

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON DECEMBER 20, 2012 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**BLUE SKY SESSION**

The Council conducted a Blue Sky Session at 7:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Cooper Councilmembers Bohn, Bandkau, Schillinger, Pipoly and Roblee. 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, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Bandkau, Schillinger, Pipoly, Roblee and Bohn. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Matt Schindewolf, Kelly Hanna, Amy Cyphert, Matt Modrack, Lauri French, Diana Lowe and Tom Wightman and an audience of 7. Press and Media included Tom Tolen from WHMI.

**AGENDA APPROVAL**

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve the agenda as amended. Delete item #8, Northridge Ponds and item #15, Pending Litigation Closed Session. Motion passed 7-0.

**MINUTES APPROVAL**

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Regular Meeting minutes of December 6, 2012 as presented. Motion passed 7-0.

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve the Closed Session Meeting minutes of December 6, 2012 as presented. Motion passed 7-0.

**CITIZEN INQUIRIES**

None.

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:34 p.m. Hearing no comment, the Call to the Public was closed.

**180 N. 1<sup>ST</sup> STREET TO 440 W. MAIN STREET LIQUOR LICENSE TRANSFER**

Police Chief, Tom Wightman briefed the City Council regarding Liquor Licenses including Quota Licenses, License in Escrow and Liquor Ordinance.

Deputy Community Development Director, Lauri French briefed the Council on the pending Liquor License transfer, new Liquor License and Redevelopment Liquor License.

City Council  
December 20, 2012  
Page 2

Keith Tobel, 440 W. Main Street, Gen-Jan LLC, owner of Class C Liquor License. Requesting to transfer Liquor License from 180 N. 1<sup>st</sup> Street to 440 W. Main Street.

Jim Starnes, 423 W. Main Street, Two-Brothers Coffee, stated he would like to have the opportunity to have a Quota Liquor License for his business.

Fred Feldman, Stonefire, explained the management agreement, the situation with the Liquor License and the fastest solution possible.

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to conditionally approve the location transfer of the Class C liquor license with Outdoor Service Permit from 150 N. First Street (Gen-Jan, LLC, licensee for Scotty Simpson's/Lynn's Cafe) to the former Stonefire Bistro location at 440 W. Main Street (440 Main, Inc.), Brighton, MI 48116 based on the following:

- A liquor license location transfer will take less time to process and receive approval from the MLCC. This will facilitate 440 Main's ability to resume serving alcoholic beverages in the shortest period of time possible. The owners have already lost business, including some large holiday parties, due to the liquor license being put in escrow.
- Scotty Simpson's/Lynn's Café currently serves beer and wine and could continue to do so up until the location transfer of their current license takes place per the MLCC. If approved at tonight's meeting, the new "quota" license would be a replacement for their current license.

A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

### **CLASS C LIQUOR LICENSE**

It was moved by Councilmember Bandkau, seconded by Roblee to approve the Gen-Jan, LLC (Scotty Simpson's/Lynn's Café) application for the new available Class C "quota" license.

A roll call vote was taken. Yes: Bandkau, Cooper, Roblee. No: Bohn, Muzzin, Schillinger. Abstain: Pipoly. Motion failed 3-3-1.

It was moved by Mayor Pro-Tem Cooper, seconded Schillinger by to approve a Class C "quota" license to Great Dane Ventures, DBA Two Brothers Coffee Shop.

City Manager, Dana Foster stated that staff has not mislead anyone in regards to an available Quota Liquor License.

A roll call vote was taken. Yes: Bandkau, Cooper, Schillinger. No: Bohn, Muzzin, Roblee. Abstain: Pipoly. Motion failed 3-3-1.

Council directed Staff to advertise the Quota Liquor License to businesses in the City of Brighton.

**REDEVELOPMENT LIQUOR LICENSE**

No action.

**CITY CUSTOMER INFORMATION**

Finance Director, Kelly Hanna stated there will not be any loss of Personal Property Tax in FY 13-14 in light of the recent Personal Property Tax law that has passed. It will take effect in 14-15. Personal Property Tax will be voted on in 2014.

Mayor Pro-Tem Cooper gave a SELCRA update, stating they met with the Brighton Area School regarding a joint use agreement.

Councilmember Bandkau stated the Veteran's Memorial Committee is selling commemorative bricks for \$115. Go to [brightonveteransmemorial.org](http://brightonveteransmemorial.org) for more information.

Councilmember Roblee stated tomorrow is Late Night Shopping.

Council wished everyone Happy Holidays.

City Manager, Dana Foster stated the Liquor License agenda item should be on the second January City Council meeting in order to properly advertise the License.

DDA/Community Development Director, Matt Modrack gave a DDA update regarding several projects.

Mayor Muzzin gave a Brighton Area Fire Authority update.

**CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 9:07 p.m. The following comments were heard:

Jim Starnes asked Council to reconsider, as he is withdrawing himself from the Liquor License issue, making it possible for Councilmember Pipoly to vote instead of abstaining.

City Attorney, Paul Burns stated a Councilmember that voted "no" would have to make the motion.

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

**ADJOURNMENT**

It was moved by Mayor Pro-Tem Cooper, seconded by Bohn to adjourn the meeting at 9:11 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor