



Brighton City Council Meeting

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

This meeting will be conducted electronically.
Please visit the City website or the notice posted at City Hall for Zoom Meeting login instructions.

Regular Meeting September 16, 2021 – 7:30 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Consider Approval of the Agenda
5. Consider Approval of Consent Agenda Items

Consent Agenda Items

- a. Approval of Minutes: [Study Session of September 2, 2021](#)
- b. Approval of Minutes: [Regular Session of September 2, 2021](#)
- c. Approval of Minutes: Closed Sessions of September 2, 2021
- d. [Approval to Purchase of Two City of Brighton Police Department Patrol Vehicles](#)
- e. [Approval of the Annual Purchase of Licensing for the Microsoft 365 Suite of Products for \\$21,554.05](#)
- f. [Reappointment to Various Boards and Commissions](#)

Correspondence

6. Call to the Public
7. Staff Updates
8. Updates from Councilmember Liaisons to Various Boards and Commissions

New Business

9. [Consider Approval of Resolution #2021-19 to Introduce First Reading and Set a Public Hearing of October 7, 2021 for Proposed Ordinance Number 597: Amendments to Chapter 58 Section 58-2 of the City of Brighton Code of Ordinances](#)
10. [Consider Approval of Motor City Truck Collision to Rebuild and Refurbish the Cab of the Articulated Wheel Loader in an Amount not to Exceed \\$20,000](#)
11. [Consider Approval of Engineering Services Proposal from Hubbell, Roth & Clark Inc. for the 2021 Sewer Lining Program in an Amount not to Exceed \\$24,980](#)
12. [Consider Approval of the Lyon Mechanical Base Bid and Alternate 1 proposal for HVAC Replacement at the Challis Water Plant in an amount not to exceed \\$40,000.](#)

Other Business

13. Call to the Public
14. Adjournment



City Council Study Session

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

This meeting was conducted electronically.

MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON SEPTEMBER 2, 2021

1. Call to Order

Mayor Pipoly called the study session to order at 6:30 p.m.

2. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, and Pettengill. Councilmember Tobbe was absent.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, DPS Director Marcel Goch, Human Resources Manager Michelle Miller, Deputy DPS Director Corey Brooks, DPW Superintendent Daren Collins, Assistant to the City Manager Henry Outlaw, Attorney Sarah Gabis, Chief Rob Bradford, and Sergeant Brent Pirochta. There were ten persons in the audience.

3. Consider Approval of the Agenda

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve the agenda as presented. **The motion carried without objection by roll call vote.**

4. Call to the Public

Mayor Pipoly opened the Call to the Public at 6:31 p.m.

Jordan Genso, 1628 Woodlake Circle, spoke regarding a motor he noticed on the tridge along the Millpond. Mr. Genso noted that he was happy to see the City taking a proactive approach to mosquito mitigation, if that was the intent.

Hearing and seeing no further comment, Mayor Pipoly closed the Call to the Public at 6:32 p.m.

5. Discussion of Downtown Trash and Pest Management

Director Goch and Superintendent Daren Collins displayed a presentation about the circumstances and factors that lead to pest issues and what the DPW employees have witnessed in the trash compactor area. With the help of the pest company and regularly cleaning, the pest issue has shown signs of improvement. To keep the pest issue at bay, Superintendent Collins along with DPW advised the use of a fine scale for those who violate the trash compactor agreement. Overall, City Council was in favor of pursuing a heavier fine schedule for violators. Director Goch and Superintendent Collins will bring recommendations for a fine schedule for approval at a future meeting.

6. Discussion of Temporary Bike Lane Collaboration

Assistant to the City Manager Outlaw presented City Council with an opportunity for collaboration with the League of Michigan Bicyclists to install temporary bike lane waves in areas of the City through a grant which will cover the associated costs.

7. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:18 p.m.

Craig Wood, 4276 Pemberton, spoke in favor of the bike lane waves and discussed his involvement with the Livingston County Transportation Coalition and efforts to connect the Metropark bike paths.

Ashleigh Tucker, 1011 Lakeside Drive, thanked City Council for the efforts to be proactive against the rat issue and asked if the sewers were a contributor to the issue.

Susan Bakhaus, 907 Brighton Lake Road, expressed her concern over garbage trucks access to garbage and mail trucks access to mail boxes with a bike lane barrier in place. She asks that a painted bike lane be used instead.

Hearing and seeing no further comment, Mayor Pipoly closed the Call to the Public at 7:24 p.m.

8. Adjournment

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to adjourn the meeting at 7:24 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



Brighton City Council Meeting

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This meeting was conducted electronically.

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON SEPTEMBER 2, 2021

1. Call to Order

Mayor Pipoly called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

Mayor Pro Tem led the audience in the Pledge of Allegiance.

3. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, and Pettengill. Councilmember Tobbe was absent.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, DPS Director Marcel Goch, Human Resources Manager Michelle Miller, Deputy DPS Director Corey Brooks, DPW Superintendent Daren Collins, Finance Director Gretchen Gomolka, Assistant to the City Manager Henry Outlaw, Attorney Sarah Gabis, Chief Rob Bradford, and Sergeant Brent Pirochta. There were fourteen persons in the audience.

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to excuse Councilmember Tobbe for personal reasons. **The motion carried without objection by roll call vote.**

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to approve the agenda as amended moving item d from the consent agenda to New Business as item 9a and separating the closed session into two closed session agenda items of 11 and 11a. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve the consent agenda as amended. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Study Session of August 19, 2021
- b. Approval of Minutes: Regular Session of August 19, 2021
- c. Approval of Traffic Control Order #177 in the Hyne St. Parking Lot
- d. ~~Approval of Three Year Contract with Velocity EHS for Hazard Communication Safety Data Sheets (Moved to New Business)~~
- e. Approval to Purchase of Eight (8) Automated External Defibrillators (A.E.D.'S)
- f. Acceptance of Quarterly Financial and Investment Report

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:36 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public

7. Staff Updates

Chief Bradford noted Detective Mike Arntz has been promoted to Sergeant Detective and congratulated him.

Director Goch stated the Fairview Cemetery paving is complete but a bit of edge work needs to be conducted; however, the Cemetery is now open to vehicles. Director Goch then gave a detailed update on the Northwest Neighborhood and Rickett Road projects.

Councilmember Emaus asked for a status update on the Nelson Road booster station. Director Goch relayed that the upgrade should begin in November.

Human Resources Manager Miller stated a new position at the City of Brighton has been posted for an executive assistant to the Finance Department. Applicants may find the details and application on the City website.

Manager Geinzer spoke regarding the Corrigan Oil spill and indicated that plans are already underway to provide City Council with a report of the spill, efforts made during clean up, and safety features being discussed to help prevent future accidents.

Attorney Gabis noted she will be attending an upcoming staff meeting to hear feedback from staff and looks forward to scheduling a similar meeting with City Council.

Councilmember Bohn would like a problem solving report from Corrigan Oil regarding the spill and how Corrigan plans to rectify the situation to ensure this does not happen again. Manager Geinzer noted that he has had several conversations with Corrigan Oil about corrective action planning. Mayor Pipoly, during conversations with Mike Corrigan, relayed that Corrigan Oil has already begun going through their procedures and ISO 9000 quality manual to evaluate the entire document to ensure best practices are in place.

Mayor Pipoly presented a Mayoral Proclamation to the family of Dale Edward Cooper for his outstanding contributions to the community. Mr. Cooper's achievements shall stand as a shining example of leadership and commitment for all citizens to follow. Mayor Pipoly relayed his deep gratitude for his friendship and the many great conversations with Mr. Cooper.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pro Tem Gardner and the Brighton Arts and Culture Commission meet to renew the art installation Metropolis for another two years and the Commission plan to review all art in preparation for the streetscape project. A new sculpture was discussed to honor the Brighton Area Schools therapy dog program with a statue of the first therapy dog. More discussion regarding the move from BACC to CEC will be coming soon.

Councilmember Bohn asked that the chairs and table in front of the now closed Buon Gusto be moved off the sidewalk area. Mr. Bohn then asked for clarification about the role of the Planning Commission from recent discussions by the City Attorney.

Attorney Gabis clarified that City Council is the legislative body while the Planning Commission is an advisory committee on some site plans and she would be happy to discuss this in detail.

Manager Geinzer stated a cheat sheet can be provided to expand on the ordinance section that defines the roles of the Planning Commission as well as the Zoning Board of Appeals.

New Business

9. Consider Approval of Special Land Use Permit 21-12, Performing Arts Theater, 111 S. West Street

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve of Special Land Use Permit 21-12, Performing Arts Theater, 111 S. West Street by Resolution #2021-18. **The motion carried without objection by roll call vote.**

9a. Approval of Three-Year Contract with Velocity EHS for Hazard Communication Safety Data Sheets

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to approve of a three-year contract with Velocity EHS for Hazard Communication Safety Data Sheets. **The motion carried without objection by roll call vote.**

Other Business

10. Call to the Public

Mayor Pipoly opened the Call to the Public at 8:24 p.m.

Cameron Scott, 817 Washington Street, spoke regarding the recent Corrigan Oil spill and questioned City Council's response.

Mayor Pipoly closed the Call to the Public at 8:26 p.m.

Mayor Pipoly spoke regarding the Corrigan spill noting he was made aware within minutes of the spill. Corrigan, within hours, had booms deployed on the Millpond and cleanup had already had been cleaned on the Corrigan property. EGLE, State of Michigan, was notified right away and provided the oversight. Further EGLE noted the thorough cleanup efforts made by Corrigan. Of the 200 gallons that spilled, over 175 gallons had already been recovered.

Councilmember Muzzin, as board member and Chairperson of the Brighton Area Fire Authority and City Council liaison, noted the widespread efforts by Corrigan to clear up the spill as soon and as thoroughly as possible.

11. Consider Entering Closed Session to Receive Written Attorney-Client Privileged Communications Pursuant to MCL 15.268(h).

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to enter into closed session to receive written attorney-client privileged communications pursuant to MCL 15.268(h). **The motion carried without objection by roll call vote.**

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to come out of closed session. **The motion carried without objection by roll call vote.**

11a. Consider Entering Closed Session for the Periodic Personnel Evaluation of the City Manager Pursuant to MCL 15.268(a) as Requested by the City Manager

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to enter into closed session for the periodic personnel evaluation of the City Manager pursuant to MCL 15.268(a) as requested by the City Manager. **The motion carried without objection by roll call vote.**

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to come out of closed session. **The motion carried without objection by roll call vote.**

12. Consider Possible Action Resulting from Closed Sessions

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to direct City counsel to communicate with opposing counsel as discussed during closed session. **The motion carried without objection by roll call vote.**

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to establish a compensation committee of Councilmembers Emaus, Muzzin, and Tobbe to review the City Manager's contract and compensation. **The motion carried without objection by roll call vote.**

13. Adjournment

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to adjourn the meeting at 9:45 p.m. **The motion carried without objection by roll call vote.**



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

September 16, 2021

SUBJECT: CONSIDER APPROVAL OF THE PURCHASE OF TWO (2) CITY OF BRIGHTON POLICE DEPARTMENT PATROL VEHICLES

PURCHASE REQUEST REVIEW

- The purchase of two (2) new 2021 Patrol Vehicles for the fiscal year 2021-2022.
- This vehicle purchase will not be an addition to the fleet, rather, a replacement of patrol vehicles 72 and 75.
- This will include new in car video systems (Safe Fleet/L3), new in car radios (Kenwood) and graphics applied.
- The vehicles will be purchased at the State Bid Price via Signature Ford.
- The vehicles will be up-fitted by Cruisers and W-4 Signs which the budgeted price includes.

<u>2021-2022 NEW VEHICLE PURCHASE</u>		
	COST PER UNIT	Total Cost
2 - 2021 OR 2022 Ford Police Interceptor Utility	\$40,701.00	\$81,402.00
Cruisers Upfitting - Patrol Unit 75	\$18,250.00	\$18,251.00
Cruisers Upfitting - Patrol Supervisor Unit 72	\$21,600.00	\$21,601.00
2-In Car A/V	\$5,570.25	\$11,140.50
2- Kenwood Police Band Radio	\$2,739.29	\$5,478.58
W4 Signs Upfitting	\$790.00	\$1,580.00
	TOTAL	\$139,453.08

EQUIPMENT REQUESTED

- The model for both Patrol Vehicles will be the 2021 or 2022 Ford Utility Police Interceptor (Explorer) depending on availability.
- Delivery of the vehicles and up-fitting will likely be completed in 2022, depending on availability of equipment and materials.

BUDGET INFORMATION

- Both vehicles have been budgeted for in the fiscal year 2021-2022 police millage for a total of \$127,800.
- With supply chain issues due to COVID-19 the costs for up-fitting and other components are higher than originally budgeted.
- The total cost of both vehicles, to include up-fitting will not exceed \$140,000.00.
- The Police Millage Fund has sufficient fund balance to cover this overage and we are seeking a budget amendment to use fund balance of the police capital millage fund in the amount of \$12,200.

RECOMMENDATION

Approve the purchase of two, new, Ford Police Explorer Interceptors from Signature Ford and allow the up-fitting to be completed by Cruisers and W4 signs for the amount not to exceed \$140,000 as well as a budget amendment in the amount of \$12,200 to come from the fund balance of the Police Millage Fund.

Prepared by: Craig C. Flood, Deputy Chief of Police

Reviewed by: Rob Bradford, Chief of Police

Gretchen Gomolka, Finance Director

- ☐ Within Budget
- ☒ Budget Amendment Necessary and in Proper Form
- ☐ Other _____

Reviewed &

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

September 16, 2021

SUBJECT: APPROVAL OF MICROSOFT 365 OFFICE UPGRADE

BACKGROUND

- In 2021-2022, the City has budgeted to upgrade the current standalone Microsoft Office 2016 software to the annual service-based Microsoft 365 Office Products (M365).
- In 2017, the City researched both Office 2016 and Office 365 products. At the time, Microsoft was already moving customers to the service based 365 products, but the City was able to purchase the Office 2016 standalone licensing to delay moving to service-based licensing. We knew that when it was time to upgrade this software package again, we would need to move to the service based M365 products.
- In 2019, the City was already on the path to move to the M365 environments. The City's Novell GroupWise Email system was migrated to the cloud-based Microsoft Exchange Online. This was an "email upgrade only" at the time, giving us access to use the Outlook environment for email, allowing Brighton to get the city's cloud-based Microsoft accounts in place for a future move to the M365 products.
- The city's annual cost for Exchange Online has been \$7,200 since 2019. This annual email license fee would be rolled into the Microsoft 365 annual cost and is included in the proposed costs below.

ADMINISTRATIVE SUMMARY

- The city originally budgeted to upgrade to the Office 365 product in the current fiscal year, but with an uptick in cyber security attacks, it is important that we always find new ways to increase of system security. The City decided to move to the Microsoft 365 product instead of the Office 365 product. This will give the city the ability to use more 365 security products in the user accounts.
- Working with Mike Grady of Gracon Services, we put together an "a la carte" Microsoft licensing matrix to save on costs. We broke the users out into four groups: Police Users, Power Users, Light Users, and Email Only. The city is making sure the Police Department users will receive the proper licensing to meet the recommended criteria for their CJIS Audit Certification.
- The group options include the Office Suite (Excel, Word, Outlook, PowerPoint, Publisher, Teams Message and Video Collaboration, One Drive, SharePoint, InTune Device Management, and Microsoft Defender Security).
- The Microsoft 365 Suite includes a higher level of security such as Two Factor Authentication, Advanced Threat Analytics, Increased Anti-Phishing, and Increased Anti-Spoofing.

BUDGET INFORMATION

- Microsoft 365 has been budgeted in the Capital Improvement Fund for \$20,000.00. There have been additional users licensed for Brighton since we prepared the budget.
- The Microsoft 365 annual total cost for the City of Brighton will be \$ 21,771.85.
- The budget overrun will be covered by savings in other areas and will not require a budget amendment.

RECOMMENDATION

Recommend City Council approves the annual licensing purchase for the Microsoft 365 Suite of products for \$21,771.85.

Prepared by: Mike Pitera, IT Director

Reviewed by:

Gretchen Gomolka, Finance Director

- ☐ Within Budget
- ☐ Budget Amendment Necessary and in Proper Form
- ☒ Other: Within total budget when considering savings in other areas

City Attorney (Required for all agreements, ordinances, etc.)

- ☒ Acceptable Form and Ready to Execute
- ☐ Other _____

Reviewed &

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

September 16, 2021

SUBJECT: CONSIDER APPROVAL FOR RE-APPOINTMENT OF JORDAN GENSO TO THE ZONING BOARD OF APPEALS

ADMINISTRATIVE SUMMARY

- Jordan Genso has recently completed his first three-year term serving on the ZBA.
- In his first term, Jordan has shown an exemplary dedication to serving as a Board Member and effectively participates at meetings. He is a welcomed addition to a Board going through some personal changes in the last few years.
- Mayor Pipoly has reviewed the re-appointment with staff.
- Board Member Genso is seeking re-appointment for another 3-year term.

RECOMMENDATION

Mayor Pipoly is recommending the re-appointment of Jordan Genso to the Zoning Board of Appeals for another 3-year term.

Prepared by: Michael Caruso, Community Development Manager

Reviewed &

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL SEPTEMBER 16, 2021

SUBJECT: AMENDMENT TO CHAPTER 58 SECTION 58-2 INTOXICATING LIQUORS

BACKGROUND

- At the July 1st 2021 meeting, City Council adopted a social district policy. This allows for open consumption of alcohol on the area designated as the “commons area”.
- The City currently has an ordinance prohibiting the possession of any alcoholic beverage in any City park.

ADMINISTRATIVE SUMMARY

- The proposed amendment to Chap. 58 Section 58-2 INTOXICATING LIQUORS to the Brighton Code of Ordinances addresses a minor legal contradiction with the adoption of the social district policy.
- Previously, any alcoholic beverages in City parks were prohibited. However, with the social district policy, this must be amended to exempt the Common Area of the Social District from this ordinance.
- On advice from the City’s Attorney, Foster Swift, this verbiage must be updated to accommodate the social district program.

RECOMMENDATION

- Consider Approval of Resolution #2021-19 to Introduce First Reading and Set a Public Hearing of October 7, 2021 for Proposed Ordinance Number 597: Amendments to Chapter 58 Section 58-2 of the City of Brighton Code of Ordinances

Prepared by: Henry Outlaw, Assistant to the City Manager

Reviewed by: Craig Flood, Deputy Chief of Police

City Attorney (Required for all agreements, ordinances, etc.)

☒ Acceptable Form and Ready to Execute

☐ Other _____

Reviewed &

Approved by: Nate Geinzer, City Manager

RESOLUTION NO. 2021-19

**RESOLUTION INTRODUCING ORDINANCE NO. ____ AMENDMENT
TO SECTION 58-2 INTOXICATING LIQUORS**

At a meeting of the City Council of the City of Brighton, Livingston County, Michigan, held at the City Hall, 200 North First Street, Brighton, Michigan 48116, on the ____ day of _____, 2021, at 7:30 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, pursuant to Resolution No. ____, Resolution Designating a Social District and Defining a Commons Area, adopted _____, 2021 by the City Council, the City designated a Commons Area within the designated Social District that allows qualified licensees to sell alcoholic beverages to be consumed within the Commons Area; and

WHEREAS, Section 58-2 of the Brighton City Code prohibits the possession and consumption of alcohol in any city park; and

WHEREAS, the Commons Area defined by Resolution No. _____ includes areas within the City designated a city park; and

WHEREAS, the amendment of Section 58-2 is necessary to exempt the defined Commons Area from those areas wherein alcohol can be possessed and consumed as permitted in the Commons Area pursuant to Section 551 of the Michigan Liquor Control Code; and

WHEREAS, the public health, safety and welfare will be served by amending Section 58-2.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council hereby introduces Ordinance No. _____, Amendment to Section 58-2 Intoxicating Liquors attached hereto as **Exhibit A**, and a public hearing shall be set.

2. The City Clerk shall cause notice of introduction and a brief description of the subject and contents of the proposed ordinance, and the date for the public hearing to be published in a newspaper of general circulation in the City within seven (7) days.

3. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

I, the undersigned, the duly qualified and acting City Clerk of the City of Brighton, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the City Council at a meeting held on the ___ day of _____, 2021, at 7:30 p.m.

Tara Brown, City Clerk

EXHIBIT A

CITY OF BRIGHTON

ORDINANCE NO. _____

AMENDMENT TO SECTION 58-2 INTOXICATING LIQUORS

The City of Brighton ordains:

Section 1. Amendment of Section 58-2.

The City of Brighton hereby amends Section 58-2 of Chapter 58, of the Brighton City Code, entitled “Intoxicating Liquors” which shall be amended to read, in its entirety, as follows:

Sec. 58-2. Intoxicating Liquors.

(a) No person shall bring into or drink any alcoholic beverage in any city park, except as permitted in those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council.*

(b) Any person found to violate this chapter shall be guilty of a civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b).

*As of 7/14/21, the hours of operation as set by City Council by resolution are 12:00 PM to 10:00 PM. Hours subject to change and are posted at City Hall and on the City’s website.

Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective fifteen (15) days after adoption.

Adopted on _____, 2021.

Tara Brown, Clerk

Shawn Pipoly, Mayor

I, Tara Brown, City Clerk of the City of Brighton, Michigan, do hereby certify that a summary of Ordinance No. - _____ was published in a newspaper of general circulation on the _____ day of _____, 2021.

Tara Brown, Clerk

CITY OF BRIGHTON

NOTICE OF INTRODUCTION AND BRIEF DESCRIPTION

**ORDINANCE NO. _____
AMENDMENT TO SECTION 58-2 INTOXICATING LIQUORS**

To the residents and property owners of the City of Brighton, Livingston County, Michigan, and all other interested persons:

On _____, 2021, the City of Brighton (the "City") introduced Ordinance No. _____, Amendment to Section 58-2 Intoxicating Liquors. The following is a brief description of the subject and contents of the Ordinance:

On _____, the City Council adopted Resolution No. _____ and thereby designated a Social District and Commons Area as permitted by Section 551 of the Michigan Liquor Control Code. The proposed Ordinance would amend Section 58-2 of Chapter 58, of the City of Brighton Code of Ordinances to permit open containers of alcohol in a city park that is within a commons area, as permitted in those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council.

A copy of the proposed Ordinance, including all exhibits, is available for inspection at the City Hall, 200 North 1st Street, Brighton, MI 48116.

Tara Brown, City Clerk
Brighton City Hall
200 North 1st Street
Brighton, MI 48116

RESOLUTION NO. _____

RESOLUTION ADOPTING ORDINANCE NO. _____ AMENDMENT
TO SECTION 58-2 INTOXICATING LIQUORS

At a meeting of the City Council of the City of Brighton, Livingston County, Michigan, held at the City Hall, 200 North First Street, Brighton, Michigan 48116, on the _____ day of _____, 2021, at 7:30 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, pursuant to Resolution No. _____, Resolution Designating a Social District and Defining a Commons Area, adopted _____, 2021, by the City Council, the City designated a Commons Area within the designated Social District that allows qualified licensees to sell alcoholic beverages to be consumed within the Commons Area; and

WHEREAS, Section 58-2 of the Brighton City Code prohibits the possession or consumption of alcohol in any city park; and

WHEREAS, the Commons Area defined by Resolution No. _____ includes areas within the City designated as a city park; and

WHEREAS, the amendment of Section 58-2 is necessary to exempt the defined Commons Area from those areas wherein alcohol can be possessed and consumed as permitted in the Commons Area pursuant to Section 551 of the Michigan Liquor Control Code; and

WHEREAS, Ordinance No. ____, Amendment to Section 58-2 Intoxicating Liquors was introduced on _____, 2021 and a public hearing held on _____.

WHEREAS, the public health, safety and welfare will be served by amending Section 58-2.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

4. The City Council hereby adopts Ordinance No. _____, Amendment to Section 58-2 Intoxicating Liquors attached hereto as **Exhibit A**.

5. The Ordinance shall be filed with the City Clerk.

6. The City Clerk shall publish notice of adoption in a newspaper of general circulation in the City within ten (10) days.

7. The City Manager shall cause the amendment adopted by Ordinance No. _____ to be codified in the Brighton City Code.

8. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

9. All resolutions or portions of resolutions that are inconsistent with this Resolution are hereby repealed.

YEAS: _____

NAYS: _____

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

I, the undersigned, the duly qualified and acting City Clerk of the City of Brighton, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete

copy of certain proceedings taken by the City Council at a meeting held on the __ day
of_____, 2021, at 7:30 p.m.

Tara Brown, City Clerk

EXHIBIT A

CITY OF BRIGHTON

ORDINANCE NO. _____

AMENDMENT TO SECTION 58-2 INTOXICATING LIQUORS

The City of Brighton ordains:

Section 1. Amendment of Section 58-2.

The City of Brighton hereby amends Section 58-2 of Chapter 58, of the Brighton City Code, entitled “Intoxicating Liquors” which shall be amended to read, in its entirety, as follows:

Sec. 58-2. Intoxicating Liquors.

(a) No person shall bring into or drink any alcoholic beverage in any city park, except as permitted in those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council.*

(b) Any person found to violate this chapter shall be guilty of a civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b).

*As of 7/14/21, the hours of operation as set by City Council by resolution are 12:00 PM to 10:00 PM. Hours subject to change and are posted at City Hall and on the City’s website.

Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective fifteen (15) days after adoption.

Adopted on _____, 2021.

Tara Brown, Clerk

Shawn Pipoly, Mayor

I, Tara Brown, City Clerk of the City of Brighton, Michigan, do hereby certify that a summary of Ordinance No. - _____ was published in a newspaper of general circulation on the _____ day of _____, 2021.

Tara Brown, Clerk

CITY OF BRIGHTON

NOTICE OF ADOPTION

ORDINANCE NO. _____
AMENDMENT TO SECTION 58-2 INTOXICATING LIQUORS

To the residents and property owners of the City of Brighton, Livingston County, Michigan, and all other interested persons:

On _____, 2021, the City of Brighton (the "City") adopted Ordinance No. _____, Amendment to Section 58-2 Intoxicating Liquors. A true copy of the Ordinance, including all exhibits, is available for inspection at the City Hall, 200 North 1st Street, Brighton, MI 48116.

CITY OF BRIGHTON

ORDINANCE NO. _____

AMENDMENT TO SECTION 58-2 INTOXICATING LIQUORS

The City of Brighton ordains:

Section 1. Amendment of Section 58-2.

The City of Brighton hereby amends Section 58-2 of Chapter 58, of the Brighton City Code, entitled "Intoxicating Liquors" which shall be amended to read, in its entirety, as follows:

Sec. 58-2. Intoxicating Liquors.

(a) No person shall bring into or drink any alcoholic beverage in any city park, except as permitted in those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council.*

(b) Any person found to violate this chapter shall be guilty of a civil infraction and shall be punished by a fine(s) as set forth in section 1-16(b).

*As of 7/14/21, the hours of operation as set by City Council by resolution are 12:00 PM to 10:00 PM. Hours subject to change and are posted at City Hall and on the City's website.

Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective fifteen (15) days after adoption.

Adopted on _____, 2021.

Tara Brown, Clerk

Shawn Pipoly, Mayor

Tara Brown, City Clerk
Brighton City Hall
200 North 1st Street
Brighton, MI 48116



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

SEPTEMBER 16, 2021

SUBJECT: CONSIDER APPROVAL OF MOTOR CITY TRUCK COLLISION REBUILD AND REFURBISHMENT OF ARTICULATED WHEEL LOADER CAB IN AN AMOUNT NOT TO EXCEED \$20,000

BACKGROUND

- Currently the City owns a piece of equipment known as an articulating wheel loader. This equipment is used daily for loading dump trucks and stockpiling snow, sand, gravel, salt and other materials in the DPW yard. The bucket is fitted with a removable 12-foot snowplow box to move large volumes of snow from streets and parking lots. In emergencies, the loader is also used to clear downed trees and branches off the roadways.

ADMINISTRATIVE SUMMARY

- The loader has a 2.75 cubic yard bucket this is vital for loading salt into our winter maintenance vehicles during snow and icing events in the winter months. While this loader is a 2004 model, it has only 3,900 hours of operation on it and has been very reliable over the years; however, the high exposure to salt has created rusting issues, mainly to the cab. Please see the attached photos.
- The engine and mechanical parts of the machine are still in very good working order, but the cab is in need of refurbishment in order to extend the useful life of the entire machine. Most of the vital electronic and wiring assemblies are located within the cab portion. Refurbishing the cab will ensure the continued protection of these components.
- To replace the entire loader with a comparable model would cost over \$225,000.00 at current pricing. Refurbishing the cab will cost approximately \$20,000.
- Staff obtained three quotes from local vendors who are able to sandblast all of the rusted areas on the cab, including the steps, platforms, tire rims and battery boxes and repair or replace any metal as needed, as well as replace two damaged windows. After the repairs are made, it will all be painted to meet original specifications and colors. The quotes were received as follows:

Vendor	Quote
Motor City Truck Collision	\$14,139.91
Michigan CAT	\$16,989.33
AIS Construction Equipment	\$16,996.90

- Motor City Truck Collision provided the lowest price. When Staff discussed the work with the vendors, they all expressed that there could be some unknown issues that may be discovered after the sandblasting process is completed, which would require additional work not known at the time the quotes were provided. Staff would hope to repair or replace all aspects of the equipment that are needed in order for it to be brought back to as close to new condition as possible.

BUDGET INFORMATION

- City Council approved \$30,000 for this work in the Fiscal Year 2020/2021 CIP Budget. Because there may be additional repairs that may be needed as noted by all three vendors, Staff is requesting that City Council approve an additional \$5,860.09 to cover these costs, which will bring the total to \$20,000, which is still below the budgeted amount.

RECOMMENDATION

- Approval Of Motor City Truck Collision Rebuild And Refurbishment Of Articulated Wheel Loader Cab In An Amount Not To Exceed \$20,000

Prepared by: Daren Collins, DPW Superintendent

Reviewed by: Marcel Goch, DPS Director

Gretchen Gomolka, Finance Director (Required for all financial related agenda items)

- ☒ Within Budget
- ☐ Budget Amendment Necessary and In Proper Form
- ☐ Other _____

Reviewed &

Approved by: Nate Geinzer, City Manager

Attachments: Photos of current cab condition











City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

SEPTEMBER 16, 2021

SUBJECT: CONSIDER APPROVAL OF ENGINEERING SERVICES PROPOSAL FROM HUBBELL, ROTH & CLARK, INC. FOR THE 2021 SEWER LINING PROGRAM IN AN AMOUNT NOT TO EXCEED \$24,980.

BACKGROUND

- Over the last several years, the City of Brighton has worked continuously to update its sewer system to ensure that delivery of this utility service will have little or no interruptions to its users. During the review of the sanitary and storm sewer video taken as part of our Asset Management Program started in 2015, more commonly referred to as the SAW Grant, several areas were identified as needing attention. As these areas were reviewed, it was determined that some of the sewer mains in question would be replaced in future construction projects. For the remaining areas where future construction was not planned, it was decided that Cured In Place Pipe (CIPP) would be a good option to increase sewer service life. As a result, several sanitary sewer lines throughout the City were lined but eventually funding fell short and program could not continue.

ADMINISTRATIVE SUMMARY

- CIPP is a method of rehabilitating water, sanitary or storm main by pushing a liner material through an existing main and then filling it with hot water or steam until it reaches a specific temperature. This temperature activates a chemical reaction, which then hardens the liner into a stiff material that has been proven to last upwards of thirty years. This method is traditionally used on clay pipe but can be used on most pipe materials. The areas that Staff suggests to line are predominantly clay, except for one location that is constructed steel pipe. Once the liner is set, the contractor cuts out any invert that was covered to allow for flow to continue as it did previously. There are different types of liners that are available depending on whether the pipe being lined needs to be chemical resistant or have an added structural component,
- In an effort to avoid problems like the 8" sewer collapse we experienced on Rickett Road in 2018, Staff wants to continue the lining program that was previously implemented. Through the bond process, it was determined that continued maintenance of the City's utilities was favorable, which resulted in \$220,000 being approved in the Utilities Capital Improvement Plan for fiscal year 2021/2022 sewer lining. Because of the need for engineering services on this project, Staff sent out a Request for Proposals to our three prequalified engineering firms.
- There were four parts to the proposal request that Staff wanted to address: advertising, bidding, project management, and construction observation. While Staff will be heavily involved with the lining project due to the logistical conditions, it was felt having an engineer perform the aforementioned tasks would be more efficient and help the project go more smoothly. After proposals from the three prequalified firms were received and a discussion was held with the staff of Hubbell, Roth & Clark (HRC), it was clear they understood our expectations and what we should expect from them. While it was clear all three firms are capable of performing the work, Staff felt this would be a good opportunity for HRC to demonstrate their abilities in light of future engineering projects.

- Once the Request for Proposals for the sewer lining work is complete, Staff will return to City Council for their review and approval.

BUDGET

- The project is budgeted in the Utilities Fund for \$220,000 and this amount will cover the engineering services as well as the future lining project via bond proceeds.

RECOMMENDATION

Approve engineering services proposal from Hubbell, Roth & Clark Inc. for the 2021 Sewer Lining Program in an amount not to exceed \$24,980.

Prepared by: Marcel Goch, DPS Director

Gretchen Gomolka, Finance Director (Required for all financial related agenda items)

- ☒ Within Budget
☐ Budget Amendment Necessary and In Proper Form
☐ Other _____

Reviewed &

Approved by: Nate Geinzer, City Manager

Attachments: Hubbell Roth & Clark Proposals

July 30, 2021

City of Brighton
200 N. First Street
Brighton, MI 48116

Attn: Mr. Marcel Goch, DPS Director

Re: 2021/2022 Sewer Lining Program
Preliminary Engineering Proposal
RFP-WW-21-01

HRC Job No. 20210683

Dear Mr. Goch:

Thank you for the opportunity to submit our Proposal for the City's 2021/2022 Sewer Lining Program. HRC has considerable experience with sanitary sewer lining design and construction projects like the areas identified in your Request for Proposals (RFP). As requested, further description of our Project Approach and Anticipated Costs follows.

Project Approach

The plans for Cured in Place Pipe (CIPP) sanitary sewer lining are typically straightforward and consist of aerial photos and GIS data similar to the exhibits included in the RFP. HRC will create similar exhibits, location maps, typical maintenance of traffic details and specifications for the proposed sewer lining. It is anticipated that the only permit required is an MDOT Right-of-Way (ROW) construction permit for the work in the Grand River Ave ROW. We have assumed that the City has an annual ROW construction permit with MDOT and the submittal process for this work will be minimal.

We anticipate having two (2) meetings with City Staff, one kickoff meeting and one progress meeting to review our draft exhibits and specifications prior to bidding. Based on our construction cost estimates at the time of the final review meeting we can determine the segments of the lining project to be completed if the final estimate does not meet the City's budget.

HRC will advertise the project, answer Contractor's questions during the bidding process, provide clarification (if needed) and attend the bid opening. After the proposals have been received from the Contractors, we will review the proposals for irregularities, create a bid tabulation and make a recommendation of award to the City. After the City has awarded the contract, HRC will prepare contract books to be executed by the Contractor and City.

HRC will provide construction administration for the project including the preconstruction meeting, processing two (2) pay estimates, two (2) progress meeting, full time construction observation and project closeout. We assume that the sewer lining will be completed within 4.5 weeks once it begins.

Personnel

The personnel assigned to the design and construction engineering for this project will be staffed out of our Howell office. The design work and contract administration will be overseen by Michael Darga (see attached resume). Mr. Darga has managed several sanitary sewer lining design and construction projects throughout his career. The construction engineering field services will be overseen by Roger Crouse (see attached resume).

Bloomfield Hills 100 Kuper Drive Bloomfield Hills, MI 48304 248-464-3400	Deer Township 2111 Adams Rd Suite 10 Deer, MI 48841 616-644-1100	Detroit 335 Broadway Suite 100 Detroit, MI 48226 313-645-1100	Grand Rapids 1815 Byron Road SE Suite 100 Grand Rapids, MI 49506 616-464-1000	Jackson 2014 Atwood St Suite B Jackson, MI 48401 616-294-1000	Kalamazoo 314 King Highway Suite 107 Kalamazoo, MI 49001 269-865-2000	Lansing 2135 Washington St Suite D Lansing, MI 48205 810-292-1100
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Subconsultants

We do not believe that subconsultants will be necessary for this engineering work. We will include the initial cleaning and televising in the lining contract to be completed by the Contractor.

Anticipated Engineering Costs

Based on the attached Staff Hour Projections, we anticipate that the design engineering can be completed in 58 hours for a not to exceed amount of \$5,730 and the construction engineering tasks completed in 235 hours for a not to exceed amount of \$19,250. These amounts are based on the assumptions outlined in this proposal and staff hour projections and will not be exceed without prior notice to the City. HRC will only invoice the City for the actual time expended on the project up to these amounts.

The RFP indicates that the City's capital improvement budget for this work is approximately \$200,000. Our preliminary construction cost estimate for lining the identified sections of sanitary sewer is greater than the budgeted amount. If awarded the engineering contract, we will work with the City to prioritize the lining sections and discuss our fees accordingly.

Work Not Included

- Topographic Survey
- ROW and Easement Descriptions/Acquisition
- Material and Density Testing

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Todd Sneathen, PE
Vice President



Michael P. Darga, PE
Associate

MPD/mpd
Attachments
pc: HRC; File



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

SEPTEMBER 16, 2021

SUBJECT: CONSIDER APPROVAL OF LYON MECHANICAL BASE BID AND ALTERNATE ONE PROPOSAL FOR THE HVAC REPLACEMENT AT THE CHALLIS WATER PLANT IN AN AMOUNT NOT TO EXCEED \$40,000

BACKGROUND

- Currently, the Challis Water Plant uses a boiler system and two heat exchangers that provide heat for the facility. Radiant baseboard heat is used for the breakroom, office, and bathroom and the pump room is heated with two heat exchangers connected to the ceiling at opposite ends of the building. This is the original heating system that was installed when the facility was constructed in 1989. During the winter months, the current boiler system does not provide sufficient heat to the office and breakroom and the use of space heaters is necessary. Unfortunately, breakdowns have become more frequent with two repairs being needed last winter.

ADMINISTRATIVE SUMMARY

- The heating system at the plant is in need of a replacement due to its age, condition, and performance. A new HVAC system would help accommodate a growing staff and would play a role in protecting the facility and building components that are affected by varying temperature and moisture conditions. Currently, the plant does not have air conditioning or humidity control and higher temperatures and humidity have been known to affect electronic components and this facility houses several. Additionally, water sampling analysis is a concern. The Department of Environment, Great Lakes, and Energy (EGLE) is mandating more daily and monthly sampling at our facility. Increased temperatures and humidity have a negative effect on the testing accuracy and could provide the utility with inaccurate results.
- A Request for Proposals (RFP) was published on the Michigan Intergovernmental Trade Network (MITN) website on Wednesday, July 14, 2021 using the bidding documents previously approved by the City Attorney. A public bid opening was held on Wednesday, August 4, 2021. Of the eight contractors that attended the mandatory pre-bid meeting, only one vendor submitted a proposal. This RFP was a lump sum request for all items desired to replace the entire HVAC system. When Staff reached out to some of the contractors to ask why they did not submit a proposal they were informed that it was due to them having other projects already scheduled.
- When Staff reviewed the one bid, they realized the cost for all replacements would be higher than anticipated. It was then decided to rebid the project with a base bid and two alternates so we could determine what items could be done within the approved budget amount.
- A second RFP was published on Monday, August 9. Of the five contractors that attended this mandatory pre-bid meeting, two proposals were received on August 23, 2021. See bid results below.

Bidder	HVAC Replacement Base Bid	Alternate 1 - Chlorine Room Heater	Alternate 2 Dehumidifier	Total Base Bid & Alternate 1
Lyon Mechanical	\$27,476.00	\$7,106.00	\$12,900.00	\$34,582
CMS Mechanical, LLC	\$82,029.00	\$12,057.60	\$11,855.70	\$94,086.60

- The budgeted amount of \$35,000 for this work was not sufficient to have all upgrades performed, so Staff is recommending approving Lyon Mechanical to perform the Base Bid and Alternate 1. The addition of the air conditioning system will be adequate to control the heat and humidity in the break room and office areas. Staff is exploring other options for dehumidifying the pump rooms, which will be much less costly than the amounts proposed by the two bidders.

BUDGET

- City Council approved \$35,000 in the 2021/2022 Fiscal Year Budget for the Challis Water Plant HVAC Replacement in the Utility Fund. While additional costs are unexpected, Staff would like to continue with its standard practice of having a 15 percent contingency for this project and increase the approved amount to \$40,000. If the additional funds end up being needed, staff will use the funds budgeted for a different utilities CIP project that can be deferred to next fiscal year if necessary.

RECOMMENDATION

- Approve the Lyon Mechanical Base Bid and Alternate 1 proposal for HVAC Replacement at the Challis Water Plant in an amount not to exceed \$40,000.

Prepared by: Josh Bradley, DPS Regulatory Compliance Superintendent

Reviewed by: Marcel Goch, DPS Director

Gretchen Gomolka, Finance Director (Required for all financial related agenda items)

☐ Within Budget

☐ Budget Amendment Necessary and In Proper Form

☒ Other: Within total budget when considering using savings from a deferred project if necessary.

Reviewed &

Approved by: Nate Geinzer, City Manager