

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON DECEMBER 1, 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 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 Attorney Paul Burns and Brad Maynes, Special Legal Counsel Dennis Gabrian and Staff members Dana Foster, Jennifer Burke, Diana Lowe, Amy Cyphert, Matt Schindewolf, Tom Wightman, Kelly Hanna, Matt Modrack and an audience of 7. Press and Media included Tom Tolen from WHMI and Nicole Krawcke from The Patch.

**MINUTES APPROVAL**

It was moved by Roblee, seconded by Bandkau to approve the Regular Meeting minutes of November 17, 2011 as corrected. City Customer Information, third paragraph should read: Mr. David Somerville, Commander of VFW Post 4357 and Mr. Ken Frasheski, Commander of American Legion Post 235. Abstain: Pipoly. Motion passed 6-0-1.

It was moved by Councilmember Bandkau, seconded by Pipoly to table the Closed Session Meeting minutes of November 17, 2011. Motion passed 7-0.

It was moved by Councilmember Pipoly, seconded by Bandkau to approve the Biennial Election Meeting minutes of November 14, 2011 as presented. Motion passed 7-0.

**CITIZEN INQUIRIES**

None.

**AGENDA APPROVAL**

It was moved by Councilmember Schillinger, seconded by Pipoly to approve the Agenda as amended. Delete item #12, PSD Extension, item #14, SELCRA Bylaws and item #19, Code Enforcement Closed Session. Move from Action Agenda to Consent Agenda item #13, Worksession dates. Add item #19a, Attorney/ client privileged written communications Closed Session; item #19b, Special Meeting; item #19c, SELCRA Articles; #19d, Pending Litigation Closed Session; item #19e, Pending Collective Bargaining Closed Session and item #19f, Action on Pending Collective Bargaining. Motion passed 7-0.

### **EAGLE SCOUT PROCLAMATION**

Mayor Muzzin read and presented an Eagle Scout Proclamation to Oliver Nelsen.

Oliver Nelsen stated his Eagle Scout project was at Howell Conference and Nature Center where he added a steel lid to the top of the donation receptacle, added a road gate, added a locking farm gate and landscaping.

### **CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:41 p.m. Hearing no comment, the Call to the Public was closed.

### **CONSENT AGENDA APPROVAL**

It was moved by Councilmember Pipoly, seconded by Schillinger to approve the Consent Agenda as amended. Move to Consent Agenda from Action Agenda item #13, City Council Worksession dates. Motion passed 7-0.

The following items were approved on the Consent Agenda

1. Accepted the proposal from ADP to provide the City payroll, HR and Flexible spending account services effective 1/1/2012.
2. Accepted the proposal from BS&A Software for a Financial Management Solution package and an upgrade to the BS&A Tax, Assessing, Building and Dog License Program.
3. Appointed the following Councilmembers to the following Boards and Commissions: SELCRA ó Cooper, SEMCOG ó Cooper, City Council Budget & Finance Subcommittee - Bohn & Cooper, Livingston Regional Subcommittee - Cooper & Bandkau, Planning Commission ó Schillinger, Zoning Board of Appeals ó Cooper, Traffic Safety Advisory Board ó Bohn, DDA ó Muzzin & Pipoly, City/Township Advisory Committee ó Muzzin, Brighton Area Fire Board - Muzzin & Schillinger, EDC of Brighton ó Roblee, Arts & Culture Advisory Commission ó Roblee, PSD Board ó Roblee, DDA Citizen Advisory Council ó Roblee, Environmental Control Facility Operation Board ó Muzzin, Brownfield Redevelopment Authority ó Muzzin and Veteranø Memorial ó Bandkau.
4. Established January 26, 2012 and February 23, 2012 at 6:30 p.m. for the worksessions relating to Council adopted goals.

### **BENCHMARKING CONSORTIUM PROJECT**

City Manager, Dana Foster updated the City Council on the benchmarking consortium project that the City of Brighton has been participating in and stated the data should be available for the upcoming budget process.

### **CITY CUSTOMER INFORMATION**

Department of Public Services Director, Matt Schindewolf stated the unlimited leaf collection process has ended and leaves were vacuumed today. Christmas tree pick up will occur in January and 8,000-yard waste bags were given out this year.

City Manager, Dana Foster stated he will be conducting four Focus Group meetings regarding the Public Improvement needs input, which may lead up to a City Council decision on a proposed bond issue in 2012 and he will be sending out letters for this focus group.

Councilmember Roblee stated there would be an Informational meeting on December 8, 2011 at 7:00 p.m. at the Brighton Community Center regarding the Millpond Master Plan.

Councilmember Pipoly discussed his reappointment to the DDA board.

Mayor Muzzin stated the Holiday Glow had a fantastic turnout and he presented Santa with a key to the City. He stated Elias Realty will be having an upcoming fundraiser.

### **CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 8:10 p.m. Hearing none the Call to the Public was closed.

### **WRITTEN ATTORNEY/CLIENT PRIVILEGE OPINION LETTERS**

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to go into Closed Session to discuss attorney/client privileged written communication pursuant to MCL 15.268(h). 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 8:14 p.m.

The Council reconvened the Regular Session at 8:48 p.m.

### **SPECIAL MEETING DATE**

It was moved by Councilmember Bohn, seconded by Pipoly that the City Council set a Special Meeting of the City Council and the Brighton Arts and Culture Commission for December 8, 2011 at 7:00 p.m. for the conceptual Plan for the Millpond, with no end time at the Brighton Community Center. Motion passed 7-0.

### **SELCRA BY-LAWS**

It was moved by Councilmember Cooper, seconded by Roblee to approve the amended SELCRA By-Laws as presented by the City Attorney's office. Motion passed 7-0.

**PENDING LITIGATION CLOSED SESSION**

It was moved by Councilmember Cooper, seconded by Pipoly to go into Closed Session to Closed Session regarding pending litigation, pursuant to MCL 15.268(e) at 8:52 p.m. A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 8:52 p.m.

The Council reconvened the Regular Session at 9:10 p.m.

**PENDING COLLECTIVE BARGAINING NEGOTIATIONS CLOSED SESSION**

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to go into Closed Session to receive written Attorney/Client privilege information from the City Labor Attorney pursuant to MCL 15.268(c). A roll call vote was taken. Yes: Schillinger, Cooper, Bohn, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:13 p.m.

The Council reconvened the Regular Session at 9:22 p.m.

It was moved by Councilmember Bandkau, seconded by Cooper to approve the DPS Collective Bargaining Agreement as recommended by the City's Labor Attorney. Motion passed 7-0.

**ADJOURNMENT**

It was moved by Councilmember Pipoly, seconded by Cooper to adjourn the meeting at 9:24 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor