

## DEXTER VILLAGE COUNCIL

### Regular Meeting

August 25, 2003

The meeting was called to order at 7:30 P.M. by President Coy in the Dexter Area Senior Citizen Center, 7720 Ann Arbor Street.

### Pledge of Allegiance

### Roll Call

Present: Carson, Hall, Semifero Coy, Seta, Turner, Walters

Absent: None

Also Present: Manager Eureste

### Approval of Minutes

Mr. Seta's comments at the bottom of page 3 were deleted.

-Moved Turner, support Seta to approve the minutes of the August 11, 2003, regular meeting as corrected.

Ayes: Hall, Semifero, Seta, Turner, Walters, Coy

Nays: Carson

Motion Carried

### Pre-Arranged Citizen Participation

Mr. Ed Sharkey, liaison from Representative Smith's office presented an update on legislative issues and Mr. Smith's voting record.

Kim Wilkins, Norfolk Development, presented additional information regarding the proposed Eaton Court project, which included petitions and letters of support from for the project from neighboring residents.

### Approval of Agenda

Added under Reports Item 4. Board and Commission Reports, Item a. Parks Commission – Toni Henkemeyer. Added under New Business, as part of item 2. "Discussion of Eaton Court Project and Possible" Consideration of: Motion to reconsider Mr. Carson's motion...

-Moved Semifero, support Carson to approve the agenda as amended.

Ayes: Carson, Hall, Semifero Coy, Seta, Turner, Walters

Nays: None

Motion Carried

### Non-Arranged Citizen Participation

-K. Bowman, 7211 Ulrich, urged Council to reconsider the Eaton Ct. project, offering his opinion that as a less intense use could serve as a transitional buffer and the development is in the best interest of the neighborhood.

-R. Young, 3721 View, stated that based on her investigation of factors surrounding PB land use and R-3 land use, she believes that regarding positive community impact, Eaton Court R-3 is the best choice.

-S. Carpenter, 7249 York, stated she and her husband are in strong support of development of Eaton Court.

-J. Arft, 3624 Noble, stated the Eaton Court project will enhance the area and if asked, she would have gladly circulated a petition in favor of the development.

-L. Grieve, 7261 York, stated her opposition to a change in zoning from PB to R3.

-C. Burton, 7533 Lake Street, stated his concern regarding potential light and noise pollution issues and offered his support of the condominium project and its projected lower impact on his neighborhood.

-P. Grieve, 7261 York, referenced a map presented by S. Napolitan and stated that Norfolk employees had signed a petition in favor of the Eaton Ct. project and offered his opinion that if the Council reconsiders the question of project approval some residents will believe their opinion does not matter. He urged Council to not reconsider and presented three letters in opposition to the development to the Council table.

-R. Tell, 3539 Hudson, stated he has been involved in Village government for 8 years and that he takes great exception to any suggestion of collusion. He further stated Village consultants are in favor of the project and it fits the zoning.

-M. Kowalski, 7652 Grand, Village Planning Commissioner, stated he wished to clear up some points made by speakers. The existing zoning remains PB and the request from Norfolk was for a PUD designation. The project was never denied at the Planning Commission level and a Village attorney opinion upheld the Planning Commission findings. The Planning commission believes the project to be a good transitional zone and it fits the intent of the Village Master Plan. He urged the Council to review the Village Standards for Approval as he believes the project is in the best interest of the entire Village.

-M. Murray, 7246 York stated he signed a petition opposing the Eaton Ct. project and now believes that residential development is best and supports Norfolk Development.

-P. Cousins, 7648 Forest, has been involved in Village Government for many years, and his reflection on a history of Village development bring to light the opposition to many developments including Boulder Park, Dexter Crossing and the Dexter Business and Research Park. He further stated his opinion that the increased tax base has been good for the Village and urged the Council to reconsider the approval of the Eaton Ct. proposal.

-W. Parachek, 3514 Noble, urged Council to reconsider the approval of the Eaton Ct. project, stating her belief that there was some misrepresentation related to the circulation of petitions opposing the development, noting the developer's \$40,000 contribution to public park development and her belief that he has a fine reputation compared to developers of other Village projects.

-M. Bazick, 3522 Oliver, stated she felt misled at the time she signed a petition in opposition to the development of Eaton Ct. and she is now in favor of its approval.

-N. Cara, 3545 York, stated that as an employee of Norfolk development her wage is salaried and not commission based, that she presented the petition of support for Eaton Ct. to Mr. Pawowski, and that she wished to clarify statements made in his letter of opposition submitted to Council.

-J. Hanna, 7279 York, stated he is directly impacted by the Norfolk proposal and he is opposed to the condo project.

-Moved Semifero, support Seta to suspend Council rules for the purpose of considering New Business Item 1 and Item .2.

Ayes: Carson, Hall, Semifero Coy, Seta, Turner, Walters

Nays: None

Motion Carried

## **New Business**

1. Consideration of: Recommendation from the Planning Commission to approve the Dexter Crossing, Combined Preliminary/Final Site Plan, for Phases 6,7 and 8.

-Moved Turner, support Carson to accept the Planning Commission recommendation to approve the Dexter Crossing Combined Preliminary/Final Site Plan for Phases 6, 7 and 8 with the following conditions:

- 1) the notation that Covington Circle should be dedicated as a public street, pending review by the Planning Commission and Village consultants and staff
- 2) the change in note 3 on page one, adding "be installed by Peters Building"
- 3) the addressing of concerns noted in the Carlisle Wortman review
- 4) the addressing of concerns noted in the Mannik and Smith review

- 5) the re-naming of Wellington Court and
- 6) the addressing of deed restrictions for fences in the rear yard on lots adjacent to recorded easements.

Ayes: Carson, Coy, Hall, Semifero, Seta, Turner, Walters

Nays: None

Motion Carried

- 2. Discussion of Eaton Court Project and Possible Consideration of: Motion to reconsider Mr. Carson's motion which was defeated at the August 11, 2003, Council meeting, "To accept the Planning Commission's recommendation that the preliminary site plan for the Eaton Court Condominium Project be approved contingent upon execution of a development agreement and that submittal of a final site plan will not occur until the Development Agreement is executed."

-Moved Semifero, support Walters, as a member voting in the majority, to reconsider the motion to accept the Planning Commission's recommendation that the preliminary site plan for the Eaton Court Condominium Project be approved contingent upon execution of a development agreement and that submittal of a final site plan will not occur until the Development Agreement is executed.

Ayes: Carson, Coy, Semifero, Seta, Turner, Walters

Nays: Hall

Motion Carried

-Moved Carson, support Semifero to withdraw the motion.

Ayes: Carson, Hall, Semifero, Turner

Nays: Coy, Seta, Walters

Motion Carried

-Moved Semifero, support Turner to refer the plan to the Planning Commission with reference to the Village zoning ordinance, Section 19.08 Area Plan Requirements, A., 4., f and to address the following items:

- 1) traffic impact from report by D. Lewan, Carlisle/Wortman
- 2) Site Access and Circulation
- 3) Lot Width, and
- 4) Public Comments

Ayes: Hall, Semifero

Nays: Carson, Coy, Seta, Turner, Walters

Motion Failed

-Moved Seta, support Hall to recess for a 10-minute period.

Ayes: Carson, Coy, Hall, Semifero, Seta, Turner, Walters

Nays: None

Motion Carried

The meeting resumed at 10:10 PM.

-Moved Turner, support Walters to table the subject until later in the meeting.

Ayes: Coy, Semifero, Turner, Walters

Nays: Carson, Hall, Seta

Motion Carried

**Communications** – Packets contained the 3 items listed on the agenda.

**Reports**

1. Village Manager – Council received written report. Copy filed with minutes.
2. Zoning Update – Packets contained information on the R. Murray property at 3075 Baker and Notice of Decision for ZBA Case #2003-06/ Request for Variance approved.
3. Washtenaw County Sheriff's Department – the written July 2003 report was included in Council packets.
4. Board and Commission Reports – Toni Henkemeyer, Parks Commission Chair informed Council of plans for development of the well field area park and requested Council input on the proposal to raise funds; buying the park name by being named its largest financial contributor.
5. Subcommittee Reports - None

**Consent Agenda**

1. Consideration of: Bills and Payroll in the amount of \$122063.70 dated 8-25-03
  2. Consideration of: Request from United Church of Christ, Webster Township, to display their Fall Festival Banner on the fence at 8140 Main Street.
- Moved Seta, support Walters to accept two items listed on the consent agenda.  
Ayes: Carson, Coy, Hall, Semifero, Seta, Turner, Walters  
Nays: None  
Motion Carried

**Old Business** - None

**Public Hearing** - None

**Show Cause Hearings**

- a) N. Ingles – 7529 Ann Arbor Rd., Ordinance Violation  
Ms. Ingles was not present.
- b) R. Bumgartner – 3490 Hudson St., Ordinance Violation  
Mr. Bumgartner was not present.

**New Business - Return to Tabled Item 2.**

(Mr. Hall left the table at this point in the meeting.)

- Moved Seta, support Carson to take New Business Item 2. from the table.  
Ayes: Carson, Coy, Semifero, Seta, Turner, Walters  
Nays: None  
Motion Carried

(Mr. Hall returned the table at this point in the meeting.)

- Moved Seta, support Carson to accept the Planning Commission's recommendation that the preliminary site plan for the Eaton Court Condominium Project be approved contingent upon:
- 1) the execution of a development agreement and notation that submittal of a final site plan will not occur until the Development Agreement is executed,
  - 2) the Planning Commission review of Zoning Ordinance Section 19.08, A. 4.2d, and f.

Ayes: Carson, Coy, Seta, Turner, Walters  
Nays: Hall, Semifero  
Motion Carried

3. Consideration of: Authorization to award the Fifth Street Drainage Improvements Project to Joe Raica Excavating in the amount of \$73,158.00.  
-Moved Semifero, support Turner to award the Fifth Street Drainage Improvements Project to Joe Raica Excavating at an amount not to exceed \$73,158.00.  
Ayes: Carson, Coy, Semifero, Seta, Turner, Walters  
Nays: None  
Abstain: Hall  
Motion Carried
  
4. Consideration of Adoption of: Resolution Consenting to the Economic Development Corporation of the County of Washtenaw to Issue Revenue Bonds, to Proceed with a Project Under the Economic Development Corporation Act (Pattco, Inc) Copy filed with minutes.  
-Moved Semifero, support Turner to adopt the Resolution Consenting to the Economic Development Corporation of the County of Washtenaw to Issue Revenue Bonds, to Proceed with a Project Under the Economic Development Corporation Act (Pattco, Inc)  
Ayes: Carson, Coy, Hall, Semifero, Seta, Turner, Walters  
Nays: None  
Motion Carried
  
5. Consideration Nomination of John Coy and Jim Carson to represent the Village for the Washtenaw County Economic Development Corporation  
-Moved Carson, support Semifero to nominate John Coy and Jim Carson as Village of Dexter representatives to the Washtenaw County Economic Development Corporation.  
Ayes: Carson, Coy, Hall, Semifero, Seta, Turner, Walters  
Nays: None  
Motion Carried

**Non-Arranged Citizen Participation**

-R. Tell, 3539 Hudson, stated the Planning Commission will review information regarding private roads at its meeting and encouraged Council attendance.

**President's Report**

1. Proposed Work Session Schedule "Update"
2. Discussion of Budget and Financial Matter  
-Moved Hall, support Walters to adopt the Finance Sub-Committee Charter as presented. Copy filed with minutes.  
Mr. Coy complimented the Village Employees on their efficiency during the recent extended power outage.

**Adjournment**

-Moved Seta, support Turner to adjourn the meeting at 11:22 P.M.  
Voice Vote: Unanimous

Respectfully Submitted,

Donna L. Fisher, Village Clerk

Filing Approved \_\_\_\_\_