AGENDA 1-26-09

cnicholls@villageofdexter.org

ITEM (-

#### VILLAGE OF DEXTER

8140 Main Street Dexter, MI 48130-1092

Phone (734)426-8303 ext 17 Fax (734)426-5614

мемо

To: President Keough and Council Members From: Courtney Nicholls, Assistant Village Manager

Date: January 26, 2009

Re: Cityhood – Next Steps

Now that the Village boundary map has been completed, the next step in the Cityhood process is collecting petition signatures. Once the petition signatures are obtained, the formal petition for incorporation is filed with the State Boundary Commission. This submittal would contain:

- Part 1

- o Boundary map
- o Aerial boundary map
- Part 2
  - o Petition for City Incorporation
  - o Resolution of support by Village Board
- Part 2a
  - o Identification of Petitioner, Village and Township officials
- Part 3
  - o Legal description of property to be incorporated
- Part 4
  - o Petitions signed by qualified electors
- Part 5
  - o Reasons for incorporation as a Home Rule City
- Part 6
  - o Map of the relationship of the Village of Dexter to the surrounding Townships

If it is Council's desire to move forward with the process, the members of the City Study Committee will be contacted to begin collecting petition signatures. Currently the village has 2436 registered voters (2176 in Scio and 260 in Webster). The petitions must contain at least 122 signatures (5% of the registered voters), with a minimum of 10 coming from Village residents in Scio Township and 10 coming from Village residents in Webster Township.

The following documents are included for your review:

- Village boundary map
- Village boundary map aerial view
- Village legal description
- Updated document "Stepping into Cityhood"
- Sample Local Proposal Petition
- General Instructions for Preparation of a City Incorporation Petition
- Accounting of money spent on Cityhood to date

#### Memorandum



Date:

January 5, 2009

To:

Donna Dettling, Village Manager

From:

Christine Cale, PE

Re:

**Boundary Survey** 

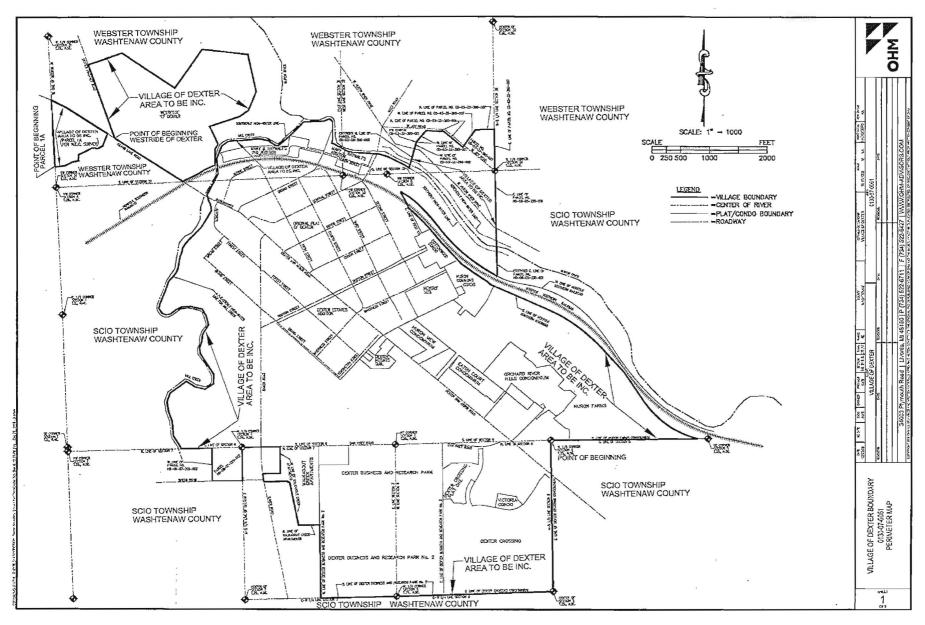
#### Donna -

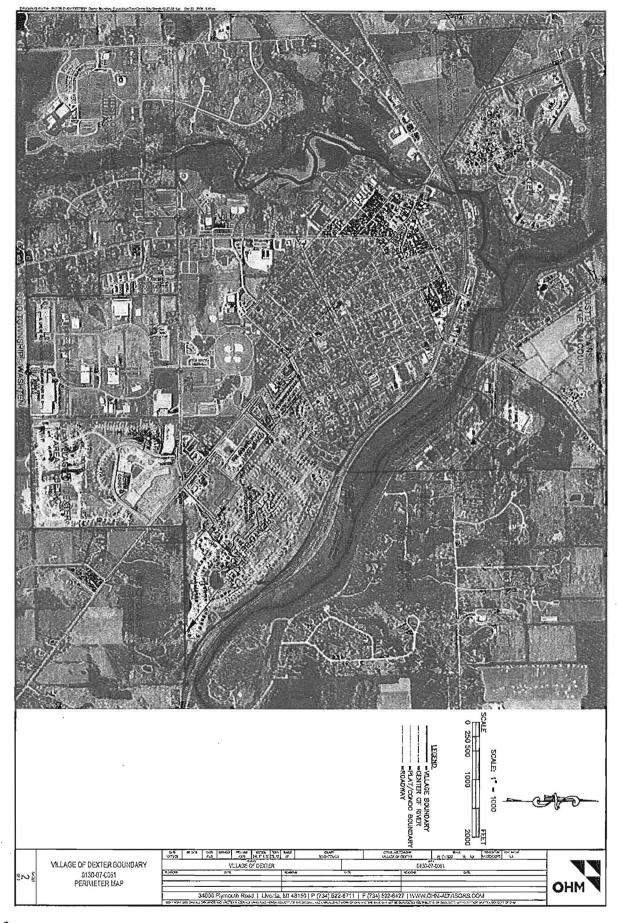
At the December 3, 2008 Council meeting, we presented a boundary map showing the current status of the Village boundary description. OHM was still working to finalize the description along the Mill Creek. Since that time, the boundary along Mill Creek has been finalized and the boundary description has been developed. Attached please find both the boundary map (two versions) and boundary description showing the Village boundary.

Please note that the Boundary description is representative of the current Village Boundary, with only one exception. The area of land between the Mill Creek and the current Village Boundary has been included in the description. This is shown on Sheet 2A.

The boundary map and description were submitted to Dave Rutledge for a cursory review. Once OHM receives any feedback from Dave Rutledge, we will notify the Village, otherwise, the information should be ready for use with any potential petition for Cityhood.

Please contact us if you have any other questions or concerns.





## LEGAL DESCRIPTION VILLAGE OF DEXTER

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 8, T.2S., R.5E, THENCE PROCEEDING SOUTH ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 8, A PORTION OF SAID LINE ALSO BEING THE EAST LINE OF DEXTER CROSSING CONDOMINIUM, TO THE CENTER CORNER OF SAID SECTION 8; THENCE ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 8, SAID LINE ALSO BEING THE SOUTH LINE OF DEXTER CROSSING CONDOMINIUM, TO THE SOUTHEAST CORNER OF DEXTER BUSINESS AND RESEARCH PARK NO. 2, RECORDED IN LIBER 30, PAGES 48-54 OF PLATS, WASHTENAW COUNTY RECORDS: THENCE PROCEEDING ALONG THE SAID EAST-WEST 1/4 LINE, SAID LINE ALSO BEING THE SOUTH LINE OF SAID DEXTER BUSINESS AND RESEARCH PARK NO. 2 TO THE SOUTHWEST CORNER OF SAID DEXTER BUSINESS AND RESEARCH PARK NO. 2; THENCE PROCEEDING NORTH ALONG THE WEST LINE OF SAID DEXTER BUSINESS AND RESEARCH PARK NO. 2 TO THE SOUTHEAST CORNER OF THE WALKABOUT CREEK APARTMENTS; THENCE WEST 366.88' ALONG THE SOUTH LINE OF SAID WALKABOUT CREEK APARTMENTS TO THE SOUTHWEST CORNER OF SAID WALKABOUT CREEK APARTMENTS; THENCE NORTHWESTERLY 768.57' ALONG THE WEST LINE OF SAID WALKABOUT CREEK APARTMENTS; THENCE WESTERLY APPROXIMATELY 451,07' ALONG TWO COURSES OF THE SOUTHERLY BOUNDARY OF SAID WALKABOUT CREEK APARTMENTS TO A POINT ON THE CENTERLINE OF BAKER ROAD; THENCE NORTHERLY 142.09' ALONG A CURVE IN THE CENTERLINE OF BAKER ROAD TO A NORTHERLY BOUNDARY OF SAID WALKABOUT CREEK APARTMENTS: THENCE EAST 310,35' ALONG SAID NORTHERLY BOUNDARY TO THE WEST LINE OF WALKABOUT CREEK APARTMENTS: THENCE NORTH 467.01' ALONG SAID WEST LINE TO THE NORTH LINE OF SECTION 7, T.2S., R.5E.; THENCE WEST ALONG SAID NORTH LINE TO THE NORTH 1/4 CORNER OF SAID SECTION 7, THENCE SOUTH ALONG NORTH-SOUTH 1/4 LINE OF SAID SECTION 7 TO A POINT ON THE CENTERLINE OF SHIELD ROAD; THENCE WEST ALONG THE SAID CENTERLINE OF SAID SHIELD ROAD A DISTANCE OF 524.21 FEET TO THE SOUTHWEST CORNER OF PARCEL NUMBER HD-08-07-201-002, LOCATED IN THE FRACTIONAL NORTHWEST 1/4 OF SECTION 7, T.2S., R.5E.; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL NUMBER HD-08-07-201-002 TO THE NORTH LINE OF SAID SECTION 7; THENCE WEST ALONG SAID NORTH LINE TO THE EASTERLY HIGH WATER MARK OF MILL CREEK; THENCE NORTH ALONG THE SAID EASTERLY HIGH WATER MARK OF MILL CREEK TO THE POINT OF INTERSECTION WITH THE SOUTHERLY HIGH WATER MARK FOR THE HURON RIVER; THENCE EAST ALONG THE SOUTHERLY HIGH WATER MARK OF THE HURON RIVER TO THE INTERSECTION OF THE EXTENDED WEST LINE OF PARCEL NUMBER CD-03-32-390-002, LOCATED IN SOUTHWEST ¼ OF SECTION 32, T.1S., R.5 E., WEBSTER TOWNSHIP: THENCE NORTHERLY ALONG SAID EXTENSION OF WEST LINE TO THE NORTHWEST CORNER OF SAID PARCEL NUMBER CD-03-

32-390-002, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF PARCEL NUMBER CD-03-32-390-001, LOCATED IN SOUTHWEST 1/4 OF SECTION 32, T.1S., R.5 E., WEBSTER TOWNSHIP; THENCE NORTHEAST ALONG WEST LINE OF SAID PARCEL NUMBER CD-03-32-390-001 TO THE NORTHWEST CORNER OF SAID PARCEL NUMBER CD-03-32-390-001, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE FOR WEST JOY ROAD (66' WIDE, PUBLIC); THENCE EAST ALONG THE SAID NORTH LINE OF PARCEL NUMBER CD-03-32-390-001 AND SAID SOUTHERLY RIGHT OF WAY LINE FOR WEST JOY ROAD TO THE INTERSECTION WITH THE EXTENDED WESTERLY LINE OF PARCEL NUMBER CD-03-32-390-007, LOCATED IN SOUTHWEST 1/4 OF SECTION 32, T.1S., R.5E., WEBSTER TOWNSHIP: THENCE NORTHEASTERLY ALONG SAID WESTERLY LINE OF PARCEL NUMBER CD-03-32-390-007 TO THE NORTHWEST CORNER OF SAID PARCEL NUMBER CD-03-32-390-007; THENCE EAST ALONG THE NORTH LINE OF SAID PARCEL NUMBER CD-03-32-390-007 TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 32: THENCE SOUTH ALONG SAID NORTH-SOUTH 1/4 LINE TO THE SOUTH 1/4 CORNER OF SAID SECTION 32, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL NUMBER HD-08-05-220-001, LOCATED IN THE FRACTIONAL NORTHWEST ¼ OF SECTION 5, T.2S., R.5E.; THENCE SOUTH ALONG THE EAST LINE OF SAID PARCEL NUMBER HD-08-05-220-001 TO THE SOUTHERLY CORNER OF SAID PARCEL NUMBER HD-08-05-220-001; THENCE CONTINUING SOUTH ON THE EXTENSION OF THE EAST LINE OF SAID PARCEL NUMBER HD-08-05-220-001 TO ITS POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE NORFOLK SOUTHERN RAILROAD; THENCE NORTHWESTERLY ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE EXTENSION OF THE EASTERLY LINE OF FIRST STREET, AS PLATTED IN THE MAP OF VILLAGE OF DEXTER, RECORDED IN LIBER B, PAGE 341 OF PLATS, WASHTENAW COUNTY RECORDS: THENCE SOUTHEASTERLY ALONG THE SAID EXTENSION OF THE EASTERLY LINE OF FIRST STREET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE NORFOLK SOUTHERN RAILROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 5; THENCE WEST ALONG THE SAID SOUTH LINE TO THE SOUTH 1/4 CORNER OF SAID SECTION 5, SAID POINT ALSO BEING THE NORTH 1/4 CORNER OF SAID SECTION 8 AND THE POINT OF BEGINNING.

ALSO, A PARCEL SHOWN AS "PARCEL 1A" ON A CERTIFICATE OF SURVEY COMPLETED BY WASHTENAW ENGINEERING COMPANY (JOB REFERENCE NUMBER 30479, DATED 11-20-06). DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 31, T.1S., R.5E., WEBSTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; THENCE N.02°53'00"W., 364.46 FEET ALONG THE WEST LINE OF SAID SECTION 31 TO THE POINT OF BEGINNING; THENCE CONTINUING N.02°53'00"W., 1181.66 FEET ALONG THE WEST LINE OF SAID SECTION 31; THENCE S.62°31'28E..., 284.56 FEET ALONG THE CENTERLINE OF ISLAND LAKE ROAD; THENCE S.56°57'50"E., 852.64 FEET

ALONG THE CENTERLINE OF ISLAND LAKE ROAD; THENCE \$.21°25'18"W., 152.69 FEET; THENCE \$.23°51'02"W., 78.23 FEET; THENCE \$.62°10'51"W., 101.34 FEET; THENCE \$.80°37'20"W., 89.25 FEET; THENCE \$.62°49'21"W., 268.00 FEET; THENCE \$.01°39'33"E., 106.36 FEET; THENCE \$.77°50'09"W., 109.10 FEET; THENCE \$.63°39'40"W., 145.16 FEET; THENCE \$.82°49'30"W., 172.00 FEET TO THE POINT OF BEGINNING. BEING A PART OF THE SOUTHWEST '4 OF SECTION 31, T.1S., R.5E., WEBSTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN AND CONTAINING 14.78 ACRES OF LAND, MORE OR LESS. BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE SOUTHWESTERLY 33 FEET OF ISLAND LAKE ROAD. ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

ALSO A PARCEL KNOWN AS WESTRIDGE OF DEXTER CONDOMINIUM, MORE COMPLETELY DESCRIBED AS: A PARCEL OF LAND IN SECTION 31, T.1S., R.E., WEBSTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE S.00°15'45"W. ALONG THE WEST LINE OF SAID SECTION 31, 1134.00 FEET TO THE CENTERLINE OF ISLAND LAKE ROAD AS MONUMENTED: THENCE \$.59°21'51"E, ALONG SAID CENTERLINE 283.91 THENCE CONTINUING ALONG SAID CENTERLINE S.53°47'50"E., 1000.99 FEET TO THE CENTERLINE INTERSECTION OF ISLAND LAKE ROAD AND DEXTER-PINCKNEY ROAD AS MONUMENTED AND THE POINT OF BEGINNING; THENCE N.16°04'40"W. ALONG SAID CENTERLINE OF DEXTER-PINCKNEY ROAD 1384.34 FEET; THENCE N.73°55'20"E., 614.93 FEET; THENCE S.52°57'22"E., 1112.62 FEET; THENCE N.38°00'00"E., 831.53 FEET; THENCE S.80°09'00"E., 803.99 FEET: THNCE S.09°00'00"E., 674.13 FEET; S.25°17'46"W., 353.45 FEET; THENCE S.58°03'30"W., 183.12 FEET; THENCE S.74°41'20"W., 557.82 FEET; THENCE S.21°33'10"E., 350.39 FEET; THENCE S.33°17'20"W., 92.45 FEET; THENCE S.06°31'20"W., 290.51 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE CONRAIL RAILROAD EASEMENT; THENCE S.67°51'19"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF RAILROAD EASEMENT 179.34 FEET: SAID CONRAIL THENCE CONTINUINGALONG SAID CONRAIL RAILROAD EASEMENT S.59°06'19"W., 107.18 FEET; THENCE S.66°07'49"W., 124.20 FEET; THENCE S.66°43'49"W.,. 168.97 FEET; THENCE S.62°03'49"W., 44.19 FEET TO SAID CENTERLINE OF ISLAND LAKE ROAD; THENCE N.53°48'41"W. ALONG SAID CENTERLINE OF ISLAND LAKE ROAD 1412.13 FEET TO THE POINT OF BEGINNING. CONTAINING 94.14 ACRES OF LAND MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHEASTERLY 33.00 FEET OF ISLAND LAKE ROAD AS MONUMENTED AND DEXTER-PINCKNEY ROAD AS MONUMENTED: ALSO EXCEPTING A 100.00 FOOT WIDE EASEMENT ON THE EASTERLY SIDE OF SAID PARCEL PARALLEL TO THE FOLLOWING TWO LINES; S.33°17'20"W., 92.45' AND S.06°31'20"W., 290.51 FEET; ALSO BEING SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.

December 23, 2008
P:0126\_01650130070061\_DEXTER\_BOUNDARY\_SURVEY\\_SURVEY\\_ADMIN\CORRES\\_12-23-08\\_DEXTER\_BDY\_LEGAL\_DESC\_12-23-08\_DOC

#### VILLAGE OF DEXTER - STEPPING INTO CITYHOOD

#### Steps Taken as of January 26, 2009

- The City Study Committee comprised of residents was formed and met from July 31, 2006 to March 7, 2007
- After completing its research the committee presented its findings to the public on March 7, 2007 and to the Village Council on March 26, 2007 that included their recommendation that the Village Council move forward in the process
- May 14, 2007 Village Council passes Resolution 21-2007 Declaring Intent to Pursue City Status and Incorporate as the City of Dexter
- September 2007 Village solicits Village Engineer Orchard, Hiltz, and McCliment to submit a proposal to create a boundary map
- November 26, 2007 Village hires former State Boundary Commissioner David Rutledge to assist in the process at a cost not to exceed \$3,000
- February 25, 2008 Village accepts proposal from Orchard, Hiltz and McCliment to complete Phases 1 & 2 of the boundary map process for a cost not to exceed \$10,000
- Orchard, Hiltz, and McCliment completes Phases 1 & 2 of the boundary map process
- May 12, 2008 Council authorizes Orchard, Hiltz, and McCliment to complete Phases 3 & 4 of the boundary map process at a cost not to exceed \$19,500
- Completed boundary map January 2009

#### Potential Future Steps

- Prepare petitions
- Circulate petitions for signatures ~ need 5% of Village of Dexter registered voters minimum of 100 (the Village has approximately 2070 registered voters)
  - o At least 10 from Scio Township and 10 from Webster Township (this is a correction from the previous version that stated 25 from each jurisdiction)
- File petition with the State Boundary Commission
- Boundary Commission meets to determine legal sufficiency
- If petition is found to be sufficient, the Boundary Commission conducts a public hearing
  - o If the petition is not found to be sufficient the process stops
- Boundary Commission adopts its findings -
  - If it finds that the process should move forward the Commission approves the petition
  - o If not the petition is denied and the process stops
- If a referendum petition is filed within 45 days of the Commission's approval the issue is placed on the ballot need 5 % of Village of Dexter registered voters on the petition
- If a referendum petition is not filed the Village elects a nine (9) member Charter Commission
- Charter Commission writes a City Charter
- City Charter sent to Governor for approval
- Once the Charter receives the approval of the Governor the Village electors vote on it
  - o If the charter is not adopted within three years the process ends
- If residents adopt the Charter within the three year period, the Village becomes a City

INSTRUCTIONS ON REVERSE SIDE	COUNTY/LO	CAL PROPOSAL PET	<b>FITION</b>		,		
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	to his or her best knowledge and bolief, each signature is reconsigning the polition was at the time of signing a qualified to sign the good of the polition, and the elector was qualified to sign the MAKING A FALSE STATEMENT IN THRWHOSIGNSASA CIRCULATOR, OR A PER	ach signature strib genuine ed registered petition.  E ABOVE ISONWHO  CERTIFICA  (Signature of Circulator)  (Printed Name of Circulator)	CULATOR DO NOT SIGN OR TE UNTIL AFTER CIRCULATIN		(Date)		

Complete Residence Address (Street and Number or Rural Route)

(Zip Code)

Michigan Election Resources - Form No. 2010 - 2002 Revision - Approved by State Official and Elections

# State of Michigan Department of Labor & Economic Growth Office of Policy & Legislative Affairs State Boundary Commission

## GENERAL INSTRUCTIONS FOR THE PREPARATION OF A CITY INCORPORATION PETITION

TO BE FILED WITH THE STATE BOUNDARY COMMISSION

A CITY INCORPORATION PETITION IS COMPOSED OF THE FOLLOWING PARTS AND FORMS:

PART I	A map or drawing for the area proposed to be annexed, prepared by the petitioner in such a way that the minimum map size is 8 ½" by 13", with a maximum map size of 14" by 18". The map or drawing is supplied by the petitioner. Label this map PART I. Review State Boundary Commission Administrative Rules No. 25 and 27 regarding the content of this map.
PART II	
PART II(a)	
PART III	Review State Boundary Commission Administrative Rules No. 25 and 27 regarding the content of this description.
PART IV	Petition Form No. 2010-2002 – Can be obtain from the State Boundary Commission or the Secretary of State (size 8 $\frac{1}{2}$ x 14).
PART V	
PART VI	A map prepared on paper supplied by petitioner, showing the relationship of the area proposed for annexation to the balance of the involved and adjacent units of government. The map may be of a size the petitioner chooses and shall not be evaluated by the Commission in its determination of legal sufficiency. Label this map PART VI.

This petition form is issued under authority of Public Act 191 of 1968, as amended.

Completion of this form is voluntary but failure to do so may result in a denial of your application.

The completed petition should be filed with the Boundary Commission Office in Lansing. This may be done in person between the hours of 8:00 a.m. - 5:00 p.m., or by mail, at the following address:

State Boundary Commission
Office of Policy & Legislative Affairs
Michigan Department of Labor & Economic Growth
611 W. Ottawa Street
P.O. Box 30004
Lansing, MI 48909

In compliance with the American Disabilities Act, the Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need assistance with reading, writing, hearing, etc., you may make your needs known to this agency.

## PART II

To the	State Bou	ndary Commission:							
We,	the	undersigned	qualified	electors	who	are	fre	eholo	ders
of		tow	nship(s) in _			count	y(s)	and	the
territory	affected	and/or described h	erein (in PART	III), do petitlo	n that the c	question of	incor	pora	tion
of the p	roposed (	City of		as a ho	me rule cit	y be consi	dered	by y	our
commis	sion in ac	cordance with the	provisions of	Act 279 of the	Public Act	s of 1909,	as a	mend	ded,
and the	provision	s of Act 191 of the	Public Acts of	1968, as amen	ded.				

It is  $\underline{not}$  necessary to sign and notarize this form. The phrase, "WE, the undersigned..." refers to petition signers in PART IV.

#### **PART IIa**

As petitioner, it is your responsibility to furnish the State Boundary Commission the names, addresses and telephone numbers of persons and governmental bodies that will be noticed for Commission meetings and hearings. The importance of accurate and most current information cannot be overemphasized. Processing of this petition may be delayed if inaccuracies cause improper notice.

		SUDA FEO.	
Name of Petitioner:			
Mailing Address:			
Telephone Number: (	)	Fax: (	)
Mailing Address:			
Telephone Number: (	)	Fax: (	)
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			_
Mailing Address:			
Telephone Number: (	)	. Fax: (	)
Name of County:			
Name of County Clerk:			
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5. If the petition should involve more than one township, county and/or village, place additional township, county and/or village information on separate sheet and attach to this form.

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## PART III

The proposed city of \_\_\_\_\_\_ is described as follows:

#### **PART V**

We further represent that the incorporation proposed in this petition is necessary or desirable at this time for the following reason(s):

## Cityhood Expenses

Expense	Awarded/Incurred Date	Total Contract	Amount Spent
Attorney Fee - Preparation and Presentation to City Study Committee	8/21/2006		\$1,650.00
City Study Committee - Open House Notice Publication	2/15/2007 & 2/22/07		\$45.00
City Study Committee - Meeting Room Rent for Final Presentation	3/5/2007		\$115.00
David Rutledge	11/26/2007	\$3,000.00	\$388.57
OHM - Boundary Survey Steps 1 & 2	2/25/2008	\$10,000.00	\$9,998.50
OHM - Boundary Survey Steps 3 & 4	5/12/2008	\$19,500.00	\$20,984.50
includes \$1400 of additional work through step 6 to complete the map			
Total Spent as of January 21, 2009			\$33,181.57