

CITY OF BRIGHTON  
CITY COUNCIL MEETING  
CITY HALL  
September 4, 2014

Regular Blue Sky: 7:00 p.m.: Review of Agenda Items for this evening's meeting

**REGULAR SESSION - 7:30 P.M.**

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Consider approval of the Agenda
5. Approval of minutes: [Regular Meeting of August 21, 2014](#)
6. Call to the Public

**Consent Agenda**

7. Consider approval of a [2-year extension for the Brighton Area Schools' Banners as recommended by the Planning Commission](#)
8. Consider approval of a [resolution for Reaching Higher, Inc.](#) for non-profit status.

**Policy Development & Customer Communications' action item**

9. Report from City Attorney regarding the feasibility of reducing the size of the Planning Commission from 9 members to 7 members
10. Consider establishing dates for the 2014 goal-setting retreat

**Other Business**

11. Information for City Customers:
  - a. Report from the City Manager on responses to Citizens Inquiries to City Council received since the last Council Meeting
  - b. Progress updates from the City Manager on City Council-adopted goals
12. Receive updates from Council Member Liaisons to other Boards and Commissions
13. Call to the Public
14. Conduct closed session for an update from the City Attorney regarding pending litigation
15. Adjournment

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON AUGUST 21, 2014 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**BLUE SKY SESSION**

The Council conducted an Early Blue Sky Session at 7:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Bohn, Willis and Cooper. The Council reviewed the agenda items.

**REGULAR SESSION**

Mayor Muzzin called the regular meeting to order at 7:30 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Cooper, Willis and Bohn. Also in attendance were Attorney Paul Burns, Engineer Gary Markstrom, Staff members Dana Foster, Diana Lowe, Amy Cyphert, Patty Thomas, Tom Wightman, Tim Krugh and an audience of 13. Press and Media included Tom Darling from WHMI.

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

**AGENDA APPROVAL**

It was moved by Councilmember Cooper seconded by Pipoly to approve the agenda as amended. Add item #7a, PSD Appointment and item #7b, ZBA Appointment. Delete item #13, Closed Session. Move to Consent Agenda from Action Agenda item #8, Size of the Planning Commission. Motion passed 6-0-1.

**MINUTE APPROVAL**

It was moved by Councilmember Bandkau seconded by Bohn to approve the Regular Meeting minutes of August 7, 2014 as presented. Motion passed 6-0-1.

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:32 p.m. The following comments were heard:

Jim Wineka, Representative for owner, Genevieve McSweeney at 4622 Spring Mountain, thanked the City Council for the updates for the Springhill Development and for coming out on-site. He inquired about the timeline for progress.

Kathleen Kokifka, 4517 Spring Mountain Drive, expressed her disgust with the Springhill developer and stated she would like the right thing done for the development.

Hearing no further comment, the Call to the Public was closed at 7:39 p.m.

City Attorney, Paul Burns stated his office started a lawsuit against Surgrady & Associates and Three T LLC., stating a temporary restraining order has been filed and that it was ordered that the site be secured and be brought into compliance by September 4, 2014. He discussed the letter of credit.

Engineer Gray Markstrom gave an update on the Springhill Development.

### **CONSENT AGENDA**

It was moved by Councilmember Cooper, seconded by Willis to approve the Consent Agenda as amended. Motion passed 6-0-1. The following items were approved:

1. Designated Ricci Bandkau as voting delegate for the annual Michigan Municipal League Convention.
2. Appointed Jon Innes to the Principal Shopping District Board.
3. Appointed David Chaundy to the Zoning Board of Appeals.
4. Directed Staff to review a possible Ordinance amendment to reduce the size of the Planning Commission from nine to seven members.

### **GOAL-SETTING RETREAT AGENDA TOPICS**

There was Council discussion regarding the upcoming Goal-Setting Retreat.

### **CITY CUSTOMER INFORMATION**

City Manager, Dana Foster stated Press Releases have recently gone out regarding work going on in the City. The next Imagination Station work day is this Saturday from 9:00 a.m. to 12:00 p.m.

Mayor Pro-Tem Pipoly gave a DDA update.

Councilmember Bandkau gave a Veteran's Memorial update.

Councilmember Cooper gave a Planning Commission update.

Mayor Muzzin gave a Brighton Area Fire Authority update.

### **CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 8:22 p.m. The following comment was heard:

Nancy Durance, 4616 Spring Mountain Drive, stated she has a letter that states who is responsible for certain improvements on her property through a settlement agreement.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 8:26 p.m.

City Council  
August 21, 2014  
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**ADJOURNMENT**

It was moved by Councilmember Cooper, seconded by Willis to adjourn the meeting at 8:28 p.m. Motion passed 6-0-1.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor

**POLICY REPORT: BRIGHTON AREA SCHOOLS BANNERS - Renewal  
#14-006**

**September 4, 2014**

Prepared by:

Amy Cyphert  
Planning & Zoning Director

Reviewed by:

Dana Foster  
City Manager

**ISSUE:**

To consider granting a two year site plan extension for the BAS Banners as recommended by the Planning Commission.

**STAFF RECOMMENDATION:**

Staff concurs with the Planning Commission's recommendation.

**BACKGROUND:**

At its meeting of August 18, 2014, the Planning Commission reviewed and discussed the existing Brighton Area Schools banners.

The Planning Commission recommended site plan approval with the following conditions:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**For a more detailed review of the site plans, please refer to the attached Planning Report and DRAFT meeting minutes.**

**BUDGET IMPACT: N/A**

**RELATIONSHIP TO 2013/2014 GOALS: N/A**

**COUNCIL ACTION:**

Motion by \_\_\_\_\_ to approve a site plan amendment for a two year extension for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

and seconded by \_\_\_\_\_.

**Attachments:**

1. Planning Commission Report
2. DRAFT Planning Commission Meeting Minutes
3. Letter from BAS

**CITY OF BRIGHTON  
PLANNING COMMISSION  
PLANNING REPORT**

**TO:** Planning Commission Members  
**FROM:** Amy Cyphert, Planning & Zoning Director  
**DATE:** August 18, 2014  
**RE:** Site Plan – Brighton Area Schools 36 Light Pole Banners #14-006

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**BACKGROUND**

As the Planning Commission might remember, a site plan was approved on February 23, 2009, that allowed the Brighton Area Schools to place 36 banners on the existing cobra head light poles on Main Street and a portion of Grand River. The banner text includes the bulldog logo, “Brighton Pride” and “Go Dogs.” The approval period was for September 2009 until June 2010. In 2010 and 2011, the City granted extensions of the banner locations. In 2011, a two year extension was given.

**DISCUSSION**

- Community Development Staff contacted members of the DPS Department, as well as the Police Chief regarding the current banners. Neither of the departments have had any issues or complaints regarding the existing BAS banners.

**STAFF RECOMMENDATION**

Staff has no objections to the issuance of another multi-year approval.

**COMMISSION ACTION**

Motion by \_\_\_\_\_ to recommend site plan amendment for a \_\_\_\_\_ year approval for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

Seconded by \_\_\_\_\_.

**Attachments:**

1. BAS Request

City of Brighton  
Planning Commission  
Minutes  
August 18, 2014

**DRAFT**

1. Call to Order/Roll Call

Planning & Zoning Director Amy Cyphert called the meeting to order at 7:30 p.m. because Chairperson Monet and Vice Chairperson Smith were both absent. **Motion** by Mr. Pawlowski, supported by Ms. Gardner, to appoint Dave Petrak as Chairperson due to the absences of Chairperson Monet and Vice Chairperson Smith. **Motion carried 6-0-2.**

The following were present:

Bill Bryan	Robert Pawlowski
David McLane	Dave Petrak
Chad Cooper	Susan Gardner

Absent: Steve Monet, Matt Smith

**Motion** by Mr. McLane, supported by Mr. Cooper, to excuse Commission Members Monet and Smith from tonight's meeting. **The motion carried 6-0-2.**

Also present was Amy Cyphert and Lauri French from Staff and an audience of two.

2. Approval of the July 21, 2014 Regular Meeting Minutes

**Motion** by Mr. Pawlowski, supported by Mr. Bryan, to approve the July 21, 2014 regular meeting minutes as presented. **The motion carried 5-0-2-1, with two absences and Board Member Cooper abstaining.**

3. Approval of the August 18, 2014 Agenda

**Motion** by Mr. McLane, supported by Mr. Pawlowski, to approve the agenda as presented. **The motion carried 6-0-2.**

4. Call to the Public

The call to the public was made at 7:33 p.m. Hearing no response, call to the public was closed.

**Unfinished Business**

5. Discussion on zoning ordinance amendments pertaining to seasonal event parking – City Council Goal

As discussed in Blue Sky, Ms. Cyphert reported that the revisions to the proposed ordinance amendment are not yet complete but should be available for Planning Commission's review at the September 15 meeting.

**New Business**

6. Site Plan – BAS Banner Renewal #14-006

Ms. Cyphert reviewed the applicant's request. As noted in Blue Sky, the request for renewal of the Brighton High School banners is typically done every one or two years. The commission members



discussed whether a multi-year extension would be feasible and it was agreed that renewing the site plan every two years is sufficient.

**Motion** by Mr. McLane, supported by Mr. Cooper, to recommend site plan amendment for a 2-year approval for the Brighton Area Schools 36 Light Pole Banners located along W. Main Street and a portion of Grand River subject to the following:

1. That no sponsor signage or names are added to the banners that are located within the public right-of-way.

**The motion carried 6-0-2.**

7. Discussion and Possibly Setting a Public Hearing Date for Conditional Rezoning of Property located at 8589 W. Grand River (4718-30-100-066) corner of W. Grand River and Best Buy Drive from OS (Office Service) to C2 (General Business) #14-005

Thom Dumond from Boss Engineering introduced Mark Zerlag from Thomas Duke and advised they would also be joined by Kenny Koza from Group 10, the rezoning applicant. Mr. Dumond reviewed the proposed site plan offered as part of the conditional rezoning from OS to C2 and noted that it shows no access currently on Best Buy Drive, which is a private road. Access is proposed from Grand River and Brookside Drive. They are proposing two smaller buildings with parking in front and back of the buildings. They are still working on tenants to occupy the buildings but envision a couple of larger chains and smaller retail businesses. One of the businesses will have a drive-thru. He reviewed some additional sketches not contained in the packet which showed a courtyard between the two buildings with covered walks and outdoor seating and potentially a fireplace or water feature. He noted they are here tonight to schedule the public hearing and to get further direction from Planning Commission on their rezoning request. Ms. Cyphert explained how the conditional zoning process works for the newer Commission members and reiterated that we are not here tonight to approve their site plan.

Mr. Cooper noted that he is concerned about not having access to Best Buy Drive. He also is concerned about the traffic safety of a drive-thru restaurant with the property's proximity to Meijer and the increased traffic that a drive-thru will bring. He noted that SEMCOG is now recommending that communities avoid having entrances off main thoroughfares. He is also concerned about increased trips and asked how many are estimated. Ms. Cyphert noted that Tetra Tech addressed these issues in their letter, which is in tonight's packet, and explained that a traffic study will be done prior to site plan review by Planning Commission.

Mr. Bryan noted that this property needs an entrance off Grand River and that there are currently two entrances off Grand River. They have cut the size of the buildings in half from what was originally proposed in 2005. He also noted that the Best Buy Drive issue is not applicable to this property owner. Mr. Cooper asked if Tetra Tech had seen the changes to the plan made as a result of their letter and Ms. Cyphert advised that the plan was revised to meet Tetra Tech's suggestions. Mr. Dumond noted that they will have to do a traffic study for site plan approval and also noted that they are not asking for site plan approval tonight. Mr. Cooper asked if the conditional rezoning can be approved with the traffic study conditions, and Ms. Cyphert explained that the applicant would have to offer those conditions attached to their request for conditional rezoning.

Mr. McLane stated he would have no problem approving the rezoning and they will revisit the site and traffic study issues during the site plan approval process. Mr. Pawlowski agreed with Mr. McLane. Ms. Cyphert reminded the Commission members that if the rezoning goes through that a traffic study will be done during the site place process.

**Motion** by Mr. Cooper, supported by Ms. Gardner, to schedule a public hearing for September 15, 2014 for the proposed conditional zoning amendment and to request staff to prepare the necessary notifications. **The motion carried 6-0-2.**



7-28-2014

Ms. Amy Cyphert  
Acting Planning and Zoning Director  
City of Brighton  
200 North First St.  
Brighton, MI 48116

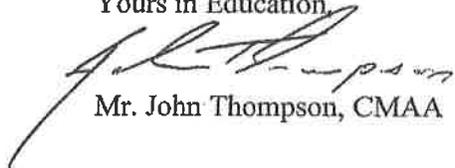
Dear Amy,

I trust this letter finds you and your colleagues well as Brighton rolls through summer. The intent of this letter is to ask for a renewal on the banners that Brighton Area Schools has had in place on our city streets over the last four years. I am happy to report that I have had no complaints regarding the banner program to date. In fact, the enthusiasm and positive feeling that the banners generate from both residents and visitors alike still is going strong. I continue four years into the project to receive complimentary feedback about the banners, the city, and our schools from people on a regular basis.

Hence, I would ask that the planning commission and if so recommended by the commission that City Council consider renewing our agreement for another two years. The district is agreeable to any term depending upon the pleasure of the commission and the council.

Also, I would like to express my continued appreciation for your and Mr. Matthew Modrack's support of this program and assure that the district and myself will continue to positively work with the city in ensuring that this program works cooperatively and to the benefit of the community as a whole.

Yours in Education,

  
Mr. John Thompson, CMAA

Reaching Higher is a non-profit organization that's dedicated to helping young people live healthier, happier lives. Our character-building leadership training program inspires and prepares students to succeed and to reach their potential!

## SESSION 1 - YOU ARE A MIRACLE

*Discover the Leader within You*

Students explore their miraculous and unique nature and begin to create a positive community within the group.

## SESSION 2 - REMEMBERING

*Develop Self-Awareness*

Students put away negative messages they have "learned" about themselves and re-discover the precious parts of who they are.

## SESSION 3 - PURPOSE IN LIFE - SETTING GOALS

*Set and Achieve S.M.A.R.T. Goals*

Students look at their unique gifts and explore how to set and attain realistic goals.

## SESSION 4 -MANAGING STRESS

*Reduce Stress and Overcome Worry*

Students learn techniques for impulse intervention and stress relief, as well as ways to overcome worry.

## SESSION 5 - CHANGING LIMITING BELIEFS

*Identify Negative Beliefs that Hold You Back*

Students look at negative beliefs about themselves and learn practical techniques to replace these images with positive beliefs.

## SESSION 6 - FEAR TO FREEDOM

*Gain Strength, Courage and Confidence*

Students explore the impact of fear in their lives and learn techniques for releasing fear.

## SESSION 7 - POSITIVE LIFE CHOICES

*Strengthen Decision Making Abilities*

Students hear testimonials of real "poor life choice" experiences and are taught how to make good choices for themselves.

## SESSION 8 - HAPPINESS THROUGH GIVING AND LOVING

*Leading with Compassion and Understanding*

Students give to one another and through kind action/communications they are able to experience the true happiness that results.

## SESSION 9 - Graduation Celebration

*Mark Your Calendar*

On this life changing evening the Reaching Higher Graduates will share their 8 week accomplishments with family, friends and faculty. A celebration that many will remember for a lifetime!



Charitable Gaming Division  
Box 30023, Lansing, MI 48909  
OVERNIGHT DELIVERY:  
101 E. Hilledale, Lansing MI 48933  
(517) 335-6700  
www.michigan.gov/cg

### LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(8)).

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from Reaching Higher Inc of Brighton  
NAME OF ORGANIZATION CITY

county of Livingston, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_  
APPROVAL/DISAPPROVAL

#### APPROVAL

#### DISAPPROVAL

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.  
PENALTY: Possible denial of application.  
BSL-CG-1183(R&D)