

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
December 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 November 20, 2014](#)
6. Call to the Public

Consent Agenda

7. Consider approval of an [MDOT Category A Grant Resolution](#) for a Brighton Interiors Drive improvement project
8. Consider approval of a resolution of support for the SELCRA Board's millage-related ballot proposal planning process
9. Consider approval of the annual [Budget Preparation & Review Process Calendar](#) including the scheduling of dates for City Council Budget Review Worksessions for the proposed FY 15-16 Budget

Policy Development & Customer Communications' action item

10. Receive report from the City Attorney regarding the process / timeline for filling a future City Council vacancy and then consider a motion of direction to the City Manager and City Clerk for related public notices
11. Review and possible approval of City Manager's Employment Agreement

Other Business

12. 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
13. Receive updates from Council Member Liaisons to other Boards and Commissions
14. Call to the Public
15. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON NOVEMBER 20, 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 Bohn, Bandkau, Willis, Cooper and Tobbe. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:32 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Willis, Bandkau, Cooper, Tobbe and Bohn. Also in attendance was Attorney Brad Maynes, Staff members Dana Foster, Jennifer Burke, Tim Krugh, Patty Thomas, Kelly Hanna, Tom Wightman, Amy Cyphert and an audience of 6. Press and media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Bandkau to approve the agenda as amended. Add item #10 a, Appointment to Brighton Arts and Culture Commission, move Item #10, Installment Purchase Agreement to Action Agenda from Consent Agenda. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Councilmember Tobbe, seconded by Willis to approve the Regular Meeting minutes of November 6, 2014 as presented. Motion passed 7-0.

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Special Meeting minutes of November 9, 2014 as presented. Motion passed 7-0.

It was moved by Councilmember Bohn, seconded by Tobbe to approve the Closed Session Meeting minutes of November 9, 2014 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:35 p.m. Hearing no comment, the Call to the Public was closed.

CONSENT AGENDA

It was moved by Councilmember Bandkau, seconded by Cooper to approve the Consent Agenda as amended. Motion passed 7-0. The following items were approved:

1. Approved the conditional site plan for the Chamber of Commerce Accessory Building #14-007 as depicted on plans prepared by Lindhout Associates, job no. #0044, sheets 01, 02, 03 last dated 9-19-14 subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.
 2. That additional building and fire code review will occur during the building permit review.
 3. That the approval includes the use of vinyl siding.
2. Approved the conditional site plan for Brighton Commercial Center as depicted on the plans prepared by Boss Engineering, sheets C1 – C12, job #14-030, last dated 11-5-14, and plans prepared by OX Studio, Inc., sheets A-1.0, A-2.0 and A-3.0, job #BRD14, last dated 11-5-14. The approval is subject to the following conditions:
1. Accept the traffic study prepared by Fleis & Vanderbrink dated November 3, 2014 as presented.
 2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
 3. Legal easement documents for construction within Brighton Mall and Brookside Mall property are properly acquired and filed with Livingston County prior to the issuance of building permits.
 4. That any damages done to the existing sidewalks be repaired.
 5. That all signage comply with applicable Ordinances or variances obtained.
 6. That the Utilities #1 and Permits #1 revisions raised by Tetra Tech in the letter dated 11/7/14 are addressed.
 7. That the applicant must address any outstanding Fire Code requirements with the Fire Department during the construction review.
 8. In the event an agreement can be made between the property owners to allow a drive access to Best Buy Drive, that the revisions be reviewed administratively by City Staff and Consultants.
3. Approved the conditional site plan for Yogurtopia at 332 W. Main Street #14-008 as depicted on plans prepared by Project Architect Anthony C. Rea, Architect, project #101014, sheets SP-1, A-1, and A-2, last dated 11-6-2014 and plans prepared by Boss Engineering, job no. #13-198, last dated 7-29-13 subject to the following:
1. That a right of way permit be obtained from the Department of Public Services Director for the use of public property during construction.
 2. That any damages done to the existing sidewalks be repaired.
 3. That all signage comply with applicable Ordinances or variances obtained.
 4. That additional BAFA review will occur during the building permit review.
 5. That awnings be added to the building permit plans similar to those shown on the renderings.
4. Approved appointment of Mary St. Pierre to the Brighton Arts and Culture Commission.

AUTHORIZATION OF AN INSTALLMENT PURCHASE AGREEMENT FOR UTILITY FUND EQUIPMENT

It was moved by Councilmember Bandkau, seconded by Councilmember Willis to approve Resolution 14-21, Installment purchase agreement for utility fund equipment.

2014 RETREAT GOALS AND MINUTES

It was moved by Councilmember Cooper, seconded by Councilmember Bohn to approve the 2014 Retreat Goals and Minutes with a change regarding the SELCRA related goal item motion, “assist with possible millage ballot proposal language”. Motion passed 7-0.

Councilmember Bohn addressed concerns about the City Attorney doing work for the SELCRA item as opposed to the School assisting. The City will not generate the ballot language. This should be a collective effort, with all participating municipalities for voter consideration in 2015.

ANNUAL PERFORMANCE EVALUATION OF THE CITY MANAGER

Mayor Muzzin stated Council performed the annual City Manager evaluation. He also stated the review was very positive, he continues to show professional towards business owners, overall performance is excellent, respectful and he is proud to live in City under the leadership of Manager Foster.

Manager Foster thanked Mayor and Council Members for the review and appreciates the time expended each year in the process.

CITY MANAGER’S EMPLOYMENT AGREEMENT SUBCOMMITTEE RECOMMENDATIONS

Councilmember Bohn and Mayor Pro-Tem Pipoly presented information based on other municipalities and recommended the Manager’s compensation with a 6% increase this year and increase disability insurance premium coverage to full amount.

It was moved by Councilmember Tobbe, seconded by Cooper to incorporate a 6% raise for the 2014/2015 contract, drafted with language discussed by the subcommittee, pending review by attorney and bring back to Council December 4th.

CITY CUSTOMER INFORMATION

Assistant DPW Director, Patty Thomas gave a snow removal and salt supply update.

Councilmember Cooper recommended to check for downed trees at the St. Joes Building.

Mayor Pro-Tem Pipoly gave a PSD and DDA update.

Councilmember Tobbe stated the BACC meeting was cancelled and that there is a new mural on the City Hall lobby wall from a local artist.

Mayor Muzzin discussed the passing of William McCririe stating he served on City Council when Manager Foster was hired.

It was moved by Councilmember Tobbe, seconded by Willis to have a moment of silence for the passing of William McCririe. Motion passed 7-0.

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Mayor Muzzin gave a Brighton Area Fire Authority update.

Councilmember Cooper gave a SELCRA and Planning Commission update. He stated he is resigning from City Council effective January 1, 2015. He thanked the Police Chief, the Police department and the City Manager for their work.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 8:39 p.m. The following comments were heard:

Nancy Durance, Springhill Lot 11 stated the gulley has been repaired, the area from her lot to 9 has not been worked on and the retaining wall needs to be completed. She thanked staff and Council for taking the time to make site visits and respond to her inquiries.

Hearing no further comment, Mayor Muzzin closed Call to the Public at 8:48 p.m.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Willis to adjourn the meeting at 8:49 p.m. Motion passed 7-0.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor

POLICY REPORT: MDOT CATEGORY A GRANT RESOLUTION FOR A BRIGHTON INTERIORS DRIVE IMPROVEMENT PROJECT

December 4, 2014

Prepared by:

Amy Cyphert
Planning & Zoning Director

Reviewed by:

Dana Foster
City Manager

ISSUE:

Consider approving the Resolution required for the MDOT Category A grant for the reconstruction and rehabilitation of Brighton Interior Drive.

BACKGROUND:

As City Council is aware, City Staff, with the help of the City Engineers, has submitted an application for a Michigan Department of Transportation (MDOT) Category A – Economic Development Road Project Grant.

The goal of the MDOT Category A Road Project Grant program is to promote increased economic potential and improve the quality of life through the support of job creation and retention in Michigan. The purpose is to provide funding for transportation projects to: improve the network of highway services essential to economic competitiveness, improve accessibility to target industries as a catalyst for economic growth, support private initiatives that create or retain jobs, and, encourage economic development and redevelopment efforts that improve the health, safety, and welfare of Michigan citizens.

TG Fluids Systems USA Corporation is proposing to occupy the 100 Brighton Interior Drive building, commonly called the Magna building after the former occupant. The TG Fluids project proposes \$12 million dollars in investment at the 100 Brighton Interior location and the creation of a minimum of 36 new jobs. There will also be job retention occurring.

The City of Brighton's Category A grant request is for an amount of no less than \$506,126 with a local match commitment of at least 20 percent (20%) of the total cost of the transportation project on Brighton Interior Drive related to a \$12 million project proposed by TG Fluids Systems USA Corporation located in the City of Brighton.

Per Michigan Department of Transportation (MDOT) Category A – Economic Development Road Project Grant requirements, the City must fund no less than 20% of the grant as part of their match. Based on the \$506,126 grant requested amount, the MDOT calculated match would be \$127,000. The match would include engineering, inspections and design cost plus a portion of the construction cost (which is allowed per MDOT).

The grant application requires a Resolution of Support from the governing body applying for the grant that indicates the level of financial support, and the Resolution is attached.

PROJECT:

Brighton Interior Drive has large areas of cracking and settlement that makes travel unsafe at normal posted speed limits. It is our understanding that the road started to show signs of failure in the early 2000's due to the high industrial activities of the previous land owner. Through the years these failures have become more pronounced and began holding water which accelerated the pavement breakdown. The roadway is over 18 years old and pronounced areas of settlement are creating bumps that require the drivers to slow down below the posted speed limit. Storm water ponds in the roadway because the roadway has sunk slightly below the curb and gutter.

The proposed improvements include partial reconstruction and partial rehabilitation of the roadway by increasing the thickness of the aggregate base course and Hot Mix Asphalt (HMA) sections to current standards for the proposed facility usage. Curb and gutter will be removed and reinstalled as necessary to accommodate the new pavement cross-section. New catch basins will be installed at the existing driveways and Nemco Way to collect offsite storm water that is ponding or overloading the existing storm sewer facilities. It is anticipated that the proposed thickened cross-section will be built upon the existing compacted aggregate base rather than the removal of the existing base to the sub-base.

These improvements will greatly improve the main access route to the new TG Fluids facility, reduce safety concerns by eliminating bumps/sags in the roadway and promote growth within the City of Brighton.

BUDGET IMPACT:

The MDOT grant will require a 20% grant match of \$127,000. The match would include payment for engineering, inspections and design cost plus a portion of the construction cost (which is allowed per MDOT). The upcoming CIP will include this project with the 80% grant funded and 20% City match.

STAFF RECOMMENDATION:

Staff recommends the approval of the resolution that is required as part of the MDOT Cat A grant application.

COUNCIL ACTION:

Approval of the MDOT Category A Grant Resolution # for a Brighton Interiors Drive improvement project.

ATTACHMENTS:

Proposed Resolution

Resolution _____

WHEREAS, the City of Brighton is requesting funding through a Michigan Department of Transportation (MDOT) Transportation Economic Development Fund (TEDF) Category A grant in the amount of no less than \$506,126 with a local match commitment of at least 20 percent (20%) of the total cost of the transportation project on Brighton Interior Drive related to a \$12 million project proposed by TG Fluids Systems USA Corporation located in the City of Brighton;

WHEREAS, the City of Brighton supports the proposed \$12 million project proposed by TG Fluids Systems USA Corporation;

WHEREAS, the City of Brighton supports the Brighton Interior Drive road improvement project;

WHEREAS, the City of Brighton will provide at least 20 percent (20%) of the total cost of the transportation project;

WHEREAS, the City of Brighton understands that any changes to the scope of work or additional items of work must be approved by MDOT preceding or subsequent to the grant award;

WHEREAS, MDOT will make the final determination regarding eligibility for construction costs;

WHEREAS, any utility and/or sidewalk construction costs are only eligible to the extent they are necessary as a result of eligible road construction work;

WHEREAS, the City of Brighton agrees to own and maintain the improved transportation facilities; and

WHEREAS, Dana W. Foster, City Manager, is authorized to submit the MDOT TEDF Category A grant application and associated documents.

NOW, THEREFORE, BE IT RESOLVED, the City Council supports the above development and hereby authorizes submission of the MDOT TEDF Category A grant application.

Adopted the _____ of _____, 2014 by Council Action.

BUDGET CALENDAR FOR FY15/16 PROPOSED BUDGET

Operating Budget

December 2, 2014	Budget instructions delivered to Department Directors
January 2, 2015	Budget Requests submitted to Finance Director
January 5 - February 13, 2015	Review, analysis, and calculations of submittals by Finance Director.
February 13, 2015	Budget Requests and analyses submitted to City Manager by Finance Director
February 14- March 9, 2015	City Manager's review and analysis, including meetings on budget requests with Department Directors
March 10, 2015	City Manager finalizes budget recommendations
March 11-18, 2015	Staff produces Budget for submission to City Council
March 19, 2015	City Manager's recommended budget presented to City Council
March 24, 25, & 26	City Council Budget Work Session's
April 2, 2015	Council directs staff to publish the Budget Hearing notice
April 16, 2015	Public Hearing on Budget
May 7, 2015	Council Adopts Annual Budget
May 21, 2015	Council Adopts Millage
June 18, 2015	Council Adopts Fee Schedule