

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON DECEMBER 19, 2013 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**BLUE SKY SESSION**

The Council conducted an early Blue Sky Session at 7:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bohn, Bandkau, Tobbe, Willis and Cooper. The Council reviewed 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, Willis, Tobbe, Cooper and Bohn. Also in attendance were Attorney Paul Burns and Brad Maynes, Staff members Dana Foster, Amy Cyphert, Dave Blackmar, Diana Lowe, Kelly Hanna and Tom Wightman and an audience of 0. Press and Media included Tom Tolen from WHMI.

**AGENDA APPROVAL**

It was moved by Councilmember Cooper, seconded by Pipoly to approve the agenda as amended. Delete item #17, Closed Session. Motion passed 7-0.

**MINUTE APPROVAL**

It was moved by Councilmember Cooper, seconded by Bandkau to approve the Regular Meeting minutes of December 5, 2013 as presented. Motion passed 7-0.

It was moved by Councilmember Cooper, seconded by Tobbe to approve the Special Meeting minutes of December 7 & 8, 2013 as presented. Motion passed 7-0.

It was moved by Councilmember Cooper, seconded by Bandkau to approve the Special Meeting minutes of December 8, 2013 as presented. Motion passed 7-0.

It was moved by Councilmember Tobbe, seconded by Cooper to approve the Closed Session Meeting minutes of December 8, 2013 as presented. Motion passed 7-0.

**CITIZEN INQUIRIES**

None.

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:33 p.m. Hearing no comment, the Call to the Public was closed.

### **CONSENT AGENDA**

It was moved by Councilmember Cooper, seconded by Bandkau to approve the Consent Agenda as presented. Motion passed 7-0.

The following items were approved:

1. The following appointments were approved: SELCRA-Councilmember Cooper, SEMCOG-Councilmember Tobbe, Budget & Finance Subcommittee-Councilmember Bohn & Tobbe, Livingston Regional Coop Subcommittee-Councilmember Cooper, Planning Commission-Councilmember Cooper, Zoning Board of Appeals- Councilmember Bandkau, Traffic Safety Advisory Board-Councilmember Bohn, Cable TV-Councilmember Willis, Downtown Development Authority-Mayor Muzzin and Mayor Pro-Tem Pipoly, Brighton Area Fire Authority-Mayor Muzzin and Mayor Pro-Tem Pipoly, Economic Development Corporation of Brighton-Mayor Muzzin; Arts & Culture Commission-Councilmember Tobbe and Willis, Principal Shopping District-Councilmember Willis, DDA Citizen Advisory Council-Councilmember Willis and Brownfield Redevelopment Authority-Mayor Muzzin and Mayor Pro-Tem Pipoly.
2. Approved an agreement with the Brighton Area Schools for the City to collect the School District's Operating Property Taxes (non-principal residence) on the City's Summer 2014 Property Tax Bills.

### **TEMPORARY LAND USE PUBLIC HEARING AND SECOND READING**

Mayor Muzzin opened up the Public Hearing for the second reading of an ordinance amending Temporary Land Uses at 7:36 p.m. Hearing no comment, the Public Hearing was closed.

It was moved by Mayor Pro-Tem Pipoly, seconded by Cooper to approve Ordinance 566, Amending Chapter 98, Article I. In General, Section 98-3. Definitions and Chapter 98, Article XXV. Temporary Land Uses, Section 98-700. Temporary land uses. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. Motion passed 7-0.

### **ACCESSORY BUILDINGS PUBLIC HEARING AND SECOND READING**

Mayor Muzzin opened up the Public Hearing for the second reading of an ordinance amending Accessory Buildings at 7:37 p.m. Hearing no comment, the Public Hearing was closed.

It was moved by Councilmember Bandkau, seconded by Willis to approve Ordinance 567, Amending Chapter 98, Article II. Districts and General Regulations, Section 98-49. Accessory Buildings. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. Motion passed 7-0.

### **FENCES PUBLIC HEARING AND SECOND READING**

Mayor Muzzin opened up the Public Hearing for the second reading of an ordinance amending Fences at 7:38 p.m. Hearing no comment, the Public Hearing was closed.

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It was moved by Councilmember Tobee, seconded by Pipoly to approve Ordinance 568, Amending Chapter 98, Article II. Districts and General Regulations, Section 98-38. Fences. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. Motion passed 7-0.

### **CITY MANAGER ANNUAL PERFORMANCE REVIEW**

Mayor Muzzin gave a report of the City Manager's Annual Performance Review conducted on December 8, 2013. He stated the review was very positive and his overall performance is excellent.

City Manager, Dana Foster thanked the City Council for the annual performance review and the report. He also thanked Staff and Consultants.

### **CITY CUSTOMER INFORMATION**

Police Chief, Tom Wightman gave a NIXLE update, stating this program sends out alerts via text or email for public safety, person search, crime prevention and road closure.

Acting Department of Public Works Director, Dave Blackmar stated there may be a street closure on Main Street this Sunday for snow removal.

Mayor Pro-Tem Pipoly gave a DDA update.

Councilmember Bandkau gave a Veteran's Memorial update.

Councilmember Bohn wished residents a Merry Christmas and a safe and prosperous New Year. He thanked the residents for passing the public safety ballot proposal in November.

Mayor Muzzin gave a Brighton Area Fire Authority update.

### **CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 7:56 p.m. Hearing no comment, the Call to the Public was closed.

### **PENDING LITIGATION CLOSED SESSION**

It was moved by Councilmember Cooper, seconded by Pipoly to go into Closed Session to discuss pending litigation pursuant to MCL 15.268(e). A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper and Tobbe. No: none. Motion passed 7-0.

The Council convened into Closed Session at 8:00 p.m.

The Council reconvened the Regular Session at 8:44 p.m.

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**CLOSED SESSION ACTION**

It was moved by Councilmember Bandkau, seconded by Pipoly to authorize the City Attorney to execute the Consent Judgment for City of Brighton vs. Citation Investment, LLC, for a demolition date on or before April 4, 2014. Motion passed 7-0.

**ADJOURNMENT**

It was moved by Councilmember Cooper, seconded by Pipoly to adjourn the meeting at 8:45 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor