

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
October 15, 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 October 1, 2009
5. Call to the Public
6. **Response to Citizen Inquiries to City Council received prior to this City Council Meeting**
7. Consider approval of the Agenda

Consent Agenda
8. Consider Mayor's recommended reappointment to the ZBA
9. Consider approval of Halloween Trick or Treating hours

Policy Development & Customer Communications' action item

10. Receive presentations from the City's Auditors and Finance Director regarding the City's annual Comprehensive Financial Report and independent external audit report for FY 2008 – 2009
12. Consider approval of a proposed public communications, publicity, and public announcements' plan for the opening of the new City of Brighton Arts, Culture , and History Center at the Old Town Hall
13. Consider approval of a MSHDA grant application for a proposed public sector + private sector redevelopment project at the former TCF Bank site at Grand River and St. Paul Street

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 Garagiola vs. City Of Brighton litigation
18. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON OCTOBER 15, 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, Tunis, Muzzin, Bohn, Cooper and Roblee. The Council reviewed the agenda items.

REGULAR SESSION

Mayor Lawrence called the regular meeting to order at 7:34 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Lawrence, Councilmembers Bandkau, Muzzin, Bohn, Roblee, Cooper and Tunis. Also in attendance were Engineer Linda Basista, Attorney Paul Burns, Special Legal Counsel Dennis Gabriel and Staff members Dana Foster, Diana Lowe, Jennifer Piasecki, Matt Modrack, Dave Gajda, Tom Wightman, Matt Schindewolf and an audience of 8.

MINUTES APPROVAL

It was moved by Mayor Pro-Tem Bandkau, seconded by Tunis to approve the Regular Meeting minutes of October 1, 2009 as presented. Councilmember Cooper abstained. Motion passed 6-0-1.

CALL TO THE PUBLIC

Mayor Lawrence gave a Call to the Public at 7:35 p.m. Hearing no comment, the Call to the Public was closed.

CITIZEN INQUIRY RESPONSE

There were no Citizen Inquiries to read.

AGENDA APPROVAL

It was moved by Councilmember Roblee, seconded by Cooper to approve the Consent Agenda as amended. Add item #9a, Stonefire Dance Permit. Motion passed 7-0.

The following items were approved:

1. Reappointed David Senak to the Zoning Board of Appeals.
2. Approved the Halloween Trick or Treating hours of 6:00 p.m. to 8:00 p.m. on October 31, 2009 and announced the Brighton Area Fire Authority Halloween party will be from 6:00 p.m. to 9:00 p.m. on October 31, 2009 at Station 31 on Grand River.

3. Approved Resolution 09-21, Stonefire, Inc., new Dance Permit to be held in conjunction with 2009 Class C Licensed Business with Entertainment, located at 440 W. Main.

It was moved by Councilmember Muzzin, seconded by Cooper to approve the Action Agenda as amended. Add item #17a, Written Attorney/Client Privilege Communication Closed Session. Motion passed 7-0.

EXTERNAL AUDIT REPORT FOR FY 2008-2009

Finance Director, Dave Gajda briefed the Council regarding the Comprehensive Annual Financial Report (CAFR) and independent external audit report for FY 2008-2009.

Chris Jones, Plante Moran, discussed CAFR and stated he is glad to hear the City is submitting for the award and that auditing is getting harder. He discussed the General Fund Revenue, General Fund Expenditures, Expenditure Trends, Comparison of General Fund Balances, Taxable Value vs. State Equalized Value and Homestead Property Tax Analysis.

Les Pulver, Plante Moran discussed the report to the Members of City Council, stating auditing has become more intensive and these are the City's financial statements. He discussed financial planning.

Councilmember Bohn thanked Dave Gajda and Kelly LaLonde for such a good job.

CITY OF BRIGHTON ARTS, CULTURE AND HISTORY CENTER

City Manager, Dana Foster stated the wording for this agenda item should read: Consider approval of a **preliminary**, proposed public communications, publicity and public announcements' plan for the opening of the new City of Brighton Arts, Culture and History Center at the Old Town Hall. He stated he recruited Mr. Michael Nastos, as he has experience with Arts and Culture and broadcasting and that he has put his own funds into this preliminary plan. He gave highlights of the preliminary plan. He discussed possible upcoming events at the COBACH building.

Mayor Lawrence stated that Dana Foster has paid Mr. Nastos from his own personal funds as a donation to the City of Brighton for this proposed plan and we appreciate it.

City Manager, Dana Foster gave credit to the volunteers of the three organizations who are the tenants of the COBACH for all of their hard work they have put into this project and that no funds are coming from the City.

It was moved by Councilmember Cooper, seconded by Tunis to approve the preliminary, proposed public communications, publicity, and public announcements' plan for the opening of the new City Arts, Culture and History Center at the Old Town Hall. Motion passed 7-0.

MEDC GRANT APPLICATION

Mayor Lawrence stated that the DDA Chairman is giving full support for the MEDC grant application for a proposed public sector and private sector redevelopment project at the former TCF Bank site at Grand River and St. Paul Street, as it is one of their highest rankings to develop this site.

City Manager, Dana Foster stated we are not only here because of Mr. Modrack's grant expertise, but also due to his negotiation with the TCF property owner of the commitment from TCF to give the City the latitude to market their former property on Grand River.

Community Development/Planning Director, Matt Modrack gave an overview of the proposed project at the former TCF site on Grand River. He stated this grant would be for \$396,000 for improvements and the Engineering and Architectural support that goes with it, which would require a match of \$44,000. He referenced the additional parking spaces this project would bring and gave highlights of the project, including a pocket park. He gave the timelines for the project. The estimate for the private sector investment is two million and the new jobs estimate is 30 to 40.

There was Council discussion regarding parking, the project, they thanked Matt Modrack and Staff for the grant opportunities, meeting with the Historical Society regarding improvements in the immediate area, the possibility of running into interments, private and publicly owned parking, easements and greenbelts.

It was moved by Councilmember Roblee, seconded by Tunis to authorize submittal of the final Downtown Infrastructure Grant in the amount of \$400,000 for the Old Village Cemetery Parking Lot, St. Paul Pocket Park, and Grand River Streetscape improvements to the Michigan Economic Development Corporation and subject to the review and approval of the Downtown Development Authority. Motion passed 7-0.

INFORMATION FOR CITY CUSTOMER

Department of Public Services Director, Matt Schindewolf stated CSX notified him that the Challis Road and Brighton Lake Road crossings will be closed for repairs next week and they will be done prior to the milling and repaving of Main Street. He discussed the Grand River and Main Street improvements.

Councilmember Muzzin suggested the City notify the Principal of the High School regarding the closing of the railroads.

Councilmember Bohn suggested adjusting the traffic lights to help alleviate traffic.

Department of Public Services Director, Matt Schindewolf stated the signals are all interlocked together and may cause back-ups on Grand River.

Community Development/Planning Director, Matt Modrack stated Leaf, Barley and Vine have received their redevelopment liquor license and the grand opening will be October 26th. This is the fifth redevelopment liquor license the City has received.

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Councilmember Muzzin gave a Budget and Finance Subcommittee update, stating they have discussed Revenue numbers, expenses, the audit, additional possible cuts and reductions with regards to the additional Revenue Sharing cut of about \$60,000. The Brighton Area Fire Authority met and have removed interim from the Chiefs roll and Larry Lane has accepted the Chief position for the rest of this year and all of next year. This was Mayor Lawrence's last meeting and she received a plaque for her dedication to the Fire Authority.

Mayor Lawrence stated the Fire Authority is going to start looking for a new Chief in mid 2010.

Councilmember Tunis stated we have a revitalized downtown in spite of "bad news" and we need to have a little more patience.

Councilmember Roblee gave a DDA Citizen Advisory Counsel update, stating they were favorable to the DDA amendments and expansion.

Councilmember Cooper gave a SELCRA update, stating the director has put in his resignation and they are looking for a replacement. Revenue Sharing has impacted this Fiscal Year budget.

CALL TO THE PUBLIC

Mayor Lawrence gave a Call to the Public at 9:01 p.m. Hearing no comment, the Call to the Public was closed.

GARAGIOLA VS. CITY OF BRIGHTON LITIGATION CLOSED SESSION

It was moved by Councilmember Cooper, seconded by Muzzin to go into Closed Session to discuss Garagiola vs. City of Brighton pending litigation. A roll call vote was taken. Yes: Cooper, Tunis, Bandkau, Lawrence, Muzzin, Roblee, Bohn. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:05 p.m.

The Council reconvened the Regular meeting at 9:16 p.m.

WRITTEN ATTORNEY/CLIENT PRIVILEGE COMMUNICATION CLOSED SESSION

It was moved by Councilmember Cooper, seconded by Bandkau to go into Closed Session to receive Attorney/Client privilege communication.

A roll call vote was taken. Yes: Cooper, Tunis, Bandkau, Lawrence, Muzzin, Roblee, Bohn. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:17 p.m.

The Council reconvened the Regular meeting at 10:28 p.m.

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ADJOURNMENT

It was moved by Councilmember Tunis, seconded by Roblee to adjourn the meeting at 10:30 p.m.
Motion passed 7-0.

Diana Lowe, City Clerk

Kate Lawrence, Mayor