

AGENDA
CITY COUNCIL REGULAR BUSINESS MEETING
CITY OF BRIGHTON
SEPTEMBER 1, 2016 - 7:30 P.M.
CITY HALL COUNCIL CHAMBERS
200 NORTH FIRST STREET
BRIGHTON, MICHIGAN
TELEPHONE: 810-227-1911 WEBSITE: www.brightoncity.org

Business Meeting - 7:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Consider Approval of the Agenda
5. Eagle Scout Presentation - Reid Snider
6. Brighton Sesquicentennial Proclamation
7. Presentation by Utilities Director Tim Krugh Recognizing Wastewater Crew Leader Corey Brooks For 30 Years of Distinguished Service

Consent Agenda Items

8. Approval of Minutes: [Regular Meeting of August 18, 2016](#)
9. Approval of Minutes: Closed Session of August 18, 2016
10. [Quarterly Investment Reports](#)

Correspondence

11. Call to the Public
12. Information for City Customers
13. Receive Updates from Council Member Liaisons to other Boards and Commissions

New Business

14. Consider [Resolution 16 – 13 Supporting The Livingston County Transportation Coalition](#)
15. Consideration of [Site Plan Approval #16-006 for Buon Gusto, 501 W. Main Street](#)

Other Business

16. Call to the Public
17. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON AUGUST 18, 2016 AT THE BRIGHTON CITY HALL
200 N. 1ST STREET, BRIGHTON, MICHIGAN

REGULAR SESSION

Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bohn, Pettengill, Gardner, Emaus, and staff: City Manager Nate Geinzer, Utilities Director Tim Krugh, Assistant DPW Director Patty Thomas, Chief Tom Wightman, Clerk Pamela Stewart, Attorney Burns, Labor Attorney Gabrian and an audience of 7.

Press and media included Noe Hernandez from the Press & Argus and Tom Tolen from WHMI were also present.

Moved by Mayor Pro Tem Pipoly and seconded by Bohn to excuse Councilmember Tobbe due to personal reasons.

AGENDA APPROVAL

Mayor Muzzin moved #7 the approval of the minutes from the August 10th Special Meeting from the Consent Agenda.

It was moved by Councilmember Emaus seconded by Pettengill to approve the Agenda. The motion passed 6-0-1.

RECOGNITION OF THE PASSING OF MATT MODRACK

Mayor Muzzin recognized the passing of a long time employee and community pillar, Matt Modrack. A moment of silence was held and Mayor Muzzin, Mayor Pro Tem Pipoly, Councilmember Gardner, and Pettengill shared memories.

CONSENT AGENDA

It was moved by Mayor Pro Tem Pipoly seconded by Pettengill to approve the Consent Agenda as amended. The motion passed 6-0-1.

The following items were approved:

Approved Minutes: Study Session of August 4, 2016

Approval of Minutes: Regular Meeting of August 4, 2016

Approval of settlement of MTT docket no. 15-002932.

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CALL TO THE PUBLIC

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

Randy Clifton, 1364 Baywood Circle, spoke about his support of the City's decision to demolish 1517 Whispering Oak. Wanted to know what the future of the property would be.

Renee Kidder, from Turn the Town Teal, spoke her desire for the Council to approve the event held August 28 placing teal ribbons down Main Street in recognition of September as Ovarian Cancer Awareness month. Manager Geinzer stated that Turn the Town Teal's request had been approved.

John Tonge, 1531 Whispering Oaks, also talked about his support of the City decision to demolish 1517 Whispering Oak but mentioned he had concerns about a hazmat situation within the building and the unmaintained bushes and trees on the property.

Joannee DeBruhl, Stone Coop Farms, a 6 year vendor at the Farmer's Market commended the City on their quick notification of potential issues with the new portable bathroom trailer and action to ensure her spot at the Market

The Call to the Public was closed at 7:48 p.m.

CITY CUSTOMER INFORMATION AND BOARD UPDATES

Manager Geinzer addressed the questions about 1517 Whispering Oaks Lot restoration asked during the Call to the Public. Geinzer stated the City is unsure about the future of the property after the demo at this time and that every precaution will be taken with the property.

Utilities Director Krugh spoke about the goal of painting 673 hydrants this year. The City has 100 currently completed.

Mayor Pro-Tem Pipoly stated PSD met and saw a presentation on potential advertising opportunities at the Legacy Center.

Councilmember Bohn stated that at the Planning Commission meeting they talked about the Buon Gusto expansion and making sure the curb cut is ADA compliant. They began work on the zoning update. Bohn mentioned Northridge Woods flooding on Butternut Circle and that residents on Northridge Wood Drive had water in their basements. Northern Ridge also had flooding.

Manager Geinzer responded to some of the questions about the crushed downspout tubing at Northridge and stated he would be doing more follow up.

Councilmember Pettengill mentioned that the Historical Society is having a bugler demonstrating different bugle commands on Sunday, Aug 21 at the CoBach from 5-6 pm

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Councilmember Emus met with VA and talked about the sale of pavers and plans for potential expansion. The VA has added vendors to speed up time to receive pavers, and has added signage to deter kids playing on structure. In respect to Matt Modrak, the Veteran's decided to fly the flag at ½ mast during Matt's memorial service on Oct 1.

Mayor Muzzin stated that the BAFA met and discussed the recruiting process of part-time, on-call firefighters.

SPECIAL MEETING ON AUGUST 10

Mayor Muzzin discussed the Special Meeting from August 10. The Explorers group met with City Council and gave suggestion on improvements. Some of the suggestions included bike racks, signs warning against feeding the waterfowl, and recycling.

Councilmember Emaus made a motion to approve meeting Minutes from the August 10 Special Meeting and Gardner seconded the motion.

Yes: 4 No: 0 Abstain: 2 Absent: 1

1517 WHISPERING OAKS DRIVE HOUSE DEMOLITION/LOT RESTORATION

Manager Geinzer received 3 bids and chose the lowest bidder. Provisions were mentioned to keep the dust down and the length of time to demo.

Councilmember Emaus had questions concerning the change of the amount required to demolish compared to the original amount budgeted.

It was moved by Councilmember Gardner and seconded Pipoly by to approve the RFP to award bid to demolish 1517 Whispering Oaks Drive to Bob Myers Excavating and to approve Resolution 16-11 amending the budget \$15,900 to fund the project.

Roll Call Yes: Emaus, Gardner, Muzzin, Pipoly, Bohn, Pettengill No: None Absent: Tobbe

Motion passed 6-0-1.

SIDEWALK REPAIR/REPLACEMENT

Councilmember Pettengill suggested that the spreadsheet of sidewalk repair be put map on website.

Councilmember Emaus had questions about the need for additional funds, and Bohn suggested that the funds may come from committed fund balance

It was moved by Gardner and seconded Bohn by to approve the RFP to award bid to repair and replace sidewalks within the City to Lacaria Concrete Construction and to approve Resolution 16-12 amending the budget \$36,370 to fund the project.

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Roll Call Yes: Emaus, Gardner, Muzzin, Pipoly, Bohn, Pettengill No: none Absent: Tobbe

Motion passed 6-0-1.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 8:31 p.m.

Randy Clifton, 1364 Baywood Circle, appreciated the response and suggested the City does not try to build a home and sell it.

John Tonge, 1531 Whispering Oaks, stated he was still concerned with mold and bacteria but has confidence in the demo crew.

Call to the Public was closed at 8:33 p.m.

CLOSED SESSION PURSUANT TO MCL 15.268 (C)

Mayor Pro Tem Pipoly moved to go into Closed Session and was seconded by Gardner at 8:35 p.m. for a strategy session connected with the negotiation of a collective bargaining agreement pursuant to MCL15.268(C)

A roll call vote was taken. Yes: Muzzin, Pipoly, Gardner, Emaus, Pettengill, Bohn. No: none. Absent: Tobbe

Motion passed 6-0.

It was moved by Mayor Pro Tem Pipoly, seconded by Emus to come out of closed session at 8:57 p.m.

CLOSED SESSION PURSUANT TO MCL 15.268 (D)

Mayor Pro Tem Pipoly moved to go into Closed Session and was seconded by Emaus at 8:58 p.m. to consider the purchase or lease of Real Property pursuant to MCL15.268(D)

A roll call vote was taken. Yes: Muzzin, Pipoly, Gardner, Emaus, Pettengill, Bohn. No: none Absent: Tobbe.

Motion passed 6-0-1.

It was moved by Councilmember Emaus, seconded by Mayor Pro Tem Pipoly to come out of closed session at 9:10 p.m.

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PENDING NEGOTIATIONS CLOSED SESSION ACTION

It was moved by Councilmember Emaus, seconded by Pipoly to approve the proposed contract with the Clerical Collective Bargaining Unit, as contained in the tentative agreement presented and to authorize the Mayor and City Clerk to execute the collective bargaining agreement incorporating such changes.

Motion passed 6-0-1.

ADJOURNMENT

It was moved by Councilmember Gardner seconded by Pipoly to adjourn the meeting at 9:12 p.m.

Motion passed 6-0-1.

Pamela Stewart, Clerk

James Muzzin, Mayor



CITY OF BRIGHTON
REPORT FROM THE CITY MANAGER TO CITY COUNCIL
September 1, 2016

SUBJECT: QUARTERLY INVESTMENT REPORT AT OF JUNE 30, 2016

ADMINISTRATIVE SUMMARY

- The City's total investment/bank balance has decreased by \$680,845 or 13.1% over last quarter to \$4,518,292.
- This decrease follows the normal cash flow of the City as the majority of tax revenue is collected in the first quarter of the fiscal year, while expenditures tend to be constant throughout the year.
- Compared to the same quarter a year ago, the City's total investment/bank balance has increased by \$306,488 or 7.3%.
- The City's average rate of return on investments has decreased from 0.84% to 0.81% over the last quarter, primarily due to the maturity of several CDs that were deposited into more liquid, lower interest bearing accounts in order to cover end of year expenditures.
- The City continues to earn more than the benchmark 3-month Treasury Bill Rate and the Fed Funds Rate.
- The City's deposits/investments with Flagstar Bank and Chief Financial Credit Union total 25.6% and 35.9%, respectively, of the City's overall portfolio.
- We continue to work within the primary objectives of the City's Investment Policy, which, in priority are; safety, liquidity, and return on investment.

Prepared by: Gretchen M. Gomolka, Finance Director

Approved by: Nate Geinzer, City Manager

MEMORANDUM

To: City Council
From: Laura Hoshaw, Treasurer
Subject: Quarterly Investment Report
Date: August 18, 2016

AH

MEMO

The City of Brighton currently has 17% of all investments held in 4 Certificates of Deposit (CDs) with various Michigan banks maturing in 3-months or less. The interest rates of these outstanding CDs range from .70% to a maximum of 1.00% and vary in amounts from \$250,000 to \$251,521. Investment in CDs protects interest revenue from market declines in the money market accounts. The general fund currently holds 3 CDs in the amount of \$750,000. The Utilities Reserve fund holds 1 CD in the amount of \$251,521. Staggering investment maturities provides an on-going steady interest income and also helps fund future accounts payable and payroll.

The remaining 83% of our total investments are providing .15% to 1.2% interest rates on our money market, savings, and checking accounts held at various financial institutions. These funds are completely liquid in nature and are available to use on demand. CDs 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.

The U.S. added 287,000 new jobs in June which is a massive rebound from May when a mere 11,000 jobs were added. Unemployment rose slightly in June to 4.9% (up from 4.7% in May). The big boost in hiring in June alleviates fears that the U.S. economy is sputtering.

Boosted by a greater share of sales to first-time home buyers not seen in nearly four years, existing home sales maintained their upward trajectory in June and increased for the fourth consecutive month. The bump in June sales to first-time buyers can be attributed to mortgage rates near all-time lows and perhaps a hopeful indication that more affordable lower priced homes are beginning to make their way onto the market.

The U.S. economy expanded less than forecast in the second quarter after a weaker start to the year than previously estimated as companies slimmed down inventories and remained wary of investing amid shaky global demand. This has raised concern at a time the Federal Reserve policy makers are looking for sustained improvement. While consumers were resilient last quarter, businesses were cautious-cutting back on investment and aggressively reducing stockpiles amid weak global markets, heightened uncertainty and the lingering drag from a stronger dollar.

Federal Reserve officials at their June meeting decided to hold the central bank's benchmark interest rate steady. The decision by the Federal Open Market Committee was no surprise, but a statement accompanying that determination does help shed new light what the Fed is thinking about the economy and for rates over the coming months. There were too many uncertainties to justify pulling the trigger at the June meeting. It is concerned about the employment picture even though economic growth has picked up some steam. The FOMC wants to make sure that the surprisingly weak payroll number for April is a temporary phenomenon and not a sign of a weaker economy to come.

CITY OF BRIGHTON
 QUARTERLY INVESTMENT REPORT
 AS OF JUNE 30, 2016

| <u>Investment Account</u> | <u>Account Balance</u> | <u>Maturity Date</u> | <u>Current % Interest Rate</u> | <u>Average R.O.R.</u> |
|---|-------------------------|----------------------|------------------------------------|---------------------------|
| OLD NATIONAL BANK-Checking | 50 | Immediate | 0.00% | 0.00% |
| OLD NATIONAL BANK-Juvenile | 1,991 | Immediate | 0.00% | 0.00% |
| Total Old National Bank | <u>2,041</u> | | | |
| 1ST NATIONAL BANK | 20,495 | Immediate | 0.15% | 0.00% |
| Total 1st National Bank | <u>20,495</u> | | | |
| FIRST NATIONAL BANK OF AMERICA | 231,551 | Immediate | 0.50% | 0.03% |
| Total First National Bank of America | <u>231,551</u> | | | |
| FLAGSTAR BANK-Refundable Deposit | 402,594 | Immediate | 0.55% | 0.05% |
| FLAGSTAR BANK-Combined Savings | 424,390 | Immediate | 0.55% | 0.05% |
| FLAGSTAR BANK-Flexible Spending | 11,783 | Immediate | 0.35% | 0.00% |
| FLAGSTAR BANK-A/P Checking | 314,500 | Immediate | 0.40% | 0.03% |
| Total Flagstar Bank | <u>1,153,267</u> | | | |
| CHIEF FINANCIAL CREDIT UNION-Platinum Sav | 1,623,881 | Immediate | 1.20% | 0.43% |
| Total Chief Financial Credit Union | <u>1,623,881</u> | | | |
| INDEPENDENT BANK UTILITY LB-Checking | 16,420 | Immediate | 0.00% | 0.00% |
| INDEPENDENT BANK UTILITY LB-MM | 469,116 | Immediate | 0.20% | 0.02% |
| Total Independent Bank | <u>485,536</u> | | | |
| CD-CRESTMARK BANK | 250,000 | 09/01/16 | 0.95% | 0.05% |
| CD-THE PRIVATE BANK & TRUST | 250,000 | 07/01/16 | 0.70% | 0.04% |
| CD-ANN ARBOR STATE BANK | 251,521 | 07/30/16 | 1.00% | 0.06% |
| CD-ANN ARBOR STATE BANK | 250,000 | 09/01/16 | 1.00% | 0.06% |
| Total Certificate of Deposits | <u>1,001,521</u> | | | |
| TOTAL | <u><u>4,518,292</u></u> | | 7.55% | 0.81% |
| Three Month Treasury Bill Rate* | | | | 0.27% |
| Average Fed Funds Rate** | | | | 0.38% |
| City's Avg. R.O.R. over/(under) the 3-month T-Bill Rate | | | | 0.54% |
| City's Avg. R.O.R. over/(under) the Avg. Fed Funds Rate | | | | 0.43% |



CITY OF BRIGHTON

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

September 1, 2016

**SUBJECT: CONSIDER RESOLUTION 16-13: SUPPORTING THE LIVINGSTON COUNTY
TRANSPORTATION COALITION**

ADMINISTRATIVE SUMMARY

- Dr. Leo Hanifin, Chair of the Livingston County Transportation Coalition presented a vision for public transportation in Livingston County that included expansion of: the Livingston Essential Transportation Services capacity, bus service, Michigan Flyer commuter service, and non-motorized transportation amenities.
- As pointed out in the attached Coalition summary, LETS is the only form of public transportation in the County, but the County does not provide funding. This has left the dial-a-ride service, that a number of Brighton residents depend on, unable to keep up with demand and provide adequate coverage.
- At this point, the Coalition is only asking the City of Brighton to request that the Livingston County Board of Commissioners enable the creation of the Livingston County Transportation Authority.
- The Authority would be able to engage the public and communities in a planning process and take steps towards expanding public transportation service.
- City Staff would stay involved with the Coalition and the transition to an Authority, upon its creation, in order to provide regular progress reports to Council.

RECOMMENDATION

It is recommended that City Council approve Resolution 16-13 Supporting the Creation of The Livingston County Transportation Authority.

Prepared by: Jessica Reed, Management Assistant

Approved by: Nate Geinzer, City Manager

The Case for Establishing the Livingston County Transportation Authority

Our changing county: why we need better transportation services

Our county is changing dramatically in ways that are quickly increasing the need for more and different transportation services.

- a. Growing senior population: since 2000, the number of seniors in our county has more than doubled, and will be six times as large by 2030. Public transit allows them to age in place.
- b. Significant numbers of transit dependent residents: in addition to many seniors, there are 900 households without a vehicle, and over 4,000 physically disabled and over 2,000 mentally disabled residents in our county.
- c. Changing priorities for millennials: over two-thirds of millennials say access to reliable public transportation is one of their top three criteria for choosing a place to live.
- d. County residents commuting out of the county: nearly two-thirds of our working residents commute to jobs outside of our county, often on highways that are extremely congested.
- e. Need for workers in the county: recently as many as 800 positions were unfilled in our county and some local businesses have had to provide bus service for workers from outside of the county. This lack of transit inhibits business growth in our county.
- f. Lack of bike lanes/trails where we live, work, shop, dine: while there are great bicycle trails in and near our county, riding in our neighborhoods and to businesses is often unsafe.

All of these changes necessitate the creation and expansion of our public transportation systems today and in coming years.

The Lack of Response to Current and Future Transportation Needs

- a. Today the only public transportation services provided in Livingston County is the Livingston Essential Transportation Services (LETS), which provides “dial-a-ride”. While LETS makes good use of its funds, its level of funding prevents it from meet the current demand for rides.
- b. Our county provides no funding for public transportation. This lack of local funding severely reduces what LETS receives from state and federal sources. In 2015, if it had had a \$130,000 of local support, it would have generated an additional \$718,000 from state and federal sources.
- c. Our county has no comprehensive transportation plans, nor inclusive planning efforts to serve the changing county demographics and needs

The Vision for Future Transportation in Livingston County

The Livingston County Transportation Coalition has created a vision for a multi-modal transportation system that would provide options for citizens, stimulate economic development and make our county a more desirable place to live, work and visit. This comprehensive vision includes the following elements:

- a. Expansion of dial-a-ride capacity
- b. Scheduled bus service
- c. Express commuter service to destinations east and south of Liv. Co. and to Detroit airport
- d. Safer bicycle options in communities
- e. "Complete streets" planning for our communities

(See the separate vision statement for more details.)

The Way Forward

Our county needs to transform this vision into a plan by securing extensive public input and performing travel and cost analysis. In that way, residents can be assured that the planned system will meet their greatest needs, will be affordable (and supported by in large part by state and federal funds) and efficient. The way forward to creating this plan, securing funding and creating this system would involve the following steps:

- a. Establish a transportation authority with a far broader perspective than LETS currently has. LETS could be transformed into such an authority.
- b. Charge the authority to develop a comprehensive, multi-modal transportation plan
 - i. Base plan on data driven needs and citizens' priorities
 - ii. Define specific services, timelines for implementation, costs and funding mechanisms
- c. Bring forward a plan to citizens for their decision to proceed or not.
- d. Build system elements according to the plan.
- e. Provide improved transportation services to our citizens and visitors to Livingston County.

Livingston County Transportation Coalition

August 2016



CITY OF BRIGHTON

“Providing quality service”

RESOLUTION 16-13

WHEREAS, Livingston County is seeing growth in transit-dependent residents, as well as broader changes in public transportation needs and preferences; and,

WHEREAS, many of the City of Brighton’s businesses hope to attract workers from outside the County; and,

WHEREAS, the City of Brighton recognizes the economic, regional, environmental and equity benefits to providing public transportation; and,

WHEREAS, the Livingston Essential Transportation Service (LETS) is the only public transportation service in the County, but is not financially supported by the County; and,

WHEREAS, LETS is unable to meet transit demands and provide adequate essential services to users in the City of Brighton; and,

WHEREAS, LETS provided over 8,100 rides in 2015 to Brighton residents, with ridership increasing 7.7 percent between 2014 and 2015; and,

WHEREAS, over 50 percent of Brighton’s working residents commute to work outside of the County; and,

WHEREAS, the City is currently invested in a zoning ordinance update that will focus, in part, on improving non-motorized transportation options in alignment with the priorities laid on in the City of Brighton Master Plan; and

WHEREAS, thirty-one organizations have joined together to form the Livingston County Transportation Coalition, showing significant interest and investment in furthering public transportation planning and outreach efforts; and,

WHEREAS, many counties and regions across the state and nation have achieved major improvements in public transportation by establishing public transportation authorities; and,

WHEREAS, many counties and regions across the state and nation are receiving substantial Federal and State grants to improve their public transportation systems;

NOW, THEREFORE, BE IT RESOLVED that the Brighton City Council hereby expresses its strong support for the establishment of a Livingston County Transportation Authority and respectfully requests that the Livingston County Board of Commissioners takes appropriate



CITY OF BRIGHTON

"Providing quality service"

steps to enable the establishment of such an authority with the responsibility to plan and implement a comprehensive multi-modal transportation plan for Livingston County.

Adopted the _____ of _____, 2016 by Council Action.

Pamela Stewart, City Clerk

I, Pamela Stewart, City Clerk for the City of Brighton, do hereby certify the foregoing is a true complete copy of a Resolution adopted by City Council at their Regular meeting held on _____, 2016.

Pamela Stewart, City Clerk

Yay: _____

Nay: _____

Abstain: _____

Absent: _____



CITY OF BRIGHTON
REPORT FROM THE CITY MANAGER TO CITY COUNCIL
SEPTEMBER 1, 2016

SUBJECT: CONSIDERATION OF BUON GUSTO AMENDED SITE PLAN #16-006

ADMINISTRATIVE SUMMARY

- Buon Gusto was recently sold. The new owners are looking to construct a 629 sq ft addition.
- At the August 15, 2016 Planning Commission meeting, it was moved by Commissioner Bryan, seconded by Commissioner Schutz, to recommend to City Council approval of the Buon Gusto Site Plan #16-006 conditioned on the petitioner working with City Staff and City Engineer to ensure the sidewalk in front of the proposed loading zone is ADA compliant, or remove the curb cut.

The motion carried 7-0-2.

- City Staff and City Engineer met on site with the petitioner and their engineer. Concerns over the driveway ramp were resolved. The solution is reflected in the attached set of plans. The driveway ramp is removed and the sidewalk replaced.

RECOMMENDATION

It is recommended that City Council approve the Site Plan for Buon Gusto as recommended by the Planning Commission on August 15, 2016.

Prepared/

Approved by: Nate Geinzer, City Manager