

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON SEPTEMBER 6, 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 7:33 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 and Staff members Dana Foster, Jennifer Burke, Kelly Hanna, Diana Lowe, Amy Cyphert, Matt Schindewolf and Tom Wightman. Press and Media included Tom Tolen from WHMI and an audience of 8.

AGENDA APPROVAL

It was moved by Councilmember Schillinger, seconded by Bandkau to approve the Agenda as amended. Delete agenda item #16, Northridge Hills Letter of Credit and item #23, Closed Session. Move to Action Agenda from Consent Agenda item #10, CSX Railroad Driveway. Motion passed 7-0.

MINUTES APPROVAL

It was moved by Councilmember Roblee, seconded by Pipoly to approve the Regular Meeting minutes of August 16, 2012 as presented. Motion passed 7-0.

It was moved by Councilmember Pipoly, seconded by Roblee to table the Closed Session Meeting minutes of August 16, 2012. Motion passed 7-0.

CITIZEN INQUIRIES

None.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:35 p.m. The following comment

Pete Lighters, Taco Bell owner, expressed his concerns regarding the traffic flow, the dumpster location and asked to keep the access open with a right-turn only.

Hearing no further comment, the Call to the Public was closed at 7:40 p.m.

CONSENT AGENDA

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to approve the Consent Agenda as amended. Move from Consent Agenda to Action Agenda item #10, CSX Railroad Driveway 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. Approved the Quarterly Investment report from the Finance Director.
2. Approved Resolution 12-15, Amending the Subsequent FY 2011-12 Budget Appropriations.
3. Approved the Swinginfusion Civic Event.
4. Approved the contract extension for building services with Livingston County effective for one year from September 16, 2012.

AGENDA AMENDMENT

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to move item #10, CSX Railroad Driveway after item #15, Brookside Mall Site Plan Amendment. Motion passed 7-0.

CHAMP'S FACADE IMPROVEMENTS SITE PLAN

Piet Lindhout, Lindhout Associates, was present representing Champ's Pub. He described the Champ's Façade Improvements. He read a statement from Dave Beauchamp stating he wants to recognize and thank the DDA assistance on this project.

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve the site plan for the Champ's façade improvements at 140 E. Grand River #12-010 as depicted on plans prepared by Lindhout Associates, sheet P-1, last dated 8-9-12 subject to the following:

1. That right of way permits be obtained from the Department of Public Services for work within the right of way.
2. That any damages done to the existing sidewalk be repaired to current condition.
3. That City Council grant a variance to the transparency for the façade.

Motion passed 7-0.

KROGER GAS STATION SITE PLAN

Jack Knolls, engineer for the Kroger Gas Station project was present and described the proposed Kroger as Station project.

It was moved by Councilmember Roblee, seconded by Bandkau to approve the site plan for Kroger Fuel Station at 1080 E. Grand River #12-011 as depicted on plans prepared by Spalding DeDecker Associates, Inc., job no. NP11-071, sheets CE1-12, last dated 8-15-12, plans prepared by Galloway Planning Architecture Engineering, project #D638, sheets A1.0, Color Elevations & LP1.0, last dated 2-10-11, last dated July 2012 and 8/8/12 subject to the following:

1. That right of way permits be obtained from the Department of Public Services for work within the right of way.
2. That any damages done to the existing sidewalk be repaired to current condition.
3. That the width of the northernmost driveway off O'Doherty be reduced and moved south and that it be marked as "Exit Only".

Motion passed 7-0.

BROOKSIDE MALL SITE PLAN AMENDMENT

Katherine Riesterer was present representing the Brookside Mall. She gave a brief history of the Brookside Mall site plan amendment for the installation of an emergency use only gate at Brookside Mall.

It was moved by Councilmember Roblee, seconded by Cooper to approve the site plan amendment approval for Brookside Mall as depicted on the plan prepared by Lindhout Associates, sheets C1, job #1166, last dated 8/10/2012. A roll call vote was taken. Yes: Cooper, Muzzin, Pipoly, Roblee. No: Bandkau, Bohn, Schillinger. Motion passed 4-3.

CSX RAILROAD DRIVEWAY

City Manager, Dana Foster briefed the City Council on the recommended construction bid award for the CSX railroad driveway closure related curb installation.

It was moved by Councilmember Bandkau, seconded by Bohn to award the CSX Railroad driveway closure construction bid to Concrete Construction for \$3,464.96 and that they do the work as soon as possible. Motion passed 5-2 with Muzzin and Schillinger voting "no".

GOALS PROGRESS REPORT

City Manager, Dana Foster gave a report on the current Goals. He discussed the following slides: Progress Score, Goal Category, Additional Items not on the City Council Adopted Goals List and the 2011 Adopted Goals.

GOAL-SETTING RETREAT AGENDA INPUT REPORT

City Manager, Dana Foster gave a Goal-Setting Retreat Agenda Input report for the 2012 annual Goal-Setting Retreat. He stated he recently had meetings with Department Directors and Union Stewards for input on agenda items. He asked Council to review the current list and submit their Retreat Agenda item requests to him.

CITY CUSTOMER INFORMATION

Amy Cyphert stated construction would begin on September 10th at North Street, West Street and Main Street for sidewalk improvements, streetscape beautification and a raised crosswalk.

Manager Foster stated on September 12th at the Brighton Area District Library he would be conducting an informational meeting regarding the upcoming November Bond Issue.

Councilmember Roblee invited everyone to come downtown this weekend for the Smokin' Jazz and Blues Barbecue Festival.

Councilmember Schillinger stated there will be a 9/11 Memorial 5K Run/Walk Fundraiser on Saturday and there will be a Memorial for 9/11 at 7:30 p.m. at the Fire Department on Grand River.

City Manager, Dana Foster thanked WHMI radio station ownership and management for the recent Viewpoint program and link on our City's website regarding the City's upcoming bond issue election.

Mayor Muzzin gave information regarding registration for the Saturday Memorial 5K Run/Walk Fundraiser registration. He gave a DDA update on the possible lease parking lot near Ciao Amici's.

ATTORNEY-CLIENT PRIVILEGE OPINION REGARDING LITIGATION CLOSED SESSION

It was moved by Councilmember Roblee, seconded by Cooper to go into Closed Session to receive written Attorney-Client privilege Communication regarding the Pollard vs. City of Brighton pending litigation, pursuant to MCL 15.268(e). A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:11 p.m.

The Council reconvened at the Regular Session at 9:30 p.m.

PENDING LITIGATION ACTION

Deleted.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:30 p.m. Hearing no, the Call to the Public was closed.

City Council
September 6, 2012
Page 5

ADJOURNMENT

It was moved by Councilmember Roblee, seconded by Bandkau to adjourn the meeting at 9:30 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor