

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
November 20, 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 6, 2014](#), Special Meeting of November 9, 2014, and Closed Session of November 9, 2014.
6. Call to the Public

Consent Agenda

7. Consider [conditional site plan approval for a Greater Brighton Area Chamber of Commerce accessory building](#) as recommended by the Planning Commission
8. Consider conditional site plan approval for the Brighton Commercial Center at 8589 W. Grand River as recommended by Planning Commission
9. Consider conditional site plan approval for the Yogurtopia at 332 W. Main Street as recommended by Planning Commission
10. Approve a resolution authorizing an Installment Purchase Agreement for Utility Fund Equipment

Policy Development & Customer Communications' action item

11. Consider approval of the proposed Goals and related Minutes from the November 8th & 9th Goal-setting Retreat
12. City Council's report regarding the November 9th City Council-conducted annual performance evaluation of the City Manager

Other Business

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

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON NOVEMBER 6, 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 7:31 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 Paul Burns and Brad Maynes, Engineer Gary Markstrom, Staff members Dana Foster, Diana Lowe, Tim Krugh, Dave Blackmar, Kelly Hanna, Tom Wightman, Colleen Barton 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 Tobbe to approve the agenda as amended. Delete item #9, Chamber Site Plan, add and #10a, Michigan Tax Tribunal litigation and item #12a, Springhill Litigation update. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Councilmember Tobbe, seconded by Bandkau to approve the Regular Meeting minutes of October 16, 2014 as presented. Motion passed 6-0-1, with Councilmember Cooper abstaining.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:33 p.m. The following comments were heard:

Pat Cole, Brighton City, expressed her concerns regarding snow and fire hydrants being covered with snow and not being accessible to the Fire Department. She asked to have the American flag brought in front of the other two flags in the Council Chambers. She referenced an article in the newspaper regarding a memorial that is occurring this weekend.

Hearing no comment, Mayor Muzzin closed the Call to the Public at 7:38 p.m.

Mayor Muzzin stated it is the responsibility of the Fire Department and they have equipment to locate and utilize the fire hydrants.

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 Quarterly Investment Report.
2. Approved a Proclamation for Pancreatic Cancer Awareness Month.
3. Approved an agreement with Brighton Area Schools for the City to collect the School District's Operating Property Taxes on the City's Summer 2015 Property Tax Bills.
4. Authorized the City Attorney to execute settlement of the Brighton Commercial Holdings LLC Michigan Tax Tribunal case as proposed.

Mayor Muzzin read the Pancreatic Cancer Proclamation.

Meghan Combs spoke regarding pancreatic Cancer Awareness and accepted the Proclamation from Mayor Muzzin.

CHRISTMAS TREE SALES TEMPORARY LAND USE

Mayor Muzzin opened the Public Hearing for the Temporary Land Use for Christmas tree sales at 711 Rickett Road for Saint Patrick's Church Dad's Club at 7:45 p.m. Hearing no comment the Public Hearing was closed.

It was moved by Councilmember Cooper, seconded by Tobbe to approve the application from St. Patrick Church dated October 15, 2014 for a Temporary Land Use Permit for Christmas tree sales from November 28, 2014 through December 13, 2014. Motion passed 7-0.

ECONOMIC DEVELOPMENT COUNCIL – SPARK PRESENTATION

City Manager, Dana Foster expressed his support for the renewal of the City of Brighton's participation in the Economic Development Council Contract with SPARK for EDC economic development staff services. He stated this is beneficial to the City, it is important to continue to participate in the program and it enhances the business retention effort. He discussed the importance of the EDC and Mike Corrigan in obtaining State funding for the ENA expansion.

Economic Development Council Board Vice-Chairman Mike Kennedy thanked the Council for their partnership with the EDC. He discussed funding, a future change to the EDC Board of Directors for a voting representative from each local government providing funding to the EDC and Collaborative Economic Development.

EDC-SPARK Staff Rep Phil Santer, discussed the firms that they have worked with, new job commitments, investment, referrals, increased opportunities for the region, Business Development Program,

SPARK President, Paul Krutko thanked Council to allow them to do their work in Brighton. He discussed resources, representatives on the Board, Site selection, advertising and stated they are proud to represent the City of Brighton. He also discussed their strategic plan, values and competition.

Mayor Muzzin thanked the EDC Representatives.

Councilmember Bohn discussed representation on the Board and updates to City Council.

It was moved by Councilmember Tobbe, seconded by Pipoly to renew the amended EDC Contract with SPARK for EDC economic development staff services subject to the City Attorney's final review and approval. Motion passed 7-0.

It was moved by Pipoly, seconded by Willis to use the restricted EDC Fund balance of \$2,138.00 to pay the FY 14/15 annual EDC contract fee. Motion passed 7-0.

SPRINGHILL LITIGATION UPDATE

City Attorney, Paul Burns gave an update on the Springhill litigation. He updated the Council on the process that is left a Consent Judgment will be brought back City Council. He stated the roads have to be transferred to the City.

Engineer Gary Markstrom gave an update on the progress of Springhill improvements. He discussed the improvements of the boulder walls behind units 11 & 12 and other improvements that need occur. He stated he is satisfied with the progress.

City Attorney Paul Burns stated in the last 60 days they have been cooperative in making the required improvements.

SIX YEAR FINANCIAL FORECAST REPORT

City Manager, Dana Foster stated the forecast update includes General Fund, DDA Fund and LDFA Fund.

Finance Director, Kelly Hanna highlighted changes in the fund forecast in revenues and expenditures. She discussed the personal Property tax reimbursement, Forecast assumptions, General Fund Forecast Updates, Trend Chart, Committed Fund Balance, DDA Fund Forecast updates and the Local Development Finance Authority Fund Forecast.

City Manager, Dana Foster discussed the FY 14/15 Expenditures for the General Fund, the three different scenarios for the General Fund Forecast Update, Fund Balance Trend Chart and DDA Fund Forecast Updates.

RECENT POWER OUTAGES

It was moved by Councilmember Bohn, seconded by Pipoly to direct the City Manager to send correspondence to the State Legislators, Public Service Commission and the MML and copy the surrounding Townships regarding recent power outages in the City of Brighton. Motion passed 7-0.

CITY CUSTOMER INFORMATION

DPW Director, Dave Blackmar stated leaf collection has been ongoing and we are in good shape with our supply of road salt.

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

Mayor Muzzin stated this weekend is the annual Council Retreat. He gave a Brighton Area Fire Authority update. He gave a DDA update. He stated he attended an Arbor Day event. Saturday is the Veteran's parade and rededication of a headstone in the Old Village Cemetery.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:51 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Bandkau to adjourn the meeting at 9:51 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

POLICY REPORT: CONSIDER APPROVAL OF A CONDITIONAL SITE PLAN FOR THE CHAMBER OF COMMERCE ACCESSORY BUILDING #14-007

November 6, 2014

Prepared by:

Reviewed by:

Amy Cyphert
Planning & Zoning Director

Dana Foster
City Manager

ISSUE:

To consider granting conditional site plan approval for an accessory building for the Chamber of Commerce at 218 E. Grand River as recommended by the Planning Commission.

STAFF RECOMMENDATION:

The DBD zoning ordinance requires City Council review and approval of vinyl siding. City Council will need to make the final approval for the use of vinyl on the accessory building.

BACKGROUND:

At its meeting of October 20, 2014, the Planning Commission reviewed and discussed a site plan for an accessory building to be located behind the existing Chamber of Commerce located at 218 E. Grand River. The applicant is proposing to construct a 240 square foot accessory building. The proposed building materials for the exterior of the building include: vinyl siding and two doors and windows.

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

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 City Council approves the use of vinyl siding.

For a more detailed review of the site plans, please refer to the attached Planning Report.

BUDGET IMPACT: N/A

RELATIONSHIP TO 2013/2014 GOALS: N/A

COUNCIL ACTION:

Motion by _____ to recommend conditional site plan approval 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.

supported by _____.

Attachments:

1. Planning Commission Report
2. DRAFT PC Meeting Minutes
3. Site Plan

**CITY OF BRIGHTON
PLANNING COMMISSION
PLANNING REPORT**

TO: Planning Commission Members

FROM: Amy Cyphert, Planning & Zoning Director

DATE: October 20, 2014

RE: Chamber of Commerce Accessory Building – 218 E. Grand River #14-007

Background

In 2011, the Chamber of Commerce purchased and moved into the building at 218 E. Grand River from their former location on Hyne Street. The Hyne Street location had a detached accessory structure on the site.

The property owner is proposing a 240 square foot, one-story, accessory building on the existing Chamber of Commerce site. The accessory building would provide additional storage. The proposed building materials include vinyl siding, pre-hung doors and shingles.

Parking & Drive Requirements

The accessory building is proposed to be placed within 3 existing parking spaces to the rear of the building. The site plan also includes the addition of 4 new parking spaces abutting an existing concrete parking lot island.

Utilities

Tetra Tech has reviewed the site plan. The building will not be connected to sewer or water. Tetra Tech had no requested revisions or objections to the plans.

Fire Department

The Brighton Area Fire Authority reviewed the site plan and had no fire code issues.

STAFF RECOMMENDATION

The DBD zoning ordinance article does not provide regulations for accessory structures. However, the use of vinyl siding requires City Council review and approval. The garage conforms to the requirements of Section 98-49 and Section 98-36 of the zoning ordinance that provide requirements for accessory structures.

Since the site plan complies with the pertinent City ordinances, it is recommended that the site plan be approved, subject to the conditions below.

COMMISSION ACTION

Consider granting site plan approval for the project with the following motion:

Motion by _____ to recommend 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 City Council approves the use of vinyl siding.

supported by _____.

Attachments:

1. Site Plan

amendment meet the intent of both lots. Ms. Cyphert, in response to a question about safety in the CSX West lot, advised that the CSX will require a fence if the property is to be used for parking, even for the grass area.

Staff was directed to take the comments from tonight's meeting back to the City attorney and do one more draft to be reviewed at the November Planning Commission meeting.

New Business

6. Site Plan – Chamber of Commerce Accessory Building #14-007

Ms. Cyphert briefly reviewed the background of this request. This is before Planning Commission tonight for approval before going to Council because vinyl siding is not allowed in the DBD (Downtown Business District) without City Council approval and the Chamber is located within the DBD.

There was a concern raised about using vinyl siding on an accessory building behind what is a very historic building. Mr. Modrack responded as Chairperson of the Chamber Board that his preference would be to use hardy plank siding which is more durable but also more costly than vinyl siding. He said it looks like wood and doesn't sag like vinyl siding has a tendency to do. In response to a question about whether the shed would be visible from downtown, Mr. Modrack stated that there is quite a bit of vegetation in front of the shed and it is set back on a curved portion of the property. The location of the shed was dictated by the location of overhead electrical lines. Mr. Petrak noted that he would prefer horizontal versus vertical siding and noted that there is high quality vinyl siding available. Mr. Modrack stated they are still working on getting the budget together for this project and won't be building it until probably April 2015.

Motion by Mr. Petrak, supported by Mr. Smith, to recommend conditional site plan approval 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 City Council approves the use of vinyl siding if requested.

Ms. Gardner asked if there would be any changes to the existing fencing behind the Chamber building as a result of the addition of the accessory building and Mr. Modrack responded that there would not be any changes.

The motion carried 8-1.

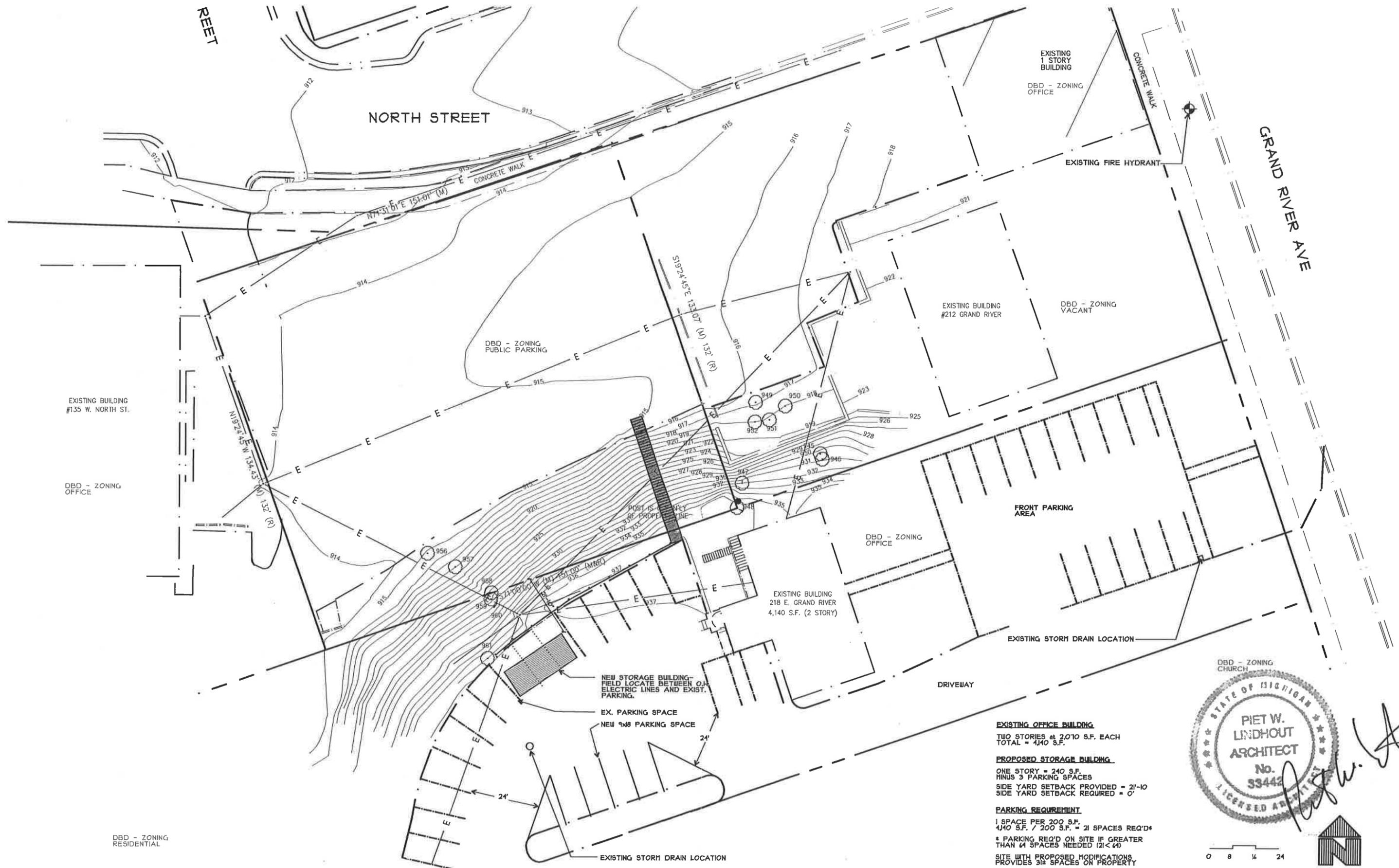
Other Business

7. Staff Updates – Ms. Cyphert advised that we received the draft Green Oak Township Master Plan for review, and a summary prepared by our intern, Adam Kokenakes, was included in the packet. Ms. Cyphert was directed to send Green Oak Township a letter thanking them for the opportunity to comment on their Master Plan. Ms. Cyphert also noted that she received a letter from Hartland that they intend to amend their Master Plan.

Ms. Cyphert stated there will be a meeting on November 17. Mr. Smith and Mr. Petrak advised they will be absent for the November meeting.

8. Commissioner Concerns - None

9. Call to the Public - The call to the public was made at 8:09 p.m. Bob Pettengill, who recently purchased the house at 608 W. Main Street, advised that he had used the City's Master Plan before he made the decision to purchase the house. He and his wife will be converting the house back to single family residential with the assistance of local designer Tom Coates. He also quoted specific sections of



EXISTING OFFICE BUILDING
TWO STORIES at 2,070 S.F. EACH
TOTAL = 4,140 S.F.

PROPOSED STORAGE BUILDING
ONE STORY = 240 S.F.
MINUS 3 PARKING SPACES
SIDE YARD SETBACK PROVIDED = 2'-10"
SIDE YARD SETBACK REQUIRED = 0'

PARKING REQUIREMENT
1 SPACE PER 200 S.F.
4,140 S.F. / 200 S.F. = 21 SPACES REQ'D*
* PARKING REQ'D ON SITE IF GREATER THAN 4 SPACES NEEDED (21 < 4)
SITE WITH PROPOSED MODIFICATIONS PROVIDES 3 1/2 SPACES ON PROPERTY

STATE OF MICHIGAN
PIET W. LINDHOUT
ARCHITECT
No. 33442
LICENSED ARCHITECT

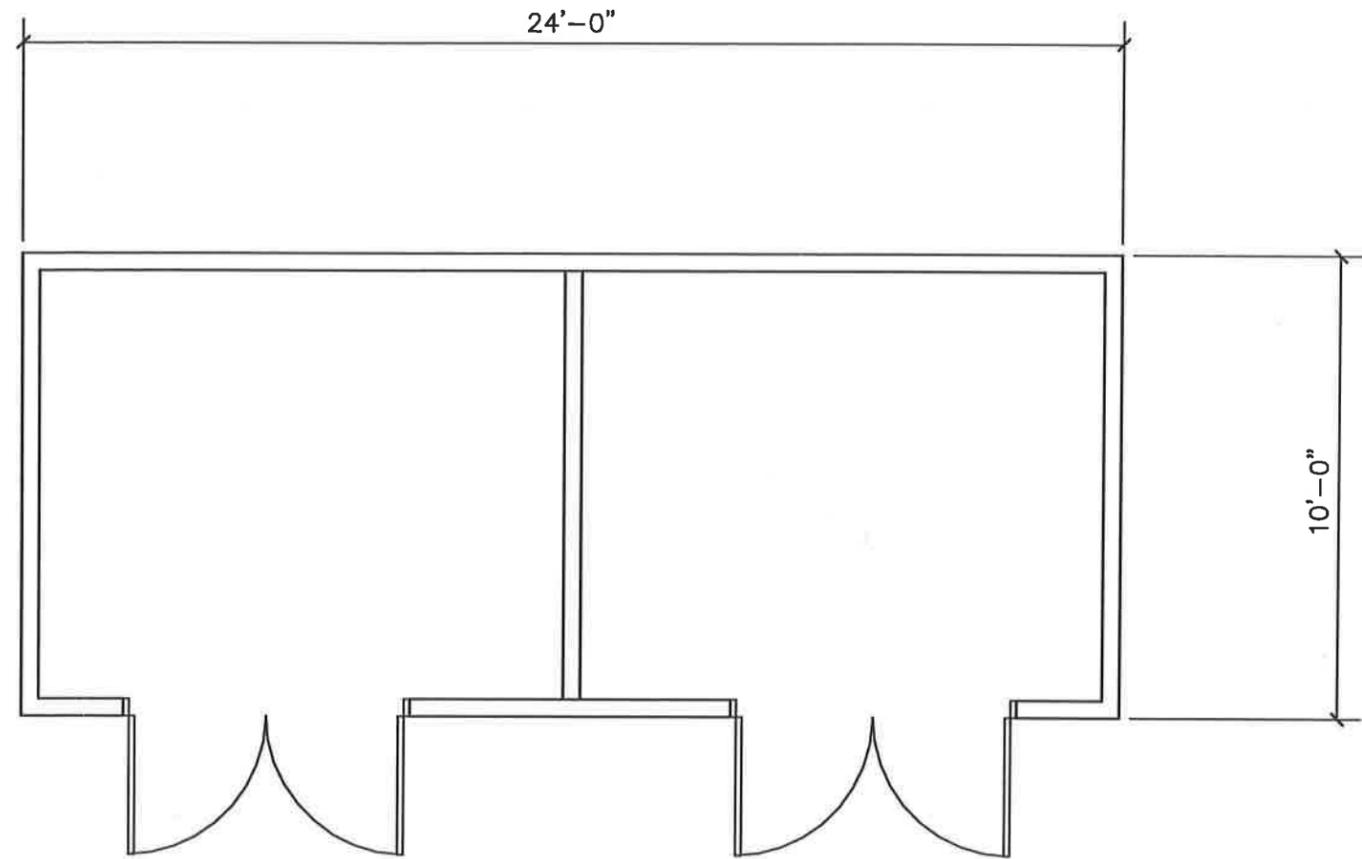
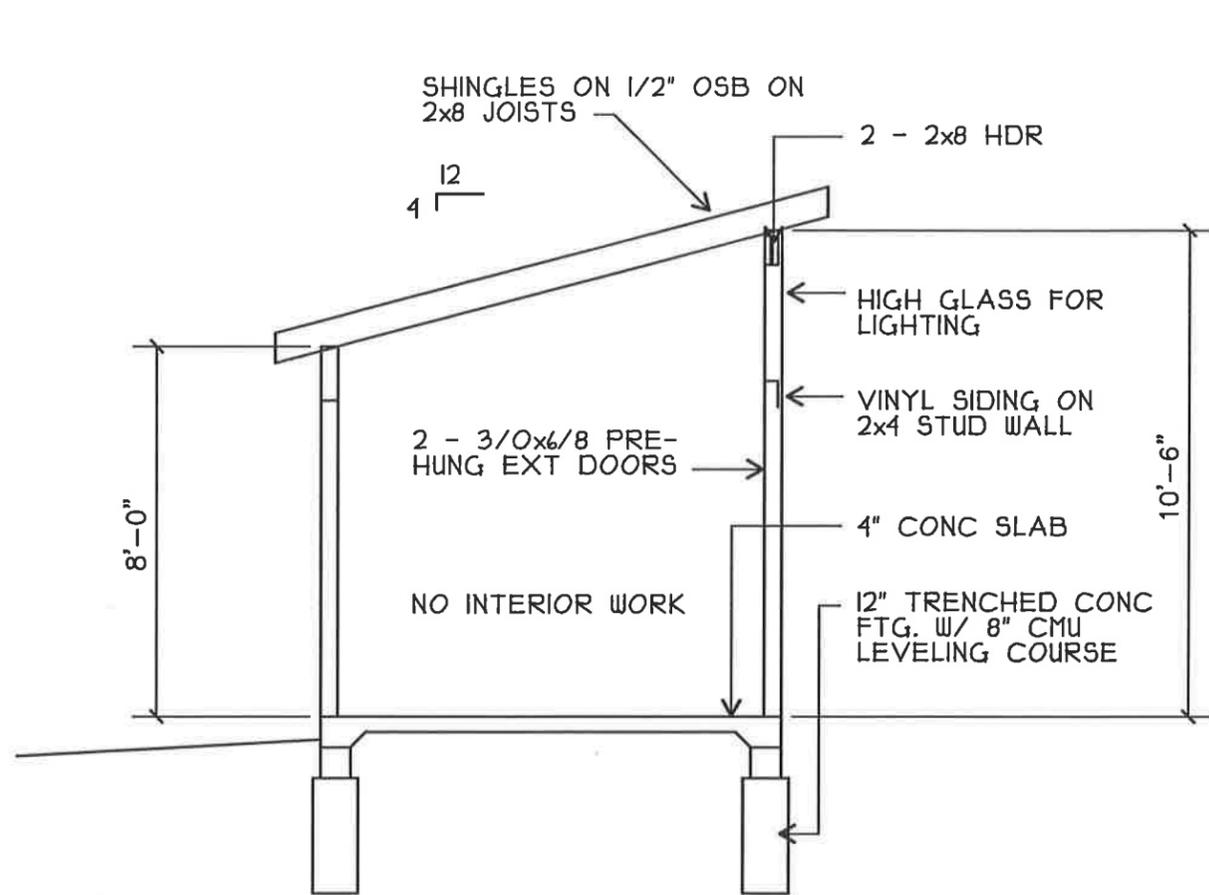
PARTIAL SITE PLAN - BRIGHTON CHAMBER

0044

Lindhout Associates architects aia pc
10465 eblaton drive, brighton, MI 48116-9510
www.lindhout.com (810)227-5668 fax (810)227-5855

GREATER BRIGHTON CHAMBER OF COMMERCE
218 E. GRAND RIVER AVE.
BRIGHTON, MI 48116 location

CHAMBER REVIEW C.O.B. CHANGES ISSUED TO	01-11-14 07-13-14 DATE	dr PUL app'd	01 SHEET
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1/4" = 1'-0"

PLAN & SECTION - BRIGHTON CHAMBER

8400



Lindhout Associates architects aia pc

10465 citation drive, brighton, MI 48116-9510
 www.lindhout.com (810)227-5668 fax: (810)227-5855

CHAMBER REVIEW
 issued for

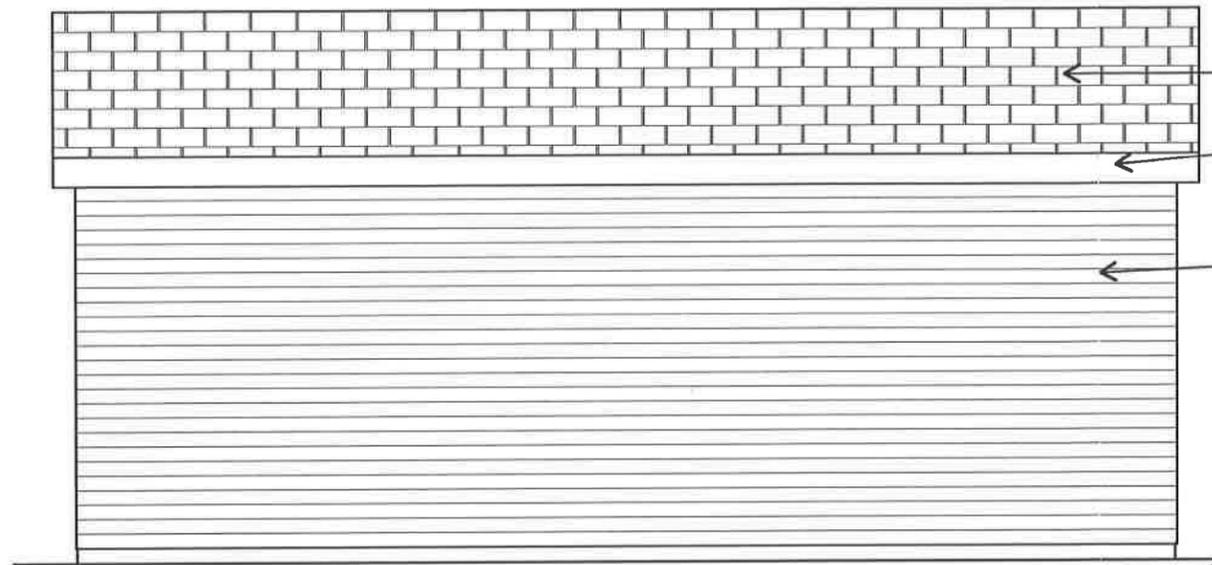
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02
 SHEET





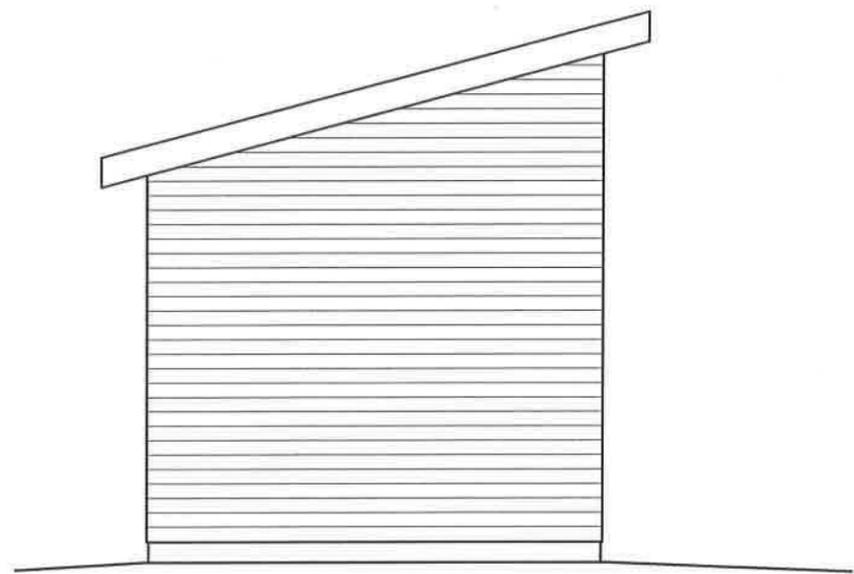
BACK ELEVATION

TYPICAL MATERIALS

- COMP. SHINGLES
- PRE-FIN. METAL CLADDING IVER WOOD' FRAMING
- VINYL SIDING
- SINGLE PANE GLASS IN CLAD WOOD FRAMING
- PRE-HUNG H.M. DOORS IN WOOD FRAME
- EX GRADE



FRONT ELEVATION



SIDE ELEVATIONS

1/4" = 1'-0"

STORAGE BLDG. ELEVATIONS BRIGHTON CHAMBER 8400



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CHAMBER REVIEW
 issued for

09-17-14
 date

dr: PWL
 app'd:

03
 SHEET

