

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JUNE 18, 2015 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, Councilmembers Bandkau, Pipoly, Willis, Tobbe, Bohn and Gardner. 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, Councilmembers Pipoly, Bandkau, Willis, Bohn, Tobbe and Gardner. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Diana Lowe, Matt Modrack, Dave Blackmar, Tim Krugh, Kelly Hanna, Amy Cyphert, Tom Wightman and an audience of 7. Press and media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Willis to approve the agenda as presented. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Gardner to approve the Regular Meeting minutes of June 4, 2015 as presented. Motion passed 7-0.

It was moved by Councilmember Tobbe, Seconded by Pipoly to approve the Closed Session Meeting minutes of June 4, 2015 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:33 p.m. The following comment was heard:

Nancy Durance, 4616 Spring Mountain Drive, discussed erosion in her subdivision. She asked Council for their support for compliance with the Consent Judgment.

City Attorney, Paul Burns stated the City Engineer, Gary Markstrom was on site today to assess the condition of the issues in the Springhill subdivision. A report will be forthcoming. If they are in violation of the Consent Judgment after June 30, his office will file a complaint with the developer.

CONSENT AGENDA

It was moved by Councilmember Tobbe seconded by Bandkau to approve the Consent Agenda presented. A roll call was taken. Yes: Bandkau, Gardner, Muzzin, Pipoly, Willis, Tobbe, Bohn. No: none. Motion passed 7-0.

The following items were approved:

1. Approve the Freedom of Information Act Procedure and Guidelines as required by PA 563, with the deletion of "Dana W. Foster" from Section 1, first paragraph.
2. Reviewed the inputs for the City Service Survey for updating the survey questions.
3. Approved the year-end budget amendment for Fiscal Year 14-15.
4. Approved Resolution 15-10, Transfer to the General Fund committed fund balance pursuant to the FY 14-15 General Fund Budget.
5. Approved a Special Land Use Permit for a transitional parking lot at 121 W. North Street subject to the following conditions:
 1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping.
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
6. Approved a site plan for the 121 W. North Street Transitional Parking Lot #15-012 as depicted on plans prepared by Lindhout Associates, last dated 6-12-15, project #0044, sheetC1.1 subject to the following:
 1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
7. Approved a Special Land Use Permit for a transitional parking lot at 212 E. Grand River subject to the following conditions:
 1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping.
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
8. Approved a site plan for the 212 E. Grand River Transitional Parking Lot with the following conditions:

1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping.
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
 4. That “No Left Turn” signage is provided at the exit to the parking lot.
9. Approved a Special Land Use Permit for a transitional parking lot at 131 Hyne Street subject to the following:
1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping.
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
10. Approved a site plan for the 131 Hyne Street Transitional Parking Lot with the following conditions:
1. That the approval is limited to a three (3) year period of time with the ability to obtain additional extensions for three (3) years per extension, when owner is able to demonstrate significant attempts to transition the property to a legally permitted use.
 2. That property owner shall be responsible for cleanup of any gravel from the parking lot that is found within the street, including, but not limited to, any cost of street-sweeping.
 3. Property owner shall hold and comply with the terms of a maintenance agreement with the City.
11. Approved the updated Fee Schedule for Fiscal Year 15-16.

DOWNTOWN PARKING ENFORCEMENT

City Manager, Dana Foster briefed the Council on the Downtown Parking Enforcement history. He stated an Ordinance amendment is needed to enforce the proposed Traffic Control Orders. He discussed the parking meters that were removed several years ago and funding for parking enforcement.

City Attorney, Paul Burns discussed the Parking Enforcement Officer.

DDA/Community Development Director, Matt Modrack discussed Parking Occupancy Counts, the Rich & Associates parking study and the recommended lot and street parking map.

It was move by Councilmember Bohn, seconded by Bandkau to approve First Reading of and Ordinance to amend the Code of Ordinances, City of Brighton, Michigan, by adding new Sections 86-52, Parking longer than posted limits prohibited, and 86-53, Enforcement of posted parking time limits by parking enforcement officers, of Chapter 86, Article III, Division 1 of the Code and schedule Second Reading and Public Hearing for July 16, 2015.

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Mayor Muzzin stated he will vote no on the proposed Parking Ordinance, as he feels it would penalize the wrong people.

Motion passed 6-1 with Mayor Muzzin voting “no”.

DOWNTOWN PARKING ENFORCEMENT TRAFFIC CONTROL ORDERS

The Downtown Parking Enforcement Traffic Control Order agenda item was deleted.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster gave a Granger project update. He stated yesterday was his 24th anniversary as City Manager with the City of Brighton. He proposed that his performance review be held at the July 16th City Council meeting.

Mayor Muzzin congratulated Mr. Foster on his 24th anniversary.

Mayor Pro-Tem Pipoly gave a DDA update.

Councilmember Bohn gave a Planning Commission update. He discussed the Northridge Woods development retaining walls, landscaping, hours contractors are working and trash and debris. He asked that an amended site plan should go through Planning Commission and City Council and not administrative Staff approval. He suggested bi-weekly on-site Staff reviews on approved site plans.

Councilmember Tobbe gave an Arts and Culture update.

Mayor Muzzin gave a DDA update and Brighton Area Fire Authority update.

SELCRA BOARD MEETING

Councilmember Gardner discussed the recent SELCRA meeting, the potential sale of the Skate Park property to St. Patrick’s School or somebody else and appraisal. She displayed a Walk Brighton conceptual board of her proposed connecting sidewalks and crosswalks near the SELCRA and surrounding properties.

City Attorney, Paul Burns stated he will look into the deed restrictions on the property.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:17 p.m. The following comments were heard:

Randy Clifton, Brighton City, stated he does not agree on the timelines for the proposed parking hours of enforcement.

Nancy Durance, stated she appreciates the comments on the Northridge Woods regarding retention walls and landscaping.

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

ADJOURNMENT

It was moved by Councilmember Bandkau, seconded by Gardner to adjourn the meeting at 9:21 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor