

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
July 17, 2014

Regular Blue Sky: 7:00 p.m.: Review of Agenda Items for this evening's meeting

REGULAR SESSION - 7:30 P.M.

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Consider approval of the Agenda
5. Approval of [minutes: Regular Meeting of June 19, 2014](#)
6. Call to the Public

Consent Agenda

7. Consider approval of the Mayor's recommended appointment to the Brighton Arts & Culture Commission
8. Consider approval of staff-recommended [Resolution of Support for Ballot Proposal #1 for the August 5th Election](#)
9. Consider approval of a civic event application for the MPG Run
10. Consider approval of a [civic event application for the Brighton Area Fire Department 9/11 5K Memorial Run/Walk Civic Event](#)

Policy Development & Customer Communications' action item

11. Receive presentation from the Livingston County EDC-SPARK staff regarding a proposal for the City of Brighton to become a satellite Smart Zone as part of the City of Ann Arbor's Smart Zone (no action requested)
12. Consider action or actions as may be recommended by the City Attorneys and City staff regarding pending non-compliance with approved site plan requirements and various other regulatory requirements by the Springhill residential development

Other Business

13. Information for City Customers
 - a. Report from the City Manager on responses to Citizens Inquiries to City Council received since the last Council Meeting
 - b. Progress updates from the City Manager on City Council-adopted goals
14. Receive updates from Council Member Liaisons to other Boards and Commissions
15. Call to the Public
16. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JUNE 19, 2014 AT THE BRIGHTON CITY HALL
200 N. 1ST STREET, BRIGHTON, MICHIGAN

BLUE SKY SESSION

The Council conducted an Early Blue Sky Session at 7:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Tobbe, Bohn and Cooper. 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. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Tobbe, Cooper and Bohn. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Kelly Hanna, Diana Lowe, Amy Cyphert, Dave Blackmar, Tom Wightman and an audience of 8. Press and Media included Tom Tolen from WHMI.

It was moved by Councilmember Cooper, seconded by Pipoly to excuse Councilmember Willis from the evening's meeting. Motion passed
6-0-1.

AGENDA APPROVAL

It was moved by Councilmember Cooper seconded by Tobbe to approve the agenda as amended. Move from Consent Agenda to Action Agenda item #9, Year End Budget Amendment. Delete item #12, Mill Pond Manor PILOT. Motion passed 6-0-1.

MINUTE APPROVAL

It was moved by Councilmember Tobbe, seconded by Bandkau to approve the Regular Meeting minutes of June 5, 2014 as presented. Motion passed 6-0-1.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:32 p.m. Hearing no comment, the Call to the Public was closed.

CONSENT AGENDA

It was moved by Councilmember Tobbe, seconded by Cooper to approve the Consent Agenda as presented. A roll call vote was taken. Yes: Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. No: none. Absent: Willis. Motion passed 6-0-1. The following items were approved:

1. Approved the site plan amendment approval for Summit Pointe Commercial Center and Paramount Industrial Park Amended Development Plan as depicted on the plans prepared by Desine, Inc, sheets 1-5, project #8597, last dated 5/30/14.

2. Approved the conditional site plan for the Eberspacher Expansion #14-001 as depicted on plans prepared by Desine, Inc. project no. 9132170, sheets SP, EX, GR1, GR2, UT1, UT2, EA, WS, SE, LA, DT1, DT2 and DT, 3 last dated 6-11-14 and plans prepared by Visual, drawing No. #14-26551-V1, dated 5-23-14 and plans prepared by Lindhout Associates Architects AIA PC, project #1426, last dated 6-12-14, sheets A1.0, A2.0, A4.0 subject to the following:
 1. That the applicant must address any outstanding Fire Code requirements with the Fire Department during the construction review.
 2. That the applicant must address any outstanding City Engineer requirements during the construction review.
 3. That right of way permits are obtained from the Department of Public Services for work within the right of way.
 4. That easement documents be filed with Livingston County once completed.
 5. Approval of the building height adjustment from 35 feet to 40' because the RM PUD requirements have been met.
 6. That the developer agrees to give the existing trees/landscaping to the City for City use.
3. Approved Resolution 14-13, Fee Schedule for Fiscal Year 13-14.
4. Appointed Brenda Ochodnicky to the Brighton Arts & Culture Commission.

YEAR END BUDGET AMENDMENT FOR FISCAL YEAR 13-14

City Manager, Dana Foster briefed the Council on the year-end Budget Amendment for Fiscal Year 13-14. He discussed the winter related cost increases that were unplanned but needed due to harsh weather conditions.

Finance Director, Kelly Hanna discussed the recommended year-end Budget Amendment for Fiscal Year 13-14.

It was moved by Councilmember Tobbe, seconded by Bandkau to approve Resolution 14-14, Year-End Budget Amendment for Fiscal Year 13-14. A roll call vote was taken. Yes: Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. No: none. Absent: Willis. Motion passed 6-0-1.

SELCRA PRESENTATION

Derek Smith, SELCRA Executive Director, gave a synopsis of the Authority's past year activities. He highlighted Genoa Township participating as a member, strategic planning, participation, volunteers, annual revenue, becoming president of the Michigan Recreation and Park Association, PRPA New Professional Award, grant recipient, Meijer Park, information technology, new programs; Daddy Daughter Dance, future projections, funding, activities, Adventure Day at the Mill Pond, budget, expenditures and the Meijer Skate Park status.

City Council thanked Derek Smith for his presentation and update.

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CITY CUSTOMER INFORMATION

City Manager, Dana Foster discussed a request from former Mayor, David Gregory's daughter to name a street after him in the City of Brighton. He stated Staff is working on concerns regarding zoning and nuisance related matters.

Mayor Muzzin discussed the Gregory family's request and a possible street renaming or recognition.

Mayor Pro-Tem Pipoly gave a DDA update regarding parking.

Councilmember Bandkau gave a Veteran's Memorial update regarding paver requests. She thanked the Garden Club for their work on the flowers at the Memorial.

Councilmember Tobbe gave a Brighton Arts & Culture update regarding the sculpture garden.

Mayor Muzzin gave a Brighton Area Fire Authority update and discussed the Brighton Area Chamber of Commerce Award Ceremony.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 8:50 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Mayor Pro-Tem Pipoly, seconded by Tobbe to adjourn the meeting at 8:50 p.m. Motion passed 6-0-1.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

RESOLUTION 14-15

Adopted July 17, 2014

SUPPORTING PROPOSAL 1 ON THE AUGUST 5, 2014 BALLOT

At a regular meeting of the Brighton City Council held in the Brighton City Council Chambers, on the 17th day of July, 2014.

PRESENT:

ABSENT:

The following resolution was offered by [NAME] and seconded by [NAME]:

WHEREAS, local governments in Michigan have struggled with unstable funding needed to provide services; and

WHEREAS, Michigan businesses have struggled with an uncompetitive tax on business; and

WHEREAS, small businesses and manufacturers power our economy and are the largest contributor to job growth in Michigan; and

WHEREAS, no other state in our region taxes business equipment the way Michigan does – and most of those states don't tax it at all, which makes Michigan significantly less competitive when it comes to job creation and business investment; and

WHEREAS, Michigan communities have struggled for years to pay for essential services like police, fire, ambulances, schools and jails; and

WHEREAS, Michigan communities have relied on this shrinking source of Personal Property Tax revenue to provide other community services as well, including roads, transportation and libraries; and

WHEREAS, with bipartisan support the Michigan Legislature has voted to reform the antiquated personal property tax to help increase Michigan's competitiveness with other states and remove an onerous tax that will allow more business investment and create more jobs while providing a stable revenue source for local communities; and

WHEREAS, this is not a constitutional amendment but the state constitution requires Michigan voters to approve certain changes in local taxes; and

WHEREAS, local governments have struggled with unstable funding needed to provide services and business have struggled with an uncompetitive tax on equipment for years; and

WHEREAS, Proposal 1 on the August 5, 2014 ballot, will make Michigan more competitive, which will help local communities to attract more businesses and talent and create local jobs; and

WHEREAS, Proposal 1 is supported by the Michigan Municipal League, the Michigan Townships Association, Michigan Association of Chiefs of Police, Michigan Association of Police Organizations, Michigan Community College Association, Michigan Farm Bureau, the Small Business Association of Michigan, Michigan Sheriffs Association, Michigan Chamber of Commerce, National Association of Independent Businesses and the Michigan Manufacturers Association, among others; and

NOW, THEREFORE, BE IT RESOLVED, the Brighton City Council hereby expresses its strong support for Proposal 1 to eliminate the unfair double tax and strengthen our communities. We urge our residents to vote YES on Proposal 1 on the August 5, 2014, ballot.

July 17, 2014

Diana Lowe, City Clerk

POLICY REPORT
DEPARTMENT OF PUBLIC WORKS
9/11 BAFD Memorial 5K Run/Walk Civic Event

Prepared by:

Patty Thomas
Asst. DPW Director

Reviewed by:

Dana W. Foster
City Manager

ISSUE: To consider approval of BAFD Memorial 5K Run/Walk Civic Event

STAFF RECOMMENDATION: The City of Brighton Civic Event Staff Review Committee recommends approval of the 9/11 BAFD Memorial 5K Run/Walk submitted by the Brighton Area Fire Department.

BACKGROUND: The City of Brighton Civic Event Staff Review Committee has reviewed the application and recommends approval.

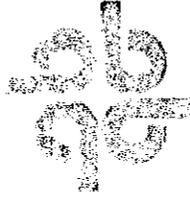
This is the third year for this event and is held in conjunction with the Smokin' Jazz & BBQ Blues Festival. The only City staff needed for this event will be a police officer to assist runners and walkers across Main Street at 7th Street, from 8 am to approximately 8:45 am. This can be staffed by an officer who is already on duty to assist with the Smokin' Jazz & BBQ Blues Festival.

BUDGET IMPACT: There will be no additional budget impact for this event as no DPW assistance is needed and police assistance will be provided by an on-duty officer.

RELATIONSHIP TO 2013/2014 GOALS: Continued allowance of various Civic Events under managed conditions to promote the Downtown City of Brighton area.

COUNCIL ACTION: Approval of the 9/11 BAFD Memorial 5K Run/Walk as recommended by the Brighton Civic Event Staff Review Committee.

ATTACHMENTS: Civic Event Application



Civic Event Application

City of Brighton

200 N. 1st Street
Brighton, Michigan 48116
(810) 227-1911

OFFICE USE ONLY
6-23-14
Date Received
<i>(Signature)</i>
By

**** APPLICATIONS MUST BE FILLED OUT COMPLETELY BEFORE THEY WILL BE CONSIDERED FOR REVIEW ****

06-18-14	Brighton Area Fire Authority	Michael O'Brian	
Application Date	Name of Organization	Name of Applicant	
615 W. Grand River Avenue	Brighton	MI	48116
Street Address	City	State	Zip
810-459-0116	810-229-6640	810-229-1619	
Cell Phone	Home Phone	Work Phone	Fax
Email Address <u>mobrian@brightonareafire.com</u>			

9/11 Memorial 5K Run/Walk

Event Title

Downtown Brighton to Fire Station 31

Event Location

EVENT DAYS / TIMES (Please stipulate the following information for each date of event)

DATE	Day of Week	Beginning Time	Ending Time
9/6/14	Saturday	8:00 a.m.	11:00 a.m.
_____	_____	_____	_____
_____	_____	_____	_____

9/6/14- 7:30 a.m.	9/6/14 - 12:00 noon	None
Set up Time/Day	Tear down Time / Day*	Rain Date (if applicable)

* Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the teardown of all materials with their on-site vendors, sponsors, etc. is complete by the teardown time given above.

ORGANIZATION / APPLICANT INFORMATION

Applications for Civic Events in the City of Brighton shall NOT be approved for applicants in default to the City. Therefore, each Application for Civic Events shall be routed to the Finance Department for a determination of any defaults to the City. In the event a default to the City exists, the Application shall be disapproved by the Finance Department, with the nature of the default described as the reason of the disapproval.

TAX IDENTIFICATION NUMBER: 38-3538846

BRIEF DESCRIPTION OF ORGANIZATION'S PURPOSE AND/OR FUNCTION:

The Brighton Area Fire Authority is the premier fire organization in the area and provides

fire and rescue services.

IS THE ORGANIZATION NON-PROFIT? YES NO
If yes, attach a copy of the organizations Sales Tax Exempt Certificate.

DOES YOUR GROUP PRESENTLY HAVE LIABILITY INSURANCE? YES NO

GENERAL LIABILITY INSURANCE IS REQUIRED NAMING THE CITY OF BRIGHTON AS ADDITIONAL INSURED. IF FOOD IS BEING SERVED, PRODUCT LIABILITY MUST BE INCLUDED. LIMITS OF LIABILITY SHOULD BE NO LESS THAN \$1,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE.

PLEASE GIVE A DESCRIPTION OF THE PROPOSED CIVIC EVENT. (Attach additional pages if necessary)

This is a 5K Run/Walk which will begin in Downtown Brighton at Main & S. West Street and finish at Station 31. The event will raise funds for our 9/11 memorial.

ANNUAL EVENT: Is this event expected to occur next year? YES NO

If Yes, you can reserve a date for next year with this application). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July): 1st Saturday of September
or
Next year's specific date(s): unknown

PROCEEDS OF THIS EVENT WILL BE USED FOR:

Proceeds will be used to fund the the 9/11 memorial project at Station 31.

IF THE PROPOSED CIVIC EVENT IS A PARADE OR RUN/WALK EVENT, PLEASE LIST THE POINT OF ORIGIN, PATH, TERMINATION POINT, NUMBER OF ENTRIES AND TRAFFIC CONTROL PLAN AS NECESSARY. (Use attached map to clarify the route)

See attached map

ARE YOU PLANNING TO CHARGE AN ADMISSION FEE?

YES NO

IF YES, WHAT KIND AND HOW MUCH?

For runners/walkers

DO YOU PLAN ON UTILIZING VENDORS AND/OR EXHIBITORS FOR SALES OF ANY KIND?

YES NO

IF YES, COMPLETELY FILL OUT THE ATTACHED VENDOR CONTACT INFORMATION SHEET(S).

WHAT IS THE FEE CHARGED FOR EACH VENDOR? _____

DO YOU PLAN TO CONTRIBUTE REVENUES RECEIVED FROM THIS EVENT TO LOCAL ORGANIZATIONS AND/OR COMMUNITY GROUPS? YES NO

IF YES, TO WHOM AND HOW MUCH?

Brighton Area Fire Authority - 100%

WHAT IS THE EXPECTED ATTENDANCE FOR THIS EVENT?

200-300

DO YOU PLAN ON SUPPLYING ADDITIONAL RESTROOM FACILITIES? YES NO

NUMBER OF VOLUNTEERS / STAFF? 40

HOW WILL THIS EVENT BENEFIT THE RESIDENTS AND/OR IMPROVE THE QUALITY OF LIFE IN THE CITY OF BRIGHTON?

Promote ongoing Jazz Blues Festival while promoting a stronger community.

ELECTRICAL SERVICES REQUIRED (Please Be as Accurate as Possible)

110v outlet at starting location at Main at Grand River Avenue

OTHER UTILITIES REQUIRED (Please Be as Accurate as Possible)

CITY FACILITIES REQUESTED (Please Be as Accurate as Possible)

DO YOU PLAN TO UTILIZE OFF-SITE PARKING FACILITIES YES NO

IF SO, WHAT LOCATION IS PLANNED? Downtown

WHAT IS YOUR PLAN FOR TRANSPORTATION FROM THE PARKING AREA TO THE EVENT LOCATION?

SIGNAGE REQUESTED (Detail sign locations on the attached map and provide sign renderings)

Number of Signs Route signs - 15

Types of Signs Lawn signs

Locations of Signs At various turns

Date Signs Posted Day of event

Date Signs Removed Day of event

PLEASE ATTACH LIST OF EQUIPMENT; STAGE, TENTS, VEHICLES, ETC., THAT YOU PROPOSE TO USE IN THE EVENT OR BRING ONTO CITY PROPERTY, STREETS OR PARK AREAS - (ALL SUBJECT TO APPROVAL).

STREET CLOSURE

ARE YOU REQUESTING A STREET CLOSURE FOR YOUR EVENT? YES NO
If yes, detail the street(s) you would like closed, and the location of the closure(s) on the attached map.

ALCOHOL

DO YOU WANT TO SELL AND/OR SERVE ALCOHOL? YES NO

IF YES, PLEASE SEE THE ATTACHED SHEET TITLED "ALCOHOL" AND FILL IN THE QUESTIONS COMPLETELY AND IN DETAIL.

SECURITY

If the event requires the overnight setup or storage of goods, equipment, etc. security is the responsibility of the event applicant.

IF YOUR EVENT REQUIRES OVERNIGHT SECURITY, PLEASE PROVIDE THE FOLLOWING DETAILS OF YOUR SECURITY PLAN:

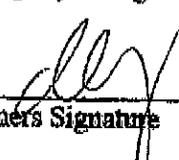
ON SITE REPRESENTATIVES NAMES AND CONTACT NUMBRS:

<u>Name</u>	<u>Contact number</u>
_____	_____
_____	_____
_____	_____

OWNER(S) AFFIDAVIT *

I, Michael O'Brian, have authorized Michael O'Brian as My
(company or organization owner) (Civic Event Applicant)

Representative for the purpose of obtaining a Civic Event permit(s) from the City of Brighton Public
Services Department for my organization located at Brighton Area Fire Authority
(company or organization address)



Owners Signature

6-23-14

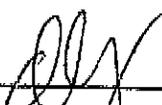
Date

INDEMNIFICATION AGREEMENT

The Brighton Area Fire Authority agree(s) to defend, indemnify, and hold harmless the City of
(business/organization)

Brighton, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage that may be asserted, claimed or recovered against or from the Brighton Area Fire Authority and/or the City of
(business/organization)

Brighton, by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Brighton or by third parties, or by the agents, servants, employees or factors of any of them.

Signature  Date 6/23/14

Witness Claudette Monner Date 6-23-14

