

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

BLUE SKY SESSION

The Council conducted an Early Blue Sky Session at 6:30 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Tobbe, Bohn, Cooper and Willis. The Council reviewed pending proposed Principal Shopping District Special Assessment District and 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, Willis, Cooper and Bohn. Also in attendance were Attorney Paul Burns and Brad Maynes, Engineer Gary Markstrom, Staff members Dana Foster, Kelly Hanna, Diana Lowe, Patty Thomas, Amy Cyphert, Tom Wightman, Lauri French, Matt Modrack and an audience of 29. Press and Media included Jim Totten from Livingston County Press & Argus and Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Councilmember Cooper seconded by Tobbe to approve the agenda as presented. Motion passed 7-0.

EAGLE SCOUT AWARD PRESENTATION

Mayor Muzzin read and presented an Eagle Scout award to Bryce Feiler.

Bryce Feiler stated his Eagle Scout project consisted of building an outdoor classroom at Spencer Elementary school.

MINUTE APPROVAL

It was moved by Councilmember Cooper, seconded by Bandkau to approve the Regular Meeting minutes of April 17, 2014 as presented. Motion passed 7-0.

It was moved by Councilmember Cooper, seconded by Willis to approve the Closed Session minutes of April 17, 2014 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:35 p.m.

Mike Muscott, 315 North Street, Masonic Temple, stated they are a charity and do not benefit from the tax increase of the PSD SAD and suggested this is something that should benefit everyone.

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Linda Botka, 323 W. Main Street submitted notices of 26 names opposing the proposed PSD SAD and suggested to look at it differently.

Mack Miller, 307 W. Main Street asked what does he get as a business owner from the PSD SAD?

Rick Starnes, 421 W. Main Street, stated he is opposed to the proposed PSD SAD and that he will pay \$52,000 in taxes in the next four years.

Roy Henkel, 424 W. Main Street, asked why is he forced to pay something he does not want?

Pat Steele, 322 W. Main Street stated she is against the PSD SAD.

Cheryl Mayday, 408 W. Main Street stated she is opposed the proposed PSD SAD.

Theresa, 309 E. Grand River, recently purchased her property and asked the City come up with a different solution than the proposed PSD SAD.

Hearing no further comment, the Call to the Public was closed at 7:52 p.m.

CONSENT AGENDA

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

The following items were approved:

1. Approved the conditional site plan for Hampton Inn #13-014 as depicted on plans prepared by Giffels Webster, project no. 18403.00, sheets SP-01 through SP-16, LA-01, LA-02, last dated 4-16-14 and plans prepared by Gasser Bush Associates, Drawing No. #13-21276-V3, dated 12-18-13 and plans prepared by Victor Saroki & Associates Architects PC, dated 12-30-13 sheets Ground Level Floor Plan, Second Level Floor Plan, Third Level Floor Plan, South Elevation, West and East Elevation, and North Elevation subject to the following:
 1. That this approval includes the approval of changes to the Parker Property mixed use development as shown on Sheet SP-06.
 2. That all signage comply with applicable ordinances or variances are obtained.
 3. That the applicant must address any outstanding Fire Code requirements with the Fire Department during the construction review.
 4. That the applicant must address any outstanding City Engineer requirements during the construction review.
 5. That right of way permits are obtained from the Department of Public Services for work within the right of way.
 6. That any damages done to the existing sidewalks or Homewood Suites parking lot be repaired.
 7. That the easement documents for the public sidewalk and public utilities be filed with Livingston County once completed.

8. That the building materials of the new dumpster enclosure match those of the existing dumpster.
 9. That the new parking lot lighting match the existing parking lot lighting at the Homewood Suites site.
 10. That the type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions be reviewed during the construction plan review.
2. Appointed Steve Pilon and Annette Jacoby to the Principal Shopping District Board.
 3. Authorized partial release of easement and reservation of easement on Charles H. Orndorf Drive to facilitate the expansion of Eberspaecher North America, Inc., subject to City Attorney approval.

PRINCIPAL SHOPPING DISTRICT SPECIAL ASSESSMENT DISTRICT

Mark Binkley, Chairperson of Principal Shopping District, explained the purpose and benefit of the Principal Shopping District.

DDA Director, Matt Modrack gave a presentation of the Estimated Budget of the Principal Shopping District stating most of the expenditures are for advertising. He described the marketing campaigns of Brighton's competitors such as Fenton, Howell, Northville, Plymouth, Ann Arbor, Rochester, Ferndale, Royal Oak, Milford, Novi and the FY 12-13 DDA TIFA Capture By District.

City Attorney, Paul Burns stated objections to the proposed PSD SAD must be in writing.

Mayor Muzzin opened the Public Hearing for creation of the Principal Shopping District Special Assessment District at 8:28 p.m. The following comments were heard:

Rick Starns stated Staff gives a presentation to steer City Council in their direction. He expressed his opposition to the proposed PSD SAD.

Carolyn Henkel, 424 W. Main Street, stated they have been in business for 47 years and expressed her opposition to the proposed PSD SAD and stated parking is lacking in the downtown.

Roy Henkel, 424 W. Main Street, stated Main Street is closed down too often

Kate Lawrence, 306 W. Grand River, property owner for 37 years, stated she is opposed to the proposed PSD SAD.

Thaddeus McGaffey, 323 W. Main Street business owner, supports the PSD SAD.

Dough Steele, 323 W. Main Street property owner, expressed his opposition to the proposed PSD SAD and fund it differently.

Mondi Miller, 207 W. Main Street, asked why should we participate in the PSD again?

Mark Binkley, 105 W. Main Street, expressed his support for the proposed PSD SAD.

Pam McConeghy asked why there were not any Chamber of Commerce events listed for the PSD.

Hearing no further comment, Mayor Muzzin closed the Public Hearing at 8:50 p.m.

DDA Director, Matt Modrack stated the PSD does participate with the Brighton Area Chamber of Commerce.

Finance Director, Kelly Hanna stated 26% of the amount of the assessment has been objected to and 32 objections by parcel have been received.

It was moved by Councilmember Bohn, seconded by Willis to adopt Resolution 14-07, Approving the Principal Shopping District Special Assessment District process, which directs the preparation of final plans, specifications and cost estimates; directs the apportionment of cost and the designation of properties to be assessed; and directs the terms and parameters of the installment payments; and also directs the preparation of the Special Assessment Roll. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Bandkau, Cooper, Tobbe. No: Muzzin. Motion passed 6-1.

CHAPTER 98 ORDINANCE AMENDMENTS PUBLIC HEARING AND SECOND READING

Mayor Muzzin opened the Public Hearing for the proposed amendments to Chapter 98, Article 1. In General, Section 98-3. Definitions and Chapter 98, Article XIII. C3 Districts, Section 98-357. Use Regulations at 9:33 p.m. Hearing no comment, he closed the Public Hearing.

It was moved by Councilmember Cooper, seconded by Pipoly to approve Second Reading and adoption of Ordinance 570, Amendments to Chapter 98, Article I. In General, Section 98-3. Definitions and Chapter 98, Article XIII. C2 Districts, Section 98-357. Use Regulations. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. No: none. Motion passed 7-0.

FISCAL YEAR 14-15 CITY BUDGET

It was moved by Councilmember Bohn, seconded by Bandkau to approve Resolution 14-08, Adopting the City of Brighton's Budget for FY 2014-15, including Exhibit A less \$125,000 for snowplowing equipment and to defer it for one year. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Cooper, Tobbe. No: none Motion passed 7-0.

CITY CUSTOMER INFORMATION

Assistant Department of Public Works Director, Patty Thomas stated the City's Spring Clean-up is May 10, 2014 from 9:00 a.m. to 2:00 p.m. at the Department of Public Services, 420 S. 3rd Street.

City Manager, Dana Foster gave an update on the water main break on Spencer Road, stating the Vactor was damaged by semi-truck during the repair, but is still in service.

Councilmember Cooper gave a Planning Commission update.

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Councilmember Bohn expressed his concerns regarding the severe weather siren controlled by Livingston County.

Mayor Muzzin stated he will speak to the Brighton Area Fire Authority Chief regarding the severe weather siren and he had an opportunity to speak to 2nd graders regarding being the Mayor.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:53 p.m. The following comment was heard:

Carolyn Henkel suggested the PSD go over the budget and see what we need and do not need. She stated they have never bought advertising in the 47 years they have been in business.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 9:55 p.m.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Cooper to adjourn the meeting at 9:55 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor