

CITY OF BRIGHTON  
CITY COUNCIL MEETING  
CITY HALL  
March 4, 2010

**Regular Blue Sky - 7:00 p.m.:** 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 02/18/10
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 a Resolution regarding a proposed Redevelopment Liquor License for the Pi Asian Cuisine restaurant
9. Consider possible direction to staff to prepare modifications to the City Council Meeting Call to the Public procedures as suggested by the Mayor with advice from the Michigan Municipal League parliamentarian

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

10. Conduct a public hearing for Citizen input on the City of Brighton Cemeteries' Rules and Regulations
  - a. Mayor closes the regular Council meeting discussion and opens the public hearing to ask for public input/comment
  - b. Mayor closes the public hearing and resumes the City Council meeting discussion on received public inputs
  - c. Consider related direction to City staff including but not limited to: request for staff to prepare Amendments to the existing City Cemeteries' related rules & regulations, and or direction to staff to work on recommended operational changes to bring back to City Council at the 03/18/10 City Council meeting or subsequent Council meetings.
11. Consider site plan approval extension for Northridge Ponds development
12. Consider site plan amendment approval for a drive-through window at Panera Bread located at 8365 W. Grand River as recommended by the Planning Commission.
13. Consider granting conditional site plan amendment approval of Paramount and Summit Pt. Park for a new charter school reoccupancy of a vacant building in the Paramount business park at the intersection of Karl Greimel Drive and Orndorf Drive.
14. Budget preparation status report from the City Manager, Finance Director, & City Council Budget & Finance Subcommittee regarding work on the proposed Budget for Fiscal Year 2010-2011 to be presented to City Council at the March 18 City Council Meeting

**Other Business**

15. Information for City Customers
16. Receive updates from Council Member Liaisons to other Boards and Commissions
17. Call to the Public
18. Adjournment

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON MARCH 4, 2010 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 Bandkau, Councilmembers Muzzin, Cooper, Roblee, Schillinger, Bohn and Pipoly. The Council reviewed the agenda items.

**REGULAR SESSION**

Mayor Bandkau 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 Bandkau, Councilmembers Muzzin, Roblee, Cooper, Bohn, Schillinger and Pipoly. Also in attendance were Engineer Linda Basista, Attorney Matt Hagerty and Staff members Dana Foster, Diana Lowe, Jennifer Piasecki, Matt Modrack, Dave Gajda, Tom Wightman, Matt Schindewolf, Jim Rowell and an audience of 19.

**MINUTES APPROVAL**

It was moved by Councilmember Muzzin seconded by Bohn to approve the Regular Meeting minutes of February 18, 2010 as presented. Motion passed 7-0.

**EAGLE SCOUT PROCLAMATION**

Mayor Bandkau read an Eagle Scout Proclamation to Christopher Combs.

Christopher Combs stated his Eagle Scout project was to build a shelter for football players at the athletic field at the High School.

Mayor Bandkau congratulated Christopher's parents and Dennis Kallio for his Eagle Scout achievement.

**CALL TO THE PUBLIC**

Mayor Bandkau gave a Call to the Public at 7:38 p.m. The following comment was heard:

Paul Rogers stated he is a candidate for the State Senate and introduced himself. He thanked the Council for their time.

Hearing no further comment, Mayor Bandkau closed the Call to the Public at 7:39 p.m.

**CITIZEN INQUIRY RESPONSE**

Mayor Bandkau read a Citizen Inquiry from Susan Walters-Steinacker requesting a list of all free equipment and services issued to City Council. She stated Staff would compile a list and provide it to her.

### **AGENDA APPROVAL**

It was moved by Mayor Pro-Tem Bohn, seconded by Schillinger to approve the Consent Agenda as amended. Move to Consent Agenda from Action Agenda item #11, Northridge Ponds Site Plan Extension. Motion passed 7-0.

The following items were approved:

1. Approved Resolution 10-02, Redevelopment Liquor License for the Pi Asian Cuisine restaurant.
2. Directed Staff to prepare modifications to the City Council Meeting Call to the Public procedures as suggested by the Mayor with advice from the Michigan Municipal League parliamentarian.
3. Approved a one-year extension for Northridge Ponds site plan which was originally approved on November 3, 2005. Sheets 1-12, L1, L2, L3, Job Number 50841, dated 1-20-09 prepared by Desine, Inc. and sheets A1 & A6, Job Number 0264J, dated 6-29-05 prepared by Lindhout Assoc. and sheets 1-4 prepared by Coponen Architects Inc.
  1. That all conditions of the previous approvals remain in effect.
  2. That the developer seek a variance from the Zoning Board of Appeals for the construction of units that have a height over 30 feet.

It was moved by Councilmember Schillinger, seconded by Cooper to approve the Action Agenda as amended. Move from Action to Consent item #11, Northridge Ponds Site Plan Extension. Motion passed 7-0.

### **LIVINGSTON COUNTY BUILDING SERVICES AGREEMENT**

City Manager, Dana Foster stated this is a request from the Livingston County Board of Commissioners for the City of Brighton to provide interim Building Official services.

Community Development/Planning Director, Matt Modrack stated he met with Belinda Peters, Interim County Commissioner and staff and went over the scope of services and terms of the agreement. The Livingston County Board of Commissioners endorsed the agreement.

Attorney Matt Hagerty stated the terms with the County is six months and this agreement is similar to the agreement with the City of Howell, with a commitment of our Building Official of 16 hours per week.

It was moved by Roblee, seconded by Cooper to approve the Agreement for Building Official Services between the City of Brighton and the County of Livingston for the City to provide Interim/Acting Building Official services pursuant to an official request from the Livingston County Board of County Commissioners. Motion passed 7-0.

### **CEMETERY RULES AND REGULATIONS PUBLIC HEARING**

Mayor Bandkau opened the Public Hearing for public input on the Cemetery Rules and Regulations at 7:53 p.m. The following comments were heard:

Dick Price, American Legion in Brighton, stated for over 50 years he has participated in putting flags out in the City cemeteries and the flags used to be permitted to fly year round instead of May 1<sup>st</sup> to December 1<sup>st</sup> and suggested to let them fly all year.

Kelly McNabb and Dee Piehl of the VFW Ladies Auxiliary of Post 4357, read a letter to the Council, giving a brief history of their organization and requested an amendment to the Cemetery Rules and Regulations to allow their markers and flags to be allowed to be permanent year round fixtures at the cemetery and stated they would like to be involved in a flag maintenance program. She thanked the City Council.

Patricia Cole, Brighton City, thanked the VFW Ladies Auxiliary and Mr. Price for their comments. She asked City Council to accept her documents from February 9<sup>th</sup> and 21<sup>st</sup> and call to the Public input and asked they become a part of the Public Hearing. She suggested the rules be made available to the public prior to adoption so changes may be known.

Hearing no further comment, Mayor Bandkau closed the Public Hearing at 8:02 p.m.

Department of Public Services Director, Matt Schindewolf stated the change to take the flags down December 1<sup>st</sup> was made in 2006 or 2007 at the request of individuals concerned regarding damaged flags in the cemetery and Staff will not have an issue with the flags flying year round.

There was City Council discussion regarding approving the revisions to the Cemetery Rules and Regulations on the Action Agenda instead of the Consent Agenda, support of flags displayed year round as long as they do not interfere with the maintenance of the cemetery, decisions being moved up to the Director level, more strict rules, post major rules on a sign with the City's website address, the need for help from the Veterans Auxiliaries for the maintenance of the flags, stay consistent with the rules, the need to move forward and the request that flag holders not to be removed.

It was moved by Councilmember Cooper, seconded by Bohn to take the suggestions that have been made this evening and that have been written and put together a revised cemetery rules and regulations to bring back to City Council. Motion passed 7-0.

### **PANERA BREAD SITE PLAN AMENDMENT**

Community Development/Planning Director, Matt Modrack briefed the Council on the Panera Bread Site Plan amendment.

It was moved by Councilmember Schillinger, seconded by Muzzin to approve the site plan amendment for Panera Bread Drive-thru #10-003 as depicted on plans prepared by Diffin Development Consultants and Metro Group Architects, sheets 1-6, last dated 2-3-10 and plans prepared by Metro Group Architects, sheets A-2.0, A-4.5, A-4.6, A-5.1, A-5.2, last dated 2-22-10. The approval is subject to the following conditions:

1. That all signage comply with applicable Ordinances or variances are obtained.

Motion passed 7-0.

Councilmember Cooper requested that the Zoning Board of Appeals be supplied with the conditions from the Planning Commission regarding Panera signage.

#### **PARAMOUNT AND SUMMIT PARK SITE PLAN AMENDMENT**

Community Development/Planning Director, Matt Modrack briefed the Council on the proposed site plan amendment of Paramount and Summit Pt. Park for a new charter school reoccupancy of a vacant building in the Paramount Business Park at the intersection of Karl Greimel Drive and Orndorf Drive.

It was moved by Schillinger, seconded by Cooper to approve the site plan amendment for Summit Pointe Commercial Center and Paramount Industrial Park Amended Development Plan as depicted on the plans prepared by Desine, Inc, sheets 1-5, project #8597, last dated 1-26-10. Councilmember Muzzin abstained. Motion passed 6-0-1.

#### **BUDGET PREPARATION STATUS REPORT**

Councilmember Cooper stated Council needs to change our plans and be in front of the budget issues. He expressed his concerns regarding his responsibility as a Councilmember to the residents and suggested the City Council work through the budget line by line.

City Manager, Dana Foster highlighted the 2009-10 year end projections, Personnel/Labor-related Cost Savings, FY 2010-11 Budget Preparation, Budget Gap and Utility Fund for FY 2009-10. He requested in light of the Personnel/Labor related Cost Savings, the Council look on the revenue side of the proposed budget.

Finance Director, Dave Gajda stated gave updates from December for FY 2010-Property Tax Estimates and Property Tax Forecast and Utilities FY 09-10 year end projections.

Councilmember Muzzin stated the Council passed the motion to pass a balanced budget prior to purchasing the three Police patrol cars.

Councilmember Bohn stated as a Budget and Finance Subcommittee member, he is not making decisions for the City Council. He suggested to leave the committee as two Councilmembers and go forward with the appointments the Mayor has made.

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Councilmember Roblee recommended all employees be asked to suggest cost savings anonymously to City Council or suggestion boxes to help with more operational cuts.

City Manager, Dana Foster stated we have had the process in the past of receiving suggestions from all levels of employees at the City of Brighton for cost cutting measures, in which all of the suggestions were submitted to Council unfiltered.

### **INFORMATION FOR CITY CUSTOMER**

City Manager, Dana Foster stated the cemetery report should be deferred to the first meeting in April, as he and Matt Schindewolf will be absent from the next meeting. He suggested adding March 30<sup>th</sup> to the already scheduled March 23<sup>rd</sup> and March 25<sup>th</sup> Budget Worksessions. He thanked Council for the extended time with the budget this evening.

Councilmember Cooper stated SELCRA met and are reviewing their articles to see if they have been filed correctly when they split off from the schools. SELCRA is able to operate because of the four participating municipalities.

Councilmember Roblee gave a PSD update, stating they are handing out posters to all businesses in the PSD regarding their Shop Local program.

Councilmember Schillinger gave a Planning Commission report stating Council has reviewed the Panera and Cheryl Stockwell Academy site plans they approved.

Mayor Bandkau thanked Budget and Finance Subcommittee members Muzzin and Bohn for their dedication to the budget.

### **CALL TO THE PUBLIC**

Mayor Bandkau gave a Call to the Public at 9:55 p.m. Hearing no comment, the Call to the Public was closed.

### **ADJOURNMENT**

It was moved by Councilmember Muzzin, seconded by Roblee to adjourn the meeting at 9:55 p.m. Motion passed 7-0.

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Diana Lowe, City Clerk

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Ricci Bandkau, Mayor