

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JANUARY 20, 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, Cooper, Roblee and Pipoly. Also in attendance were Attorney Paul Burns and Brad Maynes, Special Legal Counsel Mike Wasburg and Staff members Dana Foster, Diana Lowe, Matt Schindewolf, Jennifer Piasecki, Tom Wightman, Matt Modrack, Amy Cyphert and an audience of 21.

MINUTES APPROVAL

It was moved by Councilmember Muzzin, seconded by Cooper to approve the Regular Meeting minutes of January 6, 2010 as presented. Motion passed 7-0.

It was moved by Councilmember Roblee, seconded by Cooper to approve the Closed Session minutes of January 6, 2010 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Bandkau gave a Call to the Public at 7:33p.m. The following comments were heard:

Jim Vichich, 11555 Buno Road, Historical Society, stated the CoBACH center is having an Ice Harvesting Exhibit regarding the tools and techniques of ice harvesting. This event will be from January 22, 2011 through February 27, 2011. He handed out a brochure regarding the event.

Dennis Nauss, East St. Paul Street, stated he has had some meetings with the Mayor and John Tunis regarding the Veteran's Memorial at the Millpond. He stated improvements will be made to the memorial with donations and should be ready by Memorial Day. He stated that the parking that is occurring near the Italian restaurant is a hazard next to the railroad track.

Kenneth Birchfield, Attorney for Mitsuba, stated he is here to show an interest to get the tax abatement matter resolved. David Stevens, Head of the Mitsuba Corporation and Christopher Wylie, Mitsuba Accountant are also present.

Susan Walters-Steinacker, stated over \$44,000 has been spent at Paul Burns' office to have the Bonner properties demolished. She stated Northfield Township has hired Dennis Gabrian as their Labor Attorney.

Dick Price, American Legion, thanked all of the people involved in fixing the Veteran's Memorial and asked that it be left at the current location.

Hearing no further comment, the Call to the Public was closed at 7:50.

CITIZEN INQUIRIES

Mayor Bandkau read the following Citizen Inquiries: Susan Walters-Steinacker asked who requested that there be a confidentiality agreement for the Bonner home at 131 E. North St. Please state the name or names.

Lisa, 1010 Peachwood Court, I am appalled by two current stores in downtown Brighton. The first one is the "plant growing" store and the "smoking pipe" store.

John Tunis, the meeting with Dennis Nauss and Mayor Bandkau regarding the War Memorial was productive. Piet Lindhout stated the memorial is in disrepair and needs to be taken down and rebuilt. He suggested a different location for the Memorial.

AGENDA APPROVAL

It was moved by Councilmember Pipoly, seconded by Cooper to approve the Consent Agenda as amended. Add item #8a, Medical Marihuana Ordinance First Reading. Move from Consent Agenda to Action Agenda item #8, DDA Board Appointments. Motion passed 7-0.

The following item was approved:

1. First Reading of an Ordinance adding Article XI, Medical Marihuana moratorium.

It was moved by Councilmember Cooper, seconded by Roblee to approve the Consent Agenda as amended. Move to Action Agenda from Consent Agenda item #8, DDA Board Appointments. Reverse item #17, Written Attorney/Client privilege Closed Session and item #18, Pending Litigation Closed Session. Add item #9a, The Pound Redevelopment Liquor License. Motion passed 7-0.

DDA REAPPOINTMENTS

It was moved by Councilmember Roblee, seconded by Cooper to approve the following reappointments to the DDA Board: Shawn Pipoly, Linda Botka, Tim Corrigan and Dave Beauchamp. Councilmember Muzzin abstained. Motion passed 6-0-1.

VETERAN'S MEMORIAL AT THE MILL POND PARK

Department of Public Services Director, Matt Schindewolf stated ideas came from Rolling Thunder, Dick Price and the DPS office for the renovation of the Veteran's Memorial.

Architect Piet Lindhout stated in 1988 the City of Brighton developed a Downtown Master Plan with streetscape concepts, which included the Veteran's Memorial. He described the renovation of the Memorial, materials, various locations and costs.

Dick Price, American Legion 235 in Brighton, would like to see the Memorial left where it is and have the plaque cleaned.

Dennis Nauss stated the temporary fix is much more achievable at this time. Scheme D would be much better in the end and the money could be raised in our community. The Veteran's Memorial should be left as a Veteran's only memorial.

Department of Public Services Director, Matt Schindewolf stated he will work with the Veterans and have the plaque cleaned and looking much better by Memorial Day and we can work with the veterans as to what the Memorial should look like in the future.

It was moved by Councilmember Schillinger, seconded by Cooper to direct Matt Schindewolf to work with the respective parties to have the Veteran's Memorial renovated, communicate feedback to Council periodically and have it up and running for the upcoming holidays. Motion passed 7-0.

It was moved by Mayor Pro-Tem Bohn, seconded by Muzzin to amend our current year adopted goals to include the Veteran's Memorial Project. Motion passed 7-0.

THE POUND REDEVELOPMENT LIQUOR LICENSE

It was moved by Mayor Pro-Tem Bohn, seconded by Schillinger to approve Resolution 11-1, 139 Main, LLC, d/b/a The Pound Bar and Grill, for a new Class C liquor license under MCLA 436.1521a(1)(b), SDM License, Sunday Sales Permit, Additional Bar Permit, Outdoor Service Permit, Entertainment Permit, Dance Permit and Official Permit, to be located at 139 W. Main Street, Brighton, Livingston County, Michigan. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Bandkau, Muzzin, Roblee, Pipoly. No: none. Motion passed 7-0.

PARKING AT THE CSX RAILROAD PROPERTY

City Manager, Dana Foster briefed the Council on the off-street parking and other possible uses of properties near and possible on the CSX Railroad property in the downtown area.

Attorney Paul Burns suggested he meet with Dana Foster and Jim Rowell to sort out the private and public issues regarding the off-street parking on the CSX Railroad property.

It was moved by Councilmember Roblee, seconded by Muzzin unless City staff finds a problem with current conditions at the CSX Railroad property, including safety related problems, City Staff does not need to spend any more time on this matter.

Councilmember Bohn referenced a memo from Dana Foster dated January 12, 2011 to City Council, page 2, #2, regarding unauthorized/unapproved off-street parking on unimproved surfaces occurring on CSX properties without site plan approval.

Motion failed 3-4, with Councilmembers Bandkau, Bohn, Cooper and Schillinger voting “no”.

It was moved by Councilmember Cooper, seconded by Bohn to direct the City Attorney to investigate the implications of use along the CSX Railroad boundary lines as pointed out by the City Manager in a memo dated January 12, 2011. Motion passed 4-3 with Councilmembers Muzzin, Roblee and Pipoly voting “no”.

QUARTERLY GENERAL FUND FINANCIAL FORECAST

City Manager, Dana Foster gave a PowerPoint presentation regarding possible expenditure and service reduction proposals for FY 11-12 and beyond. He discussed the General Fund Forecast Summary Spreadsheet, revenue, expenditures, funds available, ending unreserved Fund Balance.

GOALS TRACKING AND REPORTING SYSTEM

Human Resource Director, Jennifer Piasecki discussed the Goals Tracking and Reporting System stating there are 110 adopted goals and the motion regarding the Veteran’s Memorial will be added. She stated each goal is assigned to a department and the goals are divided by the 8 Assets.

WORLD CAFÉ FORUM

Councilmember Roblee stated the Visioning committee is having a meeting on how all of the suggestions are to be separated. The Visioning Session more than exceeded her expectations.

Councilmember Pipoly stated the information received at the Visioning Session was overwhelming.

City Manager, Dana Foster thanked Councilmembers Roblee and Pipoly and all others that contributed to the meeting.

CITY CUSTOMER INFORMATION

Councilmember Muzzin gave a Brighton Area Fire Authority update stating the election of officers occurred and all were reappointed. He expressed condolences to the family of Bill Gage.

Councilmember Cooper stated SELCRA met and is moving in a direction to add more value to participants. He referenced an article in the Press & Argus regarding Scott Tait taking command of the Aegis destroyer ship.

Councilmember Pipoly stated the DDA reelected their officers and are the same as before. He commended Councilmember Roblee for the recent Visioning Session.

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CALL TO THE PUBLIC

Mayor Bandkau gave a Call to the Public at 10:09 p.m. Hearing no comment, the Call to the Public was closed.

PENDING LITIGATION CLOSED SESSION

It was moved by Pipoly, seconded by Muzzin to go into Closed Session to discuss pending litigation pursuant to MCL 15.268(c) at 9:33 p.m. A roll call vote was taken. Yes: Schillinger, Cooper, Bandkau, Muzzin, Bohn, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 10:14 p.m.

The Council reconvened the Regular Session at 11:20 p.m.

WRITTEN ATTORNEY-CLIENT PRIVILEGE COMMUNICATION CLOSED SESSION

It was moved by Councilmember Cooper, seconded by Pipoly to conduct the Written Attorney-client privilege communication Closed Session at the next Council meeting. Motion passed 7-0.

ADJOURNMENT

It was moved by Councilmember Muzzin, seconded by Roblee to adjourn the meeting at 11:21 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Ricci Bandkau, Mayor