

CITY OF BRIGHTON  
CITY COUNCIL MEETING  
CITY HALL  
August 2, 2012

Regular Blue Sky: 7:00 pm: 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 July 19, 2012](#)
6. Mayor's Reading of Citizen Inquiries received since the last City Council Meeting
7. Call to the Public

**Consent Agenda**

8. Consider approval of a recommended [audit services contract renewal extension with Plante-Moran](#)

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

9. Consider approval of an updated administrative non-union pay ranges as recommended by the Michigan Municipal League consultants
10. Consider approval of a [service maintenance participation agreement between the City and CSX for a future new CSX-funded electronic lighted crossing gates at the Hyne Street railroad crossing](#) subject to final review/approval by the City Attorney
11. Consider approval of a [public informational process plan for the proposed Community Improvement and Infrastructure Bond Issue related election of November 6, 2012](#), including possible approval of a proposed draft informational Letter #1 to voters
12. City Manager's report on 2012 Goal-Setting Retreat preparation process and consider possible target dates for the retreat

**Other Business**

13. Information for City Customers
14. Receive updates from Council Member Liaisons to other Boards and Commissions
15. Conduct closed session to receive an Attorney-Client privilege opinion
16. Call to the Public
17. Adjournment

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON JULY 19, 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, Schillinger, Pipoly, Bandkau and Roblee. The Council reviewed the agenda items.

**REGULAR SESSION**

Mayor Muzzin called the regular meeting to order at 7:38 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Pipoly, Roblee, Bandkau, Schillinger and Bohn. Also in attendance were Attorney Paul Burns, Special Legal Counsel Pat McGow and Staff members Dana Foster, Diana Lowe, Kelly Hanna, Amy Cyphert, Matt Schindewolf and Tom Wightman an audience of 0. Press and Media included Tom Tolen from WHMI.

**AGENDA APPROVAL**

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Agenda as amended. Delete item #10, Interlocal Agreement and item #18, Attorney-Client Closed Session. Motion passed 7-0.

**MINUTES APPROVAL**

It was moved by Councilmember Roblee, seconded by Pipoly to approve the Regular Meeting minutes of June 21, 2012 as presented. Motion passed 6-0-1 with Councilmember Bandkau abstaining.

It was moved by Mayor Pro-Tem Cooper, seconded by Bohn to approve the Closed Session of June 21, 2012 as presented. Motion passed 6-0-1 with Councilmember Bandkau abstaining.

**CITIZEN INQUIRIES**

None.

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:39 p.m. Hearing none, the Call to the Public was closed.

**CONSENT AGENDA**

It was moved by Councilmember Bandkau, seconded by Bohn to approve the Consent Agenda as presented. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The following items were approved on the Consent Agenda:

1. Conditionally approved the site plan for McDonalds, 8515 W. Grand River #12-008 as depicted on plans prepared by Dorchen/Martin Associates, Inc., job no. 1200020, sheets C1, D1, C4, A1.0, A2.0, A2.1, last dated 6-6-12 subject to the following:
  1. That all signage comply with applicable Ordinances or variances obtained.
  2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
  3. That the plans be revised to meet the correct soil erosion per Tetra Tech's letter dated 6-13-12.
2. Reappointed Dave Petrak, John Wells and Dave McLane to the Planning Commission.
3. Approved Resolution 12-13, to Establish a Receiving Board for all future Elections.

#### **TEMPORARY LAND USES AMENDMENTS PUBLIC HEARING AND SECOND READING**

Mayor Muzzin opened the Public Hearing for the proposed Ordinance amendments to Chapter 98, Article XXV, Temporary Land Uses, Section 98-700 at 7:42 p.m. Hearing no comment the Public Hearing was closed.

It was moved by Councilmember Bandkau, seconded by Cooper to approve Second Reading of Ordinance 560, amending Chapter 98, Article XXV. Temporary Land Use, Section 98-700, removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

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

#### **LIP DISTRICTS AMENDMENTS PUBLIC HEARING AND SECOND READING**

Mayor Muzzin opened the Public Hearing for the proposed Ordinance amendments to Chapter 98, Article XXI LIP Districts at 7:44 p.m. Hearing no comment the Public Hearing was closed.

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to approve Second Reading of Ordinance 561, amending Chapter 98, Article XXI LIP Districts, removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

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

#### **TEMPORARY LAND USE FOR PRODUCE SALES**

Mayor Muzzin opened the Public Hearing for the Temporary Land Use for fresh produce sales at the Ciao Amici restaurant building site at 7:45 p.m. Hearing no comment, the Public Hearing was closed.

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It was moved by Councilmember Roblee, seconded by Pipoly to approve the Temporary Land Use for fresh produce sales at the Ciao Amici restaurant building site. Motion passed 7-0.

### **POSSIBLE COMMUNITY IMPROVEMENTS BOND ISSUE PROPOSAL**

City Manager, Dana Foster discussed the details of Bond Issue Proposal #1, Bond Issue Proposal #2, Option 1 List, Option 2 List, Option 3 List, Option 4 List, Option 5 List. There is several decision points to make: Is there going to be a bond proposal on the November election? If so, what is the dollar amount and what projects does it cover? Do we assume the Personal Property Tax is eliminated? He discussed the 1996 Bond that is expiring.

Pat McGow stated what you have before you is a Resolution of what you want on a bond issue. The first thing to do is to decide what projects you want, the dollar amount will be figured out and the millage rates will be established.

There was City Council discussion regarding the Options presented.

It was moved by Councilmember Pipoly, seconded by Cooper to vote on each item of the core infrastructure projects individually. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. Motion passed 7-0.

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to add the Old Village Cemetery monument restoration to the list of projects. A roll call vote was taken. Yes: Cooper, Muzzin, Roblee. No: Schillinger, Bohn, Bandkau, Pipoly. Motion failed 3-4

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to add Sidewalk Gaps Installation to the list of projects. A roll call vote was taken. Yes: Bandkau, Cooper Muzzin, Pipoly, Roblee. No: Bohn, Schillinger. Motion passed 5-2.

It was moved by Councilmember Roblee, seconded by Pipoly to add Camera Monitoring System Upgrade to the list of projects. A roll call vote was taken. Yes: Bandkau, Cooper, Muzzin, Pipoly, Roblee. No: Bohn, Schillinger. Motion passed 5-2.

It was moved by Councilmember Roblee, seconded by Cooper to establish the millage rate at 1.1233. A roll call vote was taken. Yes: Schillinger, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: Bohn. Motion passed 6-1.

Pat McGow explained the changes to the Resolution, stating the bond proposal will be in the amount of \$5,690,000, sidewalk improvements will be added, Band shell Improvements will be deleted, .4820 mills and 1.1233 mills will be added to Exhibit A and the Schedule of Principal and Interest and Millage Rate Requirements will be attached as Exhibit B.

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to title the bond Community Improvement and Infrastructure Bond Proposal. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

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It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve Resolution 12-14, Ballot proposal language and related recommendations from the City's Bond Counsel for a possible Community Improvements Bond Issue Proposal for the November 2012 Election as amended. A roll call vote was taken. Yes: Schillinger, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: Bohn. Motion passed 6-1.

City Manager, Dana Foster stated he will send out an informational letter to all registered voters in August, invite them to informational meetings, post on the City's website and Facebook and schedule a Viewpoint program with WHMI regarding the Community Improvement and Infrastructure Bond Proposal.

City Manager, Dana Foster thanked Kelly Hanna, Pat McGow, Bendzinski and Company and City Council for their participation in the Bond Proposal information and process.

### **CITY CUSTOMER INFORMATION**

Department of Public Services Director, Matt Schindewolf stated the recent chip and seal street improvements are completed.

City Manager, Dana Foster stated he recently met with the Imagination Station Volunteer group. They are getting ready for a major workday to refresh the layer of fibar chips this Saturday and another in the fall.

Mayor Pro-Tem Cooper gave a Zoning Board of Appeals update regarding the new Aldi's grocery store.

Councilmember Bandkau gave a Veteran's Memorial Committee update stating they are working toward a dedication on Veterans Day. Go to [veteransmemorial.com](http://veteransmemorial.com) to make a donation.

Councilmember Roblee stated there is a workday at the Imagination Station from 9-12 this Saturday, some tools will be available and reminded volunteers to bring tools if possible. Every other Saturday is a Volunteer day. She gave a Brighton Arts and Culture update regarding the sculpture exhibits and conceptual Millpond Master Plan.

Councilmember Pipoly gave a Downtown Development Authority update regarding 121 W. North Street.

Mayor Muzzin gave a Brighton Area Fire Authority update regarding a Citizens Award given for citizens that help extinguish a house fire and the recent Push In at three of the local Fire Stations, which is done for new trucks.

### **CALL TO THE PUBLIC**

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

### **ADJOURNMENT**

It was moved by Councilmember Bandkau, seconded by Roblee to adjourn the meeting at 9:20 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor

July 17, 2012

Mr. Dana Foster  
City of Brighton  
200 North First Street  
Brighton, MI 48116

Dear Dana:

I am pleased to send this letter confirming our discussions related to the audit arrangements with the City of Brighton for the fiscal years ended June 30, 2013, June 30, 2014 and June 30, 2015.

As you are aware, the next three years will be incredibly challenging for the accounting teams of local government units. The City of Brighton will be implementing GASB statements 61, 63, 65, 67, and 68 which will address a variety of concepts from deferred inflows and outflows to new pension accounting. Furthermore, the City will be evaluating possible impacts of GASB statement 60. Because we work with over 350 government units in Michigan alone, we are deeply involved in understanding these new rules and helping communities like Brighton understand the challenges and opportunities that go along with them. As in the past, we will continue to work one-on-one with your team to help prepare for these accounting changes. But in addition to that, your team will continue to have access to free trainings that we offer to our clients, such as the session on the new accounting rules that will be held on August 21<sup>st</sup>. Our value is not just in our audits, but even more so in the ways we assist the City by anticipating the unknown, and preparing for the "new and different".

We are pleased to provide the following pricing for the fiscal years ended June 30, 2013, 2014, and 2015:

- June 30, 2013 - \$59,950
- June 30, 2014 - \$61,500
- June 30, 2015 - \$63,100

This arrangement reflects an increase of 1% for 2013 and a total increase in fees from 2008-2013 of only 6% (less than 1% on an annual basis). While the accounting world continues to become more complex, we are proud of our firm's efforts to continue to find efficiencies through increased technology and innovations so that we can remain cost efficient for our communities.

If you have any thoughts or questions, please do not hesitate to contact me at (248) 223-3408.

Yours truly,



Christopher S. Jones



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
**DEPARTMENT OF TRANSPORTATION**  
LANSING

KIRK T. STEUDLE  
DIRECTOR

June 7, 2012

Ms. Amanda DeCesare, Project Manager  
CSX Transportation, Inc.  
1717 Dixie Highway  
Suite 400  
Fort Wright, KY 41011

Mr. Matt Shindewolf, Director  
City of Brighton  
420 S 3rd Street  
Brighton, MI 48116

Dear Ms. DeCesare and Mr. Shindewolf:

**Crossing of CSX Transportation, Inc with Hyne Street  
City of Brighton, Livingston County, Michigan  
Michigan Department of Transportation File RR09477; USDOT N.I. 234343E**

**NOTICE OF A DIAGNOSTIC STUDY TEAM REVIEW**

This is to confirm the scheduling of a Priority Diagnostic Study Team Review (DSTR) to evaluate current and future safety needs at the above grade crossing. This review is being scheduled by the Michigan Department of Transportation's (MDOT's) Office of Rail. The review will commence at the crossing on Thursday, July 12, 2012, at 9:00 a.m. MDOT Railroad Safety Inspector Jamie Goff will facilitate this DSTR, if you have any questions please contact him at (517) 243-6850 or [goffj@michigan.gov](mailto:goffj@michigan.gov).

Per MCL 462.301:

- (1) "Each affected organization shall be represented by a knowledgeable individual prepared to contribute information requested in the notice and empowered to make decisions on behalf of that party."
- (2) "If consensus cannot be reached during the diagnostic study team review, the department, by order to the affected parties, shall require such adjustments or improvements, relocations, closures, or other changes as may be reasonably required in the interest of public welfare and safety."

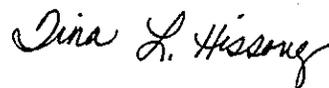
The road authority shall complete and send the enclosed "Required Roadway Information" form to Inspector Goff, no later than July 5, 2012, to [goffj@michigan.gov](mailto:goffj@michigan.gov) or fax (517) 373-0856.

The railroad shall complete and send the enclosed "Required Railroad Information" form to Inspector Goff, no later than July 5, 2012, to [goffj@michigan.gov](mailto:goffj@michigan.gov) or fax (517) 373-0856.

In addition, all parties are asked to identify any underground or overhead utilities in their respective rights-of-way which may impact the possible installation or operation of automatic crossing warning devices. If a potential impact is identified, please advise the appropriate utility company of the date and time of this review. If the parties are aware of other entities that may be affected by potential changes to this railroad crossing, they may invite them to the review.

If you have any questions, please contact me at (517) 335-2592.

Sincerely,

A handwritten signature in cursive script that reads "Tina L. Hissong".

Tina L. Hissong, Manager  
Rail Safety Section  
Office of Rail

cc: Mailing List

## MAILING LIST

File ,

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Phone: (517) 243-6850

# Preliminary Bond Issue Election Informational Process Plan

1. **Explanatory / Informational Letter # 1** signed by All Council Members mailed to All registered Voters **in Late August** : 1 sheet of paper ( might have content on front & back : but just 1 sheet of paper )
  - 1a. Also send the same letter out via the City E News Letter system
  - 1b. Also post it on the homepage of our City website and on the City's Facebook Page

\*\*\* **The letter would also invite voters to attend 2 planned / scheduled Public Information Meetings** about the proposed bond issue
  
2. Ask WHMI station management to **get on 1 of WHMI's in-depth Sunday Morning "Viewpoint" programs in mid or late August** for the City Manager be interviewed like the in-depth interview on WHMI of last year prior to conducting the series of Focus Group meetings . The idea would be to draw further attention to the upcoming public info / public hearing meetings of September and October
  
3. Conduct **at least 2 public information / public hearing meetings** : 1 in early or mid-September, and 1 in Early October
  
4. **Explanatory Letter # 2** ( that in part addresses questions / points brought up in the 2 public info meetings/public hearings ) signed by all All Council Members mailed to All registered Voters **in Late October** : 1 sheet of paper ( might have content on front & back : but just 1 sheet of paper )
  - 4a. Also send the same letter out via the City E News Letter system
  - 4b. Also post it on the homepage of our City website and Facebook Page

\*\*\* the letter would also remind voters that the election on the proposed bond issue is coming up on November 6th