

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON MAY 3, 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 Schillinger, Bandkau, Bohn, 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 Schillinger, Bandkau, Pipoly, Roblee and Bohn. Also in attendance were Special Legal Counsel Dennis Gabrian, Attorney Paul Burns and Staff members Dana Foster, Kelly Hanna, Jennifer Burke, Diana Lowe, Amy Cyphert, Matt Schindewolf, Tom Wightman and an audience of 9. Press and Media included Jim Totten from the Livingston Press & Argus and Tom Tolen from WHMI.

**AGENDA APPROVAL**

It was moved by Councilmember Bandkau, seconded by Cooper to approve the Agenda as amended. Add item #6a, St. Patrick's Church Anniversary and #15a, Placement of paroled prisoners. Combine item #18 and #19, Attorney- Client privilege opinion Closed Sessions. Motion passed 7-0.

**MINUTES APPROVAL**

It was moved by Councilmember Roblee, seconded by Schillinger to approve the Regular Meeting minutes of April 19, 2012 as presented. Motion passed 7-0.

**LETTER CARRIER'S PROCLAMATION**

Mayor Muzzin read a Letter Carrier's Proclamation with May 12<sup>th</sup> as the Food Drive for residents to put non-perishable food items at their mailboxes for pick-up.

**ST. PATRICK'S CHURCH ANNIVERSARY**

Mayor Muzzin read a congratulatory letter to St. Patrick's Church for their 180<sup>th</sup> anniversary.

**CITIZEN INQUIRIES**

Susan Walters-Steinacker - please state the dollar amount of captured tax dollars paid in 2011 and will be paid in 2012 to the following: 1) Brighton Chamber of Commerce 2) SBTDC- Nancy Johnson 3) Selcra.

Mayor Muzzin stated the following: SBTDC - \$10,000 for a term of 9/1/11 thru 8/31/12; Chamber of Commerce - \$15,000 for a term of 3/1/12 thru 2/28/13; and SELCRA - \$3,500 for a term of 7/01/11 thru 6/30/12.

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Susan Walters-Steinacker – Please explain why the DDA is not paying for Mr. Modrack's salary, benefits and car allowance? If not why not?

Mayor Muzzin stated the DDA includes City taxpayers just like all areas of the City that are not inside the DDA District. City taxpayers pay for salaries and benefits of all City employees. City Council approved the City Manager's redefinition of duties for staff positions and did not want the DDA to absorb staff salaries, as the DDA Fund is focused on Capital Improvement Projects as opposed to operating expenditures such as staff costs.

Patricia Cole, When was the Veterans Memorial Subcommittee established and who is on it? What is the purpose and responsibilities of the each member?

Mayor Muzzz stated the Veteran's Memorial Subcommittee is not an official subcommittee of the City Council.

City Attorney, Paul Burns stated it is nothing more than a City Councilmember attending a non-profit meeting, which they are allowed to do.

### **CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:43 p.m. The following comments were heard:

Brian Bradford, Veteran's Memorial Subcommittee, explained the makeup of committee, funding, partnering with the Kiwanis, remaining funds will be used for ongoing maintenance, and donation information can be found at [brightonveteransmemorial.org](http://brightonveteransmemorial.org).

Mary King, Coordinator for the Prisoner Relocation Program, thanked City staff for putting together a neighborhood meeting regarding a recent placement of prisoners in the community. She asked that concerned citizens call chief Wightman or her office with any concerns. She asked that the City not exclude them from any revised ordinance.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 7:49 p.m.

Councilmember Bandkau said the members on the Veteran's Memorial Committee were: Brian Bradford, Bill Rubin, Dennis Nauss, Scott Brauer and herself.

It was moved by Councilmember Roblee, seconded by Bandkau to move item #15a, Prisoner Relocation Program to #11a. Motion passed 7-0.

### **CONSENT AGENDA**

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Consent Agenda as presented. Motion passed 7-0.

The following item was approved on the Consent Agenda:

1. Approved the Quarterly Investment report.

2. Approved the site plan amendment for Brighton Commons, 8671 W. Grand River based on the plan prepared by Paul Fritz Associates, sheet A3, job number 120301, dated 3/28/12 subject to the following:
  1. That shared parking calculations are based on 6,750 square feet of retail and 3,042 square feet of specialty medical as noted on the site plan.
3. Approved the distribution of the proposed master plan. This motion shall serve as notice to the secretary of the planning commission to provide a copy of the proposed draft master plan, for review and comment, to the surrounding governments, county, public utility companies and railroads as required by the State Law.

### **PLACEMENT OF PAROLED PRISONERS**

City Manager, Dana Foster gave a report regarding possible amendments to City ordinances for the regulation of the State Department of Corrections' placement of paroled prisoners into our community that are subject to a pending legal review by our City Attorneys prior to formal submission to the Planning Commission and City Council for formal action. He thanked everyone that was able to meet today to discuss this issue.

Planning and Zoning Director, Amy Cyphert stated a zoning district would have to be classified to permit the use for placement of paroled prisoners.

There was Council discussion regarding fears of the residents, such as decline in property values and fear factor and a commitment to continue working with the Police Department. It was suggested that Catholic Social Service Staff formalize commitments made in today's meeting with the residents into a written document to give to City Staff and the residents.

City Attorney, Paul Burns stated we could codify something that complies with state law that is duplicated in our ordinance.

Mary King answered the questions of the Council.

City Manager, Dana Foster discussed the Prisoner Reentry Housing Contract, Mr. Robinson explained the program very well and how they interface with the Police Department and he thanked Chief Wightman for all of his work regarding this program.

Mayor Muzzin thanked everyone for their commitment to answering the concerns of residents with this issue.

### **VETERAN'S MEMORIAL IMPROVEMENT SITE PLAN**

Councilmember Bandkau discussed the slides of the Veteran's Memorial Improvement Site Plan.

It was moved by Councilmember Bandkau, seconded by Cooper to approve the site plan for the Veteran's Memorial, last dated 4-3-2012, as drawn by Lindhout Associates, job #1229, subject to the following condition:

1. That irrigation is provided for the new planting beds.
2. That right of way permits be obtained from the Department of Public Services, if applicable.

3. That any damages done to the existing public sidewalk be repaired to current condition.
  4. That an engineering review be conducted during the building permit process, if applicable.
  5. Memorandum of understanding for future maintenance of memorial, to be approved by the City Attorney.
- Motion passed 7-0.

### **FISCAL YEAR 2012-2013 CITY BUDGET**

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to approve Resolution 12-07, Adopt the City of Brighton's Budget for Fiscal Year 2012-2013, including Exhibit A. A roll call vote was taken. Yes: Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: Bohn, Schillinger. Motion passed 5-2.

### **SMART-METERS**

Mayor Pro-Tem Cooper gave a report on the MML Technology Committee's recent review of Smart-meters, stating individuals may opt-out of the program and stated the City Manager should confirm the opt-out and a possible Resolution. He stated this is not a constant signal being emitted.

City Attorney, Paul Burns stated he would bring a Resolution to the next City Council meeting.

### **POSSIBLE COMMUNITY IMPROVEMENTS BOND ISSUE PROPOSAL**

City Manager, Dana Foster discussed how a possible \$5,000,000 Community Improvements Bond Issue would be used in the City of Brighton, Bond Issue Proposal Summary Public Hearing letter and a letter describing what would be done with the funding from 1996, Average Millage Rates Comparison and this proposed millage would be millage and property tax bill neutral.

### **CITY CUSTOMER INFORMATION**

Department of Public Services Director, Matt Schindewolf stated this Saturday from 9:00 a.m. to 2:00 p.m. City residents may bring any non-hazardous items to the DPS on 3<sup>rd</sup> Street for disposal.

Mayor Pro-Tem Cooper stated the crosswalks are working properly and look wonderful.

Councilmember Roblee gave a PSD update stating they looking at some Sunday events and they received a report on banner program on Main Street.

Mayor Pro-Tem Cooper stated SELCRA won a Governor's Fitness award.

### **ATTORNEY/CLIENT PRIVILEGE OPINION FROM CITY LABOR ATTORNEY CLOSED SESSION**

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to go into Closed Session to discuss written Attorney/Client privilege opinion letter from the City's Labor Attorney at 9:31 p.m. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

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**CLOSED SESSION ACTION**

It was moved by Councilmember Bandkau, seconded by Cooper to adopt the code of conduct letter written by the City's Labor Attorney and post in all City buildings and website and correct the reference to "library". Motion passed 7-0.

**CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 10:01 p.m. Hearing no comment, the Call to the Public was closed.

**ADJOURNMENT**

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to adjourn the meeting at 10:01 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor