

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
August 7, 2014

Local Development Finance Authority Meeting: 6:30 p.m.

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 July 17, 2014](#)
6. Call to the Public

Consent Agenda

7. Consider [conditional site plan approval for Façade Improvements at 135 W. North Street](#) as recommended by the Planning Commission
8. Consider [conditional site plan approval for the Caretel Inns Accessory Building](#) as recommended by the Planning Commission
9. Receive [Quarterly Investment Report](#) from the Finance Director

Policy Development & Customer Communications' action item

10. Receive [Updates Status Report regarding the Springhill Developer's adherence to a recently-submitted timetable and plan to achieve compliance with approved site plan requirements and various other regulatory requirements and/or Consider action or actions as may be recommended by the City Attorneys & City Staff regarding pending non-compliance](#)
11. Receive presentation from the Cleary University President regarding the University's planned role in a proposal for the City of Brighton to become a satellite Smart Zone as part of the City of Ann Arbor's Smart Zone (no action requested)
12. Consider approval of a proposed Resolution for a Satellite SmartZone application request with the City of Ann Arbor SmartZone
13. Consider approval of a proposed Joint City of Brighton and City of Ann Arbor Satellite SmartZone Agreement

Other Business

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

3MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JULY 17, 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, Tobbe, Bohn, Willis 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, Tobbe, Cooper, Willis and Bohn. Also in attendance were Attorney Brad Maynes, Engineer Gary Markstrom, Building Official Jim Rowell, Staff members Dana Foster, Diana Lowe, Amy Cyphert, Patty Thomas, Tom Wightman, Matt Modrack and an audience of 27. Press and Media included Tom Tolen from WHMI.

It was moved by Councilmember Bandkau, seconded by Willis to excuse Councilmember Cooper from the evening's meeting. Motion passed 6-0-1.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly seconded by Tobbe to approve the agenda as amended. Add item #10a, Swingusion Civic Event. Reverse item #11, Smart Zone and item #12, Springhill residential development. Motion passed 6-0-1.

MINUTE APPROVAL

It was moved by Councilmember Bohn seconded by Bandkau to approve the Regular Meeting minutes of June 19, 2014 as presented. Motion passed 6-0-1.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:32 p.m. The following comments were heard:

Jim Wineka, Representative for owner, Genevieve McSweeney at 4622 Spring Mountain, stated the rock wall in his lot has eroded. He asked the City to enforce compliance with the site plan.

Mike and Kathleen Kokitka, 4517 Spring Mountain, stated they need underground drainage.

Nancy Durance, 4616 Spring Mountain, stated her boulder wall has fallen apart three times. She expressed the safety issues of her yard.

Trevor Surdu, SDG Homes, 410 W. Grand River stated they have received the Tetra Tech Engineer report and gave a background of the progress of compliance and their determination to complete the work.

James Turbyville, 4586 Spring Mountain Drive, stated landscaping is not being done according to the site plan.

Elisha Sage, 4625 Spring Mountain, stated much of his yard has washed out and he has done work to correct the problems on his lot.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 7:46 p.m.

CONSENT AGENDA

It was moved by Councilmember Bohn, seconded by Pipoly to approve the Consent Agenda as presented. A roll call vote was taken. Yes: Bohn, Pipoly, Muzzin, Bandkau, Willis, Tobbe. No: none. Absent: Cooper. Motion passed 6-0-1. The following items were approved:

1. Appointed Bob Pawlowski to the Planning Commission.
2. Approved Resolution 14-15, Support for Ballot Proposal #1 for the August 5th Election.
3. Approved the Special Olympics MPG Dream Ride Civic Event.
4. Approved the Brighton Area Fire Department 9/11 5K Memorial Run/Walk Civic Event.
5. Approved the Swinginfusion Dance Marathon Civic Event.

SPRINGHILL RESIDENTIAL DEVELOPMENT

City Manager, Dana Foster gave a brief history of the Springhill Development issues.

City Engineer, Gary Markstrom discussed the water and sewer issues, pavement repairs, soil erosion concerns, restoration needs, stabilization and positive resolution. He explained the reports written in November and June.

Building Official, Jim Rowell discussed his inspection of the Springhill Development.

City Engineer, Gary Markstrom discussed the site plan regarding Springhill, stating there has been an approved amendment to the original site plan. He also discussed drainage causes and remedies and the final layer of asphalt and procedures.

It was moved by Councilmember Tobbe, seconded by Bandkau to table the pending non-compliance with approved site plan requirements and various other regulatory requirements by the Springhill residential development and be placed on the next agenda. Motion passed 5-0-1-1 with Mayor Pro-Tem Pipoly abstaining.

EDC-SPARK PRESENTATION FOR A SATELLITE SMART ZONE

Luke Bonner, EDC-SPARK staff member, gave a PowerPoint presentation of the Smart Zone, What is a SmartZone?, What Tax Dollars Are Utilized?, What are Typical Uses of Funds?, What is a Satellite Smartzone?, Why Does Ann Arbor Want to Partner?, What are the Financial Contributions?, What is Cleary's Role? and What

Are the Next Steps? He discussed definition, process and benefits of SmartZones. He stated the Michigan Economic Development Corporation (MEDC) launched the Michigan SmartZone Network to build entrepreneurial talent and infrastructure. Through a competitive application process, Local Development Finance Authorities could apply for a SmartZone designation. The LDFA must demonstrate a partnership with a four year university as part of its eligibility to apply. Once approved the Local Development Finance Authority could begin capturing taxes through tax increment financing, to support entrepreneurial activity.

Council requested measures of benefits of SmartZones and encouraged Staff to move to the next step of the SmartZone status.

CITY CUSTOMER INFORMATION

Councilmember Bandkau gave a Brighton Veterans Memorial update.

Councilmember Tobbe gave a Brighton Arts and Culture update.

Mayor Muzzin gave a DDA Update.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:04 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Bohn, seconded by Willis to adjourn the meeting at 9:04 p.m. Motion passed 6-0-1.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

POLICY REPORT: CONSIDER APPROVAL OF A CONDITIONAL SITE PLAN FOR FAÇADE IMPROVEMENTS AT 135 W. NORTH STREET

August 7, 2014

Prepared by:

Reviewed by:

Amy Cyphert
Planning & Zoning Director

Dana Foster
City Manager

ISSUE:

To consider granting conditional site plan approval for façade improvements at 135 W. North Street as recommended by the Planning Commission.

STAFF RECOMMENDATION:

The DBD zoning ordinance requires City Council review and approval of EIFS, if deemed to enhance a building. City Council will need to make the final determination that the use of EIFS enhances the existing building.

BACKGROUND:

At its meeting of July 21, 2014, the Planning Commission reviewed and discussed a site plan for façade improvements to the existing building located at 135 W. North Street. The applicant is proposing to renovate the exterior of the building. The proposed building materials for the exterior of the building include: existing brick veneer, cast stone columns, fiberglass columns, hardiboard trim and EIFS fascia.

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

1. That right of way permits are obtained from the Department of Public Services for work within the right of way, if needed.
2. That any damages done to the existing sidewalks be repaired to current condition.
3. That City Council grant a variance from the transparency requirement due to the preexisting transparency and minor changes to the transparency.
4. That City Council review and grant approval for the exterior finish of EIFS material.

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 for the Herzog Building at 135 W. North Street #14-003 as depicted on plans prepared by Lindhout Associates, project #1430, sheets C1.0, A1.1 and A21, last dated 7-8-2014 subject to the following:

1. That right of way permits are obtained from the Department of Public Services for work within the right of way, if needed.
2. That any damages done to the existing sidewalks be repaired to current condition.
3. A variance is granted from the transparency requirement due to the preexisting transparency and minor changes to the transparency.
4. That the use of EIFS material is approved.

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: July 21, 2014

RE: Herzog Building Façade Improvements – 135 W. North Street #14-003

Background

The building at 135 W. North Street is currently occupied. The current owner(s) have owned the building since 1994. The building is currently occupied by several office users. The property is zoned DBD, Downtown Business District.

The applicant is proposing to renovate the exterior of the building. The proposed building materials for the exterior of the building include: existing brick veneer, cast stone columns, fiberglass columns, hardiboard trim and EIFS fascia.

Site Modifications

Landscaping:

- A site plan includes six new boxwood plants and irrigation.

Signage:

- The wall signage included is existing.

DBD Requirements:

- Transparency:
 - o Per the site plan, the existing front façade along W. North Street has 15% window transparency. A small window is being added to the front of the building.
 - o The DBD ordinance requires “other commercial uses and office uses must have transparent window and door areas of at least 25 percent of the total area of the ground floor facade.”
 - o A variance granted by City Council will be needed since the transparency does not meet the ordinance requirements.
- Building Materials:
 - o The DBD standards requires all facades that face a frontage line or alley to have the following building materials: glass, brick, cut stone, cast stone, coarsely textured stucco, or molded polymer panels (i.e. Fypon). EIFS. (exterior insulation finish system, i.e. Dryvit), is not allowed on wood structures. Exterior finish applications of wood, vinyl, or EIFS. may only be permitted subject to City Council review and approval, if deemed to enhance a building.

- The new building materials include cast stone columns, fiberglass columns, hardiboard trim and EIFS fascia.
- The DBD states that building walls visible from a public street shall be broken up with varying building materials and detailing, windows and architectural accents.
 - The building elevations are broken up by new columns.

Utilities

Tetra Tech reviewed the site plan and provided no comments since the improvements were limited to the exterior only.

Fire Department

The Brighton Area Fire Authority (BAFA) reviewed the site plan and requested the address be placed on the building. This request has been addressed in the plans attached.

STAFF RECOMMENDATION

The DBD zoning ordinance requires City Council review and approval of EIFS, if deemed to enhance a building. City Council will need to make the final determination that the use of EIFS enhances the existing building. Planning Commission can provide City Council with a recommendation regarding the use of EIFS.

COMMISSION ACTION

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

Motion by _____ to recommend conditional site plan approval for the Herzog Building at 135 W. North Street #14-003 as depicted on plans prepared by Lindhout Associates, project #1430, sheets C1.0, A1.1 and A21, last dated 7-8-2014 subject to the following:

1. That right of way permits are obtained from the Department of Public Services for work within the right of way, if needed.
2. That any damages done to the existing sidewalks be repaired to current condition.
3. That City Council grant a variance from the transparency requirement due to the preexisting transparency and minor changes to the transparency.

supported by _____.

Attachments:

1. Site Plan

City of Brighton
Planning Commission
Minutes
July 21, 2014

DRAFT

1. Call to Order/Roll Call

Chairperson Monet called the meeting to order at 7:30 p.m. The following were present:

| | |
|--------------|------------------|
| Al Wirth | Matt Smith |
| Bill Bryan | Robert Pawlowski |
| David McLane | Dave Petrak |
| Steve Monet | Susan Gardner |

Absent: Chad Cooper

Motion by Mr. Wirth, supported by Mr. Bryan, to excuse Commission Member Cooper from tonight's meeting. **The motion carried 8-0-1.**

Also present was Amy Cyphert and Lauri French from Staff and an audience of five.

As noted in Blue Sky, Mr. Monet stated that this is Al Wirth's last Planning Commission meeting. His term expires August 1, 2014 and he has opted not to serve another term.

2. Approval of the June 16, 2014 Regular Meeting Minutes

Motion by Mr. Pawlowski, supported by Mr. Smith, to approve the June 16, 2014 regular meeting minutes as presented. **The motion carried 7-0-1-1, with one absence and Board Member Bryan abstaining.**

3. Approval of the July 21, 2014 Agenda

Motion by Mr. Petrak, supported by Mr. Smith, to approve the agenda as presented. **The motion carried 8-0-1.**

4. Call to the Public

The call to the public was made at 7:32 p.m. Hearing no response, call to the public was closed.

Unfinished Business

5. Discussion on zoning ordinance amendments pertaining to seasonal event parking – City Council Goal

As discussed in Blue Sky, Ms. Cyphert reported that the revisions to the proposed ordinance amendment are in the City attorney's office for review and should be available for Planning Commission's review at the August 18 meeting.

New Business

6. Site Plan – Façade Improvements at 135 W. North Street #14-003

Ms. Cyphert noted that the applicant and representatives are in the audience if Planning Commission has any questions. As noted in Blue Sky, the motion for this item should be revised to add a fourth item, "That City Council review and grant approval for the exterior finish of EIFS material".

Piet Lindhout from Lindhout Associates introduced himself, Craig Rummier (partner with Bob Herzog) and Stan Schafer who will be doing the construction. He reviewed the site plan and explained that Mr. Herzog



wanted to take some of the interior design details to the outside of the building. The fiberglass fascia will come down and will be replaced with EIFS. The material will be attached to the building so they needed a lightweight material. The transparency issue is somewhat addressed by the addition of a small window and architectural detail in lieu of transparency, which is allowed. There will be a new sidewalk added from the front door to the Johnson lot to the east, and new shrubs will also be planted. He noted they are adding a new roofing system to create a slope to the currently flat roof.

Motion by Mr. Pawlowski, supported by Mr. Bryan, to recommend conditional site plan approval for the Herzog Building at 135 W. North Street #14-003 as depicted on plans prepared by Lindhout Associates, project #1430, sheets C1.0, A1.1 and A21, last dated 7-8-2014 subject to the following:

1. That right of way permits are obtained from the Department of Public Services for work within the right of way, if needed.
2. That any damages done to the existing sidewalks be repaired to current condition.
3. That City Council grant a variance from the transparency requirement due to the preexisting transparency and minor changes to the transparency.
4. That City Council review and grant approval for the exterior finish of EIFS material.

The motion carried 8-0-1.

7. Site Plan – Caretel Inns Accessory Building #14-004

Ms. Cyphert advised that the applicant and a representative from Boss Engineering are in the audience if Planning Commission would like them to speak to their request.

Brent Lavanway from Boss Engineering introduced Jamie DeAngelo from Caretel Inns and reviewed the proposed site plan for the accessory building. He noted that the Zoning Board of Appeals approved all their variance requests at their last meeting. The accessory building will be tucked into a corner near a staff parking lot and the area will be heavily landscaped with evergreen trees. The building will have one overhead door and access doors and will be used to store grass mowing equipment, Christmas decorations, etc., that they do not have room for in the main building. The mowing equipment is currently stored outside near the service entrance. Ms. Cyphert noted that there was no public comments at the Zoning Board of Appeals meeting from the Kissane subdivision households or the apartment buildings.

Motion by Mr. Petrak, supported by Mr. Wirth, to recommend conditional site plan for Caretel Inns Accessory Building #14-004 as depicted on plans prepared by Boss Engineering, job no. #13-381, sheets 1-6, last dated 7-10-14 and plans prepared by Interface Architecture & Design, job no. #2382, dated 6-15-06, sheet X1.1 and exterior south and east elevation sheet subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.

The motion carried 8-0-1.

Other Business

8. Staff Updates – None
9. Commissioner Concerns – Al Wirth said it was great working with everyone on Planning Commission these past years and that he may come back to be a member of the audience from time to time. Commission Members Monet, Smith and Pawlowski all spoke of Al's dedication, research of issues to be discussed at the meetings and well thought out questions and that they will miss his presence on the Commission.

Motion by Mr. Petrak, supported by Mr. Bryan, for Planning Commission to formally acknowledge Mr. Wirth's years of service on Planning Commission and in recognition of his many contributions to Planning Commission. **Motion carried 7-0-1-1**, with one absence and Mr. Wirth abstaining.

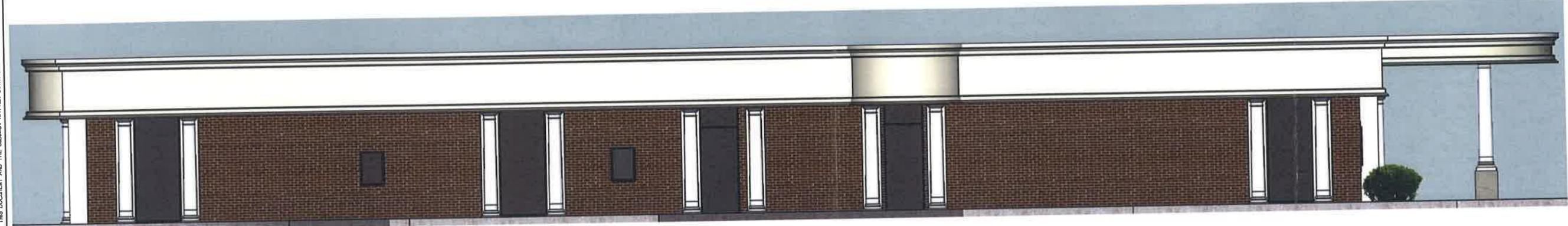
THIS DOCUMENT AND THE SUBJECT MATTER CONTAINED THEREIN IS PROPRIETARY AND IS NOT TO BE USED OR REPRODUCED WITHOUT PRIOR WRITTEN APPROVAL

LINDHOUT ASSOCIATES architects aa pc

FILE LOCATION: I:\1430 - Herzog Building Exterior Elevations\A2.1.dwg
DATE PLOTTED: 7/8/2014
PLOTTED BY: gk



(A) NORTH ELEVATION



(B) EAST ELEVATION



(C) SOUTH ELEVATION

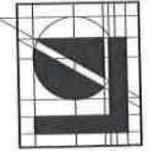


(D) WEST ELEVATION

(1) PROPOSED EXTERIOR ELEVATIONS



SCALE: 1/4" = 1'-0"



Lindhout Associates
architects aa pc
10465 citation drive, brighton, michigan 48116-9510
www.lindhout.com (810)227-5668 fax (810)227-5655

consultant

dr: PUL
ck: PUL
app: PUL
01-08-2014
04-14-2014
1-15-2015
SITE PLAN RE-SUBMISSION
SITE PLAN SUBMISSION
PLOTTING
date
issued for

EXTERIOR IMPROVEMENTS for:
HERZOG BUILDING
BRIGHTON, MICHIGAN
EXTERIOR ELEVATIONS

A2.1
1430

**POLICY REPORT: CONSIDER APPROVAL OF A CONDITIONAL SITE
PLAN FOR CARETEL INNS ACCESSORY BUILDING**

August 7, 2014

Prepared by:

Reviewed by:

Amy Cyphert
Planning & Zoning Director

Dana Foster
City Manager

ISSUE:

To consider granting conditional site plan approval for the Caretel Inns Accessory Building located within the existing Caretel Inns site on E. Grand River as recommended by the Planning Commission.

STAFF RECOMMENDATION:

Staff concurs with Planning Commission recommendations.

BACKGROUND:

At its meeting of July 21, 2014, the Planning Commission reviewed and discussed a site plan for the Caretel Inns Accessory Building. The property owner is proposing a 1,680 square foot, one-story, accessory building on the existing Caretel Inns site. The accessory building would provide additional storage and a designated location for maintenance equipment, etc. The proposed building materials match the existing Cartel Inns including vinyl siding, shack detail and louver accents.

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.

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 for the Caretel Inns Accessory Building #14-004 as depicted on plans prepared by Boss Engineering, job no. #13-381, sheets 1-6, last dated 7-10-14 and plans prepared by Interface Architecture & Design, job no. #2382, dated 6-15-06, sheet X1.1 and exterior south and east elevation sheet subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.

supported by _____.

Attachments:

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

**CITY OF BRIGHTON
PLANNING COMMISSION
PLANNING REPORT**

TO: Planning Commission Members

FROM: Amy Cyphert, Planning & Zoning Director

DATE: July 21, 2014

RE: Caretel Inns Accessory Building – 1014 E. Grand River #14-004

Background

In 2003-2004, Caretel Inns constructed the first building at the 1014 E. Grand River site. The existing building sits towards the back of the site and provides skilled nursing, rehabilitation care, assisted living, and memory loss care.

The property owner is proposing a 1,680 square foot, one-story, accessory building on the existing Caretel Inns site. The accessory building would provide additional storage and a designated location for maintenance equipment, etc. The proposed building materials match the existing Caretel Inns including vinyl siding, shack detail and louver accents.

Variances

On June 12, 2014, the Zoning Board of Appeals heard several variance requests related to the proposed accessory building. The variances included construction in the front yard, front and side yard setbacks, building height and building length. The Board discussed the requested variance and approved the variances *“due to hardship. The variances are approved due to the location being the best place possible on the property and the proximity of the building to the overall structure, the building design is in good taste and is obscured from view by the pine trees, the design is well-planned with adequate fire access and is away from residential view of the houses on Kissane.”*

The variances are noted on the site plan.

Parking & Drive Requirements

The accessory building will be accessible from a one-way driveway. This driveway will be signed one way with “no parking” signage and accessible from the parking lot built in 2012.

Site Modifications

Landscaping:

- The proposed site plan includes the installation of 6 White Spruce trees and 7 Colorado Blue Spruce trees.

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 provided comments pertaining to the requirements of the current International Fire Code. The comments have been addressed. As always, the construction drawings will be reviewed and approved by the fire department prior to a permit being issued.

STAFF RECOMMENDATION

The Zoning Ordinance R4 mixed use development section of the ordinances permits “*buildings and uses customarily incidental to the above-permitted uses including but not limited to: storage, service, refuse containers, guardhouses, public utility structures, car shelters, swimming pool and similar or related recreational buildings, and private or common community garages*”.

The Zoning Board of Appeals granted variances the allow the proposed accessory as presented.

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 Caretel Inns Accessory Building #14-004 as depicted on plans prepared by Boss Engineering, job no. #13-381, sheets 1-6, last dated 7-10-14 and plans prepared by Interface Architecture & Design, job no. #2382, dated 6-15-06, sheet X1.1 and exterior south and east elevation sheet subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.

supported by _____.

Attachments:

1. Zoning Board of Appeals DRAFT Meeting Minutes – June 12, 2014
2. Site Plan



wanted to take some of the interior design details to the outside of the building. The fiberglass fascia will come down and will be replaced with EIFS. The material will be attached to the building so they needed a lightweight material. The transparency issue is somewhat addressed by the addition of a small window and architectural detail in lieu of transparency, which is allowed. There will be a new sidewalk added from the front door to the Johnson lot to the east, and new shrubs will also be planted. He noted they are adding a new roofing system to create a slope to the currently flat roof.

Motion by Mr. Pawlowski, supported by Mr. Bryan, to recommend conditional site plan approval for the Herzog Building at 135 W. North Street #14-003 as depicted on plans prepared by Lindhout Associates, project #1430, sheets C1.0, A1.1 and A21, last dated 7-8-2014 subject to the following:

1. That right of way permits are obtained from the Department of Public Services for work within the right of way, if needed.
2. That any damages done to the existing sidewalks be repaired to current condition.
3. That City Council grant a variance from the transparency requirement due to the preexisting transparency and minor changes to the transparency.
4. That City Council review and grant approval for the exterior finish of EIFS material.

The motion carried 8-0-1.

7. Site Plan – Caretel Inns Accessory Building #14-004

Ms. Cyphert advised that the applicant and a representative from Boss Engineering are in the audience if Planning Commission would like them to speak to their request.

Brent Lavanway from Boss Engineering introduced Jamie DeAngelo from Caretel Inns and reviewed the proposed site plan for the accessory building. He noted that the Zoning Board of Appeals approved all their variance requests at their last meeting. The accessory building will be tucked into a corner near a staff parking lot and the area will be heavily landscaped with evergreen trees. The building will have one overhead door and access doors and will be used to store grass mowing equipment, Christmas decorations, etc., that they do not have room for in the main building. The mowing equipment is currently stored outside near the service entrance. Ms. Cyphert noted that there was no public comments at the Zoning Board of Appeals meeting from the Kissane subdivision households or the apartment buildings.

Motion by Mr. Petrak, supported by Mr. Wirth, to recommend conditional site plan for Caretel Inns Accessory Building #14-004 as depicted on plans prepared by Boss Engineering, job no. #13-381, sheets 1-6, last dated 7-10-14 and plans prepared by Interface Architecture & Design, job no. #2382, dated 6-15-06, sheet X1.1 and exterior south and east elevation sheet subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.

The motion carried 8-0-1.

Other Business

8. Staff Updates – None
9. Commissioner Concerns – Al Wirth said it was great working with everyone on Planning Commission these past years and that he may come back to be a member of the audience from time to time. Commission Members Monet, Smith and Pawlowski all spoke of Al's dedication, research of issues to be discussed at the meetings and well thought out questions and that they will miss his presence on the Commission.

Motion by Mr. Petrak, supported by Mr. Bryan, for Planning Commission to formally acknowledge Mr. Wirth's years of service on Planning Commission and in recognition of his many contributions to Planning Commission. **Motion carried 7-0-1-1**, with one absence and Mr. Wirth abstaining.



sign. Mr. Israel also thanked Amy Cyphert for all her assistance with the Brighton Mall projects; she does a fantastic job for the City.

In response to questions from board members, Mr. Israel noted that there is going to be a sign on the back of the building and on the pylon sign that will conform to the ordinance. He confirmed that the Gardner White sign is less than Michael's but Gardner White is a larger store with a larger frontage and that the variance was smaller than Michael's. Mr. McLane asked if this is a typical Gardner White sign, and Mr. Diachenko noted that it is just plastic, illuminated (backlit) channel letters.

Chairperson Angst closed the regular meeting and opened the public hearing at 7:38. Hearing no comments from the public, he reopened the regular meeting.

Motion by Mr. McLane, supported by Ms. Bandkau, to grant a variance of 110.5 square feet to allow a 223.5 square foot wall sign at the principal entrance of a tenant that is occupying 131 feet of building frontage and to also approve a variance of 3.38 feet for a wall sign at the principal entrance on a building that has a vertical dimension of 9.38 feet at 8393 W. Grand River based on Grounds for Variance (e)(1)(2) as the variance is in line with and in proportion to other signs at Brighton Mall and fits with the surrounding building signs. The motion was amended by Mr. McLane, supported by Ms. Bandkau, to include the letter submitted by the applicant and to be included as an attachment to these minutes. A roll call vote was taken as follows:

- | | |
|-----------------------------|-------------------------------|
| Board Member Conedera – Yes | Board Member Gottschalk - Yes |
| Board Member Angst – Yes | Board Member Urbain - Absent |
| Board Member McLane – Yes | Board Member Bandkau - Yes |
| Board Member Senak – Yes | |

The motion carried 6-0-1.

6. **Brightland Properties LLC, 1014 E. Grand River (4718-31-200-073)**, is proposing to construct an accessory building. The proposed accessory building is located in the front yard of the property near the western property line. Section 98-36 states a detached garage or other legal accessory building or use, shall be located only in the rear yard. A variance to allow the accessory building in the front yard is being requested.

The proposed accessory building is 20.25 feet tall. Section 98-260 (c) states no accessory buildings shall exceed 15 feet in height measured from the lowest point on the perimeter building grade. A variance of 5.25 feet is being requested to allow for a 20.25 foot tall accessory building.

The proposed accessory building is 30' x 56'. Section 98-261 (2)(c) states that accessory buildings other than garages may not have a maximum length greater than 30 feet. A variance of 26 feet is being requested to allow the 30' x 56' accessory building.

The applicant is also proposing the accessory building have a 10 foot front yard setback. Section 98-261 (3) states each lot or development site shall have a front yard setback of not less than 35 feet. A variance of 25 feet is being requested to allow the 10 foot front yard setback for the accessory building.

The accessory building is proposed to have a 10 foot side yard setback. Section 98-261 (4) states the minimum distance between any principal or accessory building and the nearest point on the perimeter of the lot or development parcel shall be a minimum of 30 feet for one-story structures. A variance of 20 feet is being requested to allow a 10 foot side yard setback for the accessory building.

Chairperson Angst reviewed the applicant's request. Thom Dumond from Boss Engineering, 3121 E. Grand River, Howell, MI, and Jaime DeAngelo from Caretel, 702 S. Laurel St., Royal Oak, MI, spoke on behalf of the applicant. Mr. Dumond reviewed the site and noted they are looking to the future and expansions. They would have preferred to place the building in the rear of the property but there is no room at the rear due to the detention basin. He explained that the accessory building is not a garage and will be used for storage of lawn and other equipment. It

will be a single story to match the existing building and will be tucked into a corner near the adjacent apartment complexes parking lots. In response to questions from the board members, Mr. Dumond stated there is existing vegetation and they will be adding pines and the structure will be located 56-60 feet from the adjacent apartment buildings. He noted they will be adding a drive to the building and that the detention basin is required for the site. The height of the building is measured from the bottom to the very top is per the City ordinance. Ms. Cyphert explained that the placement of the existing Caretel Inns building was due to vegetation and they moved the parking closer to the apartments for a buffer to the homes. She also noted that any expansion at Caretel would have to go through site plan approval. The accessory building will also have to go through site plan approval but they came to the ZBA first to get the variances approved before going forward.

Chairperson Angst closed the regular meeting and opened the public hearing at 7:58 p.m. Hearing no comments from the public, he reopened the regular meeting.

Mr. Conedera noted that the driveway being added is beneficial for emergency vehicles. He noted that the property has been through a lot of review, moved closer to the apartment building and that the detention basin was sized for the site. There is no better location for the accessory building. Chairperson Angst noted that the building cannot be put in back and is tucked out of sight. He stated that a site and complex this size needs a maintenance building.

In response to board members' questions, Mr. DeAngelo noted that they will pre-start equipment at the accessory building, which they do now on the service drive, and that the maintenance building will be large enough to accommodate any future site expansions.

Motion by Mr. Senak, supported by Ms. Bandkau, to approve the following variances as a package due to hardship. The variances are approved due to the location being the best place possible on the property and the proximity of the building to the overall structure, the building design is in good taste and is obscured from view by the pine trees, the design is well-planned with adequate fire access and is away from residential view of the houses on Kissane. A roll call vote was taken as follows:

- | | |
|-------------------------------|--------------------------|
| Board Member Urbain – Absent | Board Member McLane - No |
| Board Member Gottschalk – Yes | Board Member Senak - Yes |
| Board Member Conedera – Yes | Board Member Angst - Yes |
| Board Member Bandkau - Yes | |

The motion carried 5-1-1.

7. **Signs by Tomorrow on behalf of the First United Methodist Church, 400 E. Grand River (4718-31-100-003)**, is proposing a 107 square foot wall sign on the building. The property currently has a ground sign. Section 66-91 (a) (12) states churches are permitted to erect a sign not to exceed 18 square feet in area or any over-all height of six feet. A variance of 107 square feet is being requested to allow the wall sign on the building.

Chairperson Angst reviewed the applicant's request. Steve Coleman, Signs by Tomorrow, 2150 Pless Dr., Brighton, MI, spoke on behalf of the applicant. He told the board there is an existing monument sign on Grand River for the church and that the parishioners wanted to add a cross and flame sign, which is a landmark for the church that was established in 1854. He noted that people driving on Grand River frequently confuse the Methodist and Presbyterian churches. They are requesting the variance under the hardship provision of the ordinance. The cross and flame would be an architectural visual effect and would create a landmark at the intersection.

Dan Weltor, First United Methodist Church, 400 E. Grand River, Brighton, MI, noted that the cross and flames represents the Methodist Church. He cited the close proximity to the Presbyterian Church and stated that the City's ordinance is very restrictive to churches. He stated the sign would not result in further "clutter" due to the cross and flame design which will be flush to the building with just a 10" stand-out. The sign would not affect ingress or egress and would not affect the neighboring properties. He noted that putting the sign at another location would require removal of landscape to make it visible.

200-065
WILDING, L.L.C.
GRAND RIVER
N, MI 48116

18-31-200-070
DESAI, EIPIN & PAMELA
PO BOX 518
BRIGHTON, MI 48116

18-31-203-030
BOEVING, HENRY E
DELORES
PO BOX 1912
BRIGHTON, MI 48116

18-31-203-037
DODD, MINA IDELLA &
PAUL L.
146 KISSANE
BRIGHTON, MI 48116

18-31-203-036
HOFFMAN, DONALD &
CHRISTINE
152 KISSANE
BRIGHTON, MI 48116

18-31-203-035
LAVEY, STEVEN J.
156 KISSANE
BRIGHTON, MI 48116

18-31-203-034
LLOYD, BARRY & JOSEPH
164 KISSANE
BRIGHTON, MI 48116

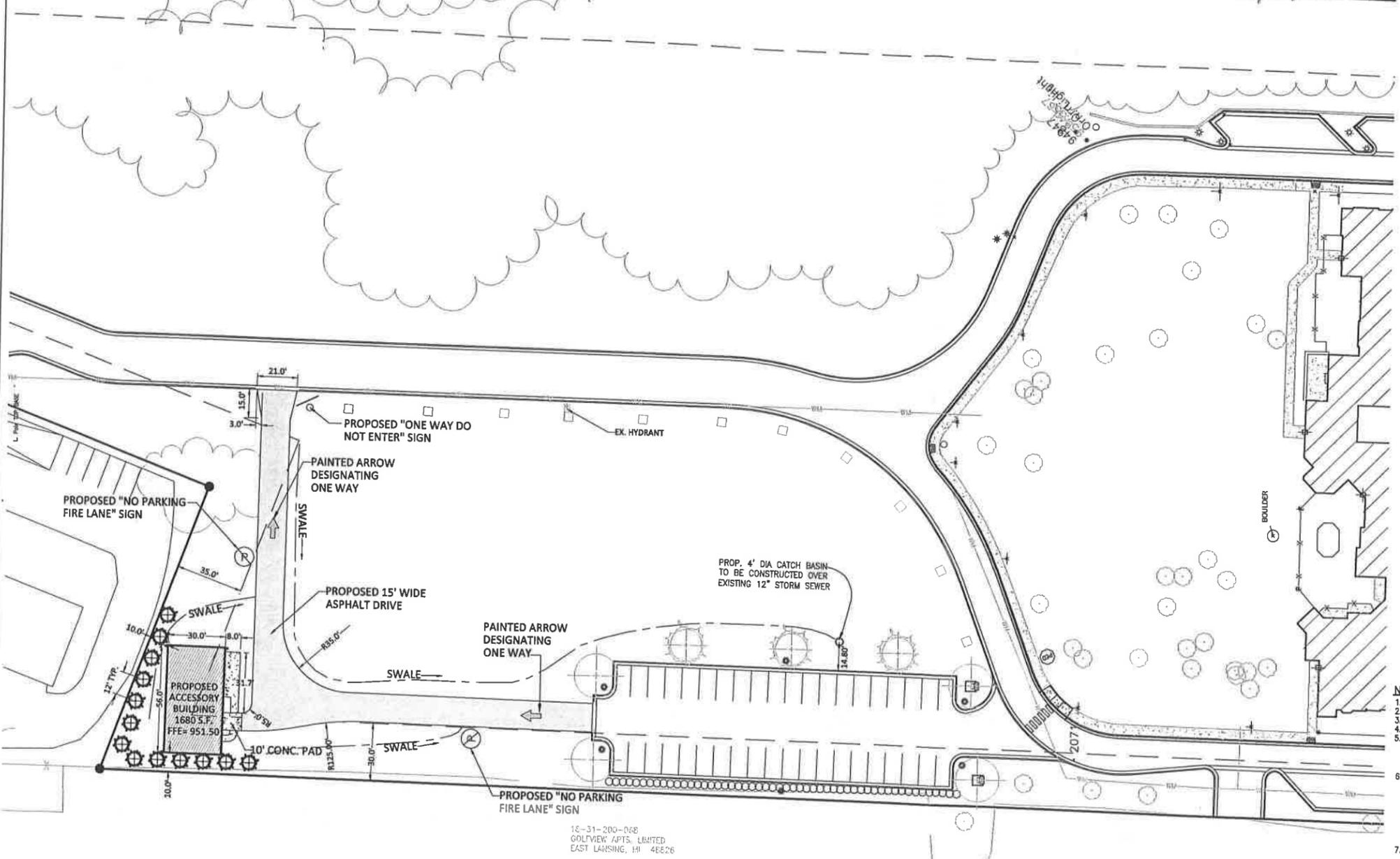
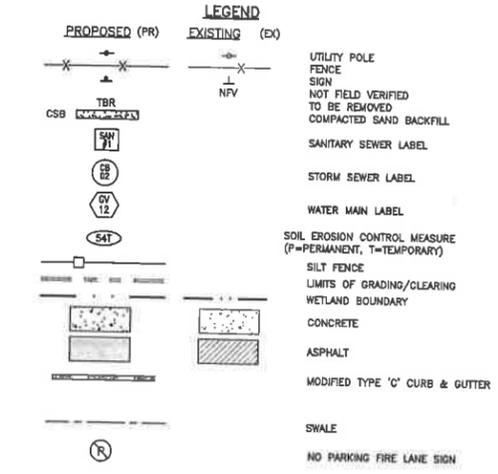
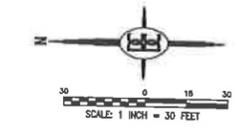
18-31-203-033
ROBBINS, CHARLES &
KELLY
170 KISSANE
BRIGHTON, MI 48116

18-31-203-032
STONE, CHRISTIAN & TASHA
174 KISSANE
BRIGHTON, MI 48116

18-31-203-031
SZORCZAKI, DANIEL W.
182 KISSANE
BRIGHTON, MI 48116

18-31-203-030
WORTHLEY, BRANDON
2 SUTTON
188 KISSANE
BRIGHTON, MI 48116

18-
MAR
MAR
191
BEK



- NOTES:**
- EXISTING ZONING = R-4 DISTRICT
 - SITE AREA = 12.13 ACRES
 - EXISTING USE = CONTINUUM CARE FACILITY
 - PROPOSED USE = CONTINUUM CARE FACILITY
 - SETBACKS: REQUIRED
- | | | | |
|-------|-----|----------|--------------|
| FRONT | 35' | EXISTING | 807.62' MIN. |
| SIDE | 40' | EXISTING | 48.42' MIN. |
| REAR | 40' | EXISTING | 50.66' MIN. |
- LOT COVERAGE:

| | | |
|-----------------|----------|-------|
| MAXIMUM ALLOWED | PROPOSED | |
| BUILDING | 40% | 9.53% |
 - IMPERVIOUS AREAS:

| | | |
|---------------------|------------------|--------------------|
| EXISTING | PROPOSED | TOTAL |
| 3.43 AC (149,548SF) | 0.17AC (7,593SF) | 3.61AC (157,139SF) |
 - BUILDING: HEIGHT 20.5' STORIES 1 STORY
 - NO ADDITIONAL SIGNS ARE PROPOSED AS PART OF THIS PLAN.
 - A GRADING PERMIT WAIVER FOR SOIL EROSION-SEDIMENTATION CONTROL SHALL BE OBTAINED FROM THE LIVINGSTON COUNTY DRAIN COMMISSIONER (LCDC) PRIOR TO BEGINNING CONSTRUCTION.
 - NO SANITARY OR WATER SUPPLY IMPROVEMENTS ARE PROPOSED AS PART OF THIS PLAN.
 - GENERAL SOILS INFORMATION: (SOURCE: "SOIL SURVEY OF LIVINGSTON COUNTY, MICHIGAN", BY USDA SOIL CONSERVATION SERVICE)

| | |
|---|--|
| a. FoA (FOX SANDY LOAM, 0-2% SLOPES) | |
| b. HmB (HILLSDALE-MIAMI LOAM 2-6% SLOPES) | |
 - PARKING CALCULATIONS

| | | |
|------------------------|---|-------------------|
| NURSING HOME | (81 BEDS)(1 SPACE/2 BEDS) | 41 PARKING SPACES |
| ADULT FOSTER CARE BEDS | (60 UNITS)(1 SPACE/3 UNITS) | 20 PARKING SPACES |
| EMPLOYEES | (34 EMPLOYEES) | 34 PARKING SPACES |
| TOTAL SPACES REQUIRED | | 95 SPACES |
| TOTAL SPACES PROVIDED | 99 EXISTING SPACES (INCLUDES 6 BARRIER-FREE SPACES) | |
 - ACCESS ROAD TO THE SITE SHALL NOT BE BLOCKED OR INFRINGED UPON DURING CONSTRUCTION, AS PART OF THIS PLAN.
 - PARKING LOT IS CAPABLE OF SUPPORTING FIRE DEPARTMENT APPARATUS WEIGHING UP TO 85,000 POUNDS.
 - ZONING BOARD OF APPEALS VARIANCES GRANTED ON JUNE 12, 2014 ALLOWING:
 - ALLOW THE ACCESSORY BUILDING IN THE FRONT YARD,
 - ALLOW FOR 20.25 FOOT TALL ACCESSORY BUILDING,
 - ALLOW FOR 30'X5' ACCESSORY BUILDING,
 - ALLOW FOR 10' FRONT YARD SETBACK,
 - ALLOW FOR 10' SIDE YARD SETBACK.

BEFORE ANY DIG
CALL MISS-DIG
1-800-392-7171

BOSS ENGINEERING
ENGINEERS • SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS

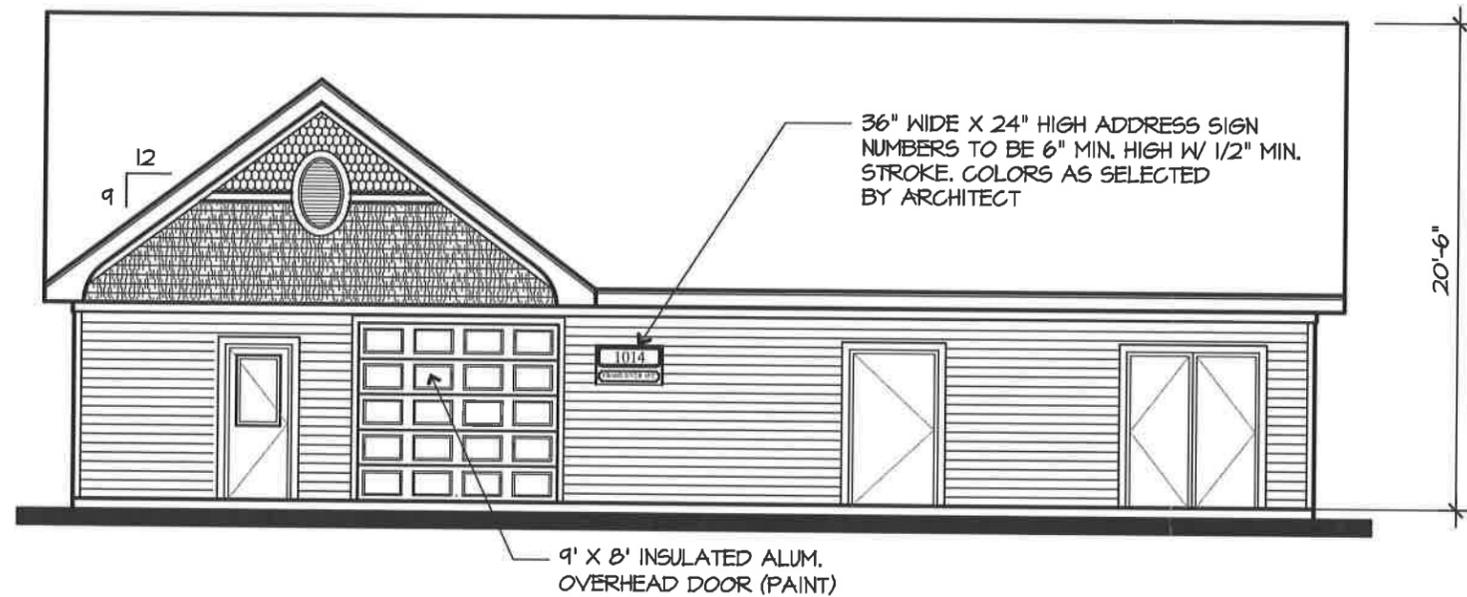
3121 E. GRAND RIVER AVE.
BRIGHTON, MI 48116
(800) 248-6753 FAX (313) 548-1670

ACCESSORY BUILDING ADDITION

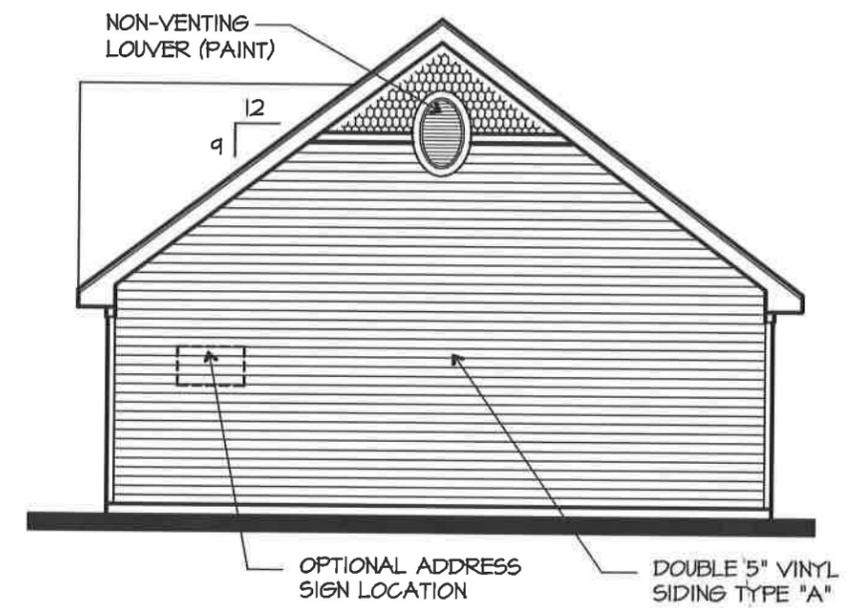
PREPARED FOR: **BRIGHTLAND PROPERTIES, LLC.**
910 S. WASHINGTON STREET
ROYAL OAK, MI 48067
(248) 543-7300

SITE PLAN

| | |
|--------------|----------|
| DESIGNED BY: | ST |
| DRAWN BY: | ST |
| CHECKED BY: | |
| SCALE: | 1" = 30' |
| JOB NO.: | 13-381 |
| DATE: | 6-20-14 |
| SHEET NO.: | 3 |



SOUTH ELEVATION



EAST ELEVATION

EXTERIOR ELEVATIONS

SCALE: NONE

MEMORANDUM

To: Dana Foster, City Manager

From: Kelly Hanna, Finance Director

Date: July 28, 2014

Subject: **The City's Quarterly Investment Report as of June 30, 2014**

Attached you will find the City's Quarterly Investment Report as of June 30, 2014.

In comparison to the quarter ended March 31, 2014, the City's total investment/bank balance has decreased by \$1,145,158 or 24% to \$3,695,575, which is generally indicative of the fact that the majority of the City's tax revenue levied is collected in the first quarter of the fiscal year, while expenditures are relatively more constant throughout the year. In comparison to the same quarter a year ago, i.e., the quarter ended June 30, 2013, the City's total investment/bank balance has decreased by \$370,256 or 9%. This decline was reflected in the FY13/14 year-end budget amendment, reflecting a decline in Fund Balance.

In comparison to the quarter ended March 31, 2014, the City's average rate of return on investments decreased from 0.39% to 0.28%. The decrease is reflective of less CD holdings and an increase in funds held in the JP Morgan Chase accounts. The City continues to earn more than the benchmark 3-month Treasury Bill Rate and Fed Funds Rate.

Since March 31, 2014, the City's investment in FDIC insured CD's decreased by \$1,385,444. The City's collateralized deposits/investments with JP Morgan Chase Bank totaled approximately \$1,236,081 or approximately 33% of the City's overall portfolio.

Attached you will find a quarterly investment report prepared by the City Treasurer, per the Adopted Investment Policy (also attached). We continue to work within the primary objectives of the City's Investment Policy, which, in priority order, are; safety, liquidity and return on investment.

Let me know if you have any questions.

MEMO

To: City Council
From: Fern Jackson, Treasurer *FJ*
Subject: Quarterly Investment Report
Date: July 28, 2014

The City of Brighton currently has 6 certificates of deposits with various Michigan banks with a 12-month maturity or less. There were no CD's purchased this quarter. We continue keeping our funds liquid vs. low rate of return from pooled money market accounts and will reinvest tax proceeds.

The interest rates of these outstanding certificates range from .28% to a maximum of .70% and will vary in amounts from \$150,000 to \$250,000. Laddering the investments out provides an on-going steady interest income, which is an additional revenue to the City budget. This also protects the interest revenue from market declines in the money market accounts. The general fund currently holds 4 CD's in the amount of \$983,263.70 which is from the tax revenue received from the tax bills due August 15 of each year. The Utilities fund currently holds 2 CD's in the amount of \$351,783.39.

Our current financial institutions, which we hold money market accounts with, are providing .03% to .50% interest rates on 33.11% of our total investments. These funds are completely liquid in nature and are available to use on demand. Certificates of Deposit require a penalty in interest; normally one month is forfeited, if they are needed prior to their maturity. Municipalities are allowed to only use Michigan banks for investment purposes.

Employment data continued to be strong as job openings reached a 7 year high and first time unemployment insurance claims fell to their lowest level since 2008. The month of May's jobs report was revised upward from 217,000 to 224,000 jobs added. The month of April's jobs report was also revised upward from 282,000 to 304,000. The sector with the most new jobs was business services with 67,000 jobs added, followed by retail trade (40,000) /food services/drinking places (33,000) and healthcare added 40,000. Also adding to the numbers was transportation, financial, manufacturing, and wholesale trade industries.

The minutes from the latest Federal Reserve meeting were released with the highlight being the expected end to quantitative easing after their October meeting. The result should be a prolonged eight-year economic expansion (2009 to 2017), with a gradual rise in the Federal interest rate in late 2015 and 2016 followed by a more aggressive monetary tightening in 2017 or 2018 after the 2016 Presidential election. In the meantime, monetary policy supports a prolonged economic expansion.

The U.S. economy has been scaled back from the first of the year to grow 2.0% instead of 2.8%. With the harsh winter contracting the first quarter, the new home housing market stood at a standstill and snowstorms slowed shipments of goods and consumers from shopping for new vehicles. Business invested less money in equipment and exports of American goods declined. It was the deepest decline since the Great Recession.

It appears the silver lining is going to be the 2015 economic pickup with a 3% growth increase anticipated in the next year. Predicted problems in the coming years will be an increase in the aging population compared to the new workers coming into the workplace and the modest prospects for productivity growth.

CITY OF BRIGHTON
 QUARTERLY INVESTMENT REPORT
 AS OF JUNE 30, 2014*

| <u>Investment Account</u> | <u>Account Balance</u> | <u>Maturity Date</u> | <u>Current % Interest Rate</u> | <u>Average R.O.R.</u> |
|---|----------------------------|----------------------|------------------------------------|---------------------------|
| JP Morgan Chase & Co. - A/P | 467,041.62 | Immediate | 0.00% | 0.00% |
| JP Morgan Chase & Co. - Payroll | 649,391.71 | Immediate | 0.00% | 0.00% |
| JP Morgan Chase & Co. - Employee FSA | 10,378.02 | Immediate | 0.00% | 0.00% |
| JP Morgan Chase & Co. - Escrow | 24,328.10 | Immediate | 0.03% | 0.00% |
| JP Morgan Chase & Co. - Payroll MM | 40,119.13 | Immediate | 0.03% | 0.00% |
| JP Morgan Chase & Co. - Money Market | <u>44,822.17</u> | Immediate | 0.03% | 0.00% |
| Total Chase Bank | 1,236,080.75 | | | |
| Talmer West- Juvenile | 1,231.21 | Immediate | 0.00% | 0.00% |
| Talmer West - Tax account | <u>184.13</u> | Immediate | 0.14% | 0.00% |
| Total Talmer West Bank | 1,415.34 | | | |
| First National Bank-tax account | <u>39,729.70</u> | Immediate | 0.15% | 0.00% |
| Total 1st Natl Bank | 39,729.70 | | | |
| Level 1-Money Market | 90,050.32 | Immediate | 0.25% | 0.01% |
| Level 1-U/B checking | <u>8,824.62</u> | Immediate | 0.00% | 0.00% |
| Total Level 1 | 98,874.94 | | | |
| LOTUS BANK | <u>203,180.93</u> | Immediate | 0.40% | 0.02% |
| Total Lotus Bank | 203,180.93 | | | |
| FIRST NATIONAL BANK OF AMERICA | <u>229,244.10</u> | Immediate | 0.50% | 0.03% |
| Total First National Bank of America | 229,244.10 | | | |
| BANK OF BIRMINGHAM | <u>200,535.72</u> | Immediate | 0.35% | 0.02% |
| Total Bank of Birmingham | 200,535.72 | | | |
| HUNTINGTON NATIONAL BANK | <u>351,466.22</u> | Immediate | 0.30% | 0.03% |
| Total Huntington National Bank | 351,466.22 | | | |
| CD-MACATAWA BANK | 240,416.26 | 7/23/2014 | 0.28% | 0.02% |
| CD-HURON VALLEY | 240,806.30 | 8/29/2014 | 0.40% | 0.03% |
| CD-LCB/the State Bank | 251,338.06 | 9/11/2014 | 0.70% | 0.05% |
| CD-WOLVERINE BANK | 250,703.08 | 9/11/2014 | 0.35% | 0.02% |
| CD-MERCANTILE BANK | 200,789.44 | 9/13/2014 | 0.49% | 0.03% |
| CD-THE PRIVATE BANK | <u>150,993.95</u> | 12/29/2014 | 0.65% | 0.03% |
| Total Certificate of Deposits | 1,335,047.09 | | | |
| TOTAL | <u>3,695,574.79</u> | | <u>5.05%</u> | <u>0.2780%</u> |
| Avg. three Month Treasury Bill Rate | | | | 0.0330% |
| Average three Month Fed Funds Rate | | | | 0.0925% |
| City's Avg. R.O.R. over/(under) the 3-month T-Bill Rate | | | | 0.24% |
| City's Avg. R.O.R. over/(under) the Avg. Fed Funds Rate | | | | 0.19% |

**CITY OF BRIGHTON
INVESTMENT POLICY
Adopted 10/6/11**

It is the policy of the City of Brighton to invest its public funds in a manner that will provide the highest investment return within the guidelines of maximum security and optimal liquidity while conforming to all State of Michigan statutes governing the investment of public funds.

Scope:

This investment policy applies to all financial assets of the City. These funds are accounted for in the City's Comprehensive Annual Financial Report and include the:

- * General Fund
- * Special Revenue Funds
- * Debt Service Funds
- * Capital Project Funds
- * Enterprise Funds
- * Trust & Agency Funds
- * Component Units
- * Any New Fund or Component Unit Created by the City Council, Unless Specifically Exempted

Prudence:

Investments shall be made with judgment and care--under circumstances then prevailing--which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by the City Treasurer shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. The City Treasurer acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's risk or market price changes.

Objective:

The primary objectives, in priority order, of the City's investment activities shall be:

1. **Safety/Diversification** - Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To obtain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
2. **Liquidity** - The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.

3. Return on Investment - The City's investment portfolio shall be designed with the objective of attaining a market rate of return throughout the budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority:

The City Treasurer's authority to manage the City's investment program is derived from the City Charter and Ordinances. The City Treasurer shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to: safekeeping, PSA repurchase agreements, wire transfer agreements, depository agreements and banking service contracts. Such procedures shall include explicit delegation of investment implementation responsibility to the City's designated employees and financial institutions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City Treasurer. The City Treasurer shall be responsible for all investment transactions undertaken and shall establish a system of controls to regulate the activities of the authorized financial institutions to ensure that they are in compliance with this policy.

Ethics and Conflicts of Interest:

All City and financial institution employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. City employees involved in the investment process shall disclose to the City Manager any material financial interests in any financial institution that conducts business with the City, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. City employees involved in the investment process shall subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchases and sales.

Authorized Financial Institutions:

The City Treasurer will maintain a list of financial institutions authorized to provide investment services. No City deposit shall be made except in a qualified financial institution as established by State of Michigan law. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). All financial institutions and brokers/dealers who desire to become qualified bidders for investment transactions must supply the City Treasurer with audited financial statements and certification of having read the City's investment policy and depository contracts. The Treasurer for all current financial institutions used by the City will conduct a quarterly review of the FDIC Insurance Certification and Financial Report 10. A current audited financial statement is required to be on file for each financial institution in which the City invests.

No City investment should be made in financial institutions with a Bauer Rating of less than 3 stars unless the investment has been backed with collateral to 102% or the Investment is 100% FDIC Insured.

Authorized & Suitable Investments:

Pursuant to the authority granted to the City of Brighton by Act 20 of the Public Acts of 1943 as amended by Act 217 of Public Acts of 1982 and Act 196 of Public Acts of 1997, and the standards established by the City Treasurer, the City approves the following investment instruments for use:

- a. U.S. Treasury securities;
- b. Bonds or other direct short-term obligations of U.S. government agencies and instrumentalities for which principal and interest payments are guaranteed by the U.S. government and are approved for investment purposes by the City Treasurer;
- c. Certificates of deposits at commercial banks, savings and loan associations and credit unions which are members of Federal Insurance programs;
- d. A-1/P-1, A-2/P-2 rated commercial paper secured by an irrevocable line of credit or collateralized by government securities;
- e. Banker's acceptances issued by the ten largest domestic banks, provided the City Treasurer approves collateral;
- f. Repurchase agreements collateralized by U.S. Treasury securities (market to market), with a Master Repurchase Agreement signed with the financial institution;
- g. Money market funds whose portfolios consist of government securities which are legal for direct investment by local units of government in the State of Michigan, with any investments in mutual funds limited to securities whose intention is to maintain a net asset value of \$1 per share;
- h. Government short-term investment trust funds, i.e., investment pool fund (as established by Act 367 of 1982).
- i. Certificate of Deposit Account Registry Service (CDARS)

Maturity:

Surplus monies of the City on deposit with financial institutions, as determined by the City, shall be invested by financial institutions with maturities scheduled to coincide with projected cash flow needs, taking into consideration large routine expenditures (payroll, accounts payable, bond payments) and sizable blocks of anticipated revenue (property taxes, state shared revenue).

Diversification by Institution

Holdings at any given financial institution shall not exceed one percent of the institution's net equity capital.

Safekeeping and Custody:

To protect against potential fraud and embezzlement, all security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. A third party custodian designated by the City Treasurer and evidenced by safekeeping receipts will hold

securities. For purposes of this policy, third party shall be defined as a separate financial institution or a separate and distinct division or department of the same financial institution whose function is safekeeping and/or trust activities.

Internal Control:

The City Treasurer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

Performance Standards:

The investment portfolio will be designed to obtain a market average rate of return during budgetary and economic cycles, taking into account the City's investment risk constraints and cash flow needs. The basis to be used by the City Treasurer to determine whether market yields are being achieved shall be the three month U.S. Treasury Bill and the average Federal Funds rate. The City Treasurer is charged with the responsibility of including a market report on investment activity and returns in the City's Comprehensive Annual Financial Report.

Savings Clause:

In the event any state or federal legislation or regulation should further restrict instruments or institutions authorized by this policy, such restrictions shall be deemed to be immediately incorporated in this policy. If new legislation or regulation should liberalize the permitted instruments or institutions, such changes shall be available and included in this policy only after written notification to the City Council.

Reporting:

The Treasurer shall provide the City Council quarterly investment reports, which provide a clear picture of the status of the current investment portfolio. The management report should include comments on the current economic conditions, possible changes in the portfolio structure going forward and thoughts on investment strategies. Schedules in the quarterly report should include the following:

1. A listing of individual securities held at the end of the reporting period by authorized investment category.
2. Average life and final maturity of all investments listed.
3. Coupon, discount or earnings rate.
4. Average Treasury Bill Rate and Average Federal Funds Rate
5. Average rate of return on total city portfolio at report date.

Investment Policy Adoption:

The City's investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed on an annual basis and any modifications made thereto must be approved by the City Council.

Acknowledgment/Agreement:

I have read and fully understand Act 20 PA 1943, as amended, and the Invest Policy of the City of Brighton. Any investment advice or recommendation given by _____, representing _____, to the City of Brighton shall comply with the requirements of Act 20 PA 1943, as amended, and the Investment Policy of the City of Brighton. Any existing investment not conforming to the statute or the policy will be disclosed promptly.

By:

Title:

Date:

GLOSSARY

AGENCIES: Federal agency securities and/or Government-sponsored enterprises.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BAUER FINANCIAL RATING: An independent bank rating institution, which analyzes the performance of U.S. banks and credit unions since 1983.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CD's are typically negotiable.

CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE (CDARS) – An investment similar to a certificate of deposit (CD), however, with CDARS, the municipality would sign one agreement with a participating financial institution, earn one interest rate per maturity, and receive on regular statement. All deposits, even greater than \$250,000, is FDIC insured.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official audited annual financial report. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., Savings & Loan's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. The Federal Reserve through open-market operations currently pegs this rate.

FEDERAL HOME LOAN BANKS (FHLB): Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, Like GNMA (Government National Mortgage Association) was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on rotating bases. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D. C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. The Federal Housing Administration (FHA), Veterans Administration (VA) or Farmers Home Administration (FMHA) mortgages back Ginnie Mae securities. The term “pass-throughs” is often used to describe Ginnie Maes.

IMMEDIATE FUNDS: Liquid Funds available during the timeframe in which fund balance or working capital is needed to pay demands or claims before the major or significant revenue sources will be received for each respective Fund, as determined by management.

LIQUID FUNDS – Funds that can be converted to cash within 30 days.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and a reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase—reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers’ acceptances, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the Federal Open Market Committee in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use Repurchase Agreements, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

SURPLUS FUNDS: Liquid or Non-Liquid Funds not immediately needed to pay demands against vendors and other claimants as determined by management.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than ten years.

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread along members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

A RESOLUTION ADOPTING AN UPDATED INVESTMENT POLICY FOR THE CITY OF BRIGHTON

WHEREAS, prudent financial management would be well served by the updating of the City's 2002 investment policy by the City Council; and

WHEREAS, the Finance Director has proposed to the City Council an updated policy statement governing the investment of City funds; and

WHEREAS, the Brighton City Council finds the proposed policy changes to be an accurate portrayal of the City Council's objectives and standards as they relate to the City's investments.

NOW, THEREFORE, BE IT RESOLVED by the Brighton City Council as follows:

1. The attached policy statement entitled "Investment Policy" is hereby adopted.
2. Management is hereby directed to implement said policy.

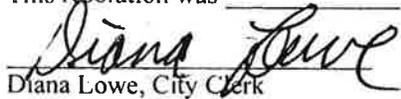
AYES: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly

NAYS: none

ABSTAIN: none

ABSENT: none

This resolution was approved this 6th day of October, 2011.


 Diana Lowe, City Clerk

I, Diana Lowe, City Clerk, for the City of Brighton for hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council at the Regular Meeting held on October 6, 2011.

Diana Lowe, City Clerk



July 16th, 2014

Paul Burns & Bradford Maynes
133 W. Grand River Ave.
Brighton, MI 48116
(810) 227-5000

City of Brighton
200 N. First St.
Brighton, MI 48116-1593
(810) 227-1911

RE: Springhill Development – Flint Road

Dear Paul Burns and Bradford Maynes:

Thank you again for your time Tuesday morning (July 15th, 2014) regarding the Springhill Development on Flint Road within the city limits of the City of Brighton. I would like to follow up with this short letter describing the progress of the work and the scheduled work to be completed. As discussed in our meeting, please understand that we scheduled meetings and our subcontractors as quickly as possible from the time we received the finalized and full Tetra Tech report named Summary of Findings on June 25th, 2014 (three weeks ago today).

- Installation of the sidewalk along Flint Road per the site plan.
Work has begun – marked out, locations inspected by Tetra Tech, sod and topsoil cut, formed, subsoil compacted, was re-inspected by Tetra Tech today and concrete will be poured no later than July 18th, 2014.
- Installation of sidewalk within Springhill site per the site plan.
All sidewalks within Springhill have been installed according to plan. There is a section poured in front of 4556 Spring Mountain Drive that was not on the approved plan. That section is being removed by our landscaper and sodded by July 25th, 2014.
- Installation of landscaping per the site plan.
All plantings were installed in 2013. There are trees that were stock piled between units 12 and 13 that need to be removed. One of them goes between units 28 and 29, the others are extra that need to be removed from the site. There is one tree between units 15 and 16 that has not survived; the landscaper will be replacing that one. All common areas have been seeded, but an over-seed is required in areas that grass is sparse or new topsoil was installed. These areas will grow a fuller lawn with less weeds if periodic rain/watering occurs. Landscaping crew has been working on site since Monday, July 14th, 2014. Firm completion date of August 8th, 2014.
- Completion of Brighton Area Fire Department requirements.
Completed, inspected and approved by Jim Corcoran (Fire Inspector).
- Payment and installation of street lights per the site plan.
Payment was made to City of Brighton on May 15th, 2014. This completes our obligation.
- Correct 13 curb boxes (list from Tim Krugh).
Crew on site to correct them and then have re-inspected. Completion expected by July 18th, 2014.

Cont.

- Letter from Ken Recker and Mark Hathaway of the Livingston County Drain Commission dated June 23rd, 2014.
Work has already commenced on many of the items on this letter. We are awaiting the engineering design for the repair of the boulder wall to the south of unit 12 and the proper design to be performed and built at end section ES-21 from Boss Engineering which we will have no later than Friday, July, 18th, 2014. The work will be completed for this letter no later than August 15th, 2014.
- Boulder walls to be inspected by a Michigan Licensed Structural Engineer with experience in boulder wall construction.
Michigan Licensed Structural Engineers with experience in boulder wall construction will have reports over to the City of Brighton by August 8th, 2014. This is for all of the boulder walls constructed by SDG Homes' boulder wall subcontractor throughout the project.
- Completion of the street per the site plan and the City Engineer's inspection results.
Earliest availability from Asphalt Company's scheduler is Monday, August 18th, 2014. Necessary repairs and inspections to be performed at that time, followed immediately after with the topcoat of asphalt. Estimated work time is 4-5 days, start to finish. Completion date of August 25th, 2014.
- On site personnel from the City Engineer's office during the final top coat installation on the street and applicable fees.
Week of August 18th, 2014.
- Inspection and approval of the street once completed by the City Engineer and applicable fees.
Immediately following installation of asphalt pavement. Completion date of August 29th, 2014.
- Inspection and approval of the sidewalks by the City Engineer and applicable fees.
Work in progress, with a completion date of July 18th, 2014.
- Corrections to the retention basins per the City Engineer's inspection comments and re-inspection of the retention area by the City Engineer and applicable fees.
Work in progress, received the drawings and specifications for proper corrections from Boss Engineering on Monday, July 14th, 2014. Crew is on site to perform work. Completion date of July 31st, 2014.
- Correction of the items listed by the City Engineer's office after their first site inspection.
Sanitary Manholes – The three items listed regarding the manholes and covers (new mortar, raising of structures and locating the paved over manhole) are to be completed in our contract with our asphalt contractor. Items to be corrected at time of asphalt repairs and preparation are to be inspected by Tetra Tech while on site throughout entire pavement repairs, preparation and top coat installation. Completion date of August 25th, 2014.
Pavement – The five bulleted numbers under the pavement section (pavement cracks, deterioration and potholes) are to be corrected by our asphalt contractor as part of their contract. Each item will be inspected by Tetra Tech during the pavement repairs and preparation stage. Completion date of August 25th, 2014.
Miscellaneous Items – Additional top soil is being added around new sidewalks to protect edges and eliminate trip hazards. Tetra Tech noted 3-4 areas site wide, but during our walk with our landscaper we found a few others that we would like them to take care of. Landscaping crew is on site and working on them. Completion date of August 15th, 2014. Regarding removing the silt protection from catch basins and storm manholes, we would prefer to remove these once our landscaper and excavator are completed with their work while they are moving dirt to the necessary areas of the site to eliminate additional topsoil and sand infiltration. Silt protection will be removed once all landscaping and excavation work is completed and prior to asphalt repairs and preparation, completion by August 15th, 2014. Hydrants are complete. Retention "A" has no issues. Retentions "B" repair was addressed in the preceding bulleted item. The two curb sections to be replaced is the next priority on our concrete contractor's list after the Flint Road sidewalks are completed. Curbs to be completed by August 8th, 2014 to allow proper curing time prior to top coat of asphalt.

Cont.

- Payment of outstanding City Engineer inspection fees.
Check will be hand delivered on July 17th, 2014.
- Request to accept/dedicate Spring Mountain Drive as a public street and the submittal of the required documents (legal description, etc.).
The process began today. Boss engineering is preparing the legal description and our attorneys are preparing the documents in order to be submitted by the time the top coat of asphalt is installed. Completion date of August 25th, 2014.
- Site corrections and issuance of a final certificate of occupancy at 4616 Spring Mountain Drive.
Initial stage of corrections have begun, walked site with City Engineer on Wednesday, July 16, 2014. Final Grading and Final Building inspection was performed and approved by John Pajalja of Livingston County Building Department on December 9th, 2013. A Final Approval tag was given to an SDG Homes representative. Tetra Tech engineer suggested that when our Michigan Licensed Structural Engineer with experience in boulder wall construction walks the site with us within the next few days and performs calculations and certifications of the boulder wall, our engineer would be best suited to give suggestions of proper check dam structures, etc. to slow down the water between the homes before reaching the boulder wall. The suggested measures will be completed by the end of the day Monday, July 21st, 2014.
- Correction of any additional site conditions found during the City Engineer's inspection of each lot/the site.
Crew is on site and work in progress. Completion date of August 15th, 2014.

Thank you for your attention to this matter.

Respectfully,

Three-T, LLC and SDG Homes

