

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON NOVEMBER 21, 2013 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**BLUE SKY SESSION**

The Council conducted an early Blue Sky Session at 7:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bohn, Bandkau, Tobbe, Willis and Cooper. The Council reviewed agenda items.

**REGULAR SESSION**

Mayor Muzzin called the regular meeting to order at 7:30 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bandkau, Willis, Tobbe, Cooper and Bohn. Also in attendance were Attorney Paul Burns, Engineer Gary Markstrom, Staff members Dana Foster, Kelly Hanna, Amy Cyphert, Patty Thomas, Diana Lowe, Tim Krugh and Tom Wightman and an audience of 2. Press and Media included Tom Tolen from WHMI.

**AGENDA APPROVAL**

It was moved by Council Bohn, seconded by Bandkau to approve the agenda as amended. Change item #16, Moratorium on new Smoking Lounges to "First Reading". Delete item #17, Pending Code Violations. Move item #9, 775 N. 2<sup>nd</sup> Street Site Plan Amendment to Action Agenda from Consent Agenda. Move item #16 to Consent Agenda from Action Agenda. Reverse item #14, Northwest Neighborhoods and item #15, Asset Management Grant Application. Motion passed 7-0.

**MINUTE APPROVAL**

It was moved by Councilmember Bandkau, seconded by Cooper to approve the Regular Meeting minutes of November 7, 2013 as presented. Councilmember Willis and Tobbe abstained. Motion passed 5-0-2.

It was moved by Councilmember Cooper, seconded by Bandkau to approve the Special Biennial Meeting minutes of November 12, 2013 as presented. Motion passed 7-0.

**CITIZEN INQUIRIES**

None.

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:35 p.m. The following comment was heard:

Pat Cole expressed her concerns regarding information on the City's cable, website and publications. She also expressed her concerns regarding appointments to various Boards and Commissions.

Hearing no further comments, the Call to the Public was closed at 7:40 p.m.

**CONSENT AGENDA**

It was moved by Councilmember Cooper, seconded by Tobbe to approve the Consent Agenda as presented. Motion passed 7-0.

The following items were approved:

1. Appointed Scott Visgar, Doug Cameron, Scott Griffith, Alex Tortora, Julie Fielek to the nonprofit Brighton Housing Corporation.
2. Approved First Reading of a proposed amendment to Chapter 98, Article I. In General, Section 98-3. Definitions and Chapter 98, Article XXV. Temporary Land Uses, Section 98-700. Temporary land uses and set Public Hearing and Second Reading for December 19, 2013.
3. Approved First Reading of a proposed amendment to Chapter 98, Article II. Districts and General Regulations, Section 98-49. Accessory Buildings and set Public Hearing and Second Reading for December 19, 2013.
4. Approved First Reading of a proposed amendment to Chapter 98, Article II. Districts and General Regulations, Section 98-38. Fences and set Public Hearing and Second Reading for December 19, 2013.
5. Discussion regarding City Council Member Liaisons to City Boards and Commissions, which will also be discussed at the upcoming City Council Retreat.
6. Approved First Reading of a moratorium on the issuance of all city permits, licenses, certificates and any and all other approvals, including building permits, land use permits, and certificate of occupancy or re-occupancy for smoking lounges, "hookah bars" and smoking related stores and set a Public Hearing date for December 5, 2013.

Motion passed 7-0.

**775 N. 2<sup>ND</sup> STREET SITE PLAN AMENDMENT**

It was moved by Councilmember Cooper, seconded by Willis to approve a conditional site plan amendment for The Back Lot Parking behind 775 N. Second Street as depicted on plans prepared by Desine, Inc., sheets EX, SP, GR, SE, ST1, DT1, DT2, and DT3, project #91585, last dated 11-7-13 subject to the following:

1. That right of way permits be obtained from the Department of Public Services for work within the right of way.
2. That street curbs and grass will be installed in the areas where driveways and curb cuts are proposed for removal.
3. Provide a detail of the 6 foot privacy fence within the construction plans.
4. Legal easement documents for construction and maintenance of the private storm sewer lines through 715 N. Second Street and properly filed with Livingston County prior to the issuance of building permits. The

documents should also include an easement for the construction and the maintenance of 6 foot wide overflow spillway that extends in the property at 715 N. Second Street.

5. Legal easement documents for construction and maintenance of the private storm sewer line within the City's right-of-way properly filed with Livingston County prior to the issuance of building permits.
6. In the event that 735 N. Second Street is sold, the current owner (BMH Realty) will have to draft and file with Livingston County legal easement documents for the maintenance of the private storm sewer line that extends into 735 N. Second Street.
7. That the applicant provide an ingress/egress easement to the adjacent parcel currently occupied by the Michigan Fence Company, if all parties can come to an agreement. This ingress/egress easement would allow for the Michigan Fence Company traffic to access their parcel from Advance Street instead of Whitney Street (a residential street).

Mayor Muzzin abstained. Motion passed 6-0-1.

#### **ASSET MANAGEMENT GRANT APPLICATION TO THE DEQ**

It was moved by Councilmember Tobbe, seconded by Bandkau to approve Resolution 13-24, Asset Management Grant Application to the DEQ. A roll call vote was taken. Yes: Willis, Bohn, Pipoly, Muzzin, Bandkau, Pipoly, Tobbe. No: none. Motion passed 7-0.

#### **GENERAL FUND FORECASTS REGARDING THE NORTHWEST NEIGHBORHOODS**

City Manager, Dana Foster discussed the General Fund Forecast Unreserved Fund Balance chart.

Finance Director, Kelly Hanna discussed General Fund Forecast Summary Spreadsheet, explaining the millage that was passed will be used for Public Safety, which will free up funds in the General Fund, General Fund Financial Forecast Assumptions, General Fund Forecast Unreserved Fund Balance and General Fund Financial Forecast Spreadsheet.

City Manager, Dana Foster discussed the Debt Management Policy Guidelines, Debt Ration Current Forecast and Total Governmental Activities Debt Service less Special Assessment Bonds.

#### **CITY CUSTOMER INFORMATION**

City Manager, Dana Foster discussed the Personal Property Tax impact on funds. We are working on website updates which will be previewed at the upcoming City Council Retreat.

Police Chief, Tom Wightman stated a power line is being worked on that is down at Oak Ridge Drive and Rickett Road.

Acting Assistant DPS Director, Patty Thomas stated next week is the last pick up for leaf bags and leaves will still be picked up at the curb as long as possible.

Mayor Pro-Tem Pipoly gave a DDA update.

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Councilmember Bohn gave a Traffic Safety Advisory Board update.

Mayor Muzzin gave a Brighton Area Fire Authority update and stated the Holiday Glow is this Saturday.

**CALL TO THE PUBLIC**

Mayor Muzzin gave a Call to the Public at 9:00 p.m. Hearing no comment, the Call to the Public was closed.

**ADJOURNMENT**

It was moved by Councilmember Cooper, seconded by Pipoly to adjourn the meeting at 9:00 p.m. Motion passed 6-0-1.

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Diana Lowe, City Clerk

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Jim Muzzin, Mayor