

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON JUNE 20, 2013 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, Councilmembers Bohn, Schillinger, Bandkau, Roblee and Pipoly. The Council reviewed the evening's agenda.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:31 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Muzzin, Councilmembers Bandkau, Pipoly, Schillinger, Roblee and Bohn. Also in attendance were Attorneys Paul Burns and Brad Maynes, Staff members Dana Foster, Dave Blackmar, Denise Meier, Jennifer Burke, Amy Cyphert and Tom Wightman and an audience of 21. Press and Media included Jim Totten of Livingston County Press & Argus and Tom Tolen of WHMI.

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

AGENDA APPROVAL

It was moved by Councilmember Roblee, seconded by Bohn to approve the agenda as amended. Move from Consent Agenda to Action Agenda item #13, Surveillance Camera System. Move item #18, Property Purchase before item #15, DBD Zoning District. Add item #23a, Tax Tribunal Closed Session and item #23b, Closed Session Action. Motion passed 6-0-1.

MINUTES APPROVAL

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Regular Meeting minutes of June 6, 2013 as presented. Motion passed 5-0-1-1, with Councilmember Schillinger abstaining.

CITY EMPLOYEE RETIREMENT

City Manager, Dana Foster read and presented a Proclamation to John McLean for his 26 years of service to the City of Brighton.

CITIZEN INQUIRIES

Mayor Muzzin read a Citizen Inquiry from Patricia Cole regarding the Senior Citizen section of the City's website and to list what services are offered whether City funded or not.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:44 p.m. The following comment was heard:

Patricia Cole asked what senior services are offered by the City and SELCRA and why are funds not being given to Senior Center.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 7:47 p.m.

CONSENT AGENDA

It was moved by Councilmember Roblee, seconded by Bandkau to approve the Consent Agenda as presented. A roll call vote was taken. Yes: Bohn, Muzzin, Schillinger, Bandkau, Roblee, Pipoly. No: none. Motion passed 6-0-1.

The following items were approved:

1. Approved Resolution 13-11, To commit fund balance for future capital improvements including equipment replacement.
2. Approved the Civic Event application for the MPG Dream Ride for Special Olympics.
3. Approved the year-end budget amendment for Fiscal Year 12-13.
4. Approved Resolution 13-12, Annual Fee Schedule for Fiscal Year 13-14.

DOWNTOWN SURVEILLANCE CAMERA BID AWARD

It was moved by Councilmember Roblee, seconded by Pipoly to approve the Downtown Surveillance Camera Bid Award to Security Designs, Inc with Dell equipment. Motion passed 6-0-1.

RESIDENTIAL RENTAL INSPECTION PROGRAM PUBLIC HEARING AND SECOND READING

Mayor Muzzin opened the Public Hearing for the proposed Residential Rental Inspection Program Ordinance at 7:55 p.m. Hearing no comment, the Public Hearing was closed.

It was moved by Councilmember Pipoly seconded by Bandkau to approve Second Reading of the proposed Residential Rental Inspection Ordinance addition to Chapter 18 of the existing City Ordinance. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 6-0-1.

PURCHASE OF PROPERTY

City Manager, Dana Foster briefed the Council on the proposed Resolution to authorize City Staff to submit an application and minimum bid amount for the purchase of 1517 Whispering Oaks Drive from the State of Michigan.

Planning & Zoning Director, Amy Cyphert briefed Council on the bidding process and options for redevelopment of site.

It was moved by Councilmember Pipoly, seconded by Roblee to approve Resolution 13-13, Authorizing City Staff to submit an application and minimum bid amount for the purchase of 1517 Whispering Oaks Drive from the State of Michigan. The purchase of the home may result in the following:

Allowing the City to purchasing the property may result in the following:

1. Removal of the home that has been condemned since April 2011 or remodel of the existing home to abate the code violations.
2. Resolution of the neighbors' complaints about the house condemnation not being resolved.
3. Keeps the home from sitting condemned for an unknown period.
4. Construction of a new single family house that will be fit for occupancy.
5. Improve the neighborhood.

A roll call vote was taken. Yes: Bohn, Muzzin, Bandkau, Roblee, Pipoly. No: Schillinger. Motion passed 5-1-1.

Manager Foster thanked Matt Modrack and Amy Cyphert for their teamwork on this application especially in such a short time frame of the required submittal to the State of Michigan.

DBD ZONING DISTRICT PERMITTED USES

It was moved by Councilmember Bohn, seconded by Bandkau to untable the DBD Zoning Districts permitted uses from the June 6, 2013 City Council meeting. Motion passed 7-0.

Attorney Burns briefed Council that he sent a letter to Attorney Dave Johnson and also made contact with him to advise him to attend the City Council Meeting. Nobody was present to represent Pawsitively Spoiled.

HEADLEE MILLAGE LID OVERRIDE BALLOT PROPOSAL

City Manager, Dana Foster discussed the options regarding a possible Headlee Millage Lid Override Ballot proposal for the November, 2013 election. He gave an overview of the 6-year financial summary with the pay as you go capital equipment as well as a 5-year phase in plan with the proposed uses of increased annual millage revenue. He discussed Councilmember Bohn's proposal.

There was Council discussion regarding the northwest neighborhood quadrant curb & gutter, a "hybrid" type plan, voters need know specifically what they are voting for, the possibility of shortening the list, refuse millage elimination.

It was the consensus of Council for the City Attorney to work on a ballot proposal with a specific outline.

INCLINE PUMPS AT THE WASTEWATER TREATMENT PLANT

City Manager, Dana Foster introduced Utility Superintendent Tim Krugh, stating Tim has been with the City for 26 years.

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Utilities Superintendent, Tim Krugh gave a slide presentation regarding the pending need and competitive bidding process for the replacement of incline pumps at the City's Wastewater Treatment Utility Plant. He explained the rebuild of the pump and the process and the need for repair.

Councilmember Pipoly expressed his concerns regarding a current emergency situation with one of the two pumps being down.

It was moved by Councilmember Bandkau, seconded by Bohn, to authorize the City Manager to execute a contract with Kennedy Industries, after the City Attorney's review, if it is necessary to do before the next City Council meeting and if it is not necessary then come back to City Council on July 18th for review and final contract approval for the pump rebuild. Motion passed 5-1-1, with Councilmember Pipoly voting "no".

City Council commended Utilities Superintendent, Tim Krugh for evaluating all options to save the City funds.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster stated that due to a \$90,000 availability of year-end major street funds, he will be directing Assistant Department of Public Services Director, Dave Blackmar to obtain bids for Grand River Avenue crack sealing and repaving of the "Creamery" parking lot behind the courthouse for possible City Council approval at the July 18th Council meeting.

Councilmember Bandkau gave a Veteran's Memorial update.

Councilmember Roblee stated the installation of the Inside/Out exhibit pieces will be placed June 28th and July 12 is the Taste of Brighton Civic Event to enjoy music and restaurants in the City.

Councilmember Pipoly stated there is a vacancy on the DDA from Greg Strauss' resignation and the DDA covered \$1,000 in expenses for the Brighton Library lighting fixtures.

Mayor Muzzin stated there will be a DDA Board appointment at the next City Council meeting and stated the Brighton Area Fire Department amended their budget.

City Manager, Dana Foster briefed the Council and Citizens of the passing of Rick Fons of Fonson Construction, stating the significant loss in the community and that Fonson Construction has been of great service to the City for City construction projects and for the community.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:49 p.m. The following comment was heard:

Pat Cole expressed her concerns regarding the Senior Center, youth activity and SELCRA and the rental ordinance. She expressed her displeasure with the purchase of the Whispering Oaks property and stated the election in November should have no political campaigning under Call to The Public and should only be limited to citizens in our City.

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Isabelle Yardley stated SELCRA is expensive, the Millpond is beautiful, the statue should be removed and to relocate the Veterans Memorial to the center of millpond.

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

PENDING NEGOTIATIONS CLOSED SESSION

It was moved by Councilmember Pipoly, seconded by Bandkau to go into Closed Session to discuss the status of pending negotiations with the City's four collective bargaining units pursuant to MCL 15.268(c). A roll call vote was taken. Yes: Schillinger, Bohn, Muzzin, Bandkau, Roblee, Pipoly. No: none. Absent: Cooper. Motion passed 6-0-1.

The Council convened into Closed Session at 9:56 p.m.

The Council reconvened the Regular Session at 10:10 p.m.

PENDING NEGOTIATIONS CLOSED SESSION ACTION

It was moved by Councilmember Pipoly, seconded by Bandkau to approve the proposed labor contract changes for Clerical Collective Bargaining Unit, as contained in the tentative agreement presented and to authorize the Mayor and City Clerk to execute the collective bargaining agreement incorporating such changes. Motion passed 6-0-1.

It was moved by Councilmember Roblee, seconded by Pipoly to approve the proposed labor contract changes for Department of Public Services Collective Bargaining Unit, as contained in the tentative agreement presented and to authorize the Mayor and City Clerk to execute the collective bargaining agreement incorporating such changes. Motion passed 6-0-1.

It was moved by Councilmember Pipoly, seconded by Bohn to approve the proposed labor contract changes for Patrol Officers Collective Bargaining Unit, as contained in the tentative agreement presented and to authorize the Mayor and City Clerk to execute the collective bargaining agreement incorporating such changes. Motion passed 6-0-1.

It was moved by Councilmember Bohn, seconded by Pipoly to approve the proposed labor contract changes for Command Officers Collective Bargaining Unit, as contained in the tentative agreement presented and to authorize the Mayor and City Clerk to execute the collective bargaining agreement incorporating such changes. Motion passed 6-0-1.

PENDING MTT LITIGATION CLOSED SESSION

It was moved by Councilmember Pipoly, seconded by Bandkau to go into Closed Session to discuss pending Michigan Tax Tribunal litigation pursuant to MCL 15.268(e). A roll call vote was taken. Yes: Schillinger, Bohn, Muzzin, Bandkau, Roblee, Pipoly. No: none. Absent: Cooper. Motion passed 6-0-1.

The Council convened into Closed Session at 10:15 p.m.

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The Council reconvened the Regular Session at 10:19 p.m.

PENDING MTT LITIGATION CLOSED SESSION ACTION

It was moved by Councilmember Roblee, seconded by Bohn to approve the proposed settlement for the Aberdeen Michigan Tax Tribunal litigation. Motion passed 6-0-1.

ADJOURNMENT

It was moved by Councilmember Bohn, seconded by Pipoly to adjourn the meeting at 10:20 p.m. Motion passed 6-0-1.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor

Diana Lowe, City Clerk