

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON APRIL 3, 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 Bohn, Cooper and Willis. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:32 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Willis, Cooper and Bohn. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Patty Thomas, Laurie French, Matt Modrack, Kelly Hanna, Tim Krugh, Dave Blackmar, Amy Cyphert, Diana Lowe, Tom Wightman and an audience of 15. Press and Media included Jim Totten from Press & Argus and Tom Tolen from WHMI.

It was moved by Councilmember Cooper, seconded by Pipoly to excuse Councilmember Bandkau and Tobbe from the evening's meeting. Motion passed 5-0-2.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly seconded by Willis to approve the agenda as amended. Delete item #16, Closed Session. Motion passed 5-0-2.

MINUTE APPROVAL

It was moved by Councilmember Cooper, seconded by Bohn to approve the Regular Meeting minutes of March, 20, 2014 as presented. Motion passed 5-0-2.

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Closed Session minutes of March, 20, 2014 as presented. Motion passed 5-0-2.

It was moved by Councilmember Cooper, seconded by Willis to approve the Budget Worksession minutes of March, 25, 26 and 27, 2014 as presented. Motion passed 5-0-2.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:36 p.m. The following comments were heard:

Rick Starnes, 421 & 423 W. Main Street expressed his opposition to extending the life of the Principal Shopping District.

Mike Musket, 315 North Street, Masonic Building also expressed his opposition to extending the life of the Principal Shopping District or any new taxes.

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John Enos, State Bank at 134 N. 1st Street, supports extending the life of the Principal Shopping District.

Kate Lawrence, property owner on Grand River, opposes the Special Assessment District for the Principal Shopping District.

Kristy Koryzno, White Dress, supports the Special Assessment District for the Principal Shopping District.

Mark Binkley, business owner on Main Street, supports the Principal Shopping District.

Thadeous McGaffey, 323 W. Main Street supports the Principal Shopping District.

Lisa Nelson, 431 W. Main, supports the Principal Shopping District.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 7:50 p.m.

CONSENT AGENDA

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Consent Agenda as presented. Motion passed 5-0-2.

The following items were approved:

1. Approved the Civic Event applications for the 2014 Civic Event Season.
2. Approved first reading of the proposed amendments to Chapter 98, Article I. In General, Section 98-3. Definitions and Chapter 98, Article XIII. C2 Districts, Section 98-357. Use Regulations and set a public hearing date for May 1, 2014.
3. Approved a request from the Livingston Educational Service Agency to Collect all of their Operating Property Taxes on the City's Summer 2014 Tax Bills.

PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT DISTRICT

City Manager, Dana Foster discussed the time line in which the Public Hearing and Second Hearing for the Principal Shopping District Special Assessment District must occur, stating the tentative necessity could occur tonight and defer the Hearing until May 1st.

Mark Binkley, Chairperson of the PSD, thanked the Council for placing the Principal Shopping District extension and Special Assessment District on the evening's agenda. He expressed his support for the PSD.

Community Development, DDA Director, Matt Modrack stated he has assembled letters of support for the PSD from property owners, including Mark Krueger, Corrigan Oil, BGR Offices LLC, Brewery Becker, Main Street Cheese Market, Pamela McConeghy, Don Siegel, Claudia Roblee, Michael Muller, George & Melanie Moses,

Cheryl Mayday, Dave Eichen and Nick Palizzi and a letter of opposition from Jeff Wink. He pointed out an article from SEMCOG stating that the PSD helped the City of Brighton from dropping Taxable Value from 2009-2012.

Community Development, Planning & Zoning Deputy Director, Laurie French gave a history of the PSD, the prior Assessment Map, Proposed PSD Assessment Map, PSD Historical Revenue & Expenses, Marketing Expenses by Event for FY 12-13, Marketing Expenses FY 12-13, Logo and Website updates, Accomplishments, Advertising, Over 40 New Businesses Opened or expanded since PSD inception and What the PSD continuation allows.

Community Development, DDA Director, Matt Modrack stated that the new Mt. Brighton owners choose the Brighton site because of the strength of the City of Brighton downtown. He discussed the PSD SWOT analysis.

Councilmember Willis, Councilmember Liaison to the PSD, stated that they have done their due diligence and would like the extension of the PSD approved.

Mayor Pro-Tem Pipoly stated the businesses on Grand River are not part of downtown, so what occurs downtown is no direct benefit to them, does not agree with Zone B being a part of the PSD and the only way he could support the request is if Zone B be taken out and cut the rate in half for Zone A so that the annual PSD budget will be about \$40,000.

Councilmember Bohn stated the General Fund is paying for part of the PSD through Laurie French and Matt Modrack's salary and the PSD should be self-funded.

Councilmember Cooper expressed his concerns regarding consistent communication, yearly assessments and the Chamber of Commerce should be doing the job of the PSD.

Mayor Muzzin stated we are coming out of a depression, now we are putting an additional tax on businesses, this is the wrong time for this rate and he will support a lower rate. He also stated he received letters of support for the PSD Special Assessment District from Jim Barnas, Matthew W. Michaels, and Kevin Montagano and a letter opposing from Edward Boutrous, Cross Grand Plaza.

It was moved by Councilmember Cooper, seconded by Willis to approve Resolution 14-05, PSD Special Assessment District to approve the necessity of the project, to schedule the first public hearing on the project for May 1, 2014, and to direct the issuance of a statutory notice to be published not less than 10 days prior to the date of the first public hearing and mailed by first class mail to all property owners within the proposed district. A roll call vote was taken. Yes: Willis, Bohn, Cooper. No: Muzzin, Pipoly. Motion passed 3-2-2.

PRINCIPAL SHOPPING DISTRICT LIFE EXTENSION

It was moved by Councilmember Cooper, seconded by Bohn to approve Resolution 14-06, to extend the Principal Shopping District in accordance with MCL 125.981, et seq., for a five-year term commencing November 19, 2015 and expiring November 18, 2020. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Cooper. No: none. Motion passed 5-0-2.

PROPOSED FISCAL YEAR 14-15 CITY BUDGET

The following motions were made for the staff to publish a notice for the annual public hearing on the City Council's proposed City Budget for Fiscal Year 14-15:

It was moved by Mayor Pro-Tem Pipoly, seconded by Cooper to approve the Refuse User Fee increase to \$14.48 per month - \$26,542 FY 14/15. Motion passed 5-0-2.

It was moved by Councilmember Cooper, seconded by Willis to approve the Pavement Marking - \$20,000 FY 14/15. Motion passed 5-0-2.

It was moved by Councilmember Cooper, seconded by Bohn to approve Committed Fund Balance Transfer equal to 14-15 Debt roll off - \$40,338 FY 14/15. Motion passed 5-0-2.

It was moved by Councilmember Pipoly, seconded by Willis to approve LED Traffic Signal Lights - \$11,210 FY 14/15. Motion passed 5-0-2.

It was moved by Councilmember Bohn, seconded by Muzzin to remove Flint Road Sidewalk Gap - \$15,000 from the FY 14/15 City Budget. Motion passed 5-0-2.

It was moved by Councilmember Bohn, seconded by Pipoly to remove Person Lift - \$45,000 from the FY 14/15 City Budget. Motion passed 5-0-2.

It was moved by Councilmember Bohn, seconded by Muzzin to remove Snow Plowing Equipment Replacement - \$125,000 from the FY 14/15 City Budget. Motion failed 2-3-2, with Councilmembers Cooper, Pipoly and Willis voting "no".

CITY CUSTOMER INFORMATION

Finance Director, Kelly Hanna stated the City Assessor will start inspecting properties and will contact the property owner before doing their work. This information will be on the City's website under News and Notices.

Department of Public Works Director, Dave Blackmar stated the Street Division has used about 40 tons of cold patch material on potholes and an additional 20 tons will be ordered. He will be meeting with a contractor to go through town to assess damage on the roads from this past winter.

Councilmember Bohn acknowledged an email from a resident regarding an overhaul of the City's Charter suggesting that we have a full time Mayor elected by the residents, as well as the City Manager.

Mayor Muzzin stated when someone runs for an elected Office; they do not have to be qualified for the position. He also stated he received a resignation from Cheryl Mayday from the PSD Board and please forward letter of interest for filling this vacancy to his attention.

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CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 10:17 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Cooper, seconded by Bohn to adjourn the meeting at 10:17 p.m. Motion passed 5-0-2.

Diana Lowe, City Clerk

Jim Muzzin, Mayor