

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JULY 19, 2012 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 Bohn, Schillinger, Pipoly, Bandkau and Roblee. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:38 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Pipoly, Roblee, Bandkau, Schillinger and Bohn. Also in attendance were Attorney Paul Burns, Special Legal Counsel Pat McGow and Staff members Dana Foster, Diana Lowe, Kelly Hanna, Amy Cyphert, Matt Schindewolf and Tom Wightman an audience of 0. Press and Media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Agenda as amended. Delete item #10, Interlocal Agreement and item #18, Attorney-Client Closed Session. Motion passed 7-0.

MINUTES APPROVAL

It was moved by Councilmember Roblee, seconded by Pipoly to approve the Regular Meeting minutes of June 21, 2012 as presented. Motion passed 6-0-1 with Councilmember Bandkau abstaining.

It was moved by Mayor Pro-Tem Cooper, seconded by Bohn to approve the Closed Session of June 21, 2012 as presented. Motion passed 6-0-1 with Councilmember Bandkau abstaining.

CITIZEN INQUIRIES

None.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:39 p.m. Hearing none, the Call to the Public was closed.

CONSENT AGENDA

It was moved by Councilmember Bandkau, seconded by Bohn to approve the Consent Agenda as presented. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The following items were approved on the Consent Agenda:

1. Conditionally approved the site plan for McDonalds, 8515 W. Grand River #12-008 as depicted on plans prepared by Dorchen/Martin Associates, Inc., job no. 1200020, sheets C1, D1, C4, A1.0, A2.0, A2.1, last dated 6-6-12 subject to the following:
 1. That all signage comply with applicable Ordinances or variances obtained.
 2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
 3. That the plans be revised to meet the correct soil erosion per Tetra Tech's letter dated 6-13-12.
2. Reappointed Dave Petrak, John Wells and Dave McLane to the Planning Commission.
3. Approved Resolution 12-13, to Establish a Receiving Board for all future Elections.

TEMPORARY LAND USES AMENDMENTS PUBLIC HEARING AND SECOND READING

Mayor Muzzin opened the Public Hearing for the proposed Ordinance amendments to Chapter 98, Article XXV, Temporary Land Uses, Section 98-700 at 7:42 p.m. Hearing no comment the Public Hearing was closed.

It was moved by Councilmember Bandkau, seconded by Cooper to approve Second Reading of Ordinance 560, amending Chapter 98, Article XXV. Temporary Land Use, Section 98-700, removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

LIP DISTRICTS AMENDMENTS PUBLIC HEARING AND SECOND READING

Mayor Muzzin opened the Public Hearing for the proposed Ordinance amendments to Chapter 98, Article XXI LIP Districts at 7:44 p.m. Hearing no comment the Public Hearing was closed.

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to approve Second Reading of Ordinance 561, amending Chapter 98, Article XXI LIP Districts, removing the fireworks language from the section to bring our zoning ordinance into conformance with Public Act 256 of 2011.

A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

TEMPORARY LAND USE FOR PRODUCE SALES

Mayor Muzzin opened the Public Hearing for the Temporary Land Use for fresh produce sales at the Ciao Amici restaurant building site at 7:45 p.m. Hearing no comment, the Public Hearing was closed.

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It was moved by Councilmember Roblee, seconded by Pipoly to approve the Temporary Land Use for fresh produce sales at the Ciao Amici restaurant building site. Motion passed 7-0.

POSSIBLE COMMUNITY IMPROVEMENTS BOND ISSUE PROPOSAL

City Manager, Dana Foster discussed the details of Bond Issue Proposal #1, Bond Issue Proposal #2, Option 1 List, Option 2 List, Option 3 List, Option 4 List, Option 5 List. There is several decision points to make: Is there going to be a bond proposal on the November election? If so, what is the dollar amount and what projects does it cover? Do we assume the Personal Property Tax is eliminated? He discussed the 1996 Bond that is expiring.

Pat McGow stated what you have before you is a Resolution of what you want on a bond issue. The first thing to do is to decide what projects you want, the dollar amount will be figured out and the millage rates will be established.

There was City Council discussion regarding the Options presented.

It was moved by Councilmember Pipoly, seconded by Cooper to vote on each item of the core infrastructure projects individually. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. Motion passed 7-0.

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to add the Old Village Cemetery monument restoration to the list of projects. A roll call vote was taken. Yes: Cooper, Muzzin, Roblee. No: Schillinger, Bohn, Bandkau, Pipoly. Motion failed 3-4

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to add Sidewalk Gaps Installation to the list of projects. A roll call vote was taken. Yes: Bandkau, Cooper Muzzin, Pipoly, Roblee. No: Bohn, Schillinger. Motion passed 5-2.

It was moved by Councilmember Roblee, seconded by Pipoly to add Camera Monitoring System Upgrade to the list of projects. A roll call vote was taken. Yes: Bandkau, Cooper, Muzzin, Pipoly, Roblee. No: Bohn, Schillinger. Motion passed 5-2.

It was moved by Councilmember Roblee, seconded by Cooper to establish the millage rate at 1.1233. A roll call vote was taken. Yes: Schillinger, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: Bohn. Motion passed 6-1.

Pat McGow explained the changes to the Resolution, stating the bond proposal will be in the amount of \$5,690,000, sidewalk improvements will be added, Band shell Improvements will be deleted, .4820 mills and 1.1233 mills will be added to Exhibit A and the Schedule of Principal and Interest and Millage Rate Requirements will be attached as Exhibit B.

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to title the bond Community Improvement and Infrastructure Bond Proposal. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

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It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve Resolution 12-14, Ballot proposal language and related recommendations from the City's Bond Counsel for a possible Community Improvements Bond Issue Proposal for the November 2012 Election as amended. A roll call vote was taken. Yes: Schillinger, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: Bohn. Motion passed 6-1.

City Manager, Dana Foster stated he will send out an informational letter to all registered voters in August, invite them to informational meetings, post on the City's website and Facebook and schedule a Viewpoint program with WHMI regarding the Community Improvement and Infrastructure Bond Proposal.

City Manager, Dana Foster thanked Kelly Hanna, Pat McGow, Bendzinski and Company and City Council for their participation in the Bond Proposal information and process.

CITY CUSTOMER INFORMATION

Department of Public Services Director, Matt Schindewolf stated the recent chip and seal street improvements are completed.

City Manager, Dana Foster stated he recently met with the Imagination Station Volunteer group. They are getting ready for a major workday to refresh the layer of fiber chips this Saturday and another in the fall.

Mayor Pro-Tem Cooper gave a Zoning Board of Appeals update regarding the new Aldi's grocery store.

Councilmember Bandkau gave a Veteran's Memorial Committee update stating they are working toward a dedication on Veterans Day. Go to veteransmemorial.com to make a donation.

Councilmember Roblee stated there is a workday at the Imagination Station from 9-12 this Saturday, some tools will be available and reminded volunteers to bring tools if possible. Every other Saturday is a Volunteer day. She gave a Brighton Arts and Culture update regarding the sculpture exhibits and conceptual Millpond Master Plan.

Councilmember Pipoly gave a Downtown Development Authority update regarding 121 W. North Street.

Mayor Muzzin gave a Brighton Area Fire Authority update regarding a Citizens Award given for citizens that help extinguish a house fire and the recent Push In at three of the local Fire Stations, which is done for new trucks.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:20 p.m. Hearing no comment, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Bandkau, seconded by Roblee to adjourn the meeting at 9:20 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor