

CITY OF BRIGHTON  
CITY COUNCIL MEETING  
CITY HALL  
September 17, 2009

Blue Sky - 7:00 PM                      Review of Agenda Items for this evening's meeting

**REGULAR SESSION - 7:30 P.M.**

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Approval of minutes: Regular Meeting of 09/03/09
5. Call to the Public
6. Eagle Scout Award recognition and presentation
7. **Response to Citizen Inquiries to City Council received prior to this City Council Meeting**
8. Consider approval of the Agenda

**Consent Agenda**

9. Consider updated report and information from the City Manager for the 2009 Goal-Setting Retreat agenda

**Policy Development & Customer Communications' action item**

10. Consider approval of the Maximus related User fee increase recommendations for Civic Event related services as recommended by the City Council Budget & Finance Subcommittee and additional Staff recommendations
11. Consider possible actions related to a pending request from the Chamber of Commerce to the City and the DDA for funding for the Downtown Holiday lighting
12. Consider report from the City Manager regarding work and progress on the pending proposed DDA Plan Amendments and the recommendations from the Joint Main Street Program Subcommittee of the City Council, DDA Board, and PSD Board
13. Consider report from the City Manager on pending staff and City Council Budget and Finance Subcommittee work to enable City Council to review the City's updated budget status prior to the 2009 Goal-Setting Retreat

**Other Business**

14. Information for City Customers
15. Receive updates from Council Member Liaisons to other Boards and Commissions
16. Call to the Public
17. Closed Session as may be requested by the City Attorney regarding pending litigation in the case of Leon V. Bonner and Marilyn E. Bonner v City of Brighton, Livingston County Circuit Case No. 09-24680-CZ.
18. Adjournment

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON SEPTEMBER 17, 2009 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 Lawrence, Councilmembers Bandkau, Cooper, Muzzin, Bohn and Roblee. The Council reviewed the agenda items.

**REGULAR SESSION**

Mayor Lawrence called the regular meeting to order at 7:32 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Lawrence, Councilmembers Bandkau, Muzzin, Bohn, Roblee and Cooper. Also in attendance were Engineer Linda Basista, Attorney Paul Burns and Staff members Dana Foster, Diana Lowe, Jennifer Piasecki, Matt Modrack, Dave Gajda, Tom Wightman, Matt Schindewolf and an audience of 12.

It was moved by Councilmember Roblee, seconded by Bandkau to excuse Councilmember Tunis from the evening's meeting. Motion passed 6-0-1.

**MINUTES APPROVAL**

It was moved by Councilmember Cooper, seconded by Muzzin to approve the Regular Meeting minutes of September 3, 2009 as presented. Councilmember Roblee abstained. Motion passed 6-0-1.

**CALL TO THE PUBLIC**

Mayor Lawrence gave a Call to the Public at 7:35 p.m. Hearing none, the Call to the Public was closed.

**EAGLE SCOUT PROCLAMATION**

Mayor Lawrence presented an Eagle Scout Proclamation to Robert A. Lutes.

Robert Lutes stated he put in four benches around the pond and refurbished two existing benches at St. Mary Magdalene's for his final project. He fundraised for the entire project in order to give it as a gift. He thanked the Council, Mr. Kalio and his parents for their support.

**CITIZEN INQUIRY RESPONSE**

Mayor Lawrence read a Citizen Inquiry Response from Christina Miller on 4<sup>th</sup> Street, thanking the City of Brighton for the donation of the use of the COBACH building for the three non-profit organizations.

### **AGENDA APPROVAL**

It was moved by Councilmember Cooper, seconded by Muzzin to approve the Consent Agenda as presented. Motion passed 6-0-1.

The following item was approved:

1. Received an updated report and information from the City Manager for the 2009 Goal-Setting Retreat agenda.

It was moved by Mayor Pro-Tem Bandkau, seconded by Roblee to approve the Action Agenda as presented. Motion passed 6-0-1.

### **USER FEE INCREASE**

City Manager, Dana Foster briefed the Council on the Maximus related User fee Increases and recommendations for Civic Event related services and other services. He stated he conducted meetings with the effected groups regarding Civic Events and suggested to the organizations to start fundraising to support the events.

Councilmember Muzzin stated we would not achieve the \$35,000 needed for this fiscal year budget regarding Civic Events, because most of them are already done. Our taxpayers are residents and business owners.

Councilmember Bohn stated things are going to get worse as far as financial reality for the City of Brighton, things are going to have to change and everyone needs to contribute.

There was Council discussion regarding admission fees for events, business owners thriving during Civic Events, the upcoming Special DDA meeting, talking to other Main Street Program communities to find out what they do for special events, Police Liaison Officer restoration, the importance of downtown events as this is what makes a community and having the organizations look at different sponsorships.

It was moved by Mayor Pro-tem Bandkau, seconded by Cooper to table the Civic Event related User Fee item until after the Special DDA meeting to be held on September 29, 2009, then bring back the same agenda item to the October 1, 2009 City Council meeting, have the civic event organizers look into other options and recommended business owners contact City Councilmembers with suggestions. Motion passed 5-1-1 with Councilmember Bohn voting "no".

It was moved by Councilmember Muzzin, seconded by Bohn to Approved Resolution 09-19, Recommended Fee and Charge schedule changes for FY 2009-10 with the exception of the Civic Event fees. A roll call vote was taken. Yes; Cooper, Bandkau, Lawrence, Muzzin, Roblee, Bohn. No: none. Absent: Tunis. Motion passed 6-0-1.

### **DOWNTOWN HOLIDAY LIGHTING**

City Manager, Dana Foster briefed the Council on the pending request from the Chamber of Commerce for the funding of the Downtown Holiday Lighting. He stated funds from the City Council and City Manager Conference and Workshop budget will be contributed to offset the costs.

There was Council discussion regarding the possibility of City staff installing the holiday lighting.

Pam McConeghy, Brighton Area Chamber of Commerce, stated holiday lighting is tradition and the community will die with out it.

There was Council discussion regarding bidding the lighting project out, the Chamber owns the equipment and these costs are for labor and it give the downtown a sense of place.

It was moved by Councilmember Roblee, seconded by Muzzin to contribute \$2,500 for the Downtown Holiday lighting. Motion passed 6-0-1.

### **DDA PLAN AMENDMENTS AND RECOMMENDATIONS FROM THE JOINT MAIN STREET PROGRAM SUBCOMMITTEE**

City Manager, Dana Foster briefed the Council on the DDA Plan Amendments and recommendations from the Joint Main Street Program Subcommittee. He apologized to the Main Street Program Joint Subcommittee as he proposed a change to the structure to the Program, which would have enacted a possible contract for the Main Street Manager with the Chamber of Commerce, which was different than what the Main Street Program Joint Subcommittee had recommended, as he should have taken that to the subcommittee first prior to taking it to the DDA Board. This would be an in-house position that he supervises.

Mayor Lawrence stated the DDA Amendments would be discussed at the Special DDA meeting on September 29, 2009.

### **UPDATED BUDGET STATUS**

City Manager, Dana Foster stated at the next City Council meeting Dave Gajda should have a report regarding Revenues vs. our Updated Forecast. The external audit presentation will be coming up with addition staff forecasts of how we are going to end the year in the general fund.

### **INFORMATION FOR CITY CUSTOMER**

Department of Public Services Director, Matt Schindewolf stated the Orndorf Road improvement project is completed. The project came in with the budgeted amount and the City obtained addition grant money to move a water main.

City Council  
September 17, 2009  
Page 4

Engineer Linda Basista stated the Orndorf Drive project was not a typical street repair project. The project was successful. She referenced the detour and the new change in the post office circulation.

Councilmember Muzzin gave a Brighton Area Fire Authority update stating they had an open house at the main station, which was well attended. They discussed potential merger with other Livingston County Fire Departments and Union negotiations.

Councilmember Cooper stated he has a meeting with Energy and Technical Committee to discuss possible legislative adjustments to catch up with technology.

### **CALL TO THE PUBLIC**

Mayor Lawrence gave a Call to the Public at 9:16 p.m. Hearing no comment, the Call to the Public was closed.

### **PENDING LITIGATION CLOSED SESSION**

It was moved by Councilmember Muzzin, seconded by Cooper to go into Closed Session regarding pending litigation against the City of Brighton pursuant to MCL 15.268(d). A roll call vote was taken. Yes: Cooper, Bandkau, Lawrence, Muzzin, Roblee, Bohn. No: none. Absent: Tunis. Motion passed 6-0-1.

### **ADJOURNMENT**

It was moved by Councilmember Cooper, seconded by Bandkau to adjourn the meeting at 9:27 p.m. Motion passed 6-0-1.

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Diana Lowe, City Clerk

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Kate Lawrence, Mayor