

Brighton City Council Meeting



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

Regular Business Meeting October 18, 2018 – 7:30 p.m.

AGENDA

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

Consent Agenda Items

5. Approval of Minutes: [Study Session of October 04, 2018](#)
6. Approval of Minutes: [Regular Meeting of October 04, 2018](#)
7. [Approval of Giffels Webster Proposal for the Preparation of the Annual CIP in the Amount of \\$15,000](#)

Correspondence

8. Call to the Public
9. Staff Updates
10. Updates from Councilmember Liaisons to various Boards and Commissions
11. Receive Annual Audit Report and Presentation

New Business

12. [Consider Approval of Extension of Plant Moran Auditing Services Through 2025](#)
13. [Discussion of Bid for the Purchase of Vacant Real Property – Parcel No. 4718-24-400-028](#)

Other Business

14. Call to the Public
15. Adjournment



City Council Special Meeting

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MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON OCTOBER 4, 2018

Mayor Muzzin called the Study Session to order at 6:00 p.m.

Present were Mayor Muzzin, Councilmembers: Bohn, Emaus, Gardner, Pettengill, Pipoly, and Tobbe. Staff: City Manager Nate Geinzer, Attorney Paul Burns, DPW Director Marcel Goch, Police Chief Rob Bradford, Community Development Manager Mike Caruso, and City Clerk Tara Brown. There was one member in the audience.

CALL TO PUBLIC

Mayor Muzzin opened the Call to the Public at 6:00 p.m. with no response.

DISCUSSION OF MEDICAL/RECREATIONAL MARIJUANA

Council and staff discussed the November 6, 2018 General Election ballot proposal. The main discussion centered on the implications involving opting in versus opting out of medical marijuana keeping in mind the tax revenue generated by marijuana sales. Mr. Caruso indicated that there would be a time frame in which to opt in/out, the City should be proactive and draft an ordinance if the ballot proposal passes. Councilmembers were open to further discussions on the topic and would like to remain proactive with planning and ordinances.

CALL TO PUBLIC

Mayor Muzzin opened the Call to the Public at 7:13 p.m. with no response.

ADJOURNMENT

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Pipoly to adjourn the meeting at 7:13 p.m. **The motion carried unanimously.**

Brighton City Council Meeting



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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON OCTOBER 4, 2018

1. Call to Order

Mayor Muzzin called the Regular Meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Roll Call

Present were Mayor Muzzin, Councilmembers: Bohn, Emaus, Gardner, Pettengill, Pipoly, and Tobbe. Staff: City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPW Director Marcel Goch, Chief of Police Rob Bradford, and Attorney Paul Burns. There were 4 persons in the audience.

4. Consider Approval of the Agenda

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly to approve the agenda as amended switching items 9 and 10. **The motion carried unanimously.**

Consent Agenda Items

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to approve the consent agenda as presented. **The motion carried unanimously.**

5. Approval of Minutes: Regular Meeting of September 20, 2018

Correspondence

6. Call to the Public

Mayor Muzzin opened the Call to Public at 7:38 p.m. with no response.

7. Staff Updates

DPW Director Marcel Goch gave a brief update on Second Street construction, noting the water main has been installed and will be chlorinated. Mr. Goch stated that the Operating Engineers Local 324 is in lockout which may indirectly affect the paving process, more to information to come once a paving schedule is in place. Water treatment filter #2 is back on line and work to filter #1 should begin shortly. Hydrant flushing has been completed.

Manager Nate Geinzer noted the COBACH Center is currently closed for maintenance.

City Clerk Tara Brown stated that absent voter ballots will be mailed on October 5, 2018 to all residents who have submitted their absent voter applications.

8. Updates from Councilmember Liaisons to various Boards and Commissions

Councilmember Tobbe met with the PSD on Tuesday, October 2, 2018. The PSD is considering a couple of options, more information to come at a later date.

New Business

9. Consider Approval of Alcohol Sales by 2317 LLC, D/B/A Jameson's Restaurant, Located at 110-118 E. Grand River, Brighton MI.

Community Development Manager Caruso gave a brief introduction to the project and intentions. Mr. Caruso noted Mr. Kasab of Jameson's Restaurant, was in the audience if Council had questions.

Motion by Councilmember Tobbe, seconded by Councilmember Gardner to approve Resolutions 18-18 and 18-19 for alcohol sales by 2317 LLC, D/B/A Jameson's Restaurant, Located at 110-118 E. Grand River, Brighton MI. **The motion carried with a roll call vote.**

9. Consider Contribution to Menard Inc. V City of Escanaba, 315 MICH APP 512 (2016)

Manager Geinzer gave a brief background on the pending litigation, Menard Inc. V City of Escanaba. Mr. Geinzer stated that the decision of this case will set a precedence. Contributions to the MML on behalf of this case will benefit many communities, especially Brighton with its number of big box stores. As of October 4, 2018, twenty-five cities, six counties, and twenty-one townships have contributed to the MML legal defense fund.

Attorney Burns stated this worthwhile cause is essentially a test case. The MTT has labeled big box stores worthless after the business has vacated. The City has already seen lost tax revenue under this tax model.

Councilmember Emaus asked if the contribution is within the budget. Manager Geinzer stated the contribution will come out of savings from City Council or City Manager budget.

Councilmember Gardner asked if the term dark stores came post-recession. Attorney Burns gave a brief summary on the history of the premise of the case.

Motion by Councilmember Emaus, seconded by Councilmember Gardner to contribute \$2,000.00 to the MML Legal Defense Fund for Menard Inc. V City of Escanaba, 315 MICH APP 512 (2016). **The motion carried unanimously.**

Mayor Pro Tem Pipoly asked for clarification on who will receive the contribution. Mr. Geinzer stated that the MML Legal Defense Fund will receive the contribution.

Other Business

10. Call to the Public

Mayor Muzzin opened the Call to Public at 7:48 p.m.

Susan Bakhaus stated that the contribution to the MML is not going to the defense fund, but for expert testimony. She indicated that she had been in contact with Mr. Jordan, City Manager of Escanaba. She further stated that if the City can afford to contribute \$2,000.00 then the City can contribute yard waste bags for residents and a walkable path on Devonshire.

Mayor Pro Tem Pipoly asked Attorney Burns to approximate the cost this black box/dark store tax ruling has cost the City in the Home Depot building alone. Attorney Burns indicated that this ruling represents hundreds of thousands of dollars in taxable value that has been reduced.

11. Adjournment

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Tobbe to adjourn the meeting at 7:52 p.m. **The motion carried unanimously.**

Tara Brown, City Clerk

James Muzzin, Mayor



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL OCTOBER 18, 2018

SUBJECT **APPROVAL OF GIFFELS WEBSTER PROPOSAL FOR THE PREPARATION OF THE ANNUAL CIP IN THE AMOUNT OF \$15,000**

BACKGROUND

At the January 4, 2018 City Council Meeting, City Council approved an agreement for *As Needed Planning Services with Giffels Webster*. However, in this specific case, the attached proposal goes beyond the original “as needed” intent and is being provided to City Council for review. Due in part to existing staff vacancies and the extremely busy nature of the Community Development Department, staff is in need of additional services to ensure this year’s CIP is completed in a timely matter. Further, this CIP process will double as a training opportunity for staff who have become newly responsible for the CIP and will develop a new CIP template.

In summary, the project scope will:

Prepare a Capital Improvement Plan (CIP) to assist the city with turning its long-range plans into reality. This initial six-year capital improvement plan will serve as a template for annual updates by the city and will comply with requirements of the Michigan Planning Enabling Act of 2008. The CIP will identify the major capital improvements needed and/or planned, the timeframe for implementation of those improvements, and the budget and revenue sources that will bring those improvements to life. The process will bring together multiple municipal departments to demonstrate how water and sewer systems, public safety equipment, parks and recreation facilities, transportation facilities and other public projects all work together to create a great community.

Funding is currently available in the Community Development budget.

RECOMMENDATION

It is recommended that City Council approve the Giffels Webster proposal for the preparation of the Annual CIP in the amount of \$15,000.

Prepared and

Approved by: Nate Geinzer, City Manager



CITY OF BRIGHTON
REPORT FROM THE CITY MANAGER TO CITY COUNCIL
 OCTOBER 18, 2018

SUBJECT: CONSIDER APPROVAL OF EXTENSION OF PLANTE MORAN AUDITING SERVICES THROUGH 2025

ADMINISTRATIVE SUMMARY

- The City's current contract with Plante Moran has two years remaining.
- Plante Moran approached City management with a proposal to reduce the current contract fees for the remaining two years and extending the contract another 5 years. The proposal from Plante Moran will save the city \$50,560 over the next five years. See the attached proposed extension letter from Plante Moran.
- Plante Moran was able to offer this reduced rate due to efficiencies gained through both their experience in auditing the city and the preparation of audit documents by city staff. Plante Moran staffing on the job has remained consistent for several years and they understand our controls and processes, which creates efficiency, as they don't have to spend a lot of time learning our operations. Additionally, Gretchen's experience in public accounting has helped her to streamline the audit process and produce complete and accurate audit support to Plante Moran, which has in turn created efficiencies for Plante Moran in auditing the City's financial records.
- Below is a current schedule as per the existing contract for the 2019 and 2020 audits, along with a projected fee for future years (shaded in grey) based on the original contract:

2019 Audit	66,800
2020 Audit	67,470
2021 Audit	68,140
2022 Audit	68,820
2023 Audit	69,510
2024 Audit	70,210
2025 Audit	70,910

- Below is a summary of fees as proposed for a five-year contract extension:

Revised proposal for additional 5 years	Current fee	Savings	
2019 Audit	59,790	66,800	7,010
2020 Audit	60,390	67,470	7,080
2021 Audit	60,990	68,140	7,150
2022 Audit	61,600	68,820	7,220
2023 Audit	62,220	69,510	7,290
2024 Audit	62,840	70,210	7,370
2025 Audit	63,470	70,910	7,440
		Total Savings proposed	50,560

RECOMMENDATION

Staff recommends, City Council approve the proposed five-year extension with a price reduction in the remaining 2 years of the current contract as outlined above.

Prepared by: Gretchen M. Gomolka, Finance Director

Approved by: Nate Geinzer, City Manager

Attachment: Proposed contract extension letter



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Tel: 248.352.2500
Fax: 248.352.0018
plantemoran.com

September 19, 2018

Mr. Nate Geinzer
City of Brighton
200 North First Street
Brighton, MI 48116

Dear Nate:

As previously discussed, the contract between the City of Brighton and Plante Moran expires after the June 30, 2020 fiscal year end audit. Given the long standing relationship with the City, we are pleased to send this letter confirming the audit arrangements with the City of Brighton for the fiscal years ended June 30, 2021 through 2025, which will provide the City with significant savings over the time period, as noted below.

As you are aware, the upcoming years will be challenging for the accounting teams of local government units. The City of Brighton will be implementing various newly issued GASB statements, including statement number 84. Furthermore, the City of Brighton will be completing the transition to the new Uniform Chart of Accounts, and as a result it will be imperative for the City to continue to assess its current practices and policies to ensure that the City conforms with the new guidance. Because we work with over 350 government units in Michigan alone, we are deeply involved in understanding these new rules and helping communities like Brighton understand the challenges and opportunities that go along with them. As in the past, we will continue to work one-on-one with your team to help prepare for these accounting changes. But in addition to that, your team will continue to have access to free trainings that we offer to our clients, such as our annual municipal finance update held each year in June. Our value is not just in our audits, but even more so in the ways we assist the City by anticipating the unknown, and preparing for the “new and different”.

We are pleased to provide the following pricing for the fiscal years ended June 30, 2021 through 2025, including a revised quote for the years ended June 30 2019 and 2020:

June 30, 2019 Audit -	\$59,790
June 30, 2020 Audit -	\$60,390
June 30, 2021 Audit -	\$60,990
June 30, 2022 Audit -	\$61,600
June 30, 2023 Audit -	\$62,220
June 30, 2024 Audit -	\$62,840
June 30, 2025 Audit -	\$63,470



This arrangement reflects a decrease of nearly 11% from the previously agreed to 2019 fee (which was \$66,800), with a 1% inflationary increase for years 2020 through 2025. While the accounting world continues to become more complex, we are proud of our firm's efforts to continue to find efficiencies through increased technology and innovations so that we can remain cost efficient for our communities. The overall net savings for the City is estimated at \$50,560 for the term noted above.

If you are in agreement with the extension, please sign and return the letter to me at your convenience. If you have any thoughts or questions, please do not hesitate to contact me at (248) 223-3662.

Thank you for the opportunity to serve you.

Very truly yours,

PLANTE & MORAN, PLLC



Martin J. Olejnik, CPA

Agreed and Accepted

We accept this extension letter, which set forth the entire agreement between the City of Brighton and Plante & Moran, PLLC with respect to the financial audit services for the years ended June 30, 2019 through June 30, 2025.

City of Brighton

Mr. Nate Geinzer

Date

Title



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL OCTOBER 18, 2018

SUBJECT **DISCUSSION OF INVITATION TO BID FOR THE PURCHASE OF VACANT REAL PROPERTY – PARCEL NO.
4718-24-400-028**

BACKGROUND

The City of Brighton put the above property out to bid with a minimum bid requirement of \$1.2 Million. Bids were due Monday, October 8th and no bids were received. City Council should discuss whether to reissue the bid with a lower minimum bid requirement, or consider another approach to sell the parcel. Staff did respond to inquiries from multiple prospective bidders and believes a lower minimum bid requirement may be enough to generate more interest in the property and possible competition for the property.

The City Attorney is contacting the Appraiser to determine how the lack of a bid response affects the property appraisal. This information is expected prior to the City Council meeting.

RECOMMENDATION

It is recommended that City Council reissue the bid for the purchase of vacant real property and set a lower minimum bid requirement.

Prepared and

Approved by: Nate Geinzer, City Manager