

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JUNE 16, 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, Councilmembers Schillinger, Muzzin, Bohn, Roblee, Cooper 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, Councilmembers Schillinger, Bohn, Muzzin, Roblee, Cooper and Pipoly. Also in attendance were Attorney Paul Burns, Special Legal Counsel Dennis Gabrian and Staff members Dana Foster, Diana Lowe, Jennifer Burke, Amy Cyphert, Dave Blackmar, Tom Wightman, Kelly LaLonde, Matt Modrack and an audience of 10. Press and Media included Jim Totten from the Livingston County Press Argus, Johnny Branstetter, The Patch, Tom Tolen from WHMI and Jacob Kanclerz from the School of Journalism, Michigan State University.

MINUTES APPROVAL

It was moved by Councilmember Roblee, seconded by Muzzin to approve the Regular Meeting minutes of June 2, 2011 as presented. Abstain: Cooper. Motion passed 6-0-1.

It was moved by Councilmember Muzzin, seconded by Pipoly to approve the Closed Session minutes of June 2, 2011 as presented. Abstain: Cooper. Motion passed 6-0-1.

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Closed Session minutes of May 19, 2011 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Bandkau gave a Call to the Public at 7:32p.m. Hearing no comment, the Call to the Public was closed.

Jim Muzzin clarified the various City of Brighton water rates for consumers inside and outside the City.

CITIZEN INQUIRIES

None.

AGENDA APPROVAL

It was moved by Councilmember Schillinger, seconded by Bohn to approve the Consent Agenda as amended. Delete item #13, Officer's Compensation Commission appointment. 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:

1. Approved Resolution 11-10, Year-end Budget Amendments for Fiscal-Year 2010-2011.
2. Approved Resolution 11-11, Fee Schedule for Fiscal-Year 2011-2012.
3. Approved Resolution 11-12, Outdoor liquor sales for the Brighton Bar & Grill for sidewalk café operations.
4. Appointed Darrin Phillips to the SELCRA Board
5. Reappointed Al Wirth and Robert Palowski to the Planning Commission
6. Reappointed Scott Griffith, Greg Strouse and Lisa Nelson to the DDA Board.
7. Approved Resolution 11-13, Declaring July as National Parks and Recreation month.
8. Approved the September 11th Memorial Civic Event.

It was moved by Councilmember Pipoly, seconded by Bohn to approve the Action Agenda as amended. Delete item #21, SELCRA Bylaws, item #28, Opinion Letter Closed Session and #29, Opinion Letter Closed Session. Motion passed 7-0.

TG FLUID SYSTEMS IFT APPLICATION

Mayor Bandkau opened the Public Hearing for the TG Fluid Systems IFT seven-year tax abatement on personal property at 7:44 p.m. Hearing no comment, the Public Hearing was closed.

It was moved by Councilmember Muzzin, seconded by Pipoly to approve Resolution 11-14, TG Fluid's IFT application for personal property in the amount of \$3,972,950 at a 50% tax rate for seven (7) years. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. Motion passed 7-0.

MARIHUANA ORDINANCE FIRST READING

City Attorney, Paul Burns briefed the Council on the proposed Marihuana Ordinance.

It was moved by Councilmember Muzzin, seconded by Schillinger to approve First Reading of the proposed Ordinance to amend Chapter 98, Article 1, Section 98-3 of the City Code of Ordinances for "Home occupation

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and adding new definitions for “Home Occupation”, “Marihuana”, Marihuana Dispensary or Dispensary”, “Marihuana Collective or Cooperative” and “Medical Use of Marihuana. Motion passed 7-0.

SELCRA BUDGET AMENDMENT

It was moved by Councilmember Cooper, seconded by Roblee to amend the 2011-12 City budget allocation to SELCRA to fund it at 90%. A roll call vote was taken. Yes: Cooper, Muzzin, Pipoly, Roblee. No: Bandkau, Bohn, Schillinger. Motion passed 4-3.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster stated Acting Planning & Zoning Director, Amy Cyphert received the Edward H. Potthoff Scholarship in Local Government Administration award.

Councilmember Muzzin gave a Brighton Area Fire Authority update.

Councilmember Cooper gave a Zoning Board of Appeals update.

Councilmember Roblee gave a Brighton Arts and Culture update stating new sculptures will be coming this summer.

Mayor Pro-Tem Bohn stated resident Juliet Riley has worked on the islands on Spencer Road.

CALL TO THE PUBLIC

Mayor Bandkau gave a Call to the Public at 8:35 p.m. Hearing no comment, the Call to the Public was closed.

OPINION LETTER CLOSED SESSION

It was moved by Muzzin, seconded by Cooper to go into Closed Session to receive written attorney-client privilege opinion. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 8:40 p.m.

The Council reconvened the Regular meeting at 9:08 p.m.

COLLECTIVE BARGAINING NEGOTIATIONS UPDATE CLOSED SESSION

It was moved by Roblee, seconded by Schillinger to go into Closed Session to receive an update regarding pending collective bargaining negotiations. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:10 p.m.

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The Council reconvened the Regular meeting at 9:50 p.m.

COLLECTIVE BARGINING

It was moved by Councilmember Cooper, seconded by Pipoly to direct the City Labor Attorney to approve the tentative agreement dated June 10, 2011 between the Teamsters Clerical Collective Bargaining Unit and the City of Brighton with the Clerical Collective Bargaining Unit and the Non-Union Admin paying 5% of their compensation towards the MERS pension. Motion passed 7-0.

ADJOURNMENT

It was moved by Councilmember Cooper, seconded by Pipoly to adjourn the meeting at 9:51 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Ricci Bandkau, Mayor