

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON NOVEMBER 20, 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 Bohn, Bandkau, Willis, Cooper and Tobbe. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:32 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Willis, Bandkau, Cooper, Tobbe and Bohn. Also in attendance was Attorney Brad Maynes, Staff members Dana Foster, Jennifer Burke, Tim Krugh, Patty Thomas, Kelly Hanna, Tom Wightman, Amy Cyphert and an audience of 6. Press and media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Pipoly, seconded by Bandkau to approve the agenda as amended. Add item #10 a, Appointment to Brighton Arts and Culture Commission, move Item #10, Installment Purchase Agreement to Action Agenda from Consent Agenda. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Councilmember Tobbe, seconded by Willis to approve the Regular Meeting minutes of November 6, 2014 as presented. Motion passed 7-0.

It was moved by Councilmember Cooper, seconded by Pipoly to approve the Special Meeting minutes of November 9, 2014 as presented. Motion passed 7-0.

It was moved by Councilmember Bohn, seconded by Tobbe to approve the Closed Session Meeting minutes of November 9, 2014 as presented. Motion passed 7-0.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:35 p.m. Hearing no comment, the Call to the Public was closed.

CONSENT AGENDA

It was moved by Councilmember Bandkau, seconded by Cooper to approve the Consent Agenda as amended. Motion passed 7-0. The following items were approved:

1. Approved the conditional site plan for the Chamber of Commerce Accessory Building #14-007 as depicted on plans prepared by Lindhout Associates, job no. #0044, sheets 01, 02, 03 last dated 9-19-14 subject to the following:

1. That any damages done to the existing driveway and parking lot be repaired.
 2. That additional building and fire code review will occur during the building permit review.
 3. That the approval includes the use of vinyl siding.
2. Approved the conditional site plan for Brighton Commercial Center as depicted on the plans prepared by Boss Engineering, sheets C1 – C12, job #14-030, last dated 11-5-14, and plans prepared by OX Studio, Inc., sheets A-1.0, A-2.0 and A-3.0, job #BRD14, last dated 11-5-14. The approval is subject to the following conditions:
1. Accept the traffic study prepared by Fleis & Vanderbrink dated November 3, 2014 as presented.
 2. That right of way permits be obtained from the Department of Public Services for work within the right of way.
 3. Legal easement documents for construction within Brighton Mall and Brookside Mall property are properly acquired and filed with Livingston County prior to the issuance of building permits.
 4. That any damages done to the existing sidewalks be repaired.
 5. That all signage comply with applicable Ordinances or variances obtained.
 6. That the Utilities #1 and Permits #1 revisions raised by Tetra Tech in the letter dated 11/7/14 are addressed.
 7. That the applicant must address any outstanding Fire Code requirements with the Fire Department during the construction review.
 8. In the event an agreement can be made between the property owners to allow a drive access to Best Buy Drive, that the revisions be reviewed administratively by City Staff and Consultants.
3. Approved the conditional site plan for Yogurtopia at 332 W. Main Street #14-008 as depicted on plans prepared by Project Architect Anthony C. Rea, Architect, project #101014, sheets SP-1, A-1, and A-2, last dated 11-6-2014 and plans prepared by Boss Engineering, job no. #13-198, last dated 7-29-13 subject to the following:
1. That a right of way permit be obtained from the Department of Public Services Director for the use of public property during construction.
 2. That any damages done to the existing sidewalks be repaired.
 3. That all signage comply with applicable Ordinances or variances obtained.
 4. That additional BAFA review will occur during the building permit review.
 5. That awnings be added to the building permit plans similar to those shown on the renderings.
4. Approved appointment of Mary St. Pierre to the Brighton Arts and Culture Commission.

AUTHORIZATION OF AN INSTALLMENT PURCHASE AGREEMENT FOR UTILITY FUND EQUIPMENT

It was moved by Councilmember Bandkau, seconded by Councilmember Willis to approve Resolution 14-21, Installment purchase agreement for utility fund equipment.

2014 RETREAT GOALS AND MINUTES

It was moved by Councilmember Cooper, seconded by Councilmember Bohn to approve the 2014 Retreat Goals and Minutes with a change regarding the SELCRA related goal item motion, “assist with possible millage ballot proposal language”. Motion passed 7-0.

Councilmember Bohn addressed concerns about the City Attorney doing work for the SELCRA item as opposed to the School assisting. The City will not generate the ballot language. This should be a collective effort, with all participating municipalities for voter consideration in 2015.

ANNUAL PERFORMANCE EVALUATION OF THE CITY MANAGER

Mayor Muzzin stated Council performed the annual City Manager evaluation. He also stated the review was very positive, he continues to show professional towards business owners, overall performance is excellent, respectful and he is proud to live in City under the leadership of Manager Foster.

Manager Foster thanked Mayor and Council Members for the review and appreciates the time expended each year in the process.

CITY MANAGER’S EMPLOYMENT AGREEMENT SUBCOMMITTEE RECOMMENDATIONS

Councilmember Bohn and Mayor Pro-Tem Pipoly presented information based on other municipalities and recommended the Manager’s compensation with a 6% increase this year and increase disability insurance premium coverage to full amount.

It was moved by Councilmember Tobbe, seconded by Cooper to incorporate a 6% raise for the 2014/2015 contract, drafted with language discussed by the subcommittee, pending review by attorney and bring back to Council December 4th.

CITY CUSTOMER INFORMATION

Assistant DPW Director, Patty Thomas gave a snow removal and salt supply update.

Councilmember Cooper recommended to check for downed trees at the St. Joes Building.

Mayor Pro-Tem Pipoly gave a PSD and DDA update.

Councilmember Tobbe stated the BACC meeting was cancelled and that there is a new mural on the City Hall lobby wall from a local artist.

Mayor Muzzin discussed the passing of William McCririe stating he served on City Council when Manager Foster was hired.

It was moved by Councilmember Tobbe, seconded by Willis to have a moment of silence for the passing of William McCririe. Motion passed 7-0.

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Mayor Muzzin gave a Brighton Area Fire Authority update.

Councilmember Cooper gave a SELCRA and Planning Commission update. He stated he is resigning from City Council effective January 1, 2015. He thanked the Police Chief, the Police department and the City Manager for their work.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 8:39 p.m. The following comments were heard:

Nancy Durance, Springhill Lot 11 stated the gulley has been repaired, the area from her lot to 9 has not been worked on and the retaining wall needs to be completed. She thanked staff and Council for taking the time to make site visits and respond to her inquiries.

Hearing no further comment, Mayor Muzzin closed Call to the Public at 8:48 p.m.

ADJOURNMENT

It was moved by Councilmember Tobbe, seconded by Willis to adjourn the meeting at 8:49 p.m. Motion passed 7-0.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor