

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON AUGUST 6, 2015 AT THE BRIGHTON CITY HALL
200 N. 1ST STREET, BRIGHTON, MICHIGAN

BLUE SKY SESSION

The Council conducted a Blue Sky Session at 7:03 p.m. Present were Mayor Muzzin, Councilmembers Bandkau, Pipoly, Tobbe, Bohn and Gardner. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:31 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Councilmembers Pipoly, Bandkau, Bohn, Tobbe and Gardner. Also in attendance were Attorney Paul Burns, City Engineer Gary Markstrom, Staff members Dana Foster, Jennifer Burke, Patty Thomas, Amy Cyphert, Rob Bradford and an audience of 15. Press and media included Tom Tolen from WHMI.

It was moved by Mayor Pro-Tem Pipoly, seconded by Tobbe to excuse Councilmember Willis from the evening's meeting. Motion passed 6-0-1.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Bandkau to approve the agenda as presented. Motion passed 6-0-1.

MINUTE APPROVAL

It was moved by Councilmember Bandkau, seconded by Gardner to approve the Regular Meeting minutes of July 16, 2015 as presented. Motion passed 6-0-1.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:34 p.m. The following comments were heard:

Nancy Durance Spring Mountain Drive, stated her neighborhood experienced power outages on Sunday night, a tree was struck directly behind her property and fell over on line which caused a small fire. She called 911 to report the fire and received no response for two hours.

Randy Clifton expressed his concerns with City allocating additional funds to SELCRA.

Jerry Joseph, Joseph Properties on Advance Street, opposes the 30,000 gallon proposed propane tank on Corrigan property.

Mike Anderson, Genoa Township Resident, 7918 Berry Drive (Dillon Street Area) owns a house near railroad, expressed his concerns regarding Corrigan's proposed propane tank.

Hearing no further comment, the Call to the Public was closed at 7:46 p.m.

CONSENT AGENDA

It was moved by Mayor Pro-Tem Pipoly seconded by Bandkau to approve the Consent Agenda as presented. Motion passed 6-0-1.

The following items were approved:

1. Approved the biennial City Service Survey questions.
2. Approved the proposal for the update of the Administrative Non-Union Pay Plan and related group of comparable City governments by the Michigan Municipal League.
3. Approved the CROP Hunger Walk and Walk for Freedom Civic Events.
4. Approved First Reading and set Public Hearing and Second Reading for September 3, 2015 for the proposed amendment to Chapter 66 Signs, Article I. In General, Sec. 66-2 Definitions, Chapter 66 Signs, Article IV. Regulations, Sec. 66-91 All zoning districts, (14) Prohibited signs (a) animated and intensely lighted signs, Chapter 66 Signs, Article IV. Regulations, Sec. 66-94. Community shopping center zone, add (12) Drive-in/drive through restaurant menu boards and (13) changeable message signs or digital/electronic signs, Chapter 66 Signs, Article IV. Regulations, Sec. 66-95. General business and limited intensity business/office zones, add (13) Drive-in/drive through restaurant menu boards and (14) changeable message signs or digital/electronic signs, Chapter 66 Signs, Article IV. Regulations, Sec. 66-96. Limited business zone. Add (12) changeable message signs or digital/electronic signs, Chapter 66 Signs, Article IV. Regulations, Sec. 66-100. Downtown business district. Add (15) changeable message signs or digital/electronic signs.
5. Approved First Reading and set Public Hearing and Second Reading for September 3, 2015 for the proposed amendment to Chapter 98 Zoning, Article. VI. A-1 Districts, Sec. 98-152. Use regulations (3), Chapter 98 Zoning, Article. VII. A-2 Districts, Sec. 98-177. Use regulations (2) and Chapter 98 Zoning, Article. VIII. R-1 Districts, Sec. 98-202. Use regulations (3).
6. Approved First Reading and set Public Hearing and Second Reading for September 3, 2015 for the proposed amendment to Chapter 66 Signs, Article IV. Regulations, Sec. 66-100. Downtown business district. (13) sidewalk/sandwich board signs (b)(d) add (e).
7. Approved the MTT settlement for Walgreen Company.

NORTHRIDGE WOODS SITE PLAN COMPLIANCE

It was moved by Councilmember Bohn, seconded by Pipoly to direct City Attorney to perform a legal analysis of the Northridge woods site plan concerns. Motion passed 6-0-1.

SELCRA BUDGET ALLOCATION

It was moved by Councilmember Bohn, seconded by Gardner to increase the SELCRA budget allocation to the amount originally requested \$51,908. Motion passed 5-1-1, with Mayor Muzzin voting “no”.

DOMINO’S PIZZA CONDITIONAL SITE PLAN

It was moved by Councilmember Tobbe, seconded by Bandkau to approve the Site Plan for Domino’s Pizza at 222 W. Grand River #15-007 as depicted on plans prepared by Desine, Inc., project #71208, sheet SP, last dated 6-16-15 subject to the following:

1. That all signage comply with applicable ordinances or variances obtained.

Motion passed 6-0-1.

BIG APPLE BAGEL CONDITIONAL SITE PLAN

It was moved by Councilmember Tobbe, seconded by Pipoly to approve the Site Plan for Big Apple Bagel at 9864 E. Grand River Suite 120 #15-019 as depicted on plans prepared by Nudell Architects, project #2015-062.02, sheet A100, last dated 7-15-15 subject to the following:

1. That all signage comply with applicable ordinances or variances obtained.

Motion passed 6-0-1.

800 WHITNEY STREET CONDITIONAL SITE PLAN

Manager Foster briefed the Council on Mr. Corrigan’s proposal and stated that Mr. Corrigan sent a letter and an email of today’s date regarding this project.

Mike Corrigan stated that he would remove the proposed 30,000 gallon propane tank.

Motion by Mayor Muzzin to authorize to release the privileged communication regarding 800 Whitney Street Site Plan, supported by Tobbe. Motion passed 6-0-1.

It was moved by Councilmember Tobbe, seconded by Gardner to approve the site plan for 800 Whitney Street as depicted on plans prepared by Desine, Inc, sheets EX, SP, GR, LA, SE1, SE2, and DT1, project #9142429, last dated 7-15-15 and plans prepared by Lindhout Associates, sheets A1 and A2, project #1501, last dated 1-14-15 subject to the following:

1. The applicant must monitor and report to the City Planning Department in 2 month increments to determine when the soil has settled to a point where the area can be paved. Paving must be completed by June 30, 2017.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. Legal access easement documents are properly filed with Livingston County.

4. The construction shall meet all applicable City Engineering Design Standards.
5. That the building materials used to enclose the covered warehouse be similar and harmonious with the existing buildings and be reviewed with an administrative approval during the construction plan review.
6. Removal of the 30,000 propane tank by January 1, 2016.

Motion passed 6-0-1.

THE BACK LOT CONDITIONAL SITE PLAN AMENDMENTS

It was moved by Councilmember Gardner, seconded by Pipoly to approve the Site Plan for The Back Lot Parking behind 775 N. Second Street as depicted on plans prepared by Desine, Inc, sheets EX, SP, GR, SE1, SE2, DT1, DT2, and project #91585, last dated July 15, 2015 subject to the following:

1. The applicant must monitor and report to the City Planning Department in 2 month increments to determine when the soil has settled to a point where the area can be paved. Paving must be completed by June 30, 2017.
2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
3. Legal access easement documents are properly filed with Livingston County.
4. The construction shall meet all applicable City Engineering Design Standards.
5. That the building materials used to enclose the covered warehouse be similar and harmonious with the existing buildings and be reviewed with an administrative approval during the construction plan review.

Motion passed 6-0-1.

CITY CUSTOMER INFORMATION

Mayor Muzzin read a Council Inquiry from Patricia Cole regarding Blue Sky Sessions not being televised.

Manager Foster stated that this item was addressed in 2013 and historically a decision made in the 1990's not to televise blue sky meetings as decisions are not made during these sessions.

Attorney Burns stated that the Blue Sky is "prep" time for the meeting.

Manager Foster stated Amy Cyphert resigned from her position as Planning/Zoning Director and highlighted aspects of her job and thanked her for her service over the last 10 years.

Mayor Pro-Tem Pipoly gave a Principal Shopping District update.

Councilmember Gardner gave a SELCRA update.

Councilmember Tobbe gave a Brighton Arts & Culture Commission update and thanked Amy Cyphert for her service to the City.

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Councilmember Bohn gave a Planning Commission update. He asked about the Lindbom School and Christian School inquiring about usage of the site and asked for an agenda item for the August City Council meeting to discuss this topic. He stated the railroad tracks at Brighton Lake Road need to be evaluated by CSX.

Mayor Muzzin gave a DDA update.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:08 p.m.

Patricia Cole, Devonshire Boulevard, thanked Council for considering the viewing of blue sky sessions. She disagrees with additional SELCRA funding and thanked Amy Cyphert for her service to the City.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 9:11 p.m.

ADJOURNMENT

It was moved by Councilmember Bohn, seconded by Bandkau to adjourn the meeting at 9:11 p.m. Motion passed 6-0-1.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor