

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON DECEMBER 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, Bandkau, Schillinger, Pipoly and Roblee. 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, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Bandkau, Schillinger, Pipoly, Roblee and Bohn. Also in attendance were Attorney Paul Burns and Brad Maynes, Staff members Dana Foster, Dave Blackmar, Denise Meier, Colleen Barton, Amy Cyphert, Diana Lowe and Tom Wightman and an audience of 5. Press and Media included Nicole Krawcke from the Patch and Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to approve the Agenda as amended. Add item #17a, Pending Litigation Closed Session and #17b, Possible Closed Session Action. Move item #13, Paramount Park Site Plan to the first Action Agenda item. Motion passed 7-0.

MINUTES APPROVAL

It was moved by Mayor Pro-Tem Cooper seconded by Roblee to approve the Regular Meeting minutes of November 15, 2012 presented. Motion passed 5-0-2, with Councilmember Schillinger and Pipoly abstaining.

It was moved by Councilmember Bandkau, seconded by Cooper to approve the Closed Session Meeting minutes of November 15, 2012 as presented. Motion passed 5-0-2, with Councilmember Schillinger and Pipoly abstaining.

CITIZEN INQUIRIES

None.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:31 p.m. Hearing no comment, the Call to the Public was closed.

CONSENT AGENDA

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

The following item was approved on the Consent Agenda:

1. Approved the purchase of the Sewer Inspection Camera from Jack Doheny Supplies, Inc., in the amount of \$59,950.00.
2. Approved the annual Budget Preparation Process calendar including dates for City Council Budget Worksessions
3. Approved an intergovernmental police services and resource-sharing proposal as presented and discussed in the recent annual City Council goal-setting retreat.

UNIT 2 PARAMOUNT PARK SITE PLAN

It was moved by Councilmember Pipoly, seconded by Schillinger to approve the site plan for Unit #2 Paramount Park at 2021 Orndorf Drive #12-018 as depicted on plans prepared by Desine, Inc, job no. 111814, sheets EX, DEV, SP, UT, GR1, GR2, SE1, SE2, LA1, LA2, LT, DT1, DT2, DT3, and DT4, last dated 11-13-12 and plans prepared by Corrigan Construction, LLC, project #CC-12014, sheets A1 and A2, last dated 11-12-12 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. Phase 2 will require separate site plan review.

Motion passed 6-0-1, with Mayor Muzzin abstaining.

CHAPTER 98 ORDINANCE AMENDMENTS

Mayor Muzzin opened the Public Hearing for the proposed Ordinance amendment to Chapter 98, Article I, Section 98-3 Definitions at 7:36 p.m. Hearing none, the Public Hearing was closed.

It was moved by Councilmember Schillinger seconded by Councilmember Bandkau to approve Ordinance 562 and Second Reading of the proposed amendment to the City ordinance Chapter 98, Article 1, Section 98-3, redefining of condominium only. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

ST. PAUL'S CHURCH EXPANSION SITE PLAN

Jeff Smith, Professional Engineering Associates briefed the Council on the proposed St. Paul's Church expansion.

It was moved by Councilmember Bandkau, seconded by Pipoly to approve the site plan for St. Paul's Episcopal Church Addition as depicted on the plans prepared by Professional Engineering Associates (PEA), sheets P-0-5, L-1, project #2012-0136, last dated 11/8/12 and plans prepared by Collaborative Architects, Landscape Architects, Interior Designers and Planners, sheets A1.01, A3.01, and A3.02, project #106060, last dated 11/6/12, with the following conditions:

1. That a right of way permit be obtained from the Department of Public Services Director for the use of public property during construction.
2. That all signage comply with applicable Ordinances or variances obtained.
3. A cut sheet for the building lighting is submitted with the building permit application for review and approval by the Community Development Department.
4. That City Council approve any potential snow or water shed from the pitched roof onto the adjacent city owned cemetery property.

Motion passed 7-0.

SELCRA-MEIJER PARK REINVENTION STATUS UPDATE

City Manager, Dana Foster gave a presentation of the proposed SELCRA-Meijer Park reinvention. He highlighted Meijer Park Phase I with a splash pad, finances, water recirculation system and reinvention status update.

Derek Smith, SELCRA Director, discussed donations, business plan, possible grants and parking.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster stated the Personal Property Tax proposal from the Lieutenant Governor has been passed out of committee to the House floor and we are waiting to see what happens.

Councilmember Bandkau stated the Veteran's Memorial Committee will be selling engraved bricks for \$115 each to help support the memorial.

Councilmember Roblee gave a PSD update stating they are working on their 2013 events. BACC are changing the 2013 meeting start time from 4:00 p.m. to 6:00 p.m.

City Manager, Dana Foster stated in-kind donations for supplies and materials for the Veteran's Memorial are up to \$60,000.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:03p.m. Hearing none, the Call to the Public was closed.

ATTORNEY-CLIENT PRIVILEGE OPINION REGARDING LITIGATION CLOSED SESSION

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to go into Closed Session to receive written Attorney-Client privilege Communication regarding 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 9:06 p.m.

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The Council reconvened at the Regular Session at 9:52 p.m.

PENDING LITIGATION ACTION

It was moved by Councilmember Bandkau, seconded by Bohn to authorize the settlement of the two Michigan Tax Tribunal cases as directed by City Attorney. Motion passed 7-0.

ADJOURNMENT

It was moved by Councilmember Bandkau, seconded by Cooper to adjourn the meeting at 9:53 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor