET	PHONE LINES	538.88	
101-265-920.001	UTILITIES - TELEPHONES	VERIZON WIRELESS	PHONES	38.01	52895
101-265-936.000	EQUIPMENT SERVICE CONTRACTS	RICOH USA, INC	QUARTERLY BILL	935.41	52889
Total For Dept 265 BUILDINGS & GROUNDS				3,184.53	
Dept 301 LAW ENFORCEMENT					
101-301-807.000	CONTRACTED PUBLIC SAFETY	WASHTENAW COUNTY TREASURY	POLICE SERVICES	41,376.51	52896

INVOICE GL DISTRIBUTION REPORT FOR CITY OF DEXTER
 EXP CHECK RUN DATES 10/19/2022 - 10/19/2022
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: POOL

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 301 LAW ENFORCEMENT					
101-301-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	212.93	
				<hr/>	
Total For Dept 301 LAW ENFORCEMENT				41,589.44	
Dept 336 FIRE DEPARTMENT					
101-336-807.000	CONTRACTED PUBLIC SAFETY	DEXTER AREA FIRE DEPARTMEN	4TH QUARTER PAYMENT	184,067.23	52870
101-336-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	212.93	
101-336-935.000		GRIFFIN PEST SOLUTIONS	MOSQUITO SPRAY	161.00	52878
101-336-935.000		GRIFFIN PEST SOLUTIONS	MOSQUITO SPRAY	161.00	52878
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Total For Dept 336 FIRE DEPARTMENT				184,602.16	
Dept 400 PLANNING DEPARTMENT					
101-400-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	2,330.30	52856
101-400-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	77.78	52893
101-400-802.000	PROFESSIONAL SERVICES	CARLISLE-WORTMAN ASSOCIATE	PROF SERVICES	1,615.00	52864
101-400-802.000	PROFESSIONAL SERVICES	CARLISLE-WORTMAN ASSOCIATE	PROF SERVICES	180.00	52864
101-400-802.000	PROFESSIONAL SERVICES	CARLISLE-WORTMAN ASSOCIATE	PROF SERVICES	1,280.00	52864
101-400-977.000	EQUIPMENT	BS&A SOFTWARE	PROF. SERVICES	698.00	52861
101-400-977.000	EQUIPMENT	VERIZON WIRELESS	PHONES	51.11	52895
				<hr/>	
Total For Dept 400 PLANNING DEPARTMENT				6,232.19	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-720.000	SOCIAL SECURITY & MEDICARE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	204.73	52893
101-441-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	1,792.17	52856
101-441-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	53.45	52893
101-441-740.000	OPERATING SUPPLIES	LESSORS WELDING SUPPLY	CYLINDER RENTAL	40.00	52880
101-441-751.000	GASOLINE & OIL	PERKY 06	GAS	55.00	
101-441-920.000	UTILITIES	COMCAST - INTERNET	3600 CENTRAL ST	165.29	
101-441-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	465.76	
101-441-920.001	UTILITIES - TELEPHONES	COMCAST - INTERNET	PHONE LINES	111.12	
101-441-920.001	UTILITIES - TELEPHONES	VERIZON WIRELESS	PHONES	88.63	52895
				<hr/>	
Total For Dept 441 DEPARTMENT OF PUBLIC WORKS				2,976.15	
Dept 442 DOWNTOWN PUBLIC WORKS					
101-442-731.000	LANDSCAPE SUPPLIES	DEXTER MILL	SEPTEMBER STATEMENT	40.00	52871
101-442-740.000	OPERATING SUPPLIES	MENARDS	KIOSK PAPER	34.96	
101-442-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	346.79	
				<hr/>	
Total For Dept 442 DOWNTOWN PUBLIC WORKS				421.75	
Dept 448 MUNICIPAL STREET LIGHTS					
101-448-920.003	UTILITIES - STREET LIGHTS	DTE ENERGY-STREET LIGHTING	STREETLIGHTING	6,839.90	52872
				<hr/>	
Total For Dept 448 MUNICIPAL STREET LIGHTS				6,839.90	
Dept 751 PARKS & RECREATION					
101-751-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	289.06	52856
101-751-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	8.62	52893
101-751-731.000	LANDSCAPE SUPPLIES	DEXTER MILL	SEPTEMBER STATEMENT	1,442.85	52871
101-751-803.000	CONTRACTED SERVICES	PLANT WISE	MILL CREEK MAINT.	1,779.17	52886
				<hr/>	
Total For Dept 751 PARKS & RECREATION				3,519.70	
Dept 801 ARTS, CULTURE & HERITAGE					
101-801-901.000	PRINTING & PUBLISHING	MLIVE MEDIA GROUP	ADVERTISING	379.00	52884
101-801-955.000	MISCELLANEOUS	CONNER KOCH	S'MORES N MORE SUPPLIES	111.91	52866
				<hr/>	
Total For Dept 801 ARTS, CULTURE & HERITAGE				490.91	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Total For Fund 101 GENERAL FUND				267,241.49	
Fund 202 MAJOR STREETS FUND					
Dept 451 CONTRACTED ROAD CONSTRUCTION					
202-451-974.011	THIRD ST/BROAD RECONSTRUCTION	STATE OF MICHIGAN-MDOT	3RD ST RECONSTRUCTION	25,582.75	52890
Total For Dept 451 CONTRACTED ROAD CONSTRUCTION				25,582.75	
Dept 463 ROUTINE MAINTENANCE					
202-463-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	1,503.11	52856
202-463-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	44.83	52893
202-463-740.000	OPERATING SUPPLIES	CADILLAC ASPHALT, LLC	ROAD REPAIRS	630.38	52862
Total For Dept 463 ROUTINE MAINTENANCE				2,178.32	
Dept 474 TRAFFIC SERVICES					
202-474-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	462.50	52856
202-474-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	13.79	52893
202-474-802.000	PROFESSIONAL SERVICES	DAPPRICH ENTERPRISES INC.	LIGHT REPAIR	1,600.00	52868
Total For Dept 474 TRAFFIC SERVICES				2,076.29	
Dept 478 WINTER MAINTENANCE					
202-478-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	924.99	52856
202-478-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	27.59	52893
Total For Dept 478 WINTER MAINTENANCE				952.58	
Total For Fund 202 MAJOR STREETS FUND				30,789.94	
Fund 203 LOCAL STREETS FUND					
Dept 445 STORMWATER					
203-445-803.000	CONTRACTED SERVICES	BOSTWICK COMPANY	CATCH BASIN REPAIR	2,600.00	52857
Total For Dept 445 STORMWATER				2,600.00	
Dept 463 ROUTINE MAINTENANCE					
203-463-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	462.50	52856
203-463-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	13.79	52893
203-463-740.000	OPERATING SUPPLIES	CADILLAC ASPHALT, LLC	ROAD REPAIRS	520.53	52862
Total For Dept 463 ROUTINE MAINTENANCE				996.82	
Dept 474 TRAFFIC SERVICES					
203-474-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	115.62	52856
203-474-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	3.45	52893
Total For Dept 474 TRAFFIC SERVICES				119.07	
Dept 478 WINTER MAINTENANCE					
203-478-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	231.25	52856
203-478-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	6.90	52893
Total For Dept 478 WINTER MAINTENANCE				238.15	
Total For Fund 203 LOCAL STREETS FUND				3,954.04	
Fund 226 SOLID WASTE COLLECTION FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
226-000-275.000	REFUSE	CAPITAL TITLE INSURANCE ACUB refund for account: 1012205590		71.18	52863
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				71.18	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 226 SOLID WASTE COLLECTION FUND					
Dept 528 SOLID WASTE					
226-528-805.000	CONTRACTED SOLID WASTE SERVICE	WASTE MANAGEMENT OF MICHIGAN	RESIDENTIAL/COMMERCIAL SEPT. 22	61,662.33	52897
226-528-806.000	CONTRACTED COMPOSTING	BREUNINGER FARMS	COMPOSTING AGREEMENT	2,250.00	52859
Total For Dept 528 SOLID WASTE				63,912.33	
Total For Fund 226 SOLID WASTE COLLECTION FUND				63,983.51	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 248 ADMINISTRATION					
248-248-810.000	ATTORNEY FEES	DELOOF DEVER EBY MILLIMAN PROF. SERVICES		1,428.00	52869
Total For Dept 248 ADMINISTRATION				1,428.00	
Total For Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY				1,428.00	
Fund 352 FACILITIES BOND DEBT SERVICE FUND					
Dept 850 LONG-TERM DEBT					
352-850-996.012	2016 FACILITIES REFUNDING BOND	OLD NATIONAL BANK	2016 FACILITIES TAX OBLIG. BOND	4,025.00	52885
Total For Dept 850 LONG-TERM DEBT				4,025.00	
Total For Fund 352 FACILITIES BOND DEBT SERVICE FUND				4,025.00	
Fund 402 EQUIPMENT REPLACEMENT FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
402-441-939.000	VEHICLE MAINTENANCE & REPAIRS	BOULLION SALES	PARTS	348.64	52858
Total For Dept 441 DEPARTMENT OF PUBLIC WORKS				348.64	
Total For Fund 402 EQUIPMENT REPLACEMENT FUND				348.64	
Fund 590 SEWER ENTERPRISE FUND					
Dept 000 ASSETS, LIABILITIES & REVENUE					
590-000-275.000	SEWER	CAPITAL TITLE INSURANCE ACUB refund for account: 1012205590		29.24	52863
Total For Dept 000 ASSETS, LIABILITIES & REVENUE				29.24	
Dept 548 SEWER UTILITIES DEPARTMENT					
590-548-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	5,811.35	52856
590-548-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	83.18	52893
590-548-740.000	OPERATING SUPPLIES	LOWE'S	WWTP SUPPLIES	54.98	
590-548-740.000	OPERATING SUPPLIES	TRACTOR SUPPLY	SUPPLIES	13.99	
590-548-742.000	CHEMICAL SUPPLIES - PLANT	PVS TECHNOLOGIES INC	CHEMICALS	6,757.66	52888
590-548-743.000	CHEMICAL SUPPLIES - LAB	JADE SCIENTIFIC, INC	CHEMICALS	761.25	52879
590-548-803.005	SEWER LINE MAINTENANCE	M&K JETTING AND TELEVISION	JET/VAC SANITARY	2,000.00	52881
590-548-803.005	SEWER LINE MAINTENANCE	M&K JETTING AND TELEVISION	CLEANED PITS AT PLANT	1,500.00	52881
590-548-824.000	TESTING & ANALYSIS	EUROFINS	WW AND IPP	1,671.50	52877
590-548-920.000	UTILITIES	COMCAST - INTERNET	8360 HURON ST	85.65	
590-548-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	5,830.53	
590-548-920.001	UTILITIES - TELEPHONES	COMCAST - INTERNET	PHONE LINES	81.38	
590-548-920.001	UTILITIES - TELEPHONES	VERIZON WIRELESS	PHONES	66.80	52895
590-548-935.000	BUILDING MAINTENANCE & REPAIR	MENARDS	WWTP SIGN	74.11	
590-548-935.000	BUILDING MAINTENANCE & REPAIR	UTILITIES INSTRUMENTATION	INSPECTION	624.00	52894
590-548-937.000	EQUIPMENT MAINTENANCE & REPAIR	TRACTOR SUPPLY	PARTS	54.99	
590-548-939.000	VEHICLE MAINTENANCE & REPAIRS	BRIDGEWATER TIRE COMPANY,	TIRES	410.00	52860
590-548-977.000	EQUIPMENT	MENARDS	WWTP SUPPLIES	110.94	
Total For Dept 548 SEWER UTILITIES DEPARTMENT				25,992.31	

INVOICE GL DISTRIBUTION REPORT FOR CITY OF DEXTER
 EXP CHECK RUN DATES 10/19/2022 - 10/19/2022
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: POOL

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 590 SEWER ENTERPRISE FUND					
Total For Fund 590 SEWER ENTERPRISE FUND				26,021.55	
Fund 591 WATER ENTERPRISE FUND					
Dept 556 WATER UTILITIES DEPARTMENT					
591-556-721.000	HEALTH & DENTAL INSURANCE	BLUE CARE NETWORK	NOV. 2022	3,734.52	52856
591-556-722.000	LIFE & DISABILITY INSURANCE	UNUM LIFE INSURANCE	NOV. 22 INVOICE	55.46	52893
591-556-740.000	OPERATING SUPPLIES	MICHIGAN PIPE & VALVE, INC	SUPPLIES	365.93	52883
591-556-743.000	CHEMICAL SUPPLIES - LAB	ELHORN ENGINEERING CO	CHEMICALS	2,574.60	52875
591-556-751.000		CORRIGAN OIL COMPANY	GAS	952.07	52867
591-556-803.020	SOFTWARE MAINTENANCE CONTRACT	BS&A SOFTWARE	PROF. SERVICES	430.00	52861
591-556-920.000	UTILITIES	COMCAST - INTERNET	8360 HURON ST	85.65	
591-556-920.000	UTILITIES	DTE ENERGY	STREET LIGHTS	4,574.11	
591-556-920.001	UTILITIES - TELEPHONES	COMCAST - INTERNET	PHONE LINES	66.76	
591-556-920.001	UTILITIES - TELEPHONES	VERIZON WIRELESS	PHONES	115.02	52895
591-556-937.000	EQUIPMENT MAINTENANCE & REPAIR	COMPUTER ALLEY	SWITCH	31.60	
591-556-939.000	VEHICLE MAINTENANCE & REPAIRS	BRIDGEWATER TIRE COMPANY,	TIRES	410.00	52860
591-556-960.000	EDUCATION & TRAINING	EGLE TRAINING	TRAINING-ANDREA	25.00	
591-556-960.000	EDUCATION & TRAINING	EGLE TRAINING	TRAINING-TODD	70.00	
591-556-960.000	EDUCATION & TRAINING	EGLE TRAINING	TRAINING-BRAD	70.00	
591-556-960.000	EDUCATION & TRAINING	ODEN TRAINING	EDUCATION-WWTP	500.00	
591-556-973.000	WATER METERS - NEW	ETNA SUPPLY CO	METER SUPPLIES	925.00	52876
591-556-973.000	WATER METERS - NEW	ETNA SUPPLY CO	METER SUPPLIES	160.00	52876
Total For Dept 556 WATER UTILITIES DEPARTMENT				15,145.72	
Total For Fund 591 WATER ENTERPRISE FUND				15,145.72	
Fund 736 RETIREE HEALTH CARE FUND					
Dept 851 INSURANCE & BONDS					
736-851-721.001	RETIREE HEALTH INSURANCE	BLUE CARE NETWORK	NOV. 2022	6,093.58	52856
Total For Dept 851 INSURANCE & BONDS				6,093.58	
Total For Fund 736 RETIREE HEALTH CARE FUND				6,093.58	

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

Fund 101 GENERAL FUND	267,241.49
Fund 202 MAJOR STREETS I	30,789.94
Fund 203 LOCAL STREETS I	3,954.04
Fund 226 SOLID WASTE COI	63,983.51
Fund 248 DOWNTOWN DEVELC	1,428.00
Fund 352 FACILITIES BONI	4,025.00
Fund 402 EQUIPMENT REPL/	348.64
Fund 590 SEWER ENTERPRISE	26,021.55
Fund 591 WATER ENTERPRISE	15,145.72
Fund 736 RETIREE HEALTH	6,093.58

Total For All Funds:	<u>419,031.47</u>
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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: Council Member Eligibility, In General

Date: October 19, 2022

At the October 10, 2022 City Council meeting, City Council approved a motion to postpone New Business Item M-7 - Council Member Eligibility, In General:

Motion Griffin; support Michels to postpone this item until the October 24, 2022 meeting pending a cost estimate from the City Attorney to review and provide an opinion on this question.

Ayes: Griffin, Fisher, Michels, Hubbard, Keough

Nays: None

Absent: Cousins, Arab

Motion carries

The motion was to postpone the item to the October 24th meeting to allow staff time to solicit a proposal from City Attorney Scott Munzel. Mr. Munzel indicated that to review the relevant legislation and case law and to provide a written report would take approximately five hours at a cost of \$1,050.



Justin Breyer <jbreyer@dextermi.gov>

Agenda items for October 10, 2022

Jamie Griffin <jgriffin@dextermi.gov>
To: Justin Breyer <jbreyer@dextermi.gov>
Cc: Shawn Keough <skeough@dextermi.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: Consideration of: Reconsideration 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 19, 2022

During the October 10th meeting, City Council made the following motions regarding the Second Street water main replacement and sidewalk installation project final balancing change order:

Motion Griffin; support Fisher 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.

*Ayes: Griffin, Fisher, Keough
Nays: Michels, Hubbard
Absent: Cousins, Arab
Motion carries*

Motion Griffin; support Fisher to reconsider item M-2, Second Street Water Main Replacement and Sidewalk Installation Project Final Balancing Change Order for an Amount not to Exceed \$97,394.83, at the October 24, 2022 meeting.

*Ayes: Fisher, Griffin, Hubbard, Michels, Keough
Nays: None
Absent: Cousins, Arab
Motion carries*

City Council moved to reconsider the item in the event that the first motion had failed due to a lack of supporting votes. However, based on Section 8.03(a) of the City Charter, the motion passed with a majority vote of those Council Members present.

Section 8.03 Forms of Legislation

- (a) A resolution or motion shall be limited to matters required or permitted by the charter, by state or federal laws or pertaining to the internal affairs or concerns of the city government. A resolution is an official City Council action in the form of a motion adopted by a majority vote of the Council Members present.
- (b) An ordinance is an official City Council action by an affirmative vote of four (4) or more elected Council Members, except as provided in Section 8.06c of this charter. An ordinance is

a legislative act establishing a more permanent influence on the city than a resolution and requiring greater formalities in its adoption.

When City Council next revisits the City Council Rules document, Council may want to review the provision that identifies the number of votes needed for a motion to pass and amend it to be consistent with the City Charter.

If desired, City Council may choose to remove this item from the October 24, 2022 meeting agenda during Item E – Approval of the Agenda.



OFFICE OF THE CITY MANAGER

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

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

From: Josh Tanghe, Assistant to the City Manager

Re: Consideration of: Acceptance of Fido Fountain Donation as Recommended by the Parks & Recreation Commission

Date: October 19, 2022

Sarah Dombrowski reached out to City staff regarding interest in donating a Fido Fountain in Monument Park in honor of her late uncle who was a longtime Dexter resident and member of the Dexter Lions. The plan would be to install the Fido Fountain in place of the water fountains currently located on the corner of Main and Central St. in Monument Park.

The donation would be for the Fido Fountain only, with the City covering the cost of the installation. Outside of P&R, members of City Council have also expressed an interest in adding a Fido Fountain downtown.

At the October 18th meeting of the Parks & Recreation Commission, the Commission voted unanimously to recommend the Fido Fountain donation to City Council, which would see the current water fountain located in Monument Park at the corner of Main and Central replaced with the Fido Fountain.



Requested Action

City Council to approve the donation recommendation of a Fido Fountain from the Parks & Recreation Commission.

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STAFF REVIEW

Agenda: 10/24/22
Item: M-2

To: Mayor Keough and City Council
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. Written Response and revised plans, received October 3, 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: October 18, 2022

The City Council is scheduled to consider a conditional approval recommendation from the Planning Commission regarding the Highline Spirits Tasting Room Application for Special Land Use. 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 a 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 would occur off-site.

ZONING

The subject site is zoned CBD Central Business District. In the CBD, Bars/Taverns/Lounges are special land uses. Currently, a "tasting room", whether on-site or off-site, is not listed as a principal permitted or special land use in the CBD. However, starting in 2003, the City determined Jolly Pumpkin Artisan Ales, a microbrewery was permitted as a retail establishment, but any expansion for a deli/café would require special land use approval for a bar/tavern/lounge or a restaurant serving alcohol. In 2004 that is exactly what happened. Jolly Pumpkin decided to expand its operations to include an on-site tasting room and outdoor seating area, and following the process outlined above, the project was reviewed and approved as a special land use for a bar/tavern/lounge.

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.

LICENSING

Licensing for bars/taverns/lounges fall under the *Retailer Tier*, which consists of stores, restaurants, hotels, bars, and clubs. Most retailer licenses are "quota" licenses, which means each governmental unit is assigned a limited number of specific license types based on its population. Licensing for microbrewers, distillers, wine makers, off-premise tasting rooms, etc., fall under the *Supplier or Manufacture Tier*. Local approval is not required for licensure, if manufacturing only; however, licensure of on-site and off-premise tasting rooms does require local approval.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission conducted a public hearing on Monday, Oct 3, 2022, to consider the above referenced Special Land Use request. 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.

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.

Prior to the public hearing, the proposed special land use application and plans were 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. Accompanying this review, the following documentation is provided:

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

In response to the review comments from staff, the planning and engineering consultants and DAFD, the applicant submitted a written response and revised site plan on October 3, 2022, which also accompany this review. Unfortunately, that was the same date as the Planning Commission meeting, which meant that staff, the consultants, and DAFD were unable to review them and provide review comments.

Regardless of that fact, staff determined and the Planning Commission concurred that 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.

SUGGESTED MOTIONS

Based on the recommendation of the Planning Commission, following a public hearing, which the Planning Commission conducted during the October 3, 2022, along with the information provided by the applicant and at the October 24, 2022 City Council meeting, and pursuant to Article VIII of the Zoning Ordinance, City Council moves to **(APPROVE/DENY) AP2022.23-02 Special Land Use request for Highline Spirits Tasting Room**, 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.
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.

OR

Based on the information provided at the March 25, 2019 City Council meeting and pursuant to Section 8.03, Special Land Use review standards, the City Council 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.

SITE PLAN REVIEW & SPECIAL USE APPLICATION

File #: AP 2022-23.02

Date Submitted: 09/06/2022

Application for (check box)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Administrative Site Plan Review | <input checked="" type="checkbox"/> Special Land Use Review |
| <input type="checkbox"/> Preliminary Site Plan Review | <input type="checkbox"/> Amendment to Approved Site Plan |
| <input type="checkbox"/> Final Site Plan Review | <input type="checkbox"/> Amendment to Special Land Use Approval |
| <input type="checkbox"/> Combined Site Plan Review | <input type="checkbox"/> Amendment to Approved Master Deed |

An application for Site Plan and/or Special Land Use Review must be submitted to the Office of Community Development at least thirty days prior to the Planning Commission/City Council meeting at which the proposal will be considered. The application must be accompanied by the application data requirements set forth in the City of Dexter Zoning Ordinance, including fully dimensioned site plans, plus the required review fees. Regular meetings of the Planning Commission are held the first Monday of the month at 7:00 pm. Regular meetings of the City Council are held the second and fourth Monday of the month at 7:30 pm. All meetings are held at the Dexter Senior Center, 7720 Ann Arbor Street, Dexter, MI 48130.

I (We), the undersigned, do hereby respectfully request consideration of our Planned Unit Development Application and provide the following information to assist in the review:

Project Name: Highline Spirits Tasting Room

Applicant: Yellowstone Architecture & Construction ATTN: Andrew Hauptman

Mailing Address: 777 E. Eisenhower, Suite 850, Ann Arbor, MI 48108

Telephone (Office): 734.548.6565

Telephone (mobile):

Email Address: ahauptman@yellowstone.build

Property Owner(s) (if different from Applicant): MASER DEXTER LLC, ATTN: Matt Schuster

Mailing Address: 5766 GEDDES RD, ANN ARBOR, MI 48105

Telephone (Office): 248.790.5650

Telephone (mobile):

Email Address: mattschuster@yahoo.com

Applicant's Legal Interest in the Property: Architect of Record for Highline Spirits Company, LLC

Property Location:

Address: 3126 Broad Street, Dexter, MI 48130

Property ID Number: 08-08-06-210-011

Application for Site Plan and/or Special Use- Page 2

Property Description:

If all or part is a recorded plat, provide lot numbers and subdivision name. If all or part is a condominium, provide unit numbers and condominium name. If all or part of the property is not part of a recorded plat (i.e., acreage parcel), provide metes and bound description. Attach separate sheet, if necessary.

Property Size (Acreage): 0.37ac

Square Feet: 16,301SF

Current Zoning: CBD

Current Use of Property: B-Business

Proposed Use of Property (Specify number of acres to be allocated to each use): Suite-B 2,398SF (0.055ac)

Tasting room for spirits produced off-site.

Describe Amendment to Approved Site Plan/Special Land Use Approval:

"Tasting Room" use definition requires Special Land Use review

Is the property located within a Wellhead Protection Area? Yes No

Please provide the following information, as applicable to the proposal:

Type of Development	Number of Units	Gross Floor Area	Number of Employees on Largest Shift
Detached Residential			
Attached Residential			
Office			
Commercial	1 Suite	2,398SF	10 employees
Industrial			
Other			

Site Data	Required	Submitted
Lot Area (sq. ft.)	16,301SF, existing	
Lot Width (ft.)	135'x150'(irregular)	
Height (stories/ft.)	1-Story, 19.9' existing	
Front Yard Setback (ft.)	19.9' existing	
Side Yard Setback (ft.)	24.5' (N), 4.9' (S)	
Rear Yard Setback (ft.)	None	
Lot Coverage (%)	100% allowable, 41% existing	
Floor Area (per unit in sq. ft.)	Suite-B: 2,398SF	
Number of Units (Residential)	n/a	
Multi-Family:	n/a	
Efficiency	n/a	
1 Bedroom	n/a	
2 Bedroom	n/a	
3 bedroom or more	n/a	
Parking	9 parking spots	

Additional Information Required for Special Use Review:

1. Statement describing the use proposed. This should include information about the hours of operation, number of employees and clients, type of programming or services, traffic expected to be generated, and any other pertinent information and/or site development characteristics.
 2. All applications are presented to the Planning Commission at a public hearing for a recommendation prior to begin forwarded to the City Council for final consideration. Therefore, all applications must be submitted four weeks prior to 1st Monday of month in order to ensure proper notice time and preparation time. Incomplete applications cannot be processed.
-

Professionals who prepared the plans:

A. Name: Yellowstone Architecture & Construction ATTN: Andrew Hauptman

Mailing Address: 777 E. Eisenhower, Suite 850, Ann Arbor, MI 48108

Telephone (Office): 734.548.6565

Telephone (mobile):

Email Address: ahauptman@yellowstone.build

Design Responsibility (engineer, surveyor, architect, etc.): Architect

B. Name:

Mailing Address:

Telephone (Office):

Telephone (mobile):

Email Address:

Design Responsibility (engineer, surveyor, architect, etc.):

C. Name:

Mailing Address:

Telephone (Office):

Telephone (mobile):

Email Address:

Design Responsibility (engineer, surveyor, architect, etc.):

Application for Site Plan and/or Special Use- Page 4

Submit the Following:

1. Sixteen (16) individually folded copies of the site plans (5 for administrative review), measuring 24" x 36", sealed by a registered architect, engineer, landscape architect, or community planner, plus one (1) 11" x 17" copy of the site plans.
2. Sixteen (16) 11" x 17" copies of color renderings of building elevations, if applicable, and floor plans (5 for administrative review).
3. A PDF file of the site plan, including building elevations and floor plans.
4. A written description of the proposed use with an explanation of how approval of the Planned Unit Development will produce exception benefits for the community.
5. Proof of ownership (title insurance policy or registered deed with County stamp)/
6. Review comments or approval received from County, state, or federal agencies that have jurisdiction over the project, including, but not limited to:

Washtenaw County Road Commission	Washtenaw County Environmental Health Division
Washtenaw County Water Resources Commission	Michigan Dept. of Natural Resources
Michigan Dept. of Environmental Quality	Michigan Dept. of Transportation

Please note: The applicant, or a designated representative **MUST BE PRESENT** at all scheduled meetings, or the case may be postponed due to lack of representation. Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a Planned Unit Development application or to revoke any permits granted subsequent to the site plan approval.

Applicant's Endorsement:

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that my application will not be reviewed unless all required information for this application has been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this application.

Signature of Applicant 8/29/2022

Date

Andrew Hauptman, AIA, Yellowstone Architecture & Construction

Applicant Name (Print)




Signature of Applicant 8/18/22

Date

Christina Lower, CEO and Founder, Highline Spirits

Applicant Name (Print)



Signature of Property Owner Authorizing Application 8/23/22

Date

Matt Schuster, Property Owner & Landlord

Property Owner Name (Print)

For Office Use Only

	Non-Refundable Fee	Review Escrow	Amt. /Date Pd. /Receipt #
Administrative	\$350 + \$50/ac	\$3,000	
Preliminary Site Plan Review	\$600 + \$50/ac	\$3,000	
Final Site Plan Review	\$900 + \$50/ac	\$3,000	
Combined Site Plan Review	\$1,100 + \$50/ac	\$3,000	
Special Land Use	\$350 + \$50/ac	\$3,000	
Amendment to Approved Site Plan, Special Land Use and/or Master Deed	\$300	\$3,000	

Public Hearing _____

Date: Oct. 3 2022

Administrative Action _____

Date: _____

Planning Commission Action _____

Date: _____

City Council Action _____

Date: _____

CONDITIONS OF APPROVAL: _____

REASONS FOR DENIAL: _____

APPROVAL STAMP



October 3, 2022

City of Dexter
ATTN: Michelle Aniol, *Community Development Manager*
8123 Main Street
Dexter, MI 48130

RE: Highline Spirits Tasting Room
3126 Broad Street
Special Land Use and Preliminary Site Plan Review No. 1
OHM JN: 0130-22-1080

Dear Ms. Aniol:

Please see the below responses to the findings of the *Special Land Use and Preliminary Site Plan Review No. 1* conducted by OHM Advisors dated September 20, 2022:

Standard 5, Finding D:

Refuse disposal: The plans do not indicate how refuse disposal will work for the site. Clarification is needed.

Sheet C-101 has been updated to reflect intended refuse disposal plan utilizing the existing dumpster north of suite location for normal operating refuse disposal.

Standard 6. Traffic Impact. The proposed special land use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration: pedestrian access and safety; vehicle trip generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street and bridge capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. The applicant shall comply with the City's Complete Street Ordinance.

Clarification is needed on the plan relative to refuse disposal, and large event logistics related to waste disposal. Further, the plan shall provide sufficient dimensional information to confirm building ingress and egress accessibility. Detailed grading of these areas to meet ADA compliance can be reviewed in further detail during final site plan, but the dimensional information shall be provided at the SLU and preliminary site plan review stage.

Sheet C-101 has been updated to reflect intended refuse disposal plan utilizing the existing dumpster north of suite location for normal operating use refuse disposal and as supplementary use special event refuse disposal. General Notes and



dimensions have been added to C-101 denoting compliant existing slopes along accessible pathway to existing entrances. Keynote has been added to restripe existing accessible clear path as required at west front entrance and east rear entrance. Both entrances will be used by proposed clientele.

Final Comment 1:

The plans shall more clearly show the existing conditions of the site. A full topographic survey may not be necessary but significant features, particularly in the vicinity of the outdoor areas shall be shown (dumpsters, parking spaces, fences, etc.)

Sheet C-101 has been updated to denote and better reflect dumpster, parking space, and fence locations.

Final Comment 2:

We recommend the applicant consider exterior improvements to define the outdoor seating space from other public spaces. This may include fencing, landscaping, planter boxes, etc.

Sheet C-101 has been updated to reflect intended refuse disposal plan utilizing the existing dumpster north of suite location for normal operating refuse disposal.

Final Comment 3:

The applicant shall verify that the existing concrete pad for the outdoor seating area is in good condition and is ADA compliant.

The applicant confirms that the existing concrete pad for the outdoor seating area is in good condition and allows for accessible pathway denoted on plan. C-101 Site Plan General Notes along with added dimensions denote compliance.

Please see the below responses to the findings of the *Special Land Use Review* conducted by Carlisle & Wortman Associates dated September 20, 2022:

Recommended Action Comment-01, page 12:

Clarification on the days of the week for hours of operation of the proposed use.

General Note "L" has been added to Sheet C-101 denoting the proposed Hours of Operation 10:00AM-11:00PM M-F including Saturday and Sunday.

Recommended Action Comment-02, page 12:

A note on a revised site plan stating that trash disposal for the proposed use will be the shared dumpster in the adjacent city parking lot.

Sheet C-101 has been updated to reflect intended refuse disposal plan utilizing the existing dumpster north of suite location for normal operating refuse disposal.



Recommended Action Comment-03, page 12:

Clarification as to whether the bumper block location on the site plan represents existing conditions or the proposed location.

Sheet C-101 has been updated with dimensions to better reflect existing condition of the bumper blocks and striping at west entrance.

Recommended Action Comment-04, page 12:

Barrier free access to at least one (1) door.

Sheet C-101 has been updated with dimensions to show existing accessible entrances and associated pathways for both east and west entrances.

Recommended Action Comment-05, page 12:

Lighting plan complying with Section 3.19.

Sheet A-301, keynote E11 has been updated to denote "Landlord provided new exterior LED light fixture and associated power, refer to electrical drawings. Fixture to be compliant with municipal Zoning code 3.19: 25fc max, non-glare, color corrected with integral shade boundaries to meet dark-sky and adjacent property shade requirements."

Recommended Action Comment-06, page 12:

The location and a detail of removable enclosure for the outdoor seating area is shown on the site plan.

Sheet C-101 has been updated to show removable enclosure at outdoor service area. Refer to Image-01 and Image-02 at the end of this response report.

Recommended Consideration-01, page 12:

Use both the front and rear doors as primary entrances to the indoor space.

Sheet C-101 has been updated with dimensions to show both east and west primary entrances to be used for suite entry. West entrance is main accessible entrance, east entrance is supplemental primary entrance but is not accessible.

Recommended Consideration-02, page 12:

Add a screen between the northern edge of the proposed outdoor seating area and adjacent parking lot.

Tenant will provide removable partition along north adjacent parking lot border where shown on drawings, refer to Image-01 and Image-02 at end of this document.

Recommended Consideration-03, page 12:

Add landscaping to the existing green spaces.

Tenant will maintain existing stone landscaping surrounding outdoor seating area.



Recommended Consideration-04, page 12:

Add six (6) foot privacy fence with a gate, which can be locked, separating the proposed outdoor seating area and the area to the rear of the Suite 101.

Tenant will provide removable partition at concrete pathway leading to Suite 101 rear Owner entry, refer to Image-01 and Image-02. Six foot high privacy fence and gate will not be provided.

Recommended Consideration-05, page 12:

Change the proposed paint on the rear façade to a contrasting color or a mural.

Sheet A-301, keynote A11 has been updated to denote "Clean, prime, and paint existing CMU wall with new elastomeric paint, contrasting accent color TBD, where shown"

Recommended Consideration-06, page 12:

Add decorative lighting (such as string lights), umbrellas, and/or temporary shelters to the outdoor seating area.

Sheet C-101 has been updated to show options for exterior seating with umbrellas and without umbrellas. Refer to Image-03 at end of this document.

Thank you,

Signed By: Caleb Marquard

cc: File, Christina Lower, Andrew Hauptman, Charlie Huber, Brandon Etlinger



Image-01



Image-02



Image-03

Highline Spirits Tasting Room

3126 Broad St., Dexter, MI 48130

Released For: Special Land Use

Release Date: 09/29/2022

Oxford Project Number: HLS22

Project Team

Owner: Maser Dexter LLC,
Contact: Matthew Schuster, Landlord
5766 Geddes Rd.
Ann Arbor, MI 48105
248.790.5650
mattaschuster@yahoo.com

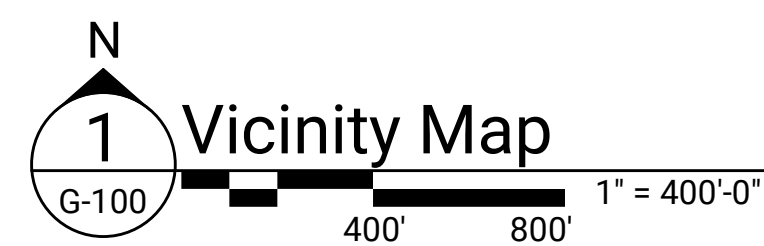
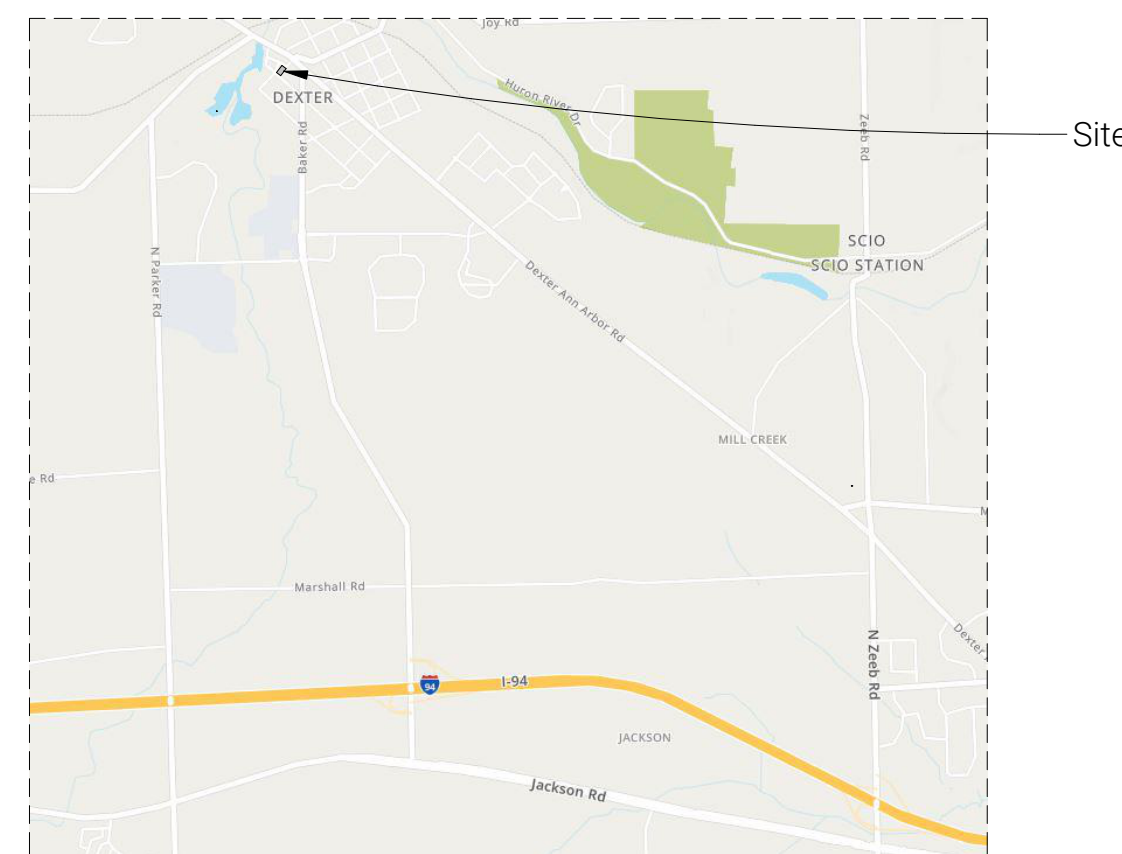
Tenant: Highline Spirits, LLC
Contact: Christina Lower, CEO
8482 Cedar Hills Drive
Dexter, MI 48130
517.290.8001
christi@highlinespirits.com

Architect/Designer: Yellowstone Architecture & Construction
Contact: Caleb Marquard
777 E. Eisenhower Pkwy Suite 850
Ann Arbor MI, 48108
734.548.6957
cmarquard@yellowstone.build

Construction Manager: Yellowstone Architecture & Construction
Contact: Mark See
777 E. Eisenhower Pkwy Suite 850
Ann Arbor MI, 48108
734.764.6000
msee@yellowstone.build

Project Description

Renovation of existing suite for new distilled spirits tasting room occupancy. Includes partitions, MEP, finishes, interior and exterior Tenant furniture.



Sheet Index

Sheet Number	Sheet Name	Current Revision Description	Current Revision Date
General			
G-100	Cover Sheet	Special Land Use	09/29/2022
G-101	General Information & Accessible Clearances	Permit	08/23/2022
G-102	General Fixture Mounting Heights	Permit	08/23/2022
LS101	Code Analysis Plan & Schedules	Permit	08/23/2022
Civil/Landscape			
C-101	Site Plan	Special Land Use	09/29/2022
Architectural			
A-101	Overall New Work Floor Plan	Permit	08/23/2022
A-301	Exterior Elevations	Special Land Use	09/29/2022
A-401	Enlarged Floor Plans	Permit	08/23/2022
A-801	Partition Types	Permit	08/23/2022
Electrical			
E-101	Overall Electrical Power & Lighting Plan	Permit	08/23/2022



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Ann Arbor, MI 48108 | (734) 747-6000

Consultant

3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room

Cover Sheet

Special Land Use

Job Title:
Sheet Title:
Released For:

Seal

No.	Description	Date
1	Initial Schematic Concept	07/15/2022
3	Review	08/08/2022
4	Permit	08/23/2022
5	Special Land Use	09/29/2022

Project Manager: C. Huber
Designer: C. Huber
Drawn By: E. Wilk
QA/QC: C. Marquard

HLS22

G-100

Scales listed are for 22x34 sheet size

General Symbol Legend

Typical Detail Bubble (applies to all detail types):

- Reference Text
- Top #: Detail Number (Location on sheet)
- Bottom #: Sheet on which detail is located

Detail plan view:
Dashed outline indicates area being detailed

Detail section view:
Tail indicates direction of section cut

Wall section:
Tail indicates direction of section cut

Building section:
Arrow indicates direction of building section

Exterior elevation:
Arrow indicates face of structure being represented

Interior elevation:
Reference Text
Detail Number (Location on sheet)
Sheet on which detail is located

Level Mark
Name
Elevation

Target Elevation
+ 5'-0"

New column grid
A

Existing column grid
A

Room name
1000T
150 SF

Room Tag:
Indicates room number
Indicates room area

Align symbol

Partition type tag
SA 0

Door number tag
101.1

Window type tag
1t

Accent paint location and paint identification. Accent paint color to be continuous for entire length of wall.

Extent of finish material replacement if not continuous for entire length of wall.

Electrical fixture tag
1i

Lighting fixture tag
XX

Plumbing fixture tag
XX

Equipment tag
1t

Keynotes:
See sheet notes, same sheet as symbol

Sheet Keynotes
#

Indicates change in flooring material.

New construction / New door and frame shown open 90°.

Existing construction to remain. Existing doors shown open 45°.

Indicates face of new construction to be aligned with face of existing construction to remain.

Graphic Scale Legend

View title with Graphic Scale & North Arrow:

North Arrow (Direction varies per project)

Detail number

Sheet number

Graphic scale of drawing

Reading the Graphic Scale:
Determine where 1' lies on the graphic scale

Measure to 1' on the sheet to determine the scale

1/8" = 1'-0"

4' 8'

ADA Door and Maneuvering Clearances

→ = Direction of Travel Approach

Door maneuvering clearances

Clearances for doors in series

Toilet stall door and maneuvering clearances

4'-0" (min) or 4'-6" w/ closer

2'-0" (min)

5'-0" (min)

1'-6" (min)

12" (min) w/ closer & latch

d = 4'-6" or 5'-0"

3'-6" (min) or 4'-0" w/ closer

36" @ d=60"

42" @ d=54"

2'-0"

4'-0" min.

4'-0" min.

60" min

1'-6"

Required toe clearance (excluding partition supports)

3'-6" min. (toilet stall only)

4" max.

56" Min. @ Wall-Mtd. W.C.

59" Min. @ Floor-Mtd. W.C.

6"

6"



3126 Broad St., Dexter, MI 48130

Highline Spirits Tasting Room

General Information & Accessible Clearances

Permit

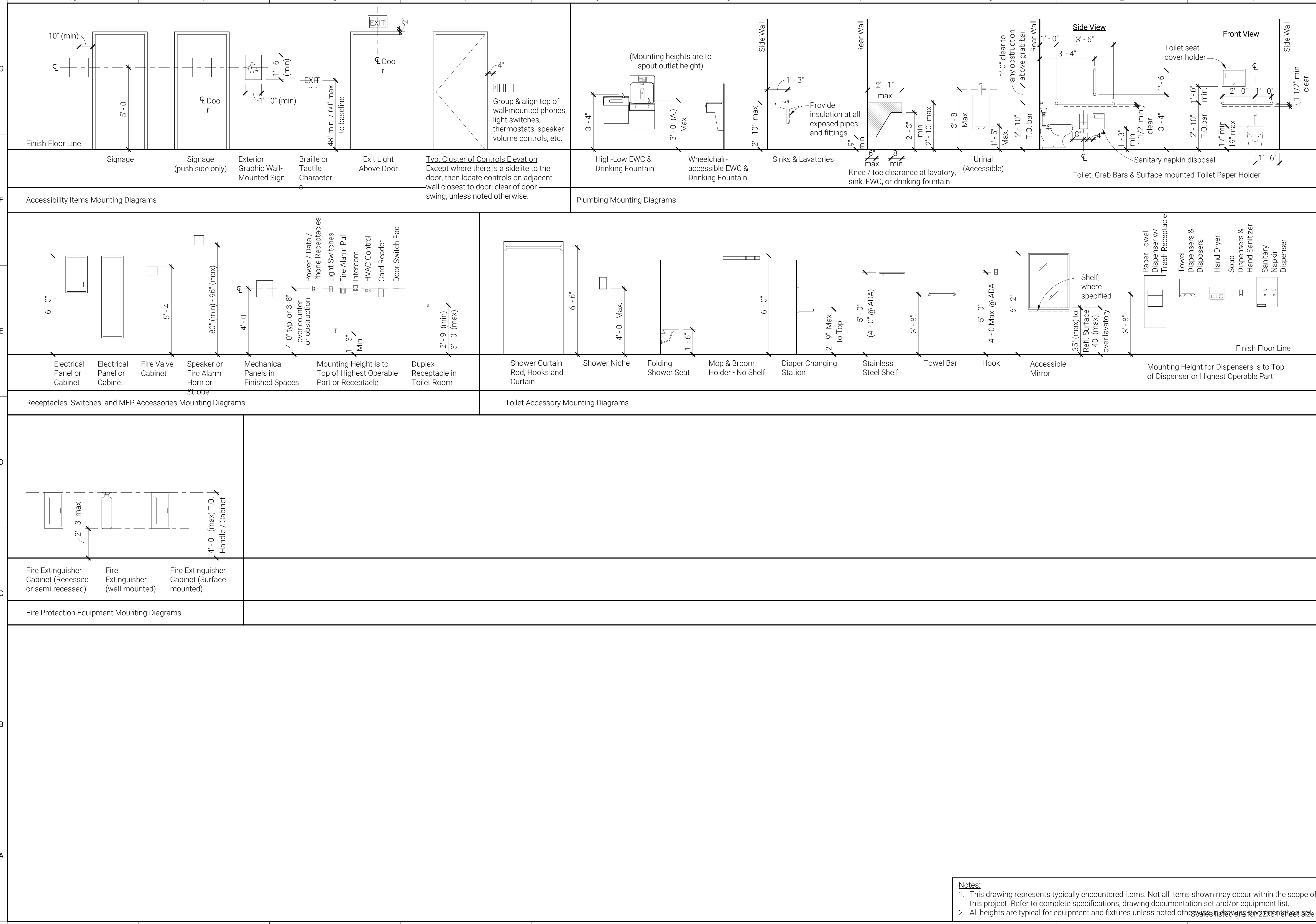
Date:	08/23/2022
Description:	Permit
No.:	4
Project Manager:	C. Marquard
Designer:	C. Huber
Drawn By:	C. Huber
QA/QC:	C. Marquard

HLS22

G-101

Scales listed are for 22x34 sheet size

Plot Date/Time: 10/3/2022 1:16:29 PM File Path: Autodesks Docs://HLS/HLS22.rvt



Consultant

3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room
 General Fixture Mounting Heights
 Job Title: _____
 Sheet Title: _____
 Released For: _____
Permit

No.	4	Description:	Permit
Date:	08/23/2022	Project Manager:	C. Marquard
Designer:	C. Huber	Drawn By:	C. Huber
QA/QC:	C. Marquard		

Notes:
 1. This drawing represents typically encountered items. Not all items shown may occur within the scope of this project. Refer to complete specifications, drawing documentation set and/or equipment list.
 2. All heights are typical for equipment and fixtures unless noted otherwise. See also drawings for coordination size.

Occupant Load (Table 1004.1.2)					
Use	Area	% of Total	Floor Area per Occupant	Net or Gross	Occupant Load
Level 01					
A-2 Assembly, Non-fixed Seating	2926 SF	32%	Adjusted*	Adjusted	52
A-2 Assembly, Restaurant	2398 SF	26%	Adjusted*	Adjusted	98
Existing Business	2505 SF	27%	100	Gross	26
Existing Business	1425 SF	15%	100	Gross	15
Grand total	9254 SF	100%			

*Adjusted per 2015MBC-1004.1.2 Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

Applicable Codes and Life Safety Information Summary:

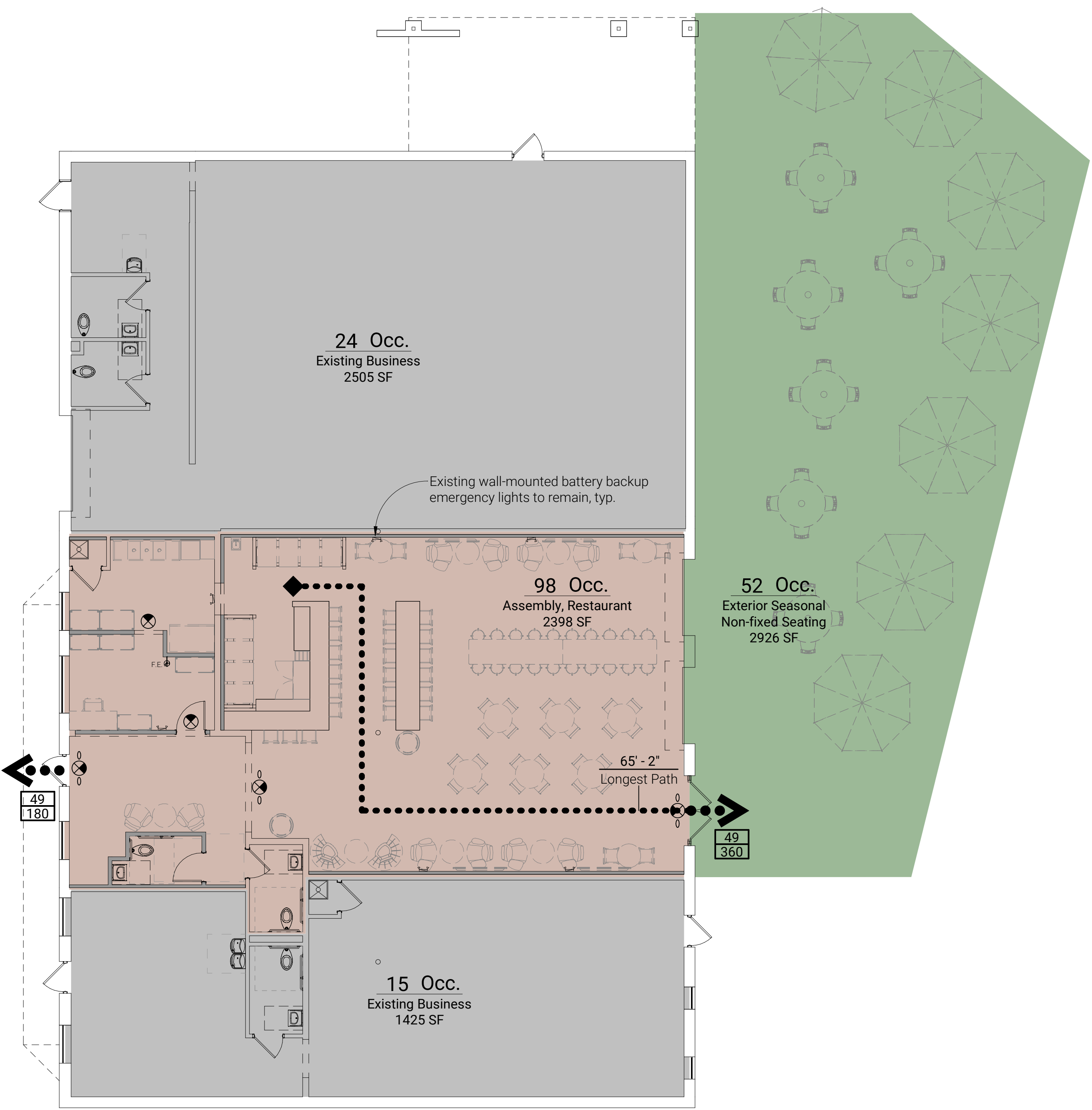
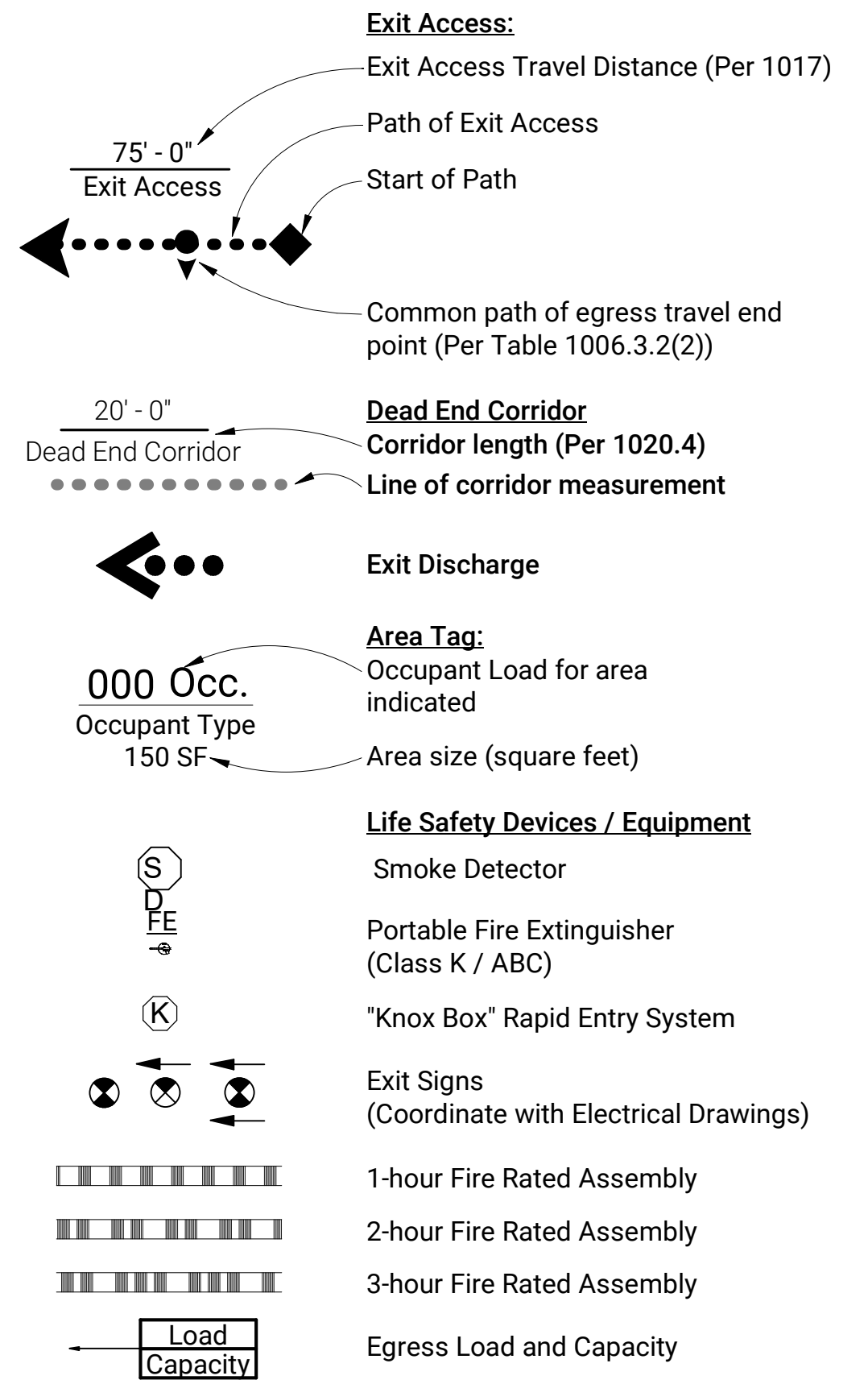
Building Code: 2015 Michigan Rehabilitation Code Alteration Level II
Mechanical Code: 2015 Michigan Mechanical Code
Electrical Code: 2017 National Electrical Code (NEC)
Plumbing Code: 2018 Michigan Plumbing Code
Energy Code: 2015 Michigan Uniform Energy Code

Use Group: A-2 Assembly, Restaurant
Construction Type: III-B
Height, Building: 1-story, 19'-11"
Area, Building: 6,540SF
Work Area: 2,398SF
Fire Suppression: None
Fire Alarm: Alarmed

Plumbing Fixtures Count Table

150	Total Male and Female Occupants (per Occupant Load Table)			
Totals				
Female (75)			# Required	# Provided
Lavatories	MPC 403.1	1	1	1
Water Closets	MPC 403.1	1	1	1
Male (75)			# Required	# Provided
Lavatories	MPC 403.1	1	1	1
Water Closets	MPC 403.1	1	1	1
Urinals	= 0.67 of Req'd WC Max (MPC 419.2)			0
Drinking Fountains per MPC 403.1		1	0	
Drinking Water in Container per MPC 410.4			1	1
Service Sinks per MPC 403.1 (per level)		1	1	

Code Analysis Plan & Fire Safety Legend



1 Overall Life Safety Plan
 LS101
 1/8" = 1'-0"
 4' 8' 16'



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 Ann Arbor, MI 48108 | (734) 747-6000

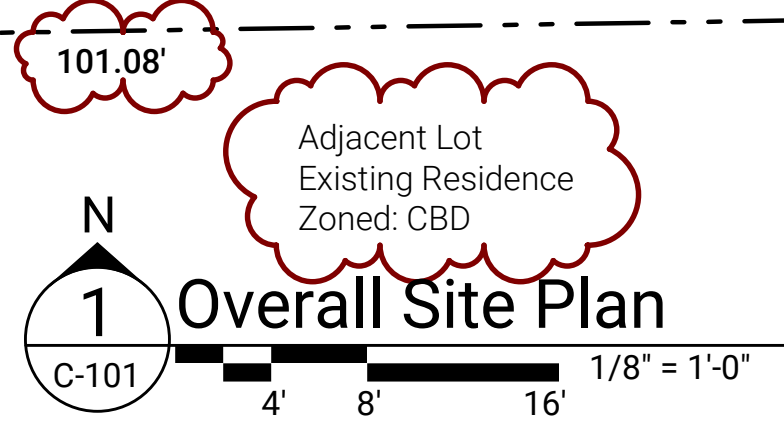
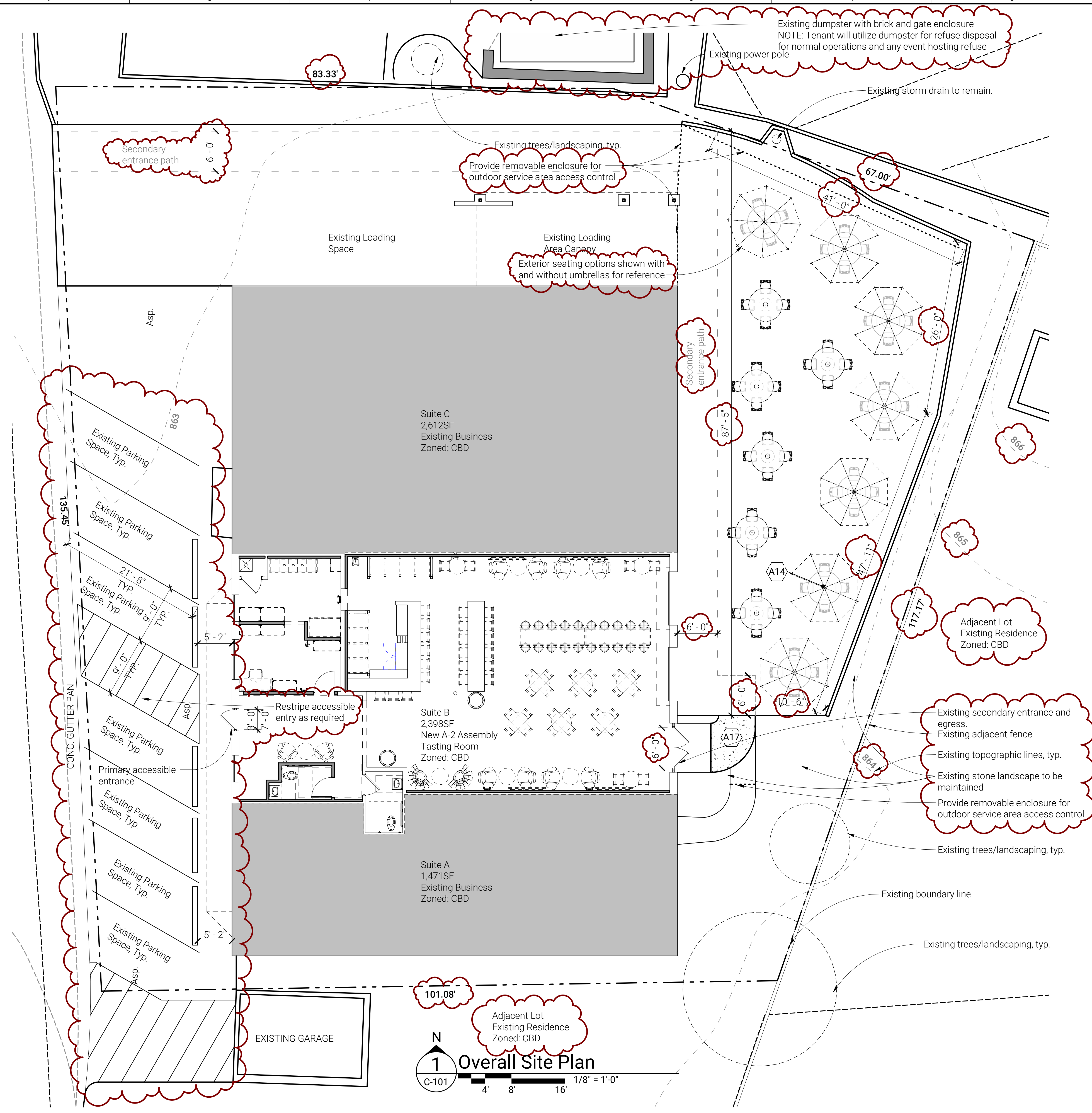
3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room
 Code Analysis Plan & Schedules
 Permit

Date:	08/23/2022
Description:	Permit
No.:	4
Project Manager:	C. Huber
Designer:	C. Huber
Drawn By:	C. Marquard
QA/QC:	C. Marquard

HLS22
LS101

Scales listed are for 22x34 sheet size

Plot/Date/Time: 10/3/2022 1:16:26 PM File Path: Autodesk Docs://HLS/HLS22.rvt



- Site Plan General Notes:**
- Site plan provided for reference only. Refer to civil engineering drawings for specifics of site design, building locations, property line, setbacks, parking and utility information.
 - All curb ramps shall have a maximum slope of 1:12 in direction of travel with a maximum cross-slope of 1:50. Maximum rise of all curb ramps shall be 6".
 - All paving on accessible route shall have a maximum slope of 1:20 in direction of travel with a maximum cross-slope of 1:50.
 - Maximum slope of all accessible parking spaces and access aisles shall be 1:50 in any direction.
 - All accessible route and parking elements shall be designed and constructed in accordance with 2010 ADA Standards for Accessible Design and Chapter 11 of the Michigan Building Code (ICC/ANSI A117.1 2009).
 - Refer to survey drawing for additional information regarding existing paving, utilities, and landscaping.
 - Fire lane requirements to be coordinated with local jurisdiction Fire Chief and identified in final parking layout and striping.
 - All parking space layouts to conform to minimum sizing standards per local Zoning Ordinance.
 - All dimensions shown for parking layout are measured to face of curb or centerline of striping.
 - Contractor to review site conditions, including slopes and elevations, prior to construction. Coordinate any discrepancies with Architect.
 - All slopes indicated show arrow pointing in the down slope direction.
 - Proposed Hours of Operation: 10:00AM-11:00PM M-F, including Saturday and Sunday

- Sheet Keynotes**
- A14 Seasonal non-fixed seating tables and chairs where shown.
 - A17 Landlord provided concrete pad path repair to existing egress door.



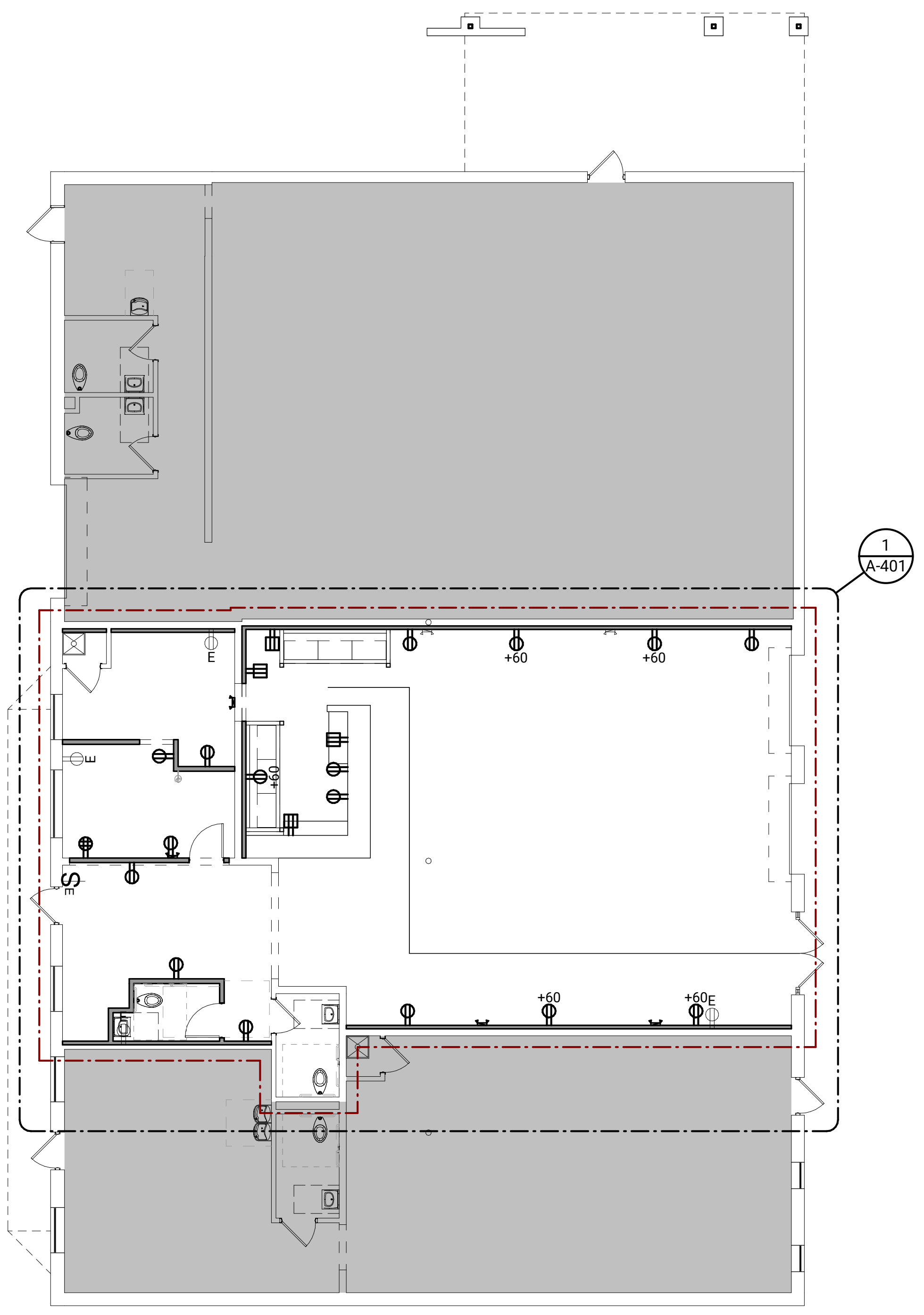
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3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room
 Site Plan
 Special Land Use

No.	Description	Date	Permit
4	Permit	08/23/2022	
5	Special Land Use	09/29/2022	

Project Manager: C. Huber
 Designer: C. Huber
 Drawn By: C. Marquard
 QA/QC: C. Marquard

HLS22
C-101



1 Overall New Work Floor Plan
A-101
1/8" = 1'-0"
4' 8' 16'

General Sheet Notes:

- A. All dimensions to be verified in field prior construction. Notify architect of all discrepancies prior to starting work.
- B. All dimensions on plans are to face of finish face or column centerlines, U.N.O.
- C. All interior partitions to be type **S A O ac** unless noted otherwise. Refer to sheet A-801 for partition details.
- D. All interior door frames shall be located a distance of six inches from the throat return to the closest adjacent perpendicular partition, U.N.O.
- E. Refer to sheet A-701 for Door Schedule.
- F. Refer to sheet A-701 for Plumbing Fixture Schedule.
- G. Refer to sheet Q-101 for Equipment Schedule.
- H. Masonry dimensions are nominal, U.N.O.
- I. New wall partitions are dimensioned to center of stud core, see wall partitions sheet for wall types and centerline locations.

Sheet Keynotes

Architectural Floor Plan Legend

- Area Not in Scope
- Area to remain as is
- Scope of work boundary
- Existing construction to remain
- New construction
- Existing construction to be demolished
- Align symbol
- By others, dashed furniture shown for representation

Scales listed are for 22x34 sheet size



Consultant

3126 Broad St., Dexter, MI 48130

Highline Spirits Tasting Room

Overall New Work Floor Plan

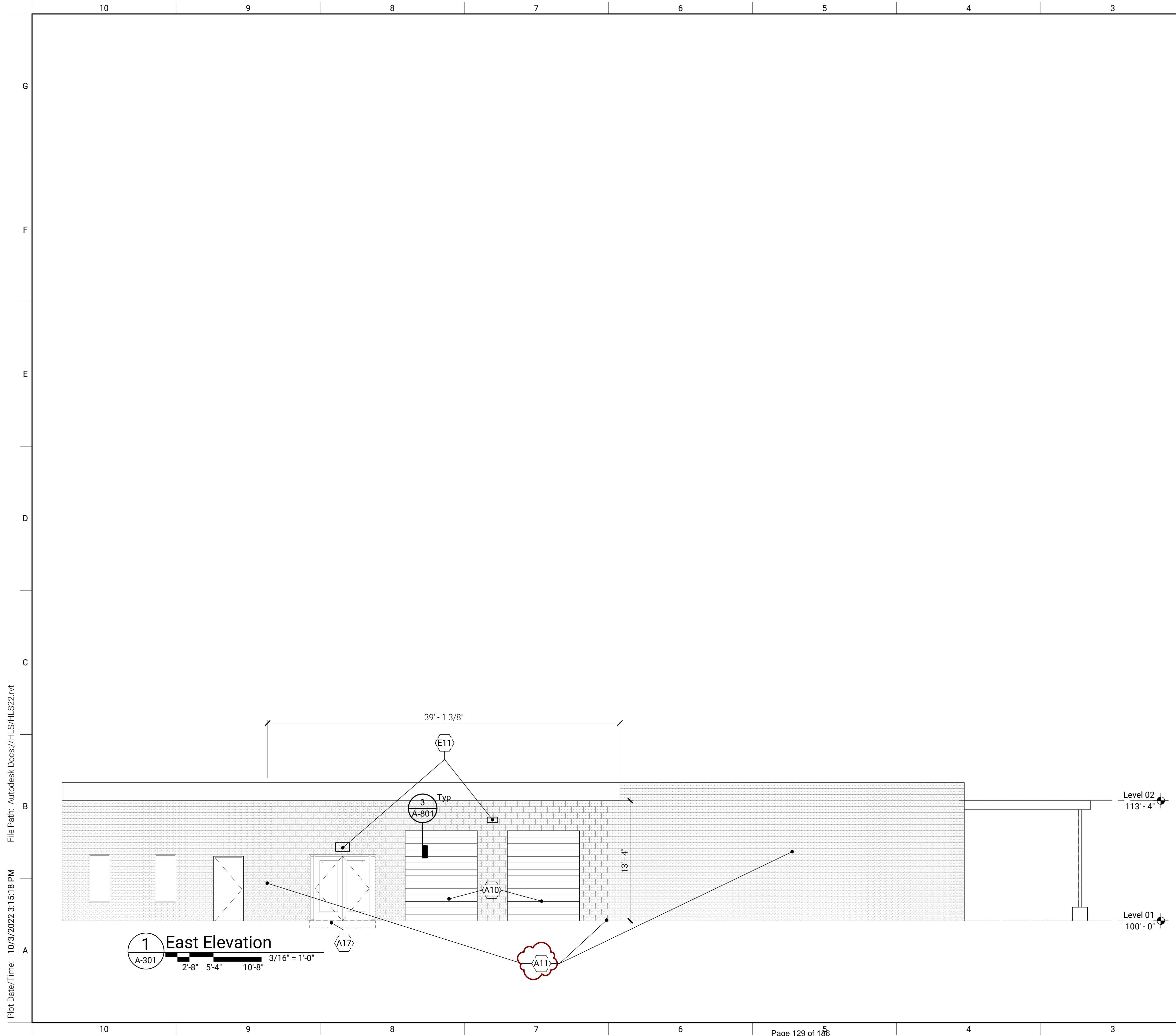
Permit

Job Title: Sheet Title: Released For:

Date:	08/23/2022
Description:	Permit
No.:	4
Project Manager:	C. Huber
Designer:	C. Huber
Drawn By:	C. Huber
QA/QC:	C. Marquard

HLS22

A-101



General Sheet Notes:

- A. Refer to sheet A-901 for exterior materials legend.
- B. Refer to sheet A-701 for door, window and louver schedules.
- C. Provide flashing & counter-flashing at all exterior openings.

Sheet Keynotes

- A10 Provide new metal counterflashing in sawcut reglet above new overhead doors, typ..
- A11 Clean, prime, and paint existing CMU wall with new elastomeric paint, contrasting accent color TBD, where shown.
- A17 Landlord provided concrete pad path repair to existing egress door.
- E11 Landlord provided new exterior LED light fixture and associated power, refer to electrical drawings. Fixture to be compliant with municipal Zoning code 3.19: 25fc max, non-glare, color corrected with integral shade boundaries to meet dark-sky and adjacent property shade requirements.



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Ann Arbor, MI 48108 | (734) 747-6000

Consultant

3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room

Exterior Elevations
Special Land Use

No.	Description	Date	Seal
4	Permit	08/23/2022	
5	Special Land Use	10/03/2022	

Project Manager: C. Marquard
Designer: C. Huber
Drawn By: E. Wilk
QA/QC: C. Marquard

HLS22
A-301

Scales listed are for 22x34 sheet size

Plot/Date/Time: 10/3/2022 3:15:18 PM File Path: Autodesk Docs://HLS/HLS22.rvt

Consultant

3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room

Enlarged Floor Plans

Permit

Job Title: _____
Sheet Title: _____
Released For: _____

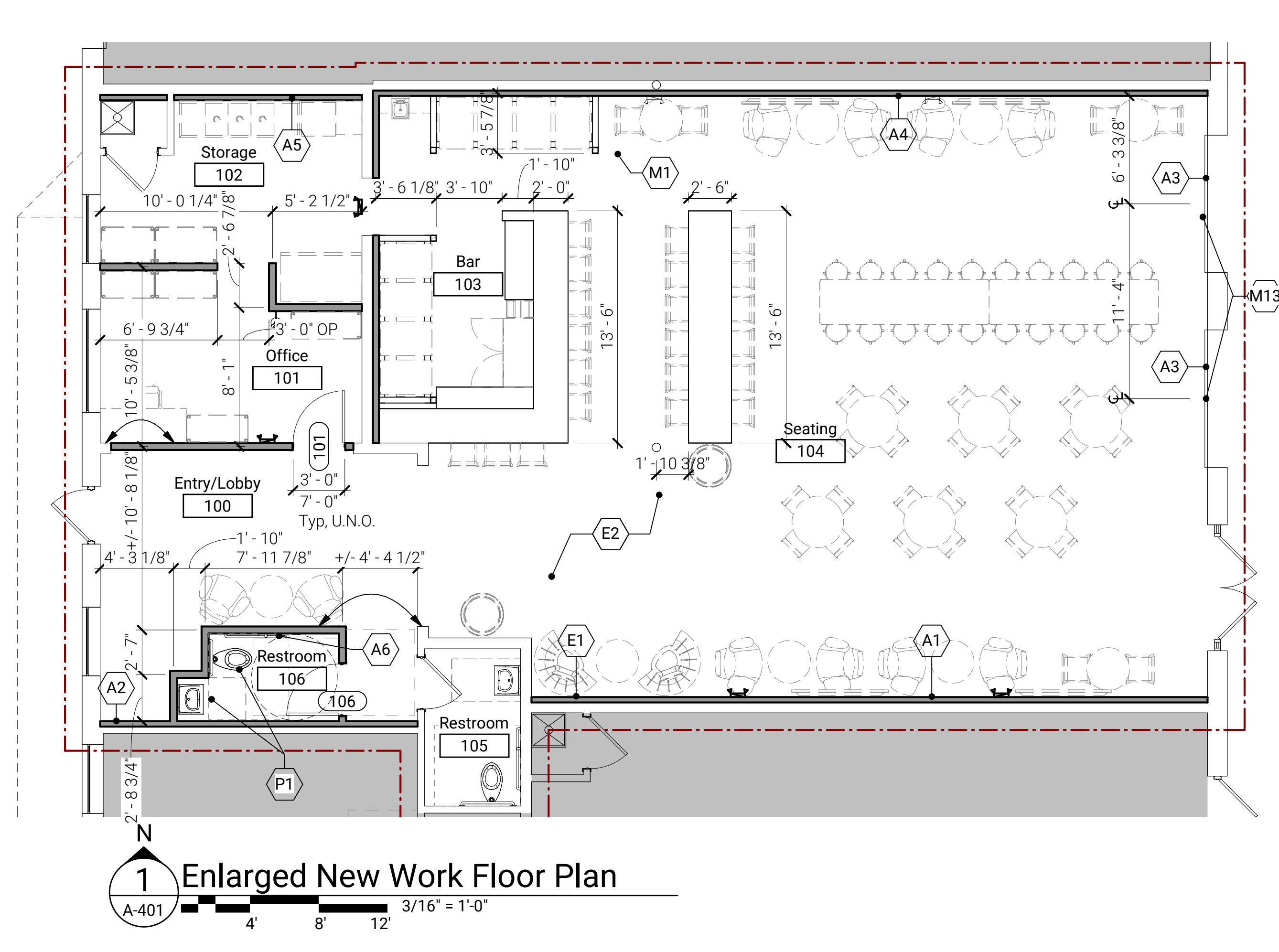
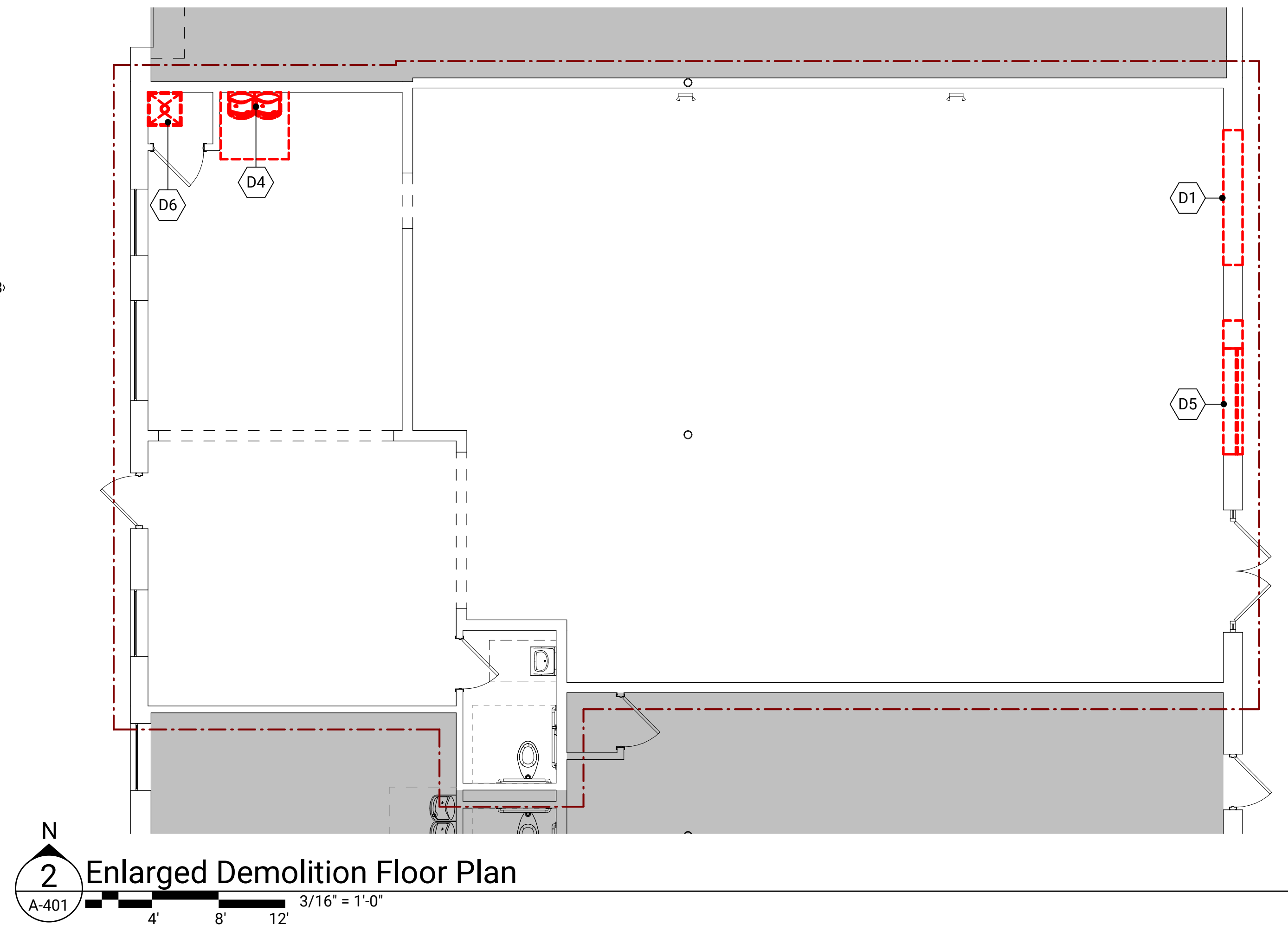
Seal

Date:	08/23/2022
Description:	Permit
No.:	4
Project Manager:	C. Huber
Designer:	C. Huber
Drawn By:	E. Wilk
QA/QC:	C. Marquard

HLS22

A-401

Scales listed are for 22x34 sheet size



General Sheet Notes:

- A. All dimensions to be verified in field prior construction. Notify architect of all discrepancies prior to starting work.
- B. All dimensions on plans are to face of finish face or column centerlines, U.N.O.
- C. All interior partitions to be type **S A O ac** unless noted otherwise. Refer to sheet A-801 for partition details.
- D. All interior door frames shall be located a distance of six inches from the throat return to the closest adjacent perpendicular partition, U.N.O.
- E. Refer to sheet A-701 for Door Schedule.
- F. Refer to sheet A-701 for Plumbing Fixture Schedule.
- G. Refer to sheet Q-101 for Equipment Schedule.
- H. Masonry dimensions are nominal, U.N.O.
- I. New wall partitions are dimensioned to center of stud core, see wall partitions sheet for wall types and centerline locations.

Architectural Floor Plan Legend

- Area Not in Scope
- Area to remain as is
- Scope of work boundary
- Existing construction to remain
- New construction
- Existing construction to be demolished
- Align symbol
- By others, dashed furniture shown for representation

Sheet Keynotes

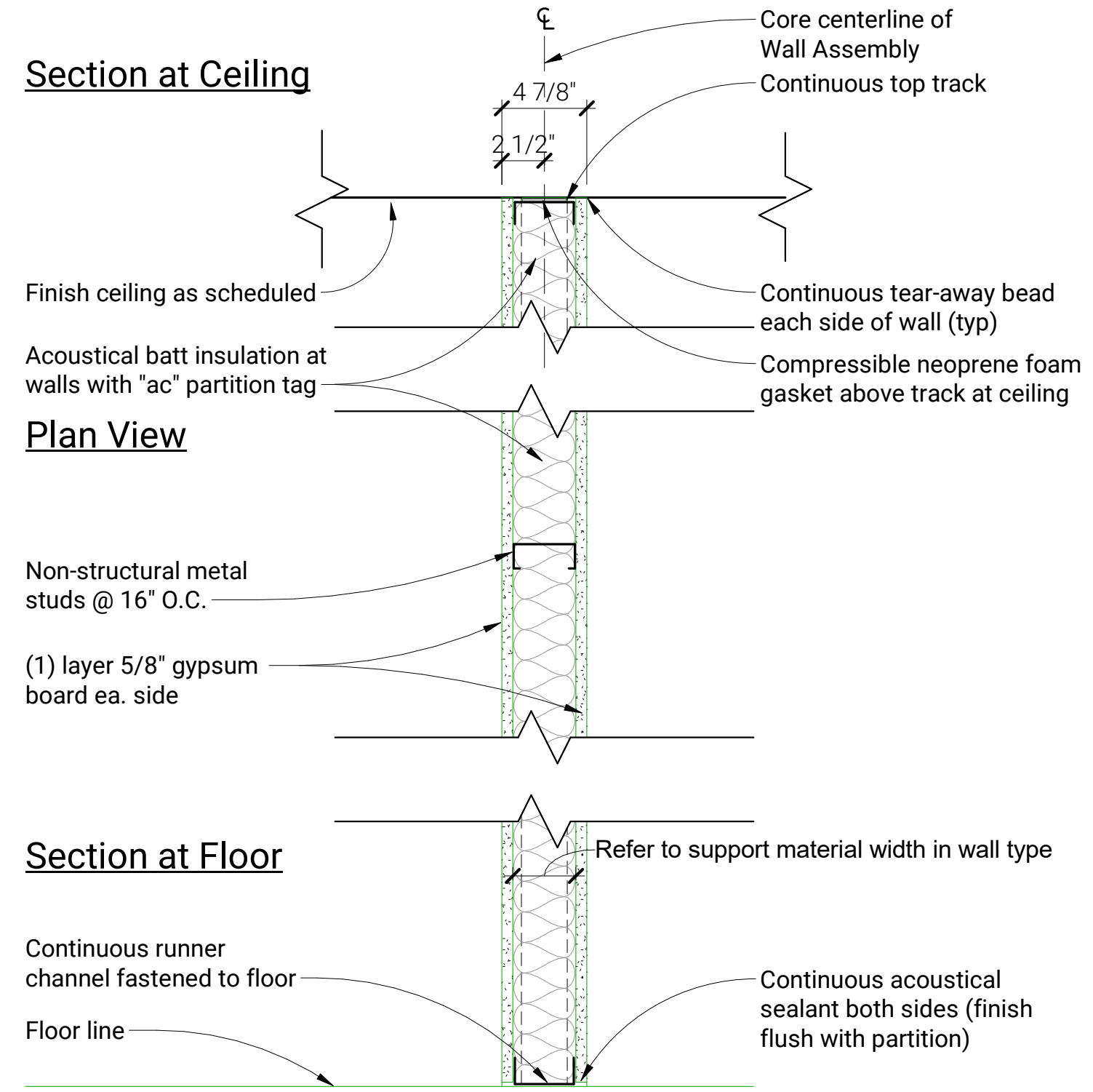
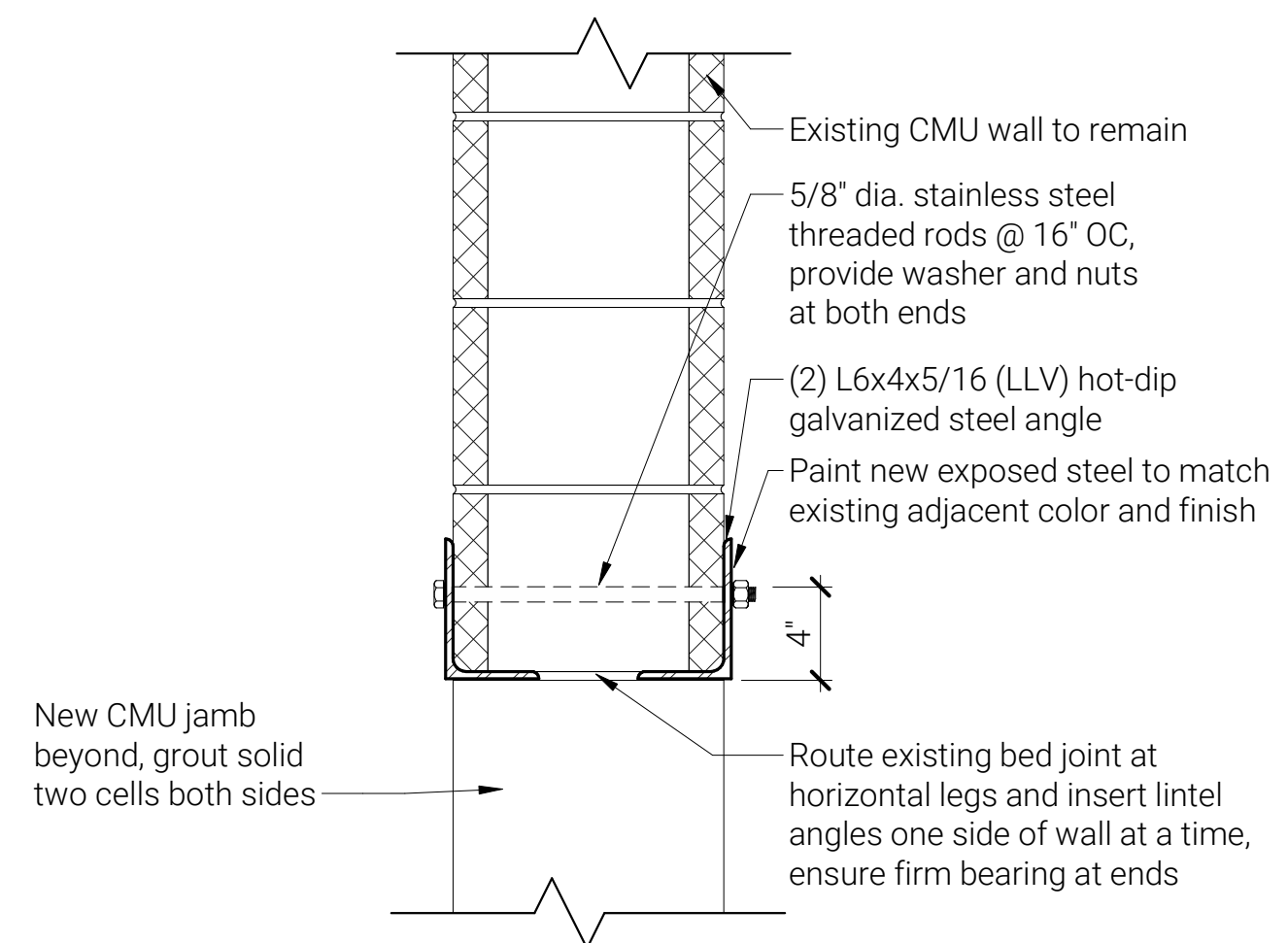
- A1 Provide 5/8" gyp on 2-1/2" metal studs, insulation, & 5/8" gyp floor to roof deck above.
- A2 Provide 5/8" gyp on 2-1/2" metal studs, insulation, & 5/8" gyp floor to underside of floor above w/ similar installation at mezzanine above.
- A3 Provide overhead door and associated structural header, refer to Detail-03, sheet A-801.
- A4 Provide RAL-TL-87-140 USG assembly 59STC wall w/(2)5/8" gyp type X panels on existing wall, RC-1 channel @ 24"oc, then 6" metal studs @ 24"oc and (1)5/8" gyp panel type X from floor to underside of floor above.
- A5 Provide RAL-TL-87-140 USG assembly 59STC wall w/(2)5/8" gyp type X panels on existing wall, RC-1 channel @ 24"oc on 6" metal studs @ 24"oc and (1)5/8" gyp panel type X from floor to underside of floor above. Provide similar installation in mezzanine above.
- A6 Provide wall-mounted accessible grab bars as required by code and 2009 ICC ANSI A117.1.
- D1 Demolish portion of existing exterior partition.
- D4 Demolish existing plumbing fixture and cap plumbing at source for future equipment installation.
- D5 Demolish existing windows and framing.
- D6 Salvage existing service sink and faucet for future reinstallation.
- E1 Existing electrical panel to remain, maintain clearance. Landlord to provide supplemental power for mini-split units as required.
- E2 Provide fire alarm and detection system throughout the suite.
- M1 Provide fire damper in HVAC ducting above.
- M13 Landlord provided six tons of HVAC service and (600 CFM) air exchanges to unit. Includes any supplemental panel work for loads.
- P1 Provide new wall-mounted toilet and sink fixtures with associated plumbing and sanitary. Cut and patch existing concrete floor as necessary for installation.

General Demolition Notes:

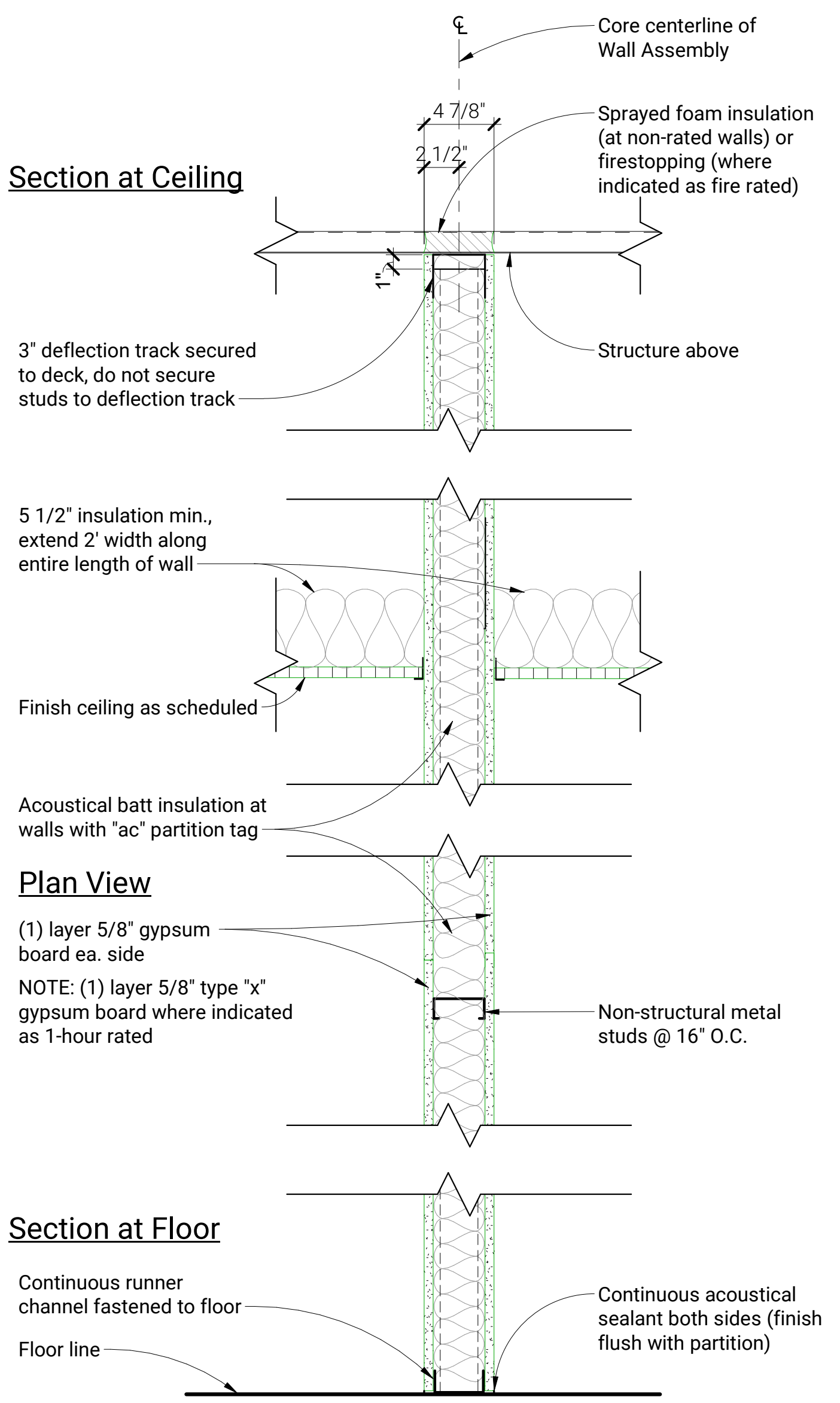
- A. All dimensions to be verified in field prior to construction. Notify Architect of all discrepancies prior to starting work.
- B. All existing materials to remain which are damaged or otherwise disturbed by the contractor's operations shall be patched and repaired to match existing adjacent materials.
- C. Refer to structural and MEP drawings for other discipline demolition scope of work.
- D. Contractor shall maintain all required exits unobstructed, illuminated and protected from construction activities.
- E. Contractor to clean areas adjacent to demolition area of dust, dirt and debris caused by demolition operations.
- F. Promptly dispose of demolished materials. Do not allow demolished materials to accumulate on-site. Transport demolished materials and legally dispose of them.
- G. Contractor shall notify Architect of any conflicts between existing construction and construction documents.
- H. Prepare and seal concrete with epoxy resin throughout, U.N.O.
- I. Landlord provided 2-coats of paint on existing walls, color to be determined.

Plot Date/Time: 10/3/2022 1:15:50 PM File Path: Autodesk Docs://HLS/HLS22.rvt

3 Section @ Overhead Door w/Angle Lintel
 A-801 1 1/2" = 1'-0"
 4" 8" 1'-4"



2 Partition Type S D 0 ac
 A-801 1 1/2" = 1'-0"
 4" 8" 1'-4"



1 Partition Type S A 0 ac / S A 1 ac
 A-801 1 1/2" = 1'-0"
 4" 8" 1'-4"

General Sheet Notes:

- A. All interior partitions to be type **S A 0 ac** unless noted otherwise.
- B. New wall partitions are dimensioned to center of stud core, see wall partitions sheet for wall types and centerline locations.

Sheet Keynotes

Partition Type Key:

- S6 A 0 ac**
- Provide acoustical batt insulation in wall and at head condition per details. See plan for locations.
 - Fire rating (in hours). See wall types for UL listing number, if applicable.
 - Head condition per partition detail.
 - Support material and nominal size per Partition Support Material Key on this sheet (assume default if none listed).

Partition Support Material Key:

- S : Light gauge metal stud, 20 GA. UON
 Size: "S" = 3 5/8" (default)
 "S1" = 7/8" Furring
 "S3" = 2 1/2"
 "S6" = 6"

CH : "C-H" metal stud for shaftwall construction.

- Size: "CH" = 4" (default)
 "CH6" = 6"

F: Hat channel furring
 Size: "F" = 7/8" (default)
 "F2" = 1 1/2"

M : Concrete masonry unit (CMU), grout solid
 Size: "M" = 7 5/8" (default)
 "M4" = 3 5/8"
 "M12" = 11 5/8"

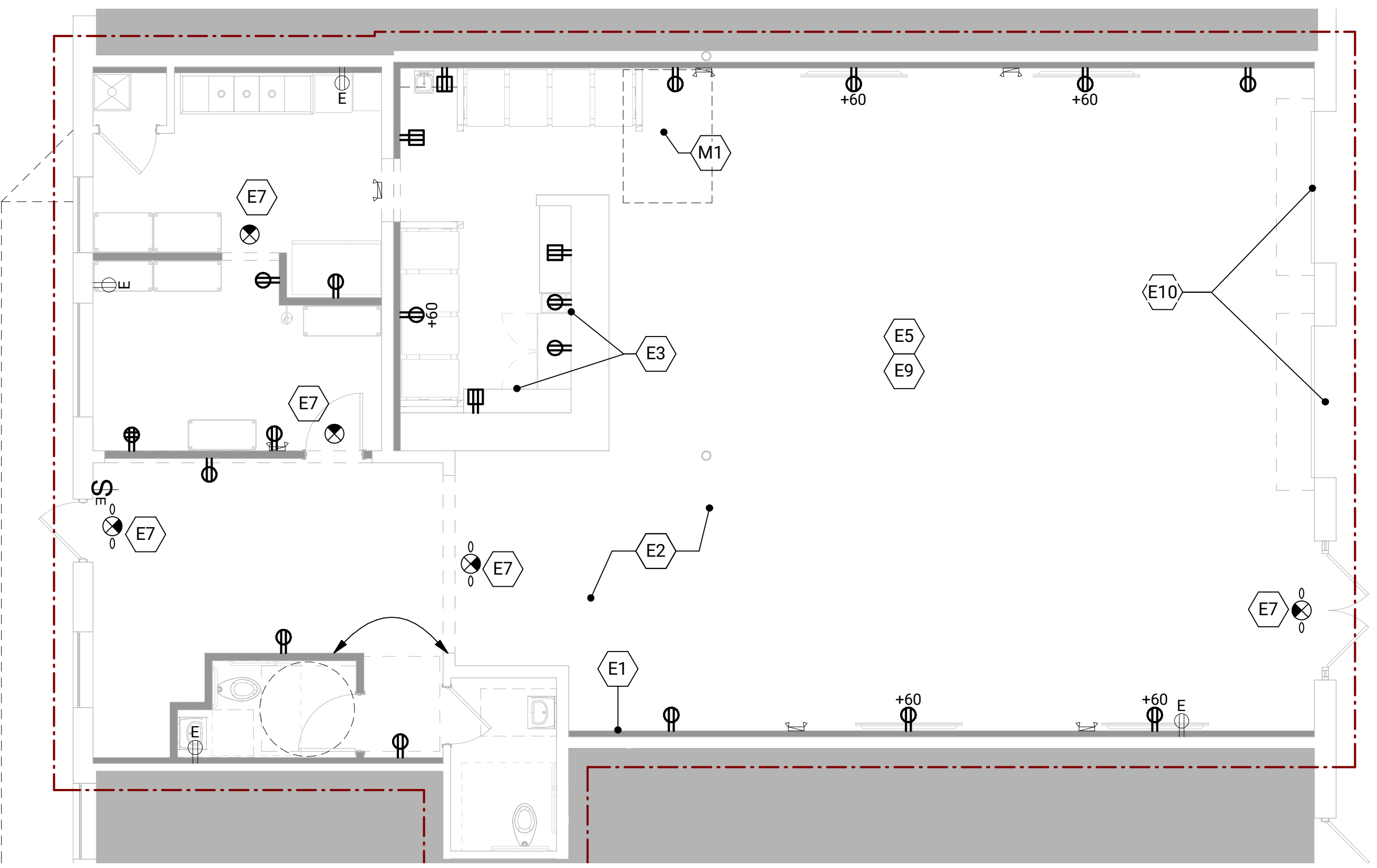
Partition Head Condition Definitions:

- "A" = Support material and finish layer(s) extend up to underside of structure above.
- "B" = Support material extends up to underside of structure above. Finish layer(s) extend up to 6" above finish ceiling.
- "C" = Support material and finish layer(s) extend up to 6" above finish ceiling.
- "D" = Support material and finish layer(s) extend up to underside of finish ceiling.
- "E" = Support material and finish layer(s) do not attach to or penetrate the ceiling, but extend up to the height designated by plan.



3126 Broad St., Dexter, MI 48130	
Highline Spirits Tasting Room	Partition Types
Job Title:	Sheet Title:
Permit	Released For:

Date:	08/23/2022
Description:	Permit
No.:	4
Project Manager:	C. Marquard
Designer:	C. Marquard
Drawn By:	C. Marquard
QA/QC:	C. Marquard
HLS22	
A-801	



1 Enlarged New Work Power Plan
 E-101 2'-8" 5'-4" 10'-8" 3/16" = 1'-0"

General Sheet Notes:

- A. These drawings represent the general extent and arrangement of systems, but are not to be considered fabrication drawings. Coordinate with other trades, and provide each system complete, including all necessary components, fittings and offsets.
- B. Contractor shall carefully coordinate work with all trades and shall be responsible for securing space requirements for electrical equipment clearance for recessed lighting fixtures and correct rough-in locations of electrical connections. Contractor shall also coordinate and determine when work shall be installed in order to avoid conflicts. Any rework required due to failure to coordinate the electrical work with other trades shall be at no additional cost to the owner.
- C. Verify lighting fixture locations with architectural reflected ceiling plans for exact locations and dimensions prior to installation. Verify exact locations of motors and equipment before roughing-in.
- D. All power and data locations to be confirmed with tenant furniture/equipment layout prior to installation.
- E. Mechanical equipment and GFI equipment rating and locations indicated are approximate. Connection shall be made to equipment as actually installed. Before connecting to any piece of such equipment, contractor shall check the nameplate data against the information shown on the drawings and shall call to the attention of the owner any variances discovered.
- F. Lighting controls to have manual on/off, dimming capabilities and occupancy sensors are required by the Michigan Energy Code and ASHRAE 90.1.
- G. All wall mounted power/data/voice outlets to match existing face plates when mounted on painted wall surface.
- H. Provide supplementary steel as required for the proper support of all systems.
- I. Coordinate the mounted height of all devices with architectural elevations and the trades installing the work.
- J. Provide all necessary unistrut to support conduit.
- K. New power and data to be 18" A.F.F., U.N.O.
- L. Provide new lighting fixtures to meet code required illuminance levels throughout.
- M. Provide courtesy outlets as required.

Sheet Keynotes

- E1 Existing electrical panel to remain, maintain clearance. Landlord to provide supplemental power for mini-split units as required.
- E2 Provide fire alarm and detection system throughout the suite.
- E3 Provide power for equipment below counter.
- E5 Landlord provided dimmable high-bay light fixtures throughout to achieve code required minimum illumination, refer to electrical drawings.
- E7 Provide power to new battery-backup exit lights, typ.
- E9 Provide new decorative light fixtures throughout, locations pending. Utilize existing electrical panel.
- E10 Provide new hardwired power for new overhead doors, coordinate with manufacturer requirements.
- M1 Provide fire damper in HVAC ducting above.

Power Plan Legend

- Duplex power outlet
- Quad power outlet
- GFI duplex power outlet
- Duplex power outlet, above counter
- USB duplex power outlet
- Recessed duplex power outlet
- Overhead duplex/quad duplex
- Data/Cable jack, (2) connections
- Telephone jack
- Existing power/data outlets
- New Light switch: Single Pole, 3-way, Dimmer, Contact Switch, Occupancy Sensor
- +18" +18" Indicates inches above floor
- ##A ##V #P Electrical homerun tag
No. of Amps, Voltage, Poles
- Thermostat
- Electrical Panel

Scales listed are for 22x34 sheet size



777 E. Eisenhower, Suite 850
Ann Arbor, MI 48108 | (734) 747-6000

Consultant

3126 Broad St., Dexter, MI 48130
Highline Spirits Tasting Room

Overall Electrical Power & Lighting Plan

Permit

Seal

Date:	08/23/2022
Description:	Permit
No.:	4

Project Manager:	C. Marquard
Designer:	C. Huber
Drawn By:	C. Marquard
QA/QC:	C. Marquard

HLS22
E-101

HIGHLINE

INSPIRED SPIRITS

September 5, 2022

Community Development Office
ATTN: Michelle Aniol, Community Development Manager
8123 Main Street, 2nd Floor
Dexter, Michigan 48130

RE: Highline Spirits Craft Cocktail Lounge & Tasting Room

Dear Ms. Aniol:

As part of the Special Land Use approval process required for the proposed Highline Spirits Craft Cocktail Lounge & Tasting Room use project, please see the below statement that demonstrates compatibility with the City of Dexter's Master Plan, zoning standards, and adjacent uses. It also addresses any impacts pertaining to public facilities, traffic, public safety/welfare and overall environment.

The proposed project will be the renovation of an existing vacant suite at 3126 Broad Street to host Highline Spirits. Highline Spirits is the maker of artfully crafted spirits, boldly reimagining age-old traditions to create new, captivating expressions. The Craft Cocktail Lounge & Tasting Room will bring these spirits to life in craft cocktails and experiences for the patrons to blend and experience the spirits through this tasting room. The distillation of the spirits is occurring off site. While some prepackaged pairings such as nuts or dried berries may be offered, no food preparation will occur onsite, nor will any food waste be disposed of via sanitary lines. Seasonal exterior non-fixed seating for tastings will be hosted on the existing east paved area behind the current suite. Such seating has already been factored into the final maximum occupancy load of 150 persons.

The proposed occupant load of 150 persons is based on *designed* occupants rather than *square footage* decreases the maximum occupancy of the suite. This not only helps lessen demand on city plumbing, but also lessens parking load. Since there is no exterior renovation scope, no parking spaces will be affected by this improvement. Per the 2018 Parking Study, the surrounding parking lots N-MainStreet and H-ForestStreet have a combined existing peak load of 89% and 66% respectively.

The adjacent suite tenants within the existing building at 3126 Broad Street host The Dance Shoppe and Carosello Pasta. Both tenants operate at different operational times compared to the daily 10a-11p hours-of-operation of the proposed Highline Spirits space. The targeted clientele for Highline Spirits consists of refined enthusiasts of high end spirits and as such does not pose any detrimental impact to the public safety/welfare. In addition to the standard operation, the non-fixed flexible seating styles allow for the possibility of hosting special events such as rehearsal dinners or corporate events.

Per the City's Master Plan goals to enhance Dexter as a destination by redeveloping south Broad Street, our proposed project will not only enhance the targets area, but also remains outside of the City's future property acquisition zone on the west side of Broad Street between Grand and Jefford's streets. Per the Village of Dexter Visioning Workshop report, "every business in the downtown could benefit from having a healthy business next door." Subsequently, per the Village Council and DDA Response Survey, the development of south Broad Street was marked as a priority 3 by both the Village Council and the DDA. This project will alleviate concerns of the building in-fill and will activate the currently vacant suite to be a viable destination within easy (5-min max) walking distance from Main Street and the Downtown core.

Following the Dexter Zoning Ordinance type CBD, Section 15(A).03 Special Uses, the "Craft Cocktail & Tasting Room" use that most resembles bar/tavern/restaurant uses may be permitted upon review by the Planning Commission and approval by the City Council. While the "tasting room" use is still a relatively novel use group, its operation can serve as an efficient catalyst for growth by its minimal demand as compared to a bar/tavern/lounge or full service restaurant. As such, the renovation scope of work does not include any increase in water main nor sanitary sewer feeds.

Similarly, our proposed occupant load of 150 persons based on *designed* occupants rather than *square footage* decreases the maximum occupancy of the suite. This not only helps lessen demand on city plumbing, but also lessens projected parking load compared to other approved uses. Per the 2019 Parking study, the surrounding parking lots N-MainStreet and H-ForestStreet have a combined existing peak load of 89% and 66% respectively. Since there is no exterior renovation scope, no parking spaces or counts will be affected by this improvement.

Highline Spirits is a local business owned and run by a Dexter High School graduate and current resident, Christi Lower. We look forward to adding this new space to town and are excited to partner with local businesses to continue increasing the draw to town.

Sincerely,

Christi Lower
CEO & Founder
Highline Spirits Co. L.L.C.
christi@highlinespirits.com
517-290-8001

HIGHLINE

INSPIRED SPIRITS

Patio Examples for Highline Spirits Craft Cocktail Lounge & Tasting Room



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.



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: September 20, 2022

**Special Land Use
For
City of Dexter, Michigan**

GENERAL INFORMATION

Application #: AP2022.23-02 SLU 3126 Broad Street
Applicant: Andrew Hauptman at Yellowstone Architecture & Construction
Project Name: Highline Spirits Tasting Room
Plan Date: August 26, 2022
Location: 3126 Broad Street
Zoning: CBD, Central Business District
Action Requested: Special Land Use Review
Required Information: Deficiencies are noted in report

PROJECT AND SITE DESCRIPTION

The applicant is proposing a 2,398 square foot craft cocktail lounge and tasting room in a vacant Suite 102 in 3126 Broad Street, the former home of the Encore Theatre. No food service, other than prepackaged foods, is proposed. However, according to letter submitted by the business owner, Christi Lowe, the non-fixed flexible seating style allows for the possibility of hosting special events, such as rehearsal dinners or corporate events. The suite is one of three tenant areas shown in the building. The other suites are occupied by existing businesses, a pasta market (Suite 100) and a dance studio (Suite 103). The occupancy of vacant space in the existing building includes an outdoor seating area for fifty-two (52) patrons, indoor seating for ninety-eight (98) patrons, a bar, restrooms, and an area that appears to be an office. The suite has direct access to Broad Street via a door. Another door at the rear of the building provides access to the proposed outdoor seating area. The outdoor seating area is visible from the public parking lot, adjacent to the north of the subject site, as well as the side (south) and rear (east) lot lines of the adjacent, non-conforming, single-family houses, which front onto Forest Street.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*
Laura K. Kreps, *Senior Associate* Paul Montagno, *Senior Associate*, Megan Masson-Minock, *Senior Associate*

The cocktail lounge and tasting room is proposed to be open to the public daily from 10:00 a.m. to 11 p.m. Without clarification, we assume that the cocktail lounge and tasting room will be open seven (7) days a week. The project is limited to interior remodeling and will undergo an administrative review for a zoning compliance permit if the special land use is approved.

The subject site is zoned CBD, Central Business District and has an area of 16,301 square feet (0.37 acres). Bars/Taverns/Lounges are special land uses in the CBD district. Outdoor service areas, like the outdoor seating, are permitted uses in the CBD district, subject to administrative approval for conformance with the regulations in Section 3.29 of the Zoning Ordinance.

Aerial Photograph



Items to be Addressed: Clarification on days of the week of the proposed use.

NEIGHBORING ZONING AND LAND USE

The zoning, land use and Master Plan designations of the subject site and surrounding properties, not those of the other uses in the existing building, is provided in the table below:

	Subject Property	North	South	East	West
Zoning	CBD	CBD	CBD	CBD	CBD
Land Use	Multi-tenant retail building	City-owned parking area	Single Family	Single Family	Multi-tenant retail building
Master Plan	Downtown	Downtown	Downtown	Downtown	Downtown

Items to be Addressed: None.

MASTER PLAN

Per the City’s Master Plan, the goal for Downtown is to preserve and strengthen the existing character of the downtown area as a historic, pedestrian-scaled community, with traditional site and architectural design creating an aesthetically memorable place with vibrant streetscapes and community spaces. The objectives for the Downtown are as follows:

1. Concentrate development in the Downtown to foster the responsible use of land and natural features, and to make best use of existing public services, utilities and infrastructure.
2. Encourage, through regulations and incentives, mixed-uses with a village-scale and character.
3. Connect public gathering spaces in and adjacent to the Downtown with accessible sidewalks and trails, landmarks and gateways.
4. Protect public views and access to Mill Creek from the Downtown.

The subject site is planned as Downtown, based on the City’s Master Plan and Future Land Use Map. The Downtown future land use classification is intended to foster continued improvements and redevelopment, while preserving the small-town character of the downtown. This area is the historical commercial center of the City, with the highest intensity of uses. Restaurants are designated as an appropriate use in the Downtown by the Master Plan.

The development is proposed in an existing multi-tenant building. The proposed use is close to a restaurant, which was listed as an appropriate use in the Downtown in the City Master Plan. The use would contribute to entertainment options in the downtown, similar to the Beer Grotto. Based on these factors, we find the proposed use on the site is generally in compliance with the City of Dexter Master Plan.

Items to be Addressed: None.

NATURAL RESOURCES

- Topography:** The site is level with an existing building.
- Woodlands:** No woodlands are on site. Street trees are in the green buffer strip between the city-owned parking lot to the north and the site. No additional landscaping is proposed.
- Wetlands:** No wetlands are demonstrated on the site plans as submitted.
- Soils:** The existing building and parking lot are not proposed for change. The site is developed land.

Items to be Addressed: None.

TRAFFIC IMPACT

We have estimated potential traffic impacts of the proposed development based on similar use types found in the Institute of Traffic Engineers Trip Generation Manual 9th Edition.

A “drinking place” is estimated to generate fifteen (15) vehicle trips for each one thousand (1,000) square feet of floor area daily. The proposed use will generate approximately thirty-six (36) vehicle trips per day. The above trip generation data is provided for general reference.

The applicant has noted that the occupant load will be limited to one hundred and fifty (150) patrons. Likely, some of those anticipated customers will be residents within walking or biking distance or visitors who are going to multiple locations in and around downtown Dexter.

Items to be Addressed: None.

PARKING AND LOADING

Per Section 15(A).04.B, uses in the CBD zoning district are exempt from the parking requirements in Article V of the City of Dexter Zoning Ordinance.

The new use is proposing to use the existing loading area on the north side of the building. The loading area meets the requirements of the Zoning Ordinance and seems large enough to accommodate simultaneous deliveries for more than one tenant of the building. No improvements are proposed.

Items to be Addressed: None.

TRASH REMOVAL

Per the discussion between the City Community Development Manager and the applicant, the proposed use may and intends to use the shared dumpster in the city’s parking lot adjacent to the site. A note to that extent must be added to the site plan.

Items to be Addressed: *A note stating that trash disposal for the proposed use will be the shared dumpster in the adjacent city parking lot must be added to the site plan.*

ESSENTIAL FACILITIES AND SERVICES

We defer further review of site essential facilities and services to the City Engineer and DPW Director.

Items to be Addressed: *City Engineer and DPW Director review of essential services.*

SITE ACCESS AND CIRCULATION

The site access and circulation are not proposed to change. However, the proposed use with the current pedestrian facilities could create a more hazardous pedestrian traffic situation than typically found in the CBD district. The existing conditions are:

- Broad Street is a one-way street with a single sidewalk on the opposite side of the street from the existing building.
- Angled on-street parking is adjacent to the front of the adjacent building. Bumper blocks prevent parking flush to the building but as observed on our site visit, do not consistently create a barrier-free pedestrian pathway to the door from Broad Street accessing the space proposed to be occupied. The minimum width for a barrier-free pathway is five (5) feet in a residential setting, but wider widths are recommended in areas with high volumes of pedestrians.

It is unclear whether the site plan is showing the existing or proposed location of the bumper blocks. The site plan shows a five (5) foot area between the bumpers and the building. However, during our site inspection, we observed the bumpers underneath the canopy on the front elevation. On the site plan, there is a one (1) foot gap between the end of the canopy and the bumper blocks.

- The door that directly accesses the space proposed to be occupied is located in the middle of the building. When the building was entirely occupied by the Encore Theatre, patrons entered mainly through the doors at the end of the building, now accessing the dance studio or the pasta market. The door to the space proposed to be occupied was mainly used for office visitors to the theater.
- We question whether the door facing Broad Street to the space proposed to be occupied is barrier-free accessible. The striping indicating that no parking is allowed in front of the door does not align with concrete apron in front of the door. The grade change between the concrete apron and the parking area may be too large to allow barrier-free access, and the doorway may be too small. We defer to the City Engineer if these details can be reviewed as part of administrative site plan review.
- The green space between the city-owned parking lot to the north and the proposed outdoor seating area is two to twelve (2-12) feet in depth with a significant slope. We are concerned that, without fencing or some other visual cue, visitors may try to cross this steep grade, resulting in an unsafe situation.

- The door on the rear façade accessing the space proposed to be occupied does not have the same grade changes in surface and is wider than the front door. However, the door is not easily seen from Broad or city-owned parking lot to the north and is not the shortest route possible from the nearby parking spaces.

At full occupancy, the proposed use is proposed to accommodate one hundred and fifty (150) patrons. We are concerned that an event at full occupancy or a busy evening would create a hazardous pedestrian circulation situation unless improvements were made to the front area of the site and the rear door could be used as a primary entrance as well as the front door.

Based on the existing conditions, the intensity of the use, and that this proposal is the occupation of vacant space in an existing building, we recommend the applicant and building owner consider the following 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 used 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 (see the “Outdoor Service Areas” section below) to designate the proper entrances and routes to the proposed outdoor seating area and rear entrance.

Items to be addressed: *Update the site plan to use the front and rear doors as primary entrances, with the needed improvements to the site to allow barrier-free access by at least one doorway.*

SIDEWALKS

No sidewalks exist on the site or are proposed to be added. As addressed in the previous section, we are concerned that increased pedestrian volume necessitates the use of the rear door, in addition to the front door, as a primary entrance to the space proposed to be occupied. Also, barrier free access to at least one doorway is needed.

Items to be addressed: *Improvements are added to allow safe pedestrian circulation and barrier free access to the space proposed to be occupied.*

LANDSCAPING

Since the building and parking lot are not expanding, the site does not have to be brought into compliance with all of the landscaping requirements of the Zoning Ordinance, per Section 6.03 – Special Provisions for Existing Sites. The Planning Commission can require relevant provisions of Article 6 – Landscaping Standards, as well as consider landscaping that provides a better site design than full compliance. With the unique location of the site in the Downtown but adjacent to single-family uses and a public parking lot, we recommend the Planning Commission require the following, at a minimum:

- A screen of fencing, planters and/or shrubs at the northern edge of the paved area where the outdoor seating is proposed. The screen should give visual cues as to the safe routes to enter the site, buffer the more unattractive elements associated with the adjacent public parking area, and add to the sense of place.
- Fencing to screen the residential use to the south of the overall property and protect the rear yard area associated with the pasta market (Suite 101). We recommend a six (6) foot privacy fence with a gate, which can be locked, to separate the proposed outdoor seating area and the lawn area associated with and paved path to the rear door of Suite 101.
- A clean-up and maintenance plan for the green areas between the property lines and the proposed seating area. We recommend that the applicant and/or property owner install landscaping in these areas, similar to the that planted along the Broad Street Pedestrian walkway, between Dexter Bakery and 8099 Main Street.

Items to be addressed: *Determination by the Planning Commission of landscaping required for the site.*

LIGHTING

Two (2) LED wall pack lighting fixtures are proposed on the rear or east elevation. Per Section 3.19.E.3, wall pack type lighting is prohibited. The building mounted lighting fixtures must be revised to comply with all requirements of Section 3.19. Please note that only non-glare, color-corrected lighting is permitted; for a non-residential uses, full cutoff shades are required; and the light source must be recessed into the fixture so as not to be visible from off site. The existing wall mounted lights have full cutoff shades and may be in compliance with the Zoning Ordinance.

We recommend the applicant and property owner consider other types of lighting for the outdoor seating area that would add to the sense of place, such as string lighting and decorative wall mounted sconces. Decorative lights, such as string lights, are allowed in outdoor service areas per Section 3.31.

At a minimum, the applicant must submit the following lighting details, per Section 3.19, with an updated site plan:

- Details of the location, height, make, model, lamp type, intensity, direction, and wattage of each outdoor lighting fixture proposed.
- A photometric lighting diagram, in foot candles, indicating the outermost limits of exterior illumination provided by all exterior lighting sources on a site.

Items to be addressed: 1.) Update outdoor lighting plan in compliance with Section 3.19 of the Dexter City Zoning Ordinance; and 2.) Consideration by the applicant and/or property owner of decorative lighting for outdoor seating area.

SIGNS

No changes are proposed for signs on the site. Any signs would be allowed under a separate zoning compliance permit. If the rear entrance is to be used as a primary entrance, we recommend that a building sign be placed on the rear façade or window sign on the doors.

Items to be addressed: None.

FLOOR PLANS AND ELEVATIONS

Detailed floor plans have been submitted. Per the discussion between the City Community Development Manager and the applicant, elevations for the rear (east) façade only were submitted. The following improvements are proposed for that façade:

- Two (2) new overhead doors.
- Clean, prime and paint the portion of the façade associated with the proposed use to match the existing paint.
- Repair to the concrete pad path to the existing door.
- New, building-mounted lighting (see “Lighting” section above for detail on Zoning Ordinance compliance).

To add to the sense of place, we recommend that the new paint be a contrasting color to the existing white paint, perhaps the dark blue currently at the base of the rear façade. The variety in color will help to visually distinguish the building much more than a large blank white wall. The rear façade would also be a prime location for a mural.

Items to be addressed: Consideration by the applicant and/or property owner of contrasting paint or a mural on the rear façade.

OUTDOOR SERVICE AREAS

Outdoor service areas, such as the proposed outdoor seating area, are subject to the regulations in Section 3.31. This section requires an annual zoning permit. The dimensions of the outdoor service footprint are required for the zoning permit in Section 3.31. This information will need to be submitted at a later date.

Also, the proposed outdoor seating area does not comply with the rules for alcohol service. When alcohol is served, the outdoor service area is required to include a removable enclosure, such as, but not limited to planters, posts with ropes, or other decorative equipment to define and secure the outdoor service

area for consumption. The location and a detail of removable enclosure should be shown on the site plan for the special land use.

In addition, Section 3.31 allows a number of structures typically found in outdoor service areas, but not shown in the special land use application submitted, such as temporary shelters, umbrellas, and decorative lights. We recommend that the applicant consider adding one or more of these amenities to the outdoor service area to further create a sense of place. Vertical elements with color (for example, the umbrellas in the outdoor service area for Erratic Ales) create a distinct identity needed for an attractive space.

Finally, Section 3.31 allows the City to restrict the hours of operation for an outdoor service area immediately adjacent to residential uses. The site is immediately adjacent to a single-family home to the east. The use is proposed to operate seven (7) days a week, from 10:00 a.m. to 11 p.m. The Planning Commission should, as part of the special land use decision, provide direction as to whether hours of operation for the proposed outdoor seating area should be restricted.

Items to be addressed: 1.) Provide location and type of removable enclosure for outdoor seating area on site plan; 2.) Consideration by applicant of adding temporary shelters, umbrellas, and/or decorative lights and 3.) Direction from the Planning Commission as to hours of operation for the proposed outdoor seating area.

SPECIAL LAND USE STANDARDS

Section 8.03 lists the general review standards for all special land use requests. Prior to approving a Special Land Use application, the Planning Commission and City Council shall require the following general standards be satisfied for the use at the proposed location:

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

CWA COMMENTS: As noted above in the Master Plan section of this report, the general description of proposed use coincides with the Downtown future land use category. Also, the re-use of a vacant space in a multi-tenant building makes the best use of the existing public services, utilities and infrastructure.

The site, particularly the proposed outdoor seating area, has the potential to contribute to the character and unique sense of place in Downtown Dexter. With the use of lighting, landscaping, vertical elements like umbrellas, and contrasting color, either in the improvements to the rear façade or proposed furniture, this space could be a focal point in the Downtown, instead of a neglected corner.

- B. The proposed Special Land Use shall be designed, constructed, operated, and maintained to meet the stated intent of the zoning district, and shall comply with all applicable ordinance standards.**

CWA COMMENT: The intent of the CBD Zoning District is “to foster continued improvements and redevelopment around the historical theme and heritage of the ‘old Dexter’ thereby adding to the

character, social and environmental diversity and improvement in economic viability of the downtown area.” The following aspects are included in the intent section of the CBD Zoning District:

- Off-street private parking facilities are not required due to the location of on-street and municipal parking areas.
- Store frontage with appealing windows and entrances and contiguous building mass along Main and other streets in the CBD are strongly encouraged.
- The CBD is intended to be physically compact and to provide a diversity of products and services, convenient parking, and pedestrian and vehicle safety.
- Buildings should front primary streets with parking lots to the rear of buildings.
- Mixed-uses are encouraged within buildings.
- Along primary streets (Main, Broad, and Central) retail and eatery uses should dominate ground floors, office uses and residential dwellings on upper floors, and all buildings should be clustered within shoulder-to-shoulder block groups wherever feasible.

The applicant is proposing to utilize part of an existing building with a use that is complementary to the downtown. The existing building is one-story building that lacks the historic character of other buildings in the CBD. However, we feel the outdoor seating area can be a unique space with the proper design.

- C. The proposed Special Land Use shall 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, or similar impacts. The proposed use shall be such that the location and height of buildings or structures, and the location, nature and height of walls, fences, and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.**

CWA COMMENTS: The Planning Commission will need to determine if the design of the space, particularly for pedestrian access and circulation, is compatible with the existing or intended character of this part of the Downtown. In order to not overload Broad Street with pedestrian traffic, we recommend that both the existing front and rear doors function as primary entrances.

The outdoor seating area, without proper screening, could negatively affect the adjacent food business as well as the single-family home to the south. However, we feel that a six (6) foot privacy fence with a gate that can be locked, separating the proposed outdoor seating area and the lawn area associated with and paved path to the rear door of the Suite 101 would protect the value of both adjacent retail space and single-family home. Without the fence and gate, the retail space is vulnerable to trespassers after hours. The fence would help to screen views and minimize noise for the single-family house to the south. The second story windows of that home are visible from the proposed outdoor seating area under current conditions.

- D. 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.**

CWA COMMENTS: The use will locate in an existing building. No site improvements are proposed that would impact the natural environment.

- E. The Special Land Use can be served adequately by public facilities and services such as police and fire protection, schools, drainage structures, water and sewage facilities, and refuse disposal. Such services shall be provided and accommodated without an unreasonable public burden.**

CWA COMMENTS: As mentioned under the Essential Services Section of this report, review by the Director of Public Service and City Engineer will need to be conducted in this regard.

- F. The proposed special land use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration: pedestrian access and safety; vehicle trip generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street and bridge capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. The applicant shall comply with the City's Complete Street Ordinance.:**

CWA COMMENTS: Based upon the information provided, it is unclear whether there is adequate room for pedestrian safety on Broad Street. Also, with a proposed maximum seating of one hundred and fifty (150) patrons, we feel that pedestrian traffic could become more hazardous than is normal for the CBD, if only the front door was used as the primary entrance.

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

CWA COMMENTS: As proposed, the use might inhibit the protection of the public health, safety, and welfare. The site abuts single family uses to the east and to the south. The outdoor seating may be a nuisance with noise and activity later in the evening with the tasting room operating every day of the week until 11:00 p.m. However, similar establishments in the Downtown have similar hours. The Planning Commission, as part of the special land use, or staff, as part of the annual zoning permit for the outdoor service area, may restrict the hours of operation of the outdoor seating area. The Planning Commission may also restrict activities in the outdoor seating area, such as live or amplified music.

Items to be Addressed: 1.) The Planning Commission will need to decide if the design of the site, particularly the outdoors seating area, meets the Special Land Use criteria listed in Section 8.03 of the Zoning Ordinance; 2.) The Planning Commission will need to decide if the use and design, as proposed, would make pedestrian traffic no more hazardous than is normal in the CBD; 3.) The Planning Commission will need to decide if the proposed design of the tasting room and outdoor seating area will unreasonably affect the value of adjacent land or buildings; and 4.) The Planning Commission will need to decide if the proposed hours of operation and uses for the tasting room and outdoor seating will not inhibit the protection of the public health, safety, and welfare.

RECOMMENDATIONS

The applicant should provide the following information before the Planning Commission makes a recommendation on the special land use:

- Clarification on the days of the week for hours of operation of the proposed use.
- A note on a revised site plan stating that trash disposal for the proposed use will be the shared dumpster in the adjacent city parking lot.
- Clarification as to whether the bumper block location on the site plan represents existing conditions or the proposed location.
- Barrier free access to at least one (1) door.
- Lighting plan complying with Section 3.19.
- The location and a detail of removable enclosure for the outdoor seating area is shown on the site plan.

We recommend the applicant consider the following when revising their site plan:

- Use both the front and rear doors as primary entrances to the indoor space.
- Add a screen between the northern edge of the proposed outdoor seating area and adjacent parking lot.
- Add landscaping to the existing green spaces.
- Add six (6) foot privacy fence with a gate, which can be locked, separating the proposed outdoor seating area and the area to the rear of the Suite 101.
- Change the proposed paint on the rear façade to a contrasting color or a mural.
- Add decorative lighting (such as string lights), umbrellas, and/or temporary shelters to the outdoor seating area.

Based upon our review, we have provided the following items to be addressed/considered to the satisfaction of the Planning Commission prior to a recommendation of the requested special land use:

- The design of the site, particularly the outdoor seating area, meets the Special Land Use criteria listed in Section 8.03 of the Zoning Ordinance.
- The use and design, as proposed, would make pedestrian traffic no more hazardous than is normal in the CBD.
- The proposed design of the tasting room and outdoor seating area, including landscaping, will not unreasonably affect the value of adjacent land or buildings.

- The proposed hours of operation, uses, and landscaping for the tasting room and outdoor seating will not inhibit the protection of the public health, safety, and welfare.

Further, we recommend the following conditions of Special Land Use approval:

1. Approval from the City Engineer and DPW Director that sufficient essential facilities and services are available for the proposed use at the subject site.
2. Approval from the City Engineer that the site meets barrier-free requirements.
3. All requirements for the outdoor service area in Section 3.31 are met.

Respectfully submitted,



CARLISLE/WORTMAN ASSOC., INC.
Megan Masson-Minock, AICP
Senior Associate



September 20, 2022

City of Dexter
8123 Main Street
Dexter, MI 48130

Attention: Ms. Michelle Aniol (via e-mail)
Community Development Manager

Regarding: Highline Spirits Tasting Room
3126 Broad Street
Special Land Use and Preliminary Site Plan Review No. 1
OHM JN: 0130-22-1080

Dear Ms. Aniol:

The applicant, Yellowstone Architecture & Construction, has submitted a special land use and preliminary site plan application for a restaurant building at 3126 Broad Street. The plan was prepared by Yellowstone Architecture & Construction and is dated August 23, 2022. The site improvements include partitions, MEP, finishes, interior and exterior tenant furniture. The proposed use is a craft cocktail lounge and tasting room.

SPECIAL LAND USE

We have reviewed the proposed special land use in conjunction with the Standards identified in Section 8.03.A of the Zoning Ordinance. Our review and comments are limited to Standards 4, 5, and 6. We defer to City Staff and the planning consultant on the remaining standards.

Standard 4. 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.

Finding: The plan does not include any exterior improvements to the site and therefore does not unreasonably impact natural features.

Standard 5. 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.

Finding:

- a. Drainage Systems: The applicant is not proposing any exterior site improvements or increases in impervious surface. No changes are proposed to the existing stormwater drainage in the area.
- b. Water and sewage facilities: The project does not include food service preparation or sales. Water and sewer demands are limited to restroom and handwashing sinks. Existing water and sewer services are adequate to support this use. However, the narrative indicates the use could include hosting events/dinners. Clarification is needed on how this would be managed, as the proposed plan has no accommodations for dishwashing, etc. If the kitchen facilities are associated with food preparation and/or clean up a fat/grease/oil separator is required prior to outlet to the City sanitary sewer.
- c. Streets: No exterior improvements are proposed. The existing parking lot and entrance are to remain as is. The applicant has noted in their application that the neighboring facilities operate at differing times and parking in close proximity is available on street or in public lots.



- d. Refuse disposal: The plans do not indicate how refuse disposal will work for the site. Clarification is needed.

We defer comment on police and fire protection and schools.

Standard 6. Traffic Impact. The proposed special land use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration: pedestrian access and safety; vehicle trip generation (i.e. volumes); types of traffic, access location, and design, circulation, and parking design; street and bridge capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. The applicant shall comply with the City's Complete Street Ordinance.

Finding: The project is in the heart of the City's CBD. Vehicle parking is available within close proximity. The site is accessible by pedestrian and non-motorized. Businesses in this district are evaluated from the standpoint of accessibility district-wide. This proposed use is consistent with the types of uses in the district and the associated vehicle and pedestrian trip generation. The City Planner's report includes several specific concerns and recommendations related to pedestrian access to the site and building entrance clearance and accessibility. We agree with accessibility related concerns.

Conclusion: Clarification is needed on the plan relative to refuse disposal, and large event logistics related to waste disposal. Further, the plan shall provide sufficient dimensional information to confirm building ingress and egress accessibility. Detailed grading of these areas to meet ADA compliance can be reviewed in further detail during final site plan, but the dimensional information shall be provided at the SLU and preliminary site plan review stage.

PRELIMINARY SITE PLAN

We have reviewed the above referenced site plan, in accordance with the Zoning Ordinance and the City of Dexter Engineering Standards and offer the following comments.

1. The plans shall more clearly show the existing conditions of the site. A full topographic survey may not be necessary but significant features, particularly in the vicinity of the outdoor areas shall be shown (dumpsters, parking spaces, fences, etc.)
2. We recommend the applicant consider exterior improvements to define the outdoor seating space from other public spaces. This may include fencing, landscaping, planter boxes, etc.
3. The applicant shall verify that the existing concrete pad for the outdoor seating area is in good condition and is ADA compliant.

Should you have any questions about this review, please feel free to contact me at 734-368-5746 or via e-mail at marcus.mcnamara@ohm-advisors.com.

Sincerely,
OHM Advisors

Marcus J McNamara

cc: Justin Breyer, City Manager
Tim Stewart, Superintendent of Public Services
Don Dettling, Dexter Area Fire Department
File



Dexter Area Fire Department

8140 MAIN STREET • DEXTER, MICHIGAN • 48130-1044
TELEPHONE: (734) 426-4500

FIRE CHIEF
DOUGLAS ARMSTRONG

September 26, 2022

Michelle Aniol
Community Development Manager
City of Dexter
8140 Main St.
Dexter, MI 48130

Subject: Plan review of: Highline Sprits Tasting Room
Plans dated: August 23, 2022

Dear Mrs. Aniol:

The Dexter Area Fire Department (DAFD) has reviewed plans submitted to our Department. We have reviewed these plans with Fire Safety and Prevention in mind. Our resources are the City's Fire Protection Ordinance and City's Engineering Standards. Below are our comments.

City of Dexter Engineering Standards (as it refers to fire hydrant location & fire department connections): **Within Standards**

Fire Protection Ordinance: Requirements of this Ordinance will need to be incorporated in future plans before approval: related but not limited to: **Knox Box** International Fire Code (IFC) Section 506, **Addressing** IFC Section 505, **Minimum Roadway Widths** IFC Section D 103, **Fire Lane Signage** IFC Section 503.3 & D 103, **Portable Fire Extinguishers** IFC Section 906 **Fire Suppression, Fire Alarm Systems and Kitchen Fire Suppression System** (if Applicable) IFC 105.7 & Washtenaw County Building Department as well as the Office of Fire Safety.

DAFD Requirements: The existing suite next to this proposed project has a means of egress door that will required a exit pathway through the proposed outside seating area. This pathway shall be at least the width of the egress doorway and be unobstructed ending at the public way (street).

DAFD Recommendations: None

Donald Dettling
Captain / Fire Inspector

Cc/

Fire Chief	Doug Armstrong
City Mgr.	Justin Breyer
Owner/Developer	Matt Schuster & Andrew Hauptman
OHM	Marcus McNamara & Patrick Droze

SMOKE DETECTORS SAVE LIVES



STAFF MEMORANDUM

Agenda: 10/24/22
Item: M-3

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

From: Michelle Aniol, Community Development Manager

Date: October 19, 2022

RE: Local Government Approval of Off-Premise Liquor License for Highline Spirits

Enclosed for your consideration is a Resolution for an Off-Premise Tasting Room License for Highline Spirits, to be located at 3126 Broad Street, Suite 102.

According to the Michigan Liquor Control Commission (MLCC) an off-premises tasting room license is a license that may be held by a Wine Maker, Small Wine Maker, Distiller, Small Distiller, or Brandy Manufacturer licensed at a location that is not on the manufacturer's licensed manufacturing premises. Under an Off-Premises Tasting Room license, the manufacturer may only sell the spirit, wine, or brandy products it manufactures at its licensed manufacturing premises. A manufacturer may have up to five (5) Off-Premises Tasting Room licenses (or a combination of Off-Premises Tasting Room licenses and Joint Off-Premises Tasting Room licenses) where full drinks may be sold and served for on-premises consumption and unlimited Off-Premises Tasting Room licenses where limited samples only are sold or given away for on-premises consumption. The sale of spirit, wine, or brandy products to consumers for off-premises consumption is also allowed with an Off-Premises Tasting Room license.

Prior to the MLCC issuing an off-premises license to Highline Spirits, City Council must grant approval.

Motion

Motion by the City of Dexter City Council that it **RECOMMENDS/ DOES NOT RECOMMEND** an Application from Highline Spirit for a new Off-Premises Tasting Room, to be located at 3126 Broad Street, Suite 102, Dexter, Michigan, 48130 be considered for approval by the Michigan Liquor Control Commission.



Local Government Approval For Off-Premises Tasting Room License
(Authorized by MCL 436.1536)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new Off-Premises Tasting Room License application.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)
Moved by _____ and supported by _____
that the application from _____
(name of applicant - if a corporation or limited liability company, please state the company name)

for a **NEW OFF-PREMISES TASTING ROOM LICENSE**

to be located at: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____
Nays: _____
Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

STAFF REPORT

Agenda: 10/24/22

Item: M-4

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

From: Michelle Aniol, Community Development Manager

Date: October 19, 2022

RE: Set a Public Hearing to Consider an Amendment to the General Code of Ordinances

City Council is scheduled to consider setting a public hearing to consider an amendment to the City's General Code of Ordinances. The proposed amendment is the result of discussions over the summer regarding enforcement of property maintenance, specifically proper lawn care.

In Chapter 18, Article II, of the City's General Code of Ordinances the growth of lawns, noxious weeds or other harmful plants over eight (8) inches in height are defined as public nuisance and blight. That same article also identifies and authorizes an enforcement officer to administer and enforce provisions of the article and issue tickets (i.e., municipal infractions) to violators, establishes provisions for city abatement of public nuisances/blight, and sets forth regulations for assessing property owners for cost incurred by the city.

To affect a quicker response and expend less staff time, staff offers the following amendment to the General Code, by removing overgrown lawn and noxious weeds from Section 18-31 and add a new Article III, Grass and Weeds, under Chapter 62 Vegetation, to regulate 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.
 - fe. 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.

- gf. The pollution of any stream, well or body of water by sewage, industrial wastes, or other harmful substances.
- hg. The storage of harmful or polluting substances upon the land except in secure and properly labeled containers.
- ih. Emission of smoke, noxious fumes, gas, or other substances into the air in harmful quantities.
- ji. The keeping of animals upon premises where such keeping is harmful or offensive to city residents.
- kj. Offering for sale unsanitary or harmful food products.
- lk. Maintenance of gambling devices or games upon the premises.
- ml. 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

(a) 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.

(b) The provisions and requirements of this Article shall not apply to public parks and natural prairies, nor to rain gardens, as defined by the Washtenaw County Water Resources Commissioner.

Section 62-51 Responsibility of Owner and/or Occupant

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

- (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)~~eight (8) 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.

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)~~eight (8) 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 eight (8) ~~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.

SUGGESTED MOTION

Motion to schedule a public hearing to consider amendments to Chapter 18, Environment and Chapter 62 of the City of Dexter General Code, for the purpose of regulating the growth of lawns and noxious weeds.

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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: Resolution to Amend Organizational Matters

Date: October 19, 2022

As City Council is aware, Paul Cousins is our current Mayor Pro-Tem. Paul Cousins has not been able to attend Council meetings since the end of July 2022, and it is uncertain when he may be able to return to full in person participation. As I look ahead on our schedule, I am not going to be able to attend the City Council meeting on November 14, 2022. Typically, the Mayor Pro-Tem would chair that meeting in my absence. I asked our City Manager to place this item on our agenda as a consideration item to change the Mayor Pro-Tem for the November 14th meeting. Donna Fisher is the longest tenured City Council member and I have asked her if she would be comfortable acting as chair for the November 14th meeting. She indicated that she would be willing to do so, thus, I am asking City Council to consider changing our Organizational Matters, specifically Mayor Pro-Tem from Paul Cousins to Donna Fisher in preparation for my absence at the November 14th meeting. Thank you.

Resolution # 2022 -XX

RESOLUTION FOR THE PURPOSE OF ESTABLISHING ORGANIZATIONAL MATTERS FOR THE CITY OF DEXTER

At a regular meeting of the City Council of the City of Dexter, Michigan called to order by Mayor Shawn Keough on, Monday, October 24, 2022 at 7:00 p.m., the following resolution was offered:

Moved by: Supported by:

WHEREAS, the City intends to generally utilize various firms and individuals for particular matters with appointment terms to coincide with the regular City election every November of even years, and

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

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

1. Bank Signatories: Mayor, Mayor Pro Tem, Treasurer, City Manager, and Assistant to the City Manager.
2. Mayor Pro Tem: ~~Paul Cousins~~ [Donna Fisher](#)
3. Attorney for Traffic and Ordinance Enforcement Matters: Tom Stringer
4. Attorney for Bonding Matters: Miller Canfield
5. Attorney for General Legal Matters: Dykema and Scott Munzel
6. Attorney for Contested NPDES Permit: Varnum, Riddering, Schmidt & Howlett
7. Consultants for Planning and Zoning Matters: Carlisle/Wortman Associates, Inc.
8. Financial Consultant: Tom Traciak, Baker Tilly Municipal Advisors
9. General Consultant for Engineering Matters: OHM Advisors
10. Consultant for Parks & Recreation Matters: SmithGroup
11. Specialized Water & Sewer Engineering & Consulting: Williams & Works; Flies & Vandenbrink
12. Environmental Consultant: ASTI Environmental
13. Auditor: PSLZ, LLC
14. Freedom of Information Officer: City Manager
15. Street Administrator: Kurt Augustine

16. As Council representatives to the following organizations:

- 3045 Broad Redevelopment Zach Michels, Donna Fisher, Shawn Keough, Don Darnell, Doug Finn, Vacant
- 5H Paul Cousins
- Arts, Culture & Heritage Committee Sanam Arab
- CAPT/DART Zach Michels, Sanam Arab
- Chamber of Commerce Shawn Keough, Donna Fisher (alternate)
- Dexter Area Fire Department Board Shawn Keough, Zach Michels
- Dexter Daze Sanam Arab
- Economic Preparedness Zach Michels, Donna Fisher, Shawn Keough
- Election Commission City Clerk, Donna Fisher, Ray Tell
- Finance Committee Shawn Keough, Zach Michels
- Housing Task Force Zach Michels, Donna Fisher
- Huron River Watershed Council/Stormwater Paul Cousins
- Library Board Martha Gregg
- Parks & Recreation Commission, Ex-officio Jamie Griffin
- Planning Commission, Ex-officio Wa-Louisa Hubbard
- Regional Resource Management Authority Justin Breyer, Josh Tanghe (alternate)
- SEMCOG Zach Michels, Michelle Aniol (alternate)
- SPARK Public Sector Committee Shawn Keough, Staff Alternate
- Street/Sidewalk/Alley Committee Paul Cousins, Jamie Griffin, Zach Michels
- Urban County (Chief Elected Official or designee) Michelle Aniol
- Utilities Committee Zach Michels, Shawn Keough, Jamie Griffin
- Washtenaw Area Value Express (WAVE) Paul Cousins
- WATS (Technical and Policy) Shawn Keough (Policy), Justin Breyer (Policy Alternate), Public Services Superintendent (Technical)
- Website Committee Donna Fisher, Shawn Keough
- Zoning Board of Appeals Sanam Arab
- Zoning Ordinance Update Sub-Committee Wa-Louisa Hubbard, Jamie Griffin

BE IT FURTHER RESOLVED, that the City of Dexter is committed to fostering an environment that encourages the purchase of local goods and the use of local businesses; and

BE IT FURTHER RESOLVED, that the regular meeting of the City Council shall be held the 2nd and 4th Monday of each month at 7:00 p.m., at City Hall --- 3515 Broad St.; and

That, all representatives shall report to Council as scheduled, review significant issues and proposals with Council for input and discussion, as needed; and

That the Regular Meeting of the City Planning Commission shall be held the 1st Monday of each Month at 7:00 p.m. at City Hall -- 3515 Broad St.; and

That the Regular Meeting of the Arts, Culture, and Heritage Committee shall be held the 1st Wednesday of each Month at 6:30 p.m. at City Hall – 3515 Broad St.; and

That the Regular Meeting of the City Parks & Recreation Commission shall be held the 3rd Tuesday of each month at 7:00 p.m. at City Hall -- 3515 Broad St.; and

That the Regular Meeting of the Zoning Board of Appeals shall be held the 3rd Monday of each month at 7:00 p.m. at City Hall-- 3515 Broad St. (Meetings will only be held when requests are pending.); and

That in the event that meetings are unable to be held at 3515 Broad St., the St. Andrew’s Church Fellowship Hall at 7610 Ann Arbor St. shall serve as an alternate location.

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION DECLARED ADOPTED THIS 24th DAY OF OCTOBER, 2022.

Shawn W. Keough, Mayor

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on the 24th day of October, 2022.

Justin Breyer, City Clerk

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: Meeting Reminders in City Email Updates

Date: October 19, 2022

As requested by Council Member Griffin, a consideration item has been added to the agenda regarding meeting reminders in the City Email Update.

In reviewing the request and staff's process for releasing e-mail updates, staff believes that this request can be accommodated. To provide this information consistently and for streamlining purposes, City staff would recommend modifying the e-mail update template to:

- 1) Add a standing link to the bottom of our Email Update template to provide readers a quick link to the City Calendar on the City's website. From the City Calendar page, visitors could then access any meeting that may be of interest to them; or
- 2) Add two standing links (one for City Council, one for Planning Commission) to the bottom of the E-Mail Update to direct readers to the City Council and Planning Commission "Agendas, Minutes & Packets" pages. Along with the links, staff can add something to the effect of: "City Council meetings typically take place on the second and fourth Mondays of each month at 7:00pm, and Planning Commission typically takes place on the first Monday of each month at 7:00pm. Public meetings are held in person and via the online Zoom Meetings platform."

Attached to this memo is an email from Council Member Griffin with the item request.



Justin Breyer <jbreyer@dextermi.gov>

10/24 Agenda Item

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

Fri, Oct 14, 2022 at 1:38 PM

Hi Justin,

Sometime in the past, I suggested that the City's email updates include mention of upcoming Council meetings. I would like to bring that topic back to Council for consideration at our 10/24 meeting.

In our recent community survey, 68.5% of respondents (N=454) reported learning about news and events in the city via the City's email updates. I would expect this percentage to be high given one of the methods for distributing the survey was the City's email list. Nevertheless, a significant number of people learn about events and happenings in the city via the weekly email update.

Per our most recent goals and objectives document: "The City commits to providing mechanisms to share information with the public in a wide variety of platforms." Further, a specific stated objective is to "provide an email update at least twice per month." Recent email updates have included mention of the information meeting on the millage and public hearing notices; however, we have not yet adopted the practice of including the mention of all upcoming Council (and perhaps even Planning Commission) meetings with links to the corresponding agendas and packets.

Would you please add a consideration item to our next meeting's agenda regarding the topic of including meeting reminders in the City's email update? If there are any limitations in staff's ability to accommodate such a request, I would be interested in hearing them.

Thank you,
Jamie



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: Discussion of: Draft Articles of Incorporation for Dexter Seniors Authority
Date: October 19, 2022

As I have been reporting in my recent Mayor Reports, I have been meeting with the Supervisors from Dexter Township and Webster Township and Jim Carson from the Dexter Senior Center Board. Together, we have discussed and developed a draft Articles of Incorporation to set up an Authority under Act 321, Public Acts of 2000 (the "Recreational Authorities Act"). I have attached a copy of the Act as additional information for City Council to review. I feel that our community needs to establish this Authority so that the Dexter Seniors have the ability to generate their own revenue for use in offering programs and to pay for space (i.e. lease, own, etc.). Our partner communities in this effort are Dexter Township and Webster Township. If all Boards feel that this process should continue, we would each need to pass the same documents in order to establish the Authority. At this time, the two Supervisors are sharing these same Articles with their Boards for comment. I look forward to Council feedback on this item in hopes that we can keep this moving forward. Thank you.

ARTICLES OF INCORPORATION
FOR
THE DEXTER SENIORS RECREATIONAL AUTHORITY

These Articles of Incorporation are adopted, signed, and acknowledged by the incorporating units for the purpose of forming a recreational authority under the provisions of Act No. 321, Public Acts of 2000 (the "Recreational Authorities Act").

ARTICLE I
NAME

This authority shall be known as the DEXTER SENIORS RECREATIONAL AUTHORITY, hereafter referred to as the Authority.

ARTICLE II
PARTICIPATING MUNICIPALITIES

The participating municipalities are the City of Dexter, a Michigan municipal corporation, the Township of Dexter, a Michigan municipal corporation and the Township of Webster, a Michigan municipal corporation. They are hereafter referred to as the participating municipalities.

ARTICLE III
PURPOSE

The Authority is incorporated for the purpose of the acquisition, construction, operation, maintenance, or improvement of public recreation centers, public parks, and public conference centers as may be acquired by the Authority or as may be transferred to it by a participating municipality. The Authority may donate, sell, lease or transfer any such facilities so acquired only to a participating

municipality. Other than as limited by these Articles, the Authority is incorporated for all purposes as stated in the Recreational Authorities Act, as limited by these Articles and any subsequent amendments.

ARTICLE IV DURATION

The Authority shall be automatically dissolved within sixty (60) days from and after the election date if the electors of the Authority fail to approve a public recreation tax on all of the taxable property within the territory of the Authority by **December 2024**. Notwithstanding the foregoing, if the participating municipalities, acting through their respective governing bodies within such sixty (60) day period, elect to extend its duration, then the Authority shall continue for so long as then specified by the participating municipalities. If the electors so approve such tax, the Authority's duration shall continue for so long as an approved millage remains in effect.

ARTICLE V TERRITORY

The territory of the Authority shall be the corporate boundaries of the City of Dexter, the Township of Webster and portions of the Township of Dexter, as shown on the attached Exhibit (**need to create Authority Territories Map**).

ARTICLE VI POWERS AND DUTIES

Section 1 The Authority shall be an authority under Section 6 of Article IX of the State Constitution of 1963. It shall be a body corporate with power to sue and be sued in any court of the State of Michigan. It shall have the powers and duties as established by the Recreational Authorities Act and incidental thereto. MCL 123.1131.

Section 2 The Authority and the participating municipalities shall have the power to acquire and hold, by purchase, lease, option, grant, gift, devise, land contract, installment purchase contract, bequest, or other legal means, real and personal property inside or outside the territory of the Authority. The property may include

franchises, easements, or rights of way on, under, or above any property. The Authority may pay for the property from, or pledge for the payment of the property, revenue of the Authority.

Section 3 The Authority shall have the power to donate, sell, lease or otherwise transfer its property or any part thereof or interest therein to one or any of the participating municipalities or to any other person or entity upon approval of the participating municipalities.

Section 4 The Authority shall have the power to apply for and accept grants and contributions from individuals, the federal government or any of its agencies, the State of Michigan, a municipality, or other public or private agencies to be used for any of the purposes of the Authority.

Section 5 Before adopting by resolution a proposal for a tax authorized by the Recreational Authority Act, the proposed resolution shall be submitted to the participating municipalities and not less than 45 days be allowed for their consideration and comment.

Section 6 The Authority shall operate on a July 1 - June 30 fiscal year and the annual operating budgets shall be submitted to the participating municipalities for review and approval.

Section 7 The Authority shall have the power to hire full-time or part-time employees and retain professional services.

Section 8 The Authority shall have the power to provide for the maintenance of all of the real and personal property of the Authority.

Section 9 The Authority shall have the power to assess and collect fees for services provided by and expenses incurred by the Authority.

Section 10 The Authority shall have the power to receive revenue as appropriated by the legislature of the State of Michigan or a participating municipality.

Section 11 The Authority shall have the power to enter into contracts incidental to or necessary for the accomplishment of the purposes of the Authority.

Section 12 The Authority's operation of public facilities shall be limited to only those public facilities and lands that it has acquired or that have been transferred to the Authority by a participating municipality. Nothing in these Articles shall obligate a participating municipality to transfer any park, recreation center, or any land or interest therein to the Authority.

ARTICLE VII GOVERNING BODY – OFFICERS

Section 1 The Authority shall be directed and governed by a board of directors of nine members known as the "Board", three members to be appointed by the City of Dexter's City Council, three members to be appointed by the Township of Dexter's Board of Trustees, and three members to be appointed by the Township of Webster's Board of Trustees.

Section 2 Members of the legislative body of a participating municipality are eligible for membership or appointment to the Board. At least one (1) member of each participating municipality's legislative body shall be appointed to the Board. Each member of the Board shall be a resident of the participating municipality that appoints that member.

Section 3 The terms of the directors shall be three years. The initial terms of the directors constituting the first Board shall be staggered as follows:

a. For the three directors appointed by the City of Dexter:

One director shall serve a one-year term.

One director shall serve a two-year term.

One director shall serve a three-year term.

b. For the three directors appointed by the Township of Dexter:

One director shall serve a one-year term.

One director shall serve a two-year term.

One director shall serve a three-year term.
c. For the three directors appointed by the Township of Webster:

One director shall serve a one-year term.

One director shall serve a two-year term.

One director shall serve a three-year term.

Section 4 The Board shall designate one of the directors as Chairperson, another of the directors as Secretary, and another as Treasurer.

Section 5 The Board shall adopt and amend by-laws including rules of procedure consistent with the provisions of the Recreational Authorities Act. The by-laws shall provide for regular meetings of the Board, not less frequent than quarterly. The by-laws and any amendment to them shall not be effective until approved by the each of the participating municipalities.

Section 6 The Chairperson shall preside at meetings of the Board and may sign and execute all Authority-authorized bonds, contracts, and other obligation in the name of the Authority. The Chairperson shall do and perform such other duties as may be fixed by the by-laws and from to time to time assigned by the Board.

Section 7 The Secretary shall perform all the duties fixed by the by-laws. The Secretary shall preside at meetings of the Board in the absence of the Chairperson.

Section 8 The Treasurer shall perform all duties fixed by the by-laws. The Treasurer shall be bonded for the faithful discharge of the duties as Treasurer, the bond to be of such character, form, and in such amount as the Board may require.

Section 9 No member of the Board shall receive compensation for services as a member of the Board but is entitled to reimbursement for reasonable expenses, including expenses for travel authorized by the Board incurred in the discharge of the directors' duties.

Section 10 Vacancies occurring in the office of director shall be filled

by the participating municipality or other entity having appointed the vacated director position. Vacancies shall be filled within 30 days of the vacancy for the remainder of the unexpired term.

Section 11 A director may be removed from office as provided by and in accordance with the Recreational Authorities Act.

ARTICLE VIII PUBLIC BODY

The Authority is a public body and shall comply with the requirements of the Michigan Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and the Freedom of Information Act, Act 442 of the Public Acts of 1976, as amended.

ARTICLE IX PUBLICATION

A copy of these Articles of Incorporation shall be published once in the *Dexter Sun Times*, being a newspaper circulated within the participating municipalities prior to adoption by the participating municipalities.

ARTICLE X ADDITION OR WITHDRAWAL OF PARTICIPATING MUNICIPALITIES

Section 1 A municipality may become a participating municipality in the Authority only upon an affirmative vote of the legislative bodies of the existing participating municipalities and the proposed participating municipality. If the Authority has been authorized to levy a tax, the addition of another participating municipality shall be contingent upon approval by the electors of the proposed municipality of a tax equivalent to that which the Authority has been authorized to levy.

Section 2 A participating municipality may withdraw from the Authority on an affirmative vote of the legislative body of each participating municipality. However, in no event shall a participating municipality withdraw from the Authority during the period for which the

Authority has been authorized to levy a tax by the electors of the Authority.

ARTICLE XI
AMENDMENT

Amendments to these Articles of Incorporation shall be made only as authorized by the Recreational Authorities Act. Amendments shall be published in the *Dexter Sun Times* before adoption.

ARTICLE XII
EFFECTIVE DATE

These Articles of Incorporation shall become effective and be in full force and effect upon filing with the Secretary of State.

IN WITNESS WHEREOF, the participating municipalities have adopted and authorized to be executed these Articles of Incorporation, on behalf of the City of Dexter, by the Mayor and the City Clerk, the Township of Dexter, by the Supervisor and Township Clerk, and the Township of Webster, by the Supervisor and the Township Clerk.

CITY OF DEXTER, a Michigan municipal corporation.

, Mayor

, City Clerk

TOWNSHIP OF DEXTER, a Michigan municipal corporation.

, Supervisor

, Township Clerk

TOWNSHIP OF WEBSTER, a Michigan municipal corporation.

, Supervisor

, Township Clerk

The foregoing Articles of Incorporation were adopted by the City Council of the City of Dexter, Michigan, at a regular scheduled meeting on the ____ day of _____.

Dated: _____, _____, City Clerk

The foregoing Articles of Incorporation were adopted by the Township Board of Dexter Township at a regular meeting duly held on the ____ day of _____.

Dated: _____, _____, Township Clerk

The foregoing Articles of Incorporation were adopted by the Township Board of Trustees of Webster Township at a regular meeting duly held on the ____ day of _____.

Dated: _____, _____, Township Clerk

Published in the *Dexter Sun Times* on _____.

Filed with the Secretary of State on _____.

RECREATIONAL AUTHORITIES ACT
Act 321 of 2000

AN ACT to provide for the establishment of recreational authorities; to provide powers and duties of an authority; to authorize the assessment of a fee, the levy of a property tax, and the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials.

History: 2000, Act 321, Eff. Dec. 1, 2000.

The People of the State of Michigan enact:

123.1131 Short title.

Sec. 1. This act shall be known and may be cited as the "recreational authorities act".

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1133 Definitions.

Sec. 3. As used in this act:

- (a) "Articles" means the articles of incorporation of an authority.
- (b) "Authority" means a recreational authority established under section 5.
- (c) "Board" means the board of directors of the authority.
- (d) "District" means a portion of a municipality having boundaries coterminous with those of a precinct used for general elections.
- (e) "Electors of the authority" means the qualified and registered electors of the participating municipalities who reside within the territory of the authority.
- (f) "Largest county" means, of those counties in which a participating municipality is located, the county having the greatest population.
- (g) "Municipality" means a city, county, village, township, or school district.
- (h) "Park" means an area of land or water, or both, dedicated to 1 or more of the following uses:
 - (i) Recreational purposes, including, but not limited to, landscaped tracts; picnic grounds; playgrounds; athletic fields; camps; campgrounds; zoological and botanical gardens; living historical farms; boating, hunting, fishing, and birding areas; swimming areas; and foot, bicycle, and bridle paths.
 - (ii) Open or scenic space.
 - (iii) Environmental, conservation, nature, or wildlife areas.
- (i) "Participating municipality" means a municipality or district that is named in articles of incorporation or proposed articles of incorporation as joining in the original establishment of an authority, or a municipality or district that joins an existing authority and is added to the articles of incorporation, and that has not withdrawn from the authority.
- (j) "Public historic farm" means a parcel of public land and its buildings that are accessible to the public, and provides, but is not limited to, agricultural and historical programs, farming activities and animal husbandry, community recreation activities and events, programs held in common areas, meeting rooms, and community gardens, and access to surrounding parkland.
- (k) "Swimming pool" includes equipment, structures, areas, and enclosures intended for the use of individuals using or operating a swimming pool, such as equipment, dressing, locker, shower, and toilet rooms.
- (l) "Territory of the authority" means the combined territory of the participating municipalities that is served by an authority.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003;—Am. 2016, Act 174, Eff. Sept. 12, 2016.

123.1135 Recreational authority; establishment; articles of incorporation; adoption; applicability of subsection (3); publication; filing copy with secretary of state; effect.

Sec. 5. (1) Two or more municipalities or districts may establish a recreational authority. A recreational authority is an authority under section 6 of article IX of the state constitution of 1963.

(2) To initiate the establishment of an authority, articles of incorporation shall be prepared. The articles of incorporation shall include all of the following:

- (a) The name of the authority.
- (b) The names of the participating municipalities.
- (c) A description of the territory of the authority.
- (d) The size of the board of the authority, which shall be comprised of an odd number of members; the qualifications, method of selection, and terms of office of board members; and the filling of vacancies in the

office of board member. If board members are elected in at-large elections by the qualified and registered electors of the participating municipalities, voting collectively, the election of board members shall be conducted pursuant to the same procedures that govern an election for a tax under sections 13 to 17.

(e) The purposes for which the authority is established, which shall be the acquisition, construction, operation, maintenance, or improvement of 1 or more of the following:

- (i) A public swimming pool.
- (ii) A public recreation center.
- (iii) A public auditorium.
- (iv) A public conference center.
- (v) A public park.
- (vi) A public museum.
- (vii) A public historic farm.

(f) The procedure and requirements for a municipality or district to become a participating municipality in, and for a participating municipality to withdraw from, an existing authority or to join in the original formation of an authority. For a municipality or district to become a participating municipality in an existing authority or to join in the original formation of an authority, a majority of the electors of the municipality or district proposed to be included in the territory of the authority and voting on the question shall approve a tax that the authority has been authorized to levy by a vote of the electors of the authority under section 11. A municipality or district shall not withdraw from an authority during the period for which the authority has been authorized to levy a tax by the electors of the authority.

(g) Any other matters considered advisable.

(3) The articles shall be adopted and may be amended by an affirmative vote of a majority of the members serving on the legislative body of each participating municipality. If a participating municipality is a district, the articles shall be adopted and may be amended by an affirmative vote of a majority of the members serving on the legislative body of the entire municipality. Unless the articles provide otherwise, the requirements of this subsection do not apply to an amendment to the articles to allow a municipality or district to become a participating municipality in, or to allow a participating municipality to withdraw from, an existing authority.

(4) Before the articles or amendments to the articles are adopted, the articles or amendments to the articles shall be published not less than once in a newspaper generally circulated within the participating municipalities. The adoption of articles or amendments to the articles by a municipality or district shall be evidenced by an endorsement on the articles or amendments by the clerk of the municipality.

(5) Upon adoption of the articles or amendments to the articles by each of the participating municipalities, a printed copy of the articles or the amended articles shall be filed with the secretary of state by the clerk of the last participating municipality to adopt the articles or amendments.

(6) The authority's articles of incorporation, or amendments to the articles, take effect upon filing with the secretary of state.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003.

123.1137 Board of directors; vacancy; quorum; voting; reimbursement for expenses; conduct of public meeting; availability of writing; election of officers; adoption of bylaws.

Sec. 7. (1) A vacancy occurs on the board on the happening of any of the events set forth in section 3 of 1846 RS 15, MCL 201.3. Appointed members of the board, if any, may be removed by the appointing authority for good cause after a public hearing. Vacancies shall be filled in the same manner as the original appointment for the unexpired term.

(2) A majority of the members of the board constitutes a quorum for the purpose of conducting business and exercising the powers of an authority. Official action may be taken by an authority upon the vote of a majority of the board members present, unless the authority adopts bylaws requiring a larger number.

(3) A member of the board shall not receive compensation for services as a member of the board but is entitled to reimbursement for reasonable expenses, including expenses for travel previously authorized by the board, incurred in the discharge of his or her duties.

(4) The business that an authority may perform shall be conducted at a public meeting of the authority held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(5) A writing prepared, owned, or used by an authority in the performance of an official function shall be made available in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(6) At its first meeting, a board shall elect a chairperson, a secretary, a treasurer, and any other officers it considers necessary. A board shall meet at least quarterly.

Rendered Wednesday, August 10, 2022

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(7) A board may adopt bylaws to govern its procedures.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1139 Powers of authority.

Sec. 9. An authority may do 1 or more of the following:

(a) Acquire and hold, by purchase, lease with or without option to purchase, grant, gift, devise, land contract, installment purchase contract, bequest, or other legal means, real and personal property inside or outside the territory of the authority. The property may include franchises, easements, or rights of way on, under, or above any property. The authority may pay for the property from, or pledge for the payment of the property, revenue of the authority.

(b) Apply for and accept grants or contributions from individuals, the federal government or any of its agencies, this state, a municipality, or other public or private agencies to be used for any of the purposes of the authority.

(c) Hire full-time or part-time employees and retain professional services.

(d) Provide for the maintenance of all of the real and personal property of the authority.

(e) Assess and collect fees for services provided by and expenses incurred by the authority.

(f) Receive revenue as appropriated by the legislature of this state or a participating municipality.

(g) Enter into contracts incidental to or necessary for the accomplishment of the purposes of the authority.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1141 Public swimming pool, public recreation center, public auditorium, or conference center, or public park; tax levy; ballot proposal; vote; authorization; number of elections; proceeds; use.

Sec. 11. (1) An authority may levy a tax of not more than 1 mill for a period of not more than 20 years on all of the taxable property within the territory of the authority for the purposes of acquiring, constructing, operating, maintaining, and improving a public swimming pool, public recreation center, public auditorium or conference center, or public park. The authority may levy the tax only upon the approval of a majority of the electors in each of the participating municipalities of the authority voting on the tax on November 6, 2001 or, thereafter, at a statewide general or primary election. The proposal for a tax shall be submitted to a vote of the electors of the authority by resolution of the board.

(2) A ballot proposal for a tax shall state the amount and duration of the millage and the purposes for which the millage may be used. A proposal for a tax shall not be placed on the ballot unless the proposal is adopted by a resolution of the board and certified by the board not later than 60 days before the election to the county clerk of each county in which all or part of the territory of the authority is located for inclusion on the ballot. The proposal shall be certified for inclusion on the ballot at the next eligible election, as specified by the board's resolution.

(3) If a majority of the electors in each of the participating municipalities of the authority voting on the question of a tax approve the proposal as provided under subsection (1), the tax levy is authorized. Not more than 2 elections may be held in a calendar year on a proposal for a tax authorized under this act.

(4) The proceeds of a tax levied under this section shall only be used by the authority for those purposes described in this section and shall not be used by the authority for either of the following:

(a) Except as otherwise provided in subsection (5), any general fund purposes by any participating municipality.

(b) Any school operating purposes, as that term is defined in section 20 of the state school aid act of 1979, 1979 PA 94, MCL 388.1620, by any participating municipality that is a school district.

(5) The proceeds of a tax levied under this section may be used for general fund purposes by a participating municipality if the proceeds used are directly related to managing the operation of the business of the authority pursuant to a contract between the authority and that participating municipality.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003;—Am. 2016, Act 173, Eff. Sept. 12, 2016.

123.1142 Preferences or benefits to be offered to residents.

Sec. 12. If a majority of electors in each of the participating municipalities of the authority voting on the question of a tax as provided in section 11 approve the tax, the authority shall consider offering preferences or benefits for the residents of the participating municipalities that include, but are not limited to, any of the following:

(a) Discounted admission fees.

(b) Discounted membership fees.

(c) Discounts for school children.

(d) Access to educational programs.

History: Add. 2016, Act 173, Eff. Sept. 12, 2016.

123.1143 Tax election; ballots provided by county election commission; conduct; list of qualified electors.

Sec. 13. (1) The county election commission of each county in which all or part of a participating municipality is located shall provide ballots for an election for a tax under section 11 for each participating municipality or part of a participating municipality located within the county.

(2) An election for a tax shall be conducted by the city and township clerks and election officials of the municipalities located within the territory of the authority.

(3) If an election on a proposal for a tax is to be held in conjunction with a general election or state primary election and if a participating village is located within a nonparticipating township, the township clerk and election officials shall conduct the election. Not later than 45 days preceding the election, the village clerk shall provide to the township clerk a list containing the name, address, and birth date of each qualified and registered elector of the village residing in the territory of the authority. Not later than 15 days before the election, the village clerk shall provide to the township clerk information updating the list as of the close of registration. A person appearing on the list as updated is eligible to vote in the election by special ballot.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1145 Notices of close of registration and election; publication; certification of election results.

Sec. 15. (1) If an election for a tax under section 11 is to be held in conjunction with a general election or a state primary election, the notices of close of registration and election shall be published as provided for by the state election laws. Otherwise, the county clerk of the largest county shall publish the notices of close of registration and election. The notice of close of registration shall include the ballot language of the proposal.

(2) The results of an election for a tax shall be canvassed by the board of county canvassers of each county in which a participating municipality is located. The board of county canvassers of a county in which a participating municipality is located and that is not the largest county shall certify the results of the election to the board of county canvassers of the largest county. The board of county canvassers of the largest county shall make the final canvass of an election for a tax based on the returns of the election inspectors of the participating municipalities in that county and the certified results of the board of county canvassers of every other county in which a participating municipality is located. The board of county canvassers of the largest county shall certify the results of the election to the board of the authority.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1147 Tax election; costs; reimbursement; basis.

Sec. 17. (1) A county clerk shall charge the authority and the authority shall reimburse the county for the actual costs the county incurs in an election for a tax under section 11 that occurs on November 6, 2001.

(2) If a participating municipality conducts an election for a tax, the clerk of that participating municipality shall charge the authority and the authority shall reimburse the participating municipality for the actual costs the participating municipality incurs in conducting the election if the election is not held in conjunction with a regularly scheduled election in that municipality.

(3) In addition to costs reimbursed under subsection (1) or (2), a county or municipality shall charge the authority and the authority shall reimburse the county or municipality for actual costs that the county or municipality incurs and that are exclusively attributable to an election for a tax authorized under this act.

(4) The actual costs that a county or municipality incurs shall be based on the number of hours of work done in conducting the election, the rates of compensation of the workers, and the cost of materials supplied in the election.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1149 Collection and distribution of tax.

Sec. 19. The tax shall be collected with county taxes and distributed by the local tax collecting unit under the provisions of the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1151 Borrowing money or issuing bonds or notes.

Sec. 21. (1) An authority may borrow money and issue bonds or notes to finance the acquisition, construction, and improvement of a public swimming pool, a public recreation center, a public auditorium, a

public conference center, or a public park, including the acquisition of sites and the acquisition and installation of furnishings and equipment for these purposes.

(2) An authority shall not borrow money or issue bonds or notes for a sum that, together with the total outstanding bonded indebtedness of the authority, exceeds 2 mills of the taxable value of the taxable property within the district as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(3) Bonds or notes issued by an authority are a debt of the authority and not of the participating municipalities.

(4) A tax levied to pay a bond or note obligation by a recreational authority under this act shall not exceed 5 years without the approval of a majority of the electors in each of the participating municipalities of the authority.

(5) All bonds or notes issued by a recreational authority under this act are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2002, Act 233, Imd. Eff. Apr. 29, 2002;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003.

123.1153 Issuance of general obligation unlimited tax bonds; submission of proposal for vote; ballot language; conduct of election; authorization and levy of tax.

Sec. 23. (1) An authority may issue general obligation unlimited tax bonds upon approval of a majority of the electors in each of the participating municipalities of the authority voting on the question of issuing the bonds. The proposal to issue general obligation unlimited tax bonds shall be submitted to a vote of the electors of the authority by resolution of the board.

(2) The language of the ballot proposal shall be in substantially the following form:

"Shall [name of authority], formed by [names of participating municipalities], borrow the sum of not to exceed _____ dollars (\$ _____) and issue its general obligation unlimited tax bonds for all or a portion of that amount for the purpose of _____?"

This is expected to result in an increase of _____ in the tax levied on property valued at _____ for a period of _____ years.

Yes [] No []".

(3) The election shall be conducted in the manner provided in sections 11 to 17 for an election for a tax. Not more than 2 elections on the question of issuing general obligation unlimited tax bonds may be held in a calendar year.

(4) If an authority issues general obligation unlimited tax bonds under this section, the board, by resolution, shall authorize and levy the taxes necessary to pay the principal of and interest on the bonds.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2003, Act 135, Imd. Eff. Aug. 1, 2003.

123.1155 Refunding outstanding debt obligations.

Sec. 25. (1) An authority may borrow money and issue its negotiable bonds and notes for the purpose of refunding outstanding debt obligations of the district by resolution of the board, without submitting the question to the electors of the authority.

(2) Refunding bonds or the refunding part of a bond issue shall be considered to be within the 2-mill limitation of section 21(2).

(3) An authority may borrow money and issue bonds or notes for refunding all or part of existing bonded or note indebtedness only if the net present value of the principal and interest to be paid on the refunding bonds or notes, excluding the cost of issuance, will be less than the net present value of the principal and interest to be paid on the bonds or notes being refunded, as calculated using a method approved by the department of treasury.

History: 2000, Act 321, Eff. Dec. 1, 2000.

123.1157 Audit; timing; preparation of budgets and appropriations acts; powers, duties, and immunities; filing financial plan to correct deficit condition; investment or deposit of funds.

Sec. 27. (1) A board shall obtain an audit of the authority as required in this section, and report on the audit and auditing procedures, in the manner provided by sections 6 to 13 of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.426 to 141.433. The audit must also be in accordance with generally accepted government auditing standards as promulgated by the United States Government Accountability Office and must satisfy federal regulations relating to federal grant compliance audit requirements.

(2) If an authority levies and collects a tax, or if an authority does not levy or collect a tax and has

\$100,000.00 or more in yearly expenditures, the board shall obtain an annual audit of the authority.

(3) If an authority does not levy or collect a tax and has less than \$100,000.00 in yearly expenditures, the board shall obtain an audit of its financial records, accounts, and procedures not less frequently than biennially. However, if any audit under this subsection discloses a material deviation from generally accepted accounting practices or from applicable rules and regulations of a state department or agency or discloses any fiscal irregularity, defalcation, misfeasance, nonfeasance, or malfeasance, the department of treasury may require an audit to be conducted in the next year.

(4) An authority shall prepare budgets and appropriations acts in the manner provided by sections 14 to 19 of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.434 to 141.439.

(5) The state treasurer, the attorney general, a prosecuting attorney, bank, certified public accountant, certified public accounting firm, or other person has the same powers, duties, and immunities with respect to the authority as provided for local units in sections 6 to 20 of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.426 to 141.440.

(6) If an authority ends a fiscal year in a deficit condition, the authority shall file a financial plan to correct the deficit condition in the same manner as provided in section 21(2) of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.921.

(7) The board may authorize funds of the authority to be invested or deposited in any investment or depository authorized under section 1 of 1943 PA 20, MCL 129.91.

History: 2000, Act 321, Eff. Dec. 1, 2000;—Am. 2019, Act 128, Imd. Eff. Nov. 21, 2019.

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