

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON FEBRUARY 5, 2015 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 Pipoly, Councilmembers Bohn, Bandkau, Willis and Tobbe. 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, Willis, Tobbe and Bohn. Also in attendance were Attorney Paul Burns and Brad Maynes, Engineer Gary Markstrom, Staff members Dana Foster, Diana Lowe, Amy Cyphert, Dave Blackmar, Tim Krugh, Kelly Hanna, Lauri French, Rob Bradford and an audience of 11. Press and media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Tobbe to approve the agenda as amended. Delete item #15, Engineering Standards and item #19, Closed Session. Add item #10a, Planning Commission reappointment. Motion passed 6-0.

MINUTE APPROVAL

It was moved by Councilmember Bohn, seconded by Bandkau to approve the Regular Meeting minutes of January 15, 2015 as presented. Motion passed 6-0.

It was moved by Councilmember Tobbe, seconded by Willis to approve the Closed Session Meeting minutes of January 15, 2015 as presented. Motion passed 6-0.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:32 p.m. The following comment was heard:

Jerry Joseph stated the meeting he had with the City Manager and Mr. Corrigan was encouraging. He stated they are looking forward to the construction and completion of the project.

Hearing no further comment, the Call to the Public was closed at 7:33 p.m.

CONSENT AGENDA

It was moved by Councilmember Bandkau, seconded by Bohn to approve the Consent Agenda as presented. Motion passed 6-0.

The following items were approved:

1. Approved an agreement with the Livingston Educational Service Agency to collect its operating property taxes on the City's Summer 2015 property tax bill.
2. Approved staff's Quarterly Investment report.
3. Accepted the donation of a sculpture from artist Keghan Tazain to be located on the pedestal in front of City Hall.
4. Appointed Barbara Curtis as the Zoning Board of Appeals Alternate.

City Manager, Dana Foster thanked Mr. Joseph for his comments.

PLANNING COMMISSION APPOINTMENT

City Manager, Dana Foster stated this Planning Commission appointment was added to the agenda as a result of a review from the City Attorney regarding an inquiry from a citizen regarding Susan Gardner's original appointment to Planning Commission. Ms. Gardner was inadvertently appointed to Planning Commission without meeting the two year residency requirement. We believed that Ms. Gardner had met the two year residency requirement at the time of the appointment. She does meet the residency requirement for the City Council vacancy. We have implemented procedures to assure that this requirement is not overlooked again.

It was moved by Mayor Pro-Tem Pipoly, seconded by Bandkau to appoint Susan Gardner to the Planning Commission. Motion passed 6-0.

YOGURTOPIA FACADE IMPROVEMENT PUBLIC HEARING

Deputy Community Development & Planning Director, Lauri French gave a slide presentation of the Yogurtopia before and after Façade. She stated no City of Brighton funds will be used for these improvements.

Mayor Muzzin opened the Public Hearing for the Yogurtopia Façade Improvement Grant Application at 7:47 p.m. Hearing no comment, the Public Hearing was closed.

YOGURTOPIA FACADE IMPROVEMENT RESOLUTION

It was moved by Councilmember Tobbe, seconded by Willis to approve Resolution 15-01, authorizing the City Manager to submit the final Yogurtopia Façade Improvement project related grant documentation to the MEDC and designate the City Manager to serve as the certifying officer for grant related documents and reports to the MEDC. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Tobbe. No: none. Motion passed 6-0.

CITY COUNCIL VACANCY INTERVIEWS

Mayor Muzzin drew the applicants names from a cup to determine the order of the interviews for the City Council vacancy.

The Council interviewed Randy Clifton. He stated he would commit to the position of Councilmember, be prepared for the meetings, add a fresh perspective, be a contributing member and works well with others.

The Council interviewed Susan Gardner. She stated she would like to engage in the community, is seeking a roll in local government, has an eye for improvements, works well with others and would carry out the mission and goals of Council.

The Council interviewed Susan Walters-Steinacker. She stated she would abstain from issues regarding her present employer of ongoing litigation, would bring knowledge to the table, mellowed out over the past few years and wants to bring more business into the City.

It was moved by Councilmember Tobbe, seconded by Pipoly to table the City Council vacancy until after the Springhill agenda item. Motion passed 6-0.

SPRINGHILL LITIGATION

City Attorney, Brad Maynes updated the Council on the pending Springhill litigation. He stated several items have been completed and some need to be wait until spring to be completed, which would be codified into a Consent Judgment.

City Engineer, Gary Markstrom stated the developer has done a tremendous amount of work on the Springhill site. He discussed the dedication of the road, underground utilities, easements and surveying.

Mr. Maynes stated the Consent Judgment has not changed. He discussed trees, drainage, paver stones for erosion and letter of credit. Grading would occur on private lots, needing written consent or waiver from property owners, with the work being completed by June 30, 2015 and the dedication of Spring Mountain Road.

It was moved by Councilmember Tobbe, seconded Willis by to authorize the City Manager and City Attorney to execute the proposed Consent Judgment for the Springhill litigation. Motion passed 4-1-1, with Mayor Pro-Tem Pipoly abstaining.

It was moved by Councilmember Bohn, seconded by Tobbe to direct Staff to forward information to the 14 lot owners with a cover letter from the City of Brighton regarding the grading work that needs to be done on their property. Motion passed 5-0-1, with Councilmember Pipoly abstaining.

COUNCIL VACANCY

It was moved by Councilmember Willis, seconded by Bohn to nominate Susan Gardner to fill the City Council vacancy. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Tobbe. No: none. Motion passed 6-0.

City Clerk, Diana Lowe administered the Oath of Office to Susan Gardner.

Councilmember Gardner took a seat at the dais.

CITY CUSTOMER INFORMATION

Department of Public Works Director, Dave Blackmar commended his snow removal crew for their work during the recent snow storm, stating snow is currently being hauled off of the streets.

City Manager, Dana Foster discussed sidewalk snow removal enforcement, stating letters are sent out to residents for compliance. He stated there will be an Early Blue Sky Session at the February 19, 2015 meeting regarding CIP funding.

Tim Krugh asked residents to report snow covered fire hydrants to the Utilities Department for snow removal or to please shovel a path to them.

Mayor Pro-Tem Pipoly gave a PSD update.

City Manager, Dana Foster stated the team work between the Police, DPW and Utility Departments coordinated snow removal very well. He gave condolences and sympathy to WHMI News Reporter, Tom Tolen regarding the recent loss of his mother.

Councilmember Tobbe thanked Council for accepting the Elegant Lady sculpture.

Susan Gardner thanked City Council for the appointment to City Council this evening.

Mayor Muzzin stated he set off the silent alarm while letting a Cub Scout group into City Hall and was confronted by Police. He stated the meeting he had with the Cub Scouts and their fathers was educational.

City Attorney, Brad Maynes congratulated Rob Bradford on his recent promotion to Assistant Police Chief.

City Council thanked the DPW crew for the snow removal from the recent storm.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:52 p.m. Hearing none, the Call to the Public was closed.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Pipoly to adjourn the meeting at 9:52 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor