

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON OCTOBER 6, 2011 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 Bandkau, Mayor Pro-Tem Bohn, Councilmembers Schillinger, Muzzin, Cooper, Roblee and Pipoly. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Bandkau 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 Bandkau, Mayor Pro-Tem Bohn, Councilmembers Schillinger, Muzzin, Roblee, Cooper and Pipoly. Also in attendance were Attorney Brad Maynes and Staff members Dana Foster, Jennifer Burke, Diana Lowe, Amy Cyphert, Dave Blackmar, Tom Wightman, Kelly LaLonde, Matt Modrack and an audience of 12. Press and Media included Tom Darling from WHMI and Nicole Krawcke from The Patch.

MINUTES APPROVAL

It was moved by Councilmember Muzzin, seconded by Pipoly to approve the corrected Regular Meeting minutes of September 15, 2011. Councilmember Roblee abstained. Motion passed 6-0-1.

It was moved by Mayor Pro-Tem Bohn, seconded by Muzzin to approve the Closed Session minutes of September 15, 2011 as presented. Councilmember Roblee abstained. Motion passed 6-0-1.

CITIZEN INQUIRIES

Mayor Bandkau read a Citizens Inquiry - Sheryl Kemmerling, 415 Mill Pond Lane, the closing of the Imagination Station has been disastrous for us at Jack's Custard.

AGENDA APPROVAL

It was moved by Councilmember Muzzin, seconded by Pipoly to approve the Agenda. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Bandkau opened the Call to the Public at 7:39 p.m. The following comments were heard:

Susan Walters-Steinacker expressed her opinion that Chief Building Inspector, Jim Rowell wrote letters regarding the Bonner litigation in which he signed other people's names to, the trial has been postponed until next year and the City cannot afford it.

Keith Karp, Oh My Lollie, stated the Closure of the Imagination Station has hurt his business and asked Council that it be repaired and opened soon.

Cheryl Mayday, Alterations Unlimited, agrees with Mr. Karp stating the Imagination Station needs to be repaired now.

Hearing no further comment, the Call to the Public was closed at 7:46.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Bohn, seconded by Pipoly to approve the agenda as amended. Move from Consent Agenda to Action Agenda item #8, Firehouse Subs Site Plan. Add to the Consent Agenda item # 13a, Assessing Contract. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. No: none. Motion passed 7-0.

The following items were approved on Consent Agenda.

1. Set the public hearing for the MEDC grant No. MSC-211004-CDF as required by the Michigan Economic Develop Corporation for October 20, 2011.
2. Approved Resolution 11-20, VINA non-profit dental clinic gaming license.
3. Appointed Ted Richardson, Nancy Scoble and Kate Lawrence to the Officer's Compensation Commission.
4. Approved Resolution 11-21, Adopting an Updated Investment Policy for the City of Brighton.
5. Established 6:00 p.m. to 8:00 p.m. as the official hours for Halloween Trick or Treating on October 31, 2011.
6. Authorized the City Manager to execute a contract with WCA Assessing for contracted Assessing Services subject to the City Attorney's final review and approval of the related contract documents.

FIREHOUSE SUB SITE PLAN

Planning & Zoning Director, Amy Cyphert briefed the Council on the conditions for the Firehouse Subs Site Plan approval. Highlighting the outstanding access site plan violation condition in the proposed approval motion.

It was moved by Councilmember Schillinger, seconded by Muzzin to conditionally approve the site plan amendment for Brookside Mall – Firehouse Subs as depicted on the plan prepared by Lindhout Associates, sheets C1, job #1166, last dated 8-5-2011. The approval is subject to the following conditions:

1. That signage meet ordinance or existing variance requirements.
2. That the issues raised by the Brighton Area Fire Authority in the letter dated 9/7/11 are addressed.
3. That the Certificate of Occupancy shall not be issued until the outstanding access site plan violation is permanently resolved to the City's satisfaction.

A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. No: none. Motion passed 7-0.

IMAGINATION STATION REPAIRS CONTRACT AWARD

City Manager, Dana Foster discussed the details for the Imagination Station Playground repairs Request for Proposal and two addendums for volunteers and paid contractors. He stated the City would communicate with the Department of Environmental Quality regarding the planned repairs.

Department of Public Services Director, Matt Schindewolf discussed the Imagination Station Playground repairs timetable. He stated that repair timetable would depend on the upcoming weather.

It was moved by Councilmember Pipoly, seconded by Roblee to award the Imagination Station repair and maintenance to Corrigan Construction. Motion passed 5-1-1 with Councilmember Schillinger voting “no” and Councilmember Muzzin abstaining.

DRAFT COUNCIL GOAL-SETTING RETREAT AGENDA

Mayor Pro-Tem Bohn requested the City Attorney provide a report regarding the overview of what each of the Boards and Commissions can do or not do in terms of contacting and purchasing which does not require City Council approval, review or City Attorney review and make this a Retreat agenda item. He suggested to look at City Charter and give clarity of what is required in that charter.

Councilmember Cooper suggested inviting elected Legislators to a future meeting as a result of the Retreat to inform them of our needs and to ask for changes in legislation.

Councilmember Roblee suggested to look at our assets with Council and Staff and list what are our most important assets are in the community.

It was moved by Mayor Pro-Tem Bohn, seconded Cooper to the direct City Manager, with input received this evening, to use the draft City Council Goal-Setting Retreat agenda for the upcoming retreat. Motion passed 7-0.

PREVIOUS CITIZEN INQUIRIES REPORT

City Manager, Dana Foster gave a report on responses to previous Citizen Inquiries. He reported on the following inquiries: Blue Sky Law & Consent Agenda, Rewrite Charter, Call to the Public, Payment of Per Diems for City Council Members, Weatherproof box for Cemetery Rules & Regs, Rescind action to move the Call to the Public to the end of the meeting, Rotating the flags, Mill Pond Lane Compactor and the condition of the Mill Pond.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster congratulated Mayor Ricci Bandkau for recently being appointed to the MML Board of Trustees. The Biennial City Service Survey results received by October 14th will be compiled for the upcoming City Council Retreat. October 12th at 6:30 p.m. will be the next Public Improvements Informational meeting and will be held at the new Chamber of Commerce building on Grand River.

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Department of Public Services, Matt Schindewolf stated unlimited leaf collection would continue until the end of November and Leaf vacuuming will start soon.

Mayor Bandkau stated the MML Region I meeting will be held at the new Brighton Area Chamber building.

Councilmember Muzzin stated he attended the Chamber of Commerce Grand Opening event.

Councilmember Roblee stated SELCRA is holding a Tridge or Treat Civic Event on October 31st from 5:00 p.m. to 7:00 p.m. on the tridge, which is planned to be held in combination with the Imagination Station Reopening Party.

Councilmember Cooper stated the Brighton Area Fire Authority will be having their annual Halloween event on October 31st.

Councilmember Pipoly gave a DDA update stating the demolition of 131 Hyne Street is complete, they are receiving quotes for transplanting trees from the former Chamber of Commerce site, plants are also being removed from the site and will find permanent homes, Excelda and the DDA have a closing scheduled this month, the City of Brighton will be receiving a \$27,000 utility connection fee from the development, the Excelda architect will be submitting a site plan for the October Planning Commission meeting, the Barton buildings have been demolished, the West Street project will be starting soon, the Banner program has recently changed banners, a Parking Study shows a night-time demand for parking and land at 121 W. North Street was chosen several years ago for a parking structure.

CALL TO THE PUBLIC

Mayor Bandkau gave a Call to the Public at 9:28 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Cooper, seconded by Muzzin to adjourn the meeting at 9:29 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Ricci Bandkau, Mayor