

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
October 2, 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 September 18, 2014](#)
6. Call to the Public

Consent Agenda

7. Consider approval of [Bylaws for the Traffic Safety Advisory Board](#) as recommended by the Board and staff
8. Consider approval of staff's recommended [contract award for pavement marking](#)

Policy Development & Customer Communications' action item

9. Consider report from the City Attorney regarding updated advice about the City's regulatory authority on school facilities
10. Consider a status update report from the City Manager on the City Council's direction to staff regarding ordinance amendments regarding definitions in the Off-Street Parking regulations, including transition and leased parking lots in the DBD Zoning District, and including City and private sector parking/properties as well as for overflow parking.

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. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON SEPTEMBER 18, 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, Tobbe 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, Tobbe and Bohn. Also in attendance were Attorney Paul Maynes, Staff members Dana Foster, Jennifer Burke, Amy Cyphert, Dave Blackmar, Tom Wightman, Patty Thomas, Tim Krugh and an audience of 26. Press and Media included Tom Tolen from WHMI.

CITIZEN VOLUNTEER RECOGNITION

City Manager, Dana Foster recognized Volunteers for their work on the Imagination Station and the Old Village Cemetery.

Mayor Muzzin thanked Renee Pettengill and her family their work at the Imagination Station.

Jim Vichich, Historical Society gave a brief presentation on progress at the Old Village Cemetery.

AGENDA APPROVAL

It was moved by Councilmember Cooper seconded by Willis to approve the agenda as presented. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Councilmember Bandkau, seconded by Pipoly to approve the Regular Meeting minutes of September 4, 2014 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Pro-Tem Pipoly opened the Call to the Public at 8:10 p.m.

Pam McConeghy thanked the City for their work on the Smokin' Barbeque and Blues Jazz Festival.

Mary Lincoln stated a Mark Twain presentation will be at the CoBach center on the October 10th and 11th. She thanked Council for the use of the building.

Sue Ellen Eicken, 125 N. 4th Street, stated the Lindbom property will possibly be sold to a charter school and expressed her concerns with the parking and public safety.

Hearing no further comment, Mayor Muzzin closed the call to the public at 8:18 p.m.

Manager Foster addressed Ms. Eickens's concerns and stated that he and City Staff have been in constant contact with the school superintendent Greg Gray.

CONSENT AGENDA

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

1. Approved a contract award for pavement maintenance and repairs to One-Way Asphalt & Excavating for \$75,900.
2. Approved a revised contract award for the Wastewater Utility Treatment Plant AVAC system replacement to Boone and Darr for a net total of \$188,120.
3. Reappointed Bill Farquhar to the Board of Review.
4. Appointed Michael Schutz to the Planning Commission.
5. Approved Councilmember Pipoly as City Council Liaison to the Principal Shopping District.
6. Approved First Reading of a conditional rezoning Ordinance for 8589 W. Grand River from OS (Office Service) to C-2 (General Commercial) and set Public Hearing and Second Reading for October 16, 2014.

DTE'S ELECTRICAL UTILITY SYSTEM MAINTENANCE

Paul Ganz, DTE Government & Community Relations Director was present to discuss recent power outages and DTE's electrical utility system maintenance.

CITY CUSTOMER INFORMATION

Assistant DPW Director, Patty Thomas stated the leaf pickup program will be from October through November.

Utilities Director, Tim Krugh gave a hydrant flushing update.

Mayor Pro-Tem Pipoly gave a DDA and Brighton Area Fire Authority update.

Councilmember Cooper gave an update on SELCRA.

Mayor Muzzin thanked staff and Council for the recent support regarding the passing of his mother.

City Council
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CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:15 p.m.

Nancy Durance, 4616 Sprint Mountain Drive, stated her concerns with Springhill Development.

Sue Ellen Eicken, 124 Fourth Street, commented on the traffic relative to the Lindbom School area.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 9:20 p.m.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Willis to adjourn the meeting at 9:25 p.m. Motion passed 7-0.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor

POLICY REPORT NO. BPD 14-02
TRAFFIC SAFETY ADVISORY BOARD BYLAWS
October 2, 2014

Prepared by:

Thomas Wightman
Chief of Police

Reviewed by:

Dana W. Foster
City Manager

BACKGROUND:

The Traffic Safety Advisory Board (TSAB) was created by City Council on November 19, 1992 to serve as an advisory board on traffic matters in the City. No formal bylaws or rules of procedure were ever adopted for the operation of the Board.

ISSUE:

The Board has developed proposed bylaws that have been reviewed and modified by the City Attorney's Office. At a meeting of the Board on September 22, 2014 the Board agreed by full consensus to recommend that the City Council approve the bylaws as proposed and modified by the City Attorney.

BUDGET IMPACT:

None.

COUNCIL ACTION:

If approved by City Council, the bylaws for the Traffic Safety Advisory Board will have immediate effect.

Attachment: Proposed Bylaws of the Traffic Safety Advisory Board.

**ADOPTED BYLAWS AND RULES OF PROCEDURE FOR THE
TRAFFIC SAFETY ADVISORY BOARD OF THE CITY OF BRIGHTON, MICHIGAN**

I. AUTHORITY

- A. The rules of procedure are adopted by the Traffic Safety Advisory Board (hereinafter referred to as the Board) of the City of Brighton, Livingston County, pursuant to the provisions of the City of Brighton Charter and the City of Brighton Ordinance Code 1981 edition, as amended.
- B. All meetings of the Board shall be conducted in accordance with generally accepted parliamentary procedure, as governed by the eleventh edition of "Robert's Rules of Order" as revised in 2011, but may follow the relaxed procedures set forth for Small Boards, contained in Section 49.
- C. These rules of procedure shall govern the operation and activities of the Board.
- D. Recommendations of the Board carry no legislative authority and are advisory in nature, to be considered at the pleasure of the Brighton City Council.
- E. The Board shall have no independent authority to direct City staff to perform any service or duty.

II. PURPOSE

- A. The purpose of the Board is to examine issues and concerns related to vehicular and pedestrian traffic in the City of Brighton and to make recommendations to the City Council.
- B. Recommendations may include and/or relate to, but are not limited to, such matters as:
 - 1. Traffic flow and/or congestion;
 - 2. Detour routes;
 - 3. Traffic safety concerns;
 - 4. Traffic study review;
 - 5. Traffic Control Orders;
 - 6. Traffic signage;
 - 7. Pedestrian flow or safety;
 - 8. Planning, conducting, promoting and assisting activities designed to decrease the number, severity, and cost of accidents in the community; and
 - 9. All other matters as directed by the City Council.

III. MEMBERSHIP

- A. The Board shall consist of the three permanent members, they being City staff or consultants, and four appointed members.
- B. The permanent members shall include:
 - 1. Chief of Police, or his or her representative.
 - 2. Director of Public Works, or his or her representative.
 - 3. City Traffic Engineer.
- C. The appointed members shall include:
 - 1. A member of the City Council appointed by the Mayor.
 - 2. A member of the City Planning Commission recommended by the Planning Commission and appointed by the Mayor.
 - 3. Two residents of the City of Brighton appointed by the Mayor.
- D. The term of office of appointed members shall be indefinite or until resignation or removal in accordance with these bylaws.

IV. REMOVAL FROM MEMBERSHIP OR VACANCIES

- A. A membership position shall be automatically determined to be vacant in the event of absence from two meetings without excuse and/or three consecutive meetings with or without an excuse.
- B. Any appointed member may be removed from the Board at the discretion of the Mayor.
- C. Vacancies shall be reported by the Board to the City Manager, who will be responsible for notifying the Mayor.

V. OFFICERS

- A. The officers of the Board are the Chairperson and Vice-Chairperson.
- B. The Chairperson shall be elected by the body of the whole from the two resident members. The Chairperson shall remain Chairperson until resignation or removal from office, including the Chairperson holding office at the time of adoption of these bylaws.
 - 1. The Chairperson shall preside over all meetings in accordance with the agenda, and shall conduct all meetings in accordance with the rules provided herein
 - 2. The Chairperson shall have no administrative authority over the Board or members of City Staff.
 - 3. The Chairperson may be removed from the office of Chairperson upon a majority vote of the Board.
- C. The Chief of Police shall serve as Vice-Chairperson.
 - 1. The Vice-Chairperson shall act in the capacity of the Chairperson in the absence of the Chairperson.
 - 2. The Vice-Chairperson shall have no administrative authority over the Board.

VI. MEETINGS

- A. The Board shall meet as needed whenever City staff has identified an issue or issues requiring consideration and recommendation from the Board.
- B. A schedule for regular meetings may be developed by the Board upon a majority vote of the membership, and the schedule posted on the City's public website.
- C. A quorum shall consist of a majority of the membership of the Board.
- D. All meetings of the Board shall be open to the public and held in a place available to the general public.

VII. AGENDA & MINUTES

- A. The Vice-Chairperson shall be responsible for the preparation of all meeting agendas and minutes in consultation with the Chairperson and membership of the Board.
- B. The agenda may be modified or expanded during the meeting of the Board at the direction of the Chairperson.
- C. The Vice-Chairperson shall also be responsible for the keeping of pertinent public records, delivering communications, petitions, reports, and other related items of business of the Board, and for issuing notices of all meetings and public hearings, and performing related administrative duties to assure the efficient and well-informed operations of the Board.
- D. The Vice-Chairperson may be assisted by Brighton City Staff in carrying out the responsibilities of this office.
- E. The Vice-Chairperson shall provide the completed minutes to members of the Board for review prior to forwarding the minutes to the City Clerk for public posting.

VIII. SUB-COMMITTEES

- A. The Board may establish temporary or standing sub-committees to address specific issues or goals, as established by the Board.
- B. Such sub-committees will serve in an advisory capacity to the Board.

IX. FREEDOM OF INFORMATION

- A. The Board shall comply with the Michigan Freedom of Information Act (FOIA) [Public Act 422 of 1976, MCL § 15.231 *et seq.*] and the City of Brighton's FOIA policy.
- B. The City Clerk will assist the Board in compliance.

X. ESTABLISHMENT AND AMENDMENT OF BYLAWS

- A. The bylaws of the Board are subject to approval, modification or repeal by the Brighton City Council.
- B. Recommendations to amend these bylaws to the Brighton City Council may be made by majority vote of the Board.

THESE BYLAWS AND RULES OF PROCEDURE WERE FIRST ADOPTED ON THE 19TH DAY OF NOVEMBER, 1992, AND HAVE SUBSEQUENTLY BEEN REVISED OR REAFFIRMED AS NOTED BELOW.

CITY OF BRIGHTON, TRAFFIC SAFETY ADVISORY BOARD

Last revised and reaffirmed on October 2, 2014.

Chairperson:

Vice-Chairperson

James Muzzin, Mayor

Diana Lowe, City Clerk

**POLICY REPORT
DEPARTMENT OF PUBLIC SERVICE**

Prepared by:

**Dave Blackmar
DPW Director**

Reviewed by:

**Dana W. Foster
City Manager**

ISSUE: To consider awarding the Pavement Marking 2014 RFP to M&M Pavement Marking in the amount of \$14,462.50.

STAFF RECOMMENDATION: Staff recommends awarding the Pavement Marking 2014 RFP to M&M Pavement Marking in the amount of \$14,462.50.

BACKGROUND: The Pavement Marking 2014 RFP was let on September 12, 2014, with proposals due on September 18th.

We received two bids as follows:

- M&M Pavement Marking - \$14,462.50
- PK Contracting - \$19,794.50

Due to the lateness of the season, we will probably be able to complete some of the work this fall before the temperatures become too cold, and then the rest of the work will be done in the spring. By approving the proposal now, it will enable us to lock in this year's pricing. Staff will be prepared during the 10/02/14 City Council Meeting to give City Council a prognosis as to which of the locations on the attached list can be done this fall (the higher priority needs) vs. which can be deferred until next spring.

BUDGET IMPACT: The approved budget for this project was \$20,000.00 so by awarding the work to M&M Pavement Marking, it will be \$5,537.50 under budget.

COUNCIL ACTION: Approval of the Pavement Marking 2014 RFP to M&M Pavement Marking in the amount of \$14,462.50.

ATTACHMENTS: Completed RFP Specification Sheet from M&M Pavement Marking.

**CITY OF BRIGHTON
DEPARTMENT OF PUBLIC WORKS
"PROPOSAL WORKSHEET"**

PROJECT: "PAVEMENT MARKING 2014"

DATE: 9/10/2014

LOCATION: SEE BELOW

PROJ#: PM1401

BASIS FOR ESTIMATE: CONC PREL FINAL

ESTIMATOR: DCB

SCOPE: LINE & HAND PAINT W/REFLECTIVE
PAINT PER MDOT SPEC'S.

CHECKED BY: N/A

* [ALL EXISTING IN-FIELD AS APPROVED]

NO.	ITEM DESCRIPTION	QUANT	UNIT	\$/UNIT	AMOUNT
	HAND PAINTING @ GRA APPROACHES				
1	CHALLIS:				
	12 INCH STOP BAR	200	LF	1.50	300
	RIGHT ARROW	5	EA	40	200
	LEFT ARROW	8	EA	40	320
	STRAIGHT ARROW	3	EA	40	120
	"ONLY" LEGEND	8	EA	40	320
2	CINEMA DRIVE:				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	120	LF	1.50	180
3	ORNDORF:				
	12 INCH STOP BAR	200	LF	1.50	300
	LEFT ARROW	5	EA	40	200
	LEFT/STRAIGHT ARROW	2	EA	60	120
	RIGHT ARROW	2	EA	40	80
	RIGHT/STRAIGHT ARROW	1	EA	60	60
	"ONLY" LEGEND	6	EA	40	240
	12 INCH PED CROSSING (TYPE "A") @ GRA	400	LF	1.50	600
4	CROSS:				
	12 INCH STOP BAR	200	LF	1.50	300
	LEFT ARROW	4	EA	40	160
	STRAIGHT ARROW	2	EA	40	80
	RIGHT ARROW	1	EA	40	40
	"ONLY" LEGEND	8	EA	40	320
	12 INCH PED CROSSING (TYPE "A") @ GRA	300	LF	1.50	450
5	LIBERTY:				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
6	FLINT:				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
7	BEAVER:				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
8	SAINT PAUL:				
	12 INCH STOP BAR	50	LF	1.50	75
	12 INCH PED CROSSING (TYPE "A") @ GRA	200	LF	1.50	300

1240

217.50

1600

1350

187.50

187.50

187.50

375

5365

NO.	ITEM DESCRIPTION	QUANT	UNIT	\$/UNIT	AMOUNT
	MAIN:				
9	LEFT ARROW	6	EA	40	240
	RIGHT ARROW	2	EA	40	80
	RIGHT/STRAIGHT ARROW	3	EA	60	180
	STRAIGHT ARROW	2	EA	40	80
	"ONLY" LEGEND	4	EA	40	160
	"THRU" LEGEND	1	EA	40	40
10	NORTH:				
	LEFT ARROW	5	EA	40	200
	RIGHT/STRAIGHT ARROW	3	EA	60	180
	"ONLY" LEGEND	2	EA	40	80
11	DUTCHER:				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
12	SPENCER				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
13	BRIGHTON LAKE RD				
	12 INCH STOP BAR	150	LF	1.50	225
	LEFT ARROW	2	EA	40	80
	RIGHT ARROW	1	EA	40	40
	"ONLY" LEGEND	3	EA	40	120
	12 INCH PED CROSSING (TYPE "A") @ GRA	200	LF	1.50	300
14	CHURCH				
	12 INCH STOP BAR	200	LF	1.50	300
	LEFT ARROW	4	EA	40	160
	LEFT/STRAIGHT ARROW	2	EA	60	120
	RIGHT ARROW	2	EA	40	80
	"ONLY" LEGEND	4	EA	40	160
	12 INCH PED CROSSING (TYPE "A") @ GRA	400	LF	1.50	600
15	HOPE				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
16	PLANET FITNESS				
	12 INCH STOP BAR	150	LF	1.50	225
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
17	KISSANE				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
18	O'DOHERTY				
	12 INCH STOP BAR	25	LF	1.50	37.50
	12 INCH PED CROSSING (TYPE "A") @ GRA	100	LF	1.50	150
	OTHER (NON-GRA) LOCATIONS:				
19	CHALLIS & GREIMEL				
	12 INCH STOP BAR	150	LF	1.50	225
	LEFT ARROW	5	EA	40	200
	RIGHT ARROW	2	EA	40	80
	"ONLY" LEGEND	5	EA	40	200

780

460

187.50

187.50

765

1420

187.50

375

187.50

187.50

705

5442.50

NO.	ITEM DESCRIPTION	QUANT	UNIT	\$/UNIT	AMOUNT
20	GREIMEL & ORNDORF				
	12 INCH STOP BAR	150	LF	1.50	225
	LEFT ARROW	2	EA	40	80
	RIGHT ARROW	1	EA	40	40
	"ONLY" LEGEND	2	EA	40	80
21	LIBRARY & CHALLIS				
	12 INCH STOP BAR	50	LF	1.50	75
	LEFT ARROW	2	EA	40	80
	RIGHT ARROW	2	EA	40	80
	"ONLY" LEGEND	4	EA	40	160
22	LIBRARY & ORNDORF:				
	12 INCH STOP BAR	50	LF	1.50	75
	LEFT ARROW	2	EA	40	80
	RIGHT ARROW	2	EA	40	80
	"ONLY" LEGEND	4	EA	40	160
23	BRIGHTON LAKE & S. 3RD:				
	12 INCH STOP BAR	100	LF	1.50	150
	LEFT ARROW	3	EA	40	120
	"ONLY" LEGEND	3	EA	40	120
	12 INCH PED CROSSING (TYPE "A") @ GRA	200	LF	1.50	300
	ALTERNATES:				
	W & E MAIN:				
1	YELLOW CURB	3500	LF	.50	1750
	MISCELLANEOUS:				
	All required insurance shall be provided prior to start-up				
GRAND TOTAL:					\$ 14,462.50

425

395

395

490

175

3455

SUBMITTED BY:

DAVID LAWRENCE

AUTHORIZED SIGNATURE:

David Lawrence

"PAVEMENT MARKING 2014"
{ 3 OF 3 }

PROPOSAL DEADLINE:

All interested Company's shall submit their proposals **no later than 5:00 p.m., September 18, 2014** and identified as follows;

RE: PAVEMENT MARKING 2014
Attention: David Blackmar

City of Brighton
200 N. First Street
Brighton, MI 48116

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IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hand and seal on the day and year indicated below.

PROJECT NAME	TOTAL AMOUNT
PAVEMENT MARKING 2014	\$14,462.50

WITNESS

(Date)

WITNESS



9/18/14
(Date)

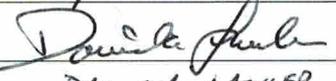
CITY OF BRIGHTON

Dana Foster, City Manager

ATTEST:

Diana Lowe, City Clerk

CONTRACTOR

M & M PAVEMENT MARKING, INC.
By: 
DAVID A. LAWLER, VICE PRESIDENT