



Brighton City Council Minutes

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

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

1. Call to Order

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

2. The Pledge of Allegiance was recited

3. Roll Call

Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers: Emaus, Bohn, Gardner, Tobbe, and Pettengill. Staff: City Manager Nate Geinzer, Attorney Paul Burns, Assistant to the DPW Director/Deputy City Clerk Patty Thomas, Assistant to the City Manager, Jessica Lienhardt, Senior Community Development Associate Mike Caruso, DPW Director Marcel Goch, Police Chief Rob Bradford, Utilities Director Tim Krugh, Community Development/DDA Coordinator Brandon Skopek, and Community Development Associate Lydia Macklin-Camel. There were eight individuals in the audience.

Tom Tolen from the media was present

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Councilmember Pettengill, to approve the agenda as presented. **The motion carried unanimously.**

CONSENT AGENDA

Motion by Mayor Pro-Tem Pipoly, seconded by Councilmember Pettengill, to approve the Consent Agenda as presented. **The motion carried unanimously with a roll-call vote.**

The following items were approved:

5. Approval of the Study Session Minutes from December 7, 2017.
6. Approval of the Regular Meeting Minutes from December 7, 2017.
7. Approval of the Closed Session Minutes of December 7, 2017.
8. Approval of the City Council Retreat Minutes from December 9, 2017.
9. Approval of the City Council Retreat Minutes from December 10, 2017.
10. Approval of the Civic Event Application for the 2018 Walk to End Alzheimer's.

11. Approval of the Annual Poverty Exemptions Resolution #18-01.
12. Approval of Request From Brighton Area Schools to Collect Operating Property Taxes (Non-Principal Residence) on the City's Summer 2018 Tax Bills.
13. Approval of Request From the Livingston Educational Service Agency to Collect Operating Property Taxes on the City's Summer 2018 Tax Bills.
14. Approval of Payment to the Brighton Area Historic Society in the Amount of \$2,000.

CORRESPONDENCE

15. Eagle Scout Award and Proclamation

Mayor Muzzin presented a proclamation to Hayden Rozanski of Troop 347 for his achievement of Eagle Scout. Mr. Rozanski gave a summary of his Eagle Scout project. He built a dog training park for the City's K-9, Danko, as well as for other K-9s in the region. A slideshow of photographs from the park was shown.

16. Call to the Public

Mayor Muzzin opened the Call to the Public at 7:38 p.m. Hearing and seeing no additional comment the Call to the Public was closed at 7:38 p.m.

17. Staff Updates

Chief Bradford thanked all of the police officers and other staff that worked over the holidays. Office Gibbard and his wife welcomed a baby on December 18th. They are finishing up the hiring process for a new police officer.

Utilities Director Tim Krugh reminded residents that due to the cold weather, if your meter is in a small, unheated room, please open the door to help prevent freezing of the pipes and the meter. If low water pressure is experienced, please call his office and they will assist. This could be the beginning sign of frozen pipes.

DPW Director Goch thanked the DPW and Utilities crews for working over the holidays.

Manager Geinzer reiterated Chief Bradford's and Mr. Goch's thanks to everyone who worked over the holidays. He wished everyone a happy new year.

18. Updates from Councilmember Liaisons to other Boards and Commissions

Mayor Pro-Tem Pipoly had nothing to report.

Councilmember Tobbe had nothing to report.

Councilmember Bohn provided a review of the Planning Commission meeting that occurred on December 18, 2017.

Councilmember Gardner asked why the Christmas lights were less this year than in years past. She has had requests from residents. She noted that DPW staff put up the lights this year and knows that they did the best they could as they do not have the proper equipment. She would like to have this issue discussed in the near future.

Mr. Geinzer stated that previously the Greater Brighton Area Chamber of Commerce paid for them with donations and contributions from the City. Then the PSD funded the Christmas lights with contributions from the City. Over the last three to five years, City Council has been decreasing the amount of money they contribute toward Christmas lights. This year, the funding was completely removed from the budget.

City staff used the lights that were currently available. We do not have the proper equipment to put the lights high on the trees. He stated that the DPW staff did a great job with the resources that they had. He is aware that there is a group that is looking into handling the process for next year.

Ms. Lienhardt stated that four years ago the total cost for the Christmas lights was \$35,000. For the past two to three years it has been approximately \$25,000.

Mayor Pro-Tem Pipoly stated they were not happy with the service that had been received in the past. He felt that the service, such as when lights fell from the trees or when they went out, was much better this year because City staff was available to make the repairs.

Councilmember Pettengill thanked the DPW. The plowing this past weekend was done very well.

Councilmember Emaus had nothing to report. He wished everyone a happy and healthy new year.

Mayor Muzzin provided an update of the DDA meeting that occurred on December 19, 2017.

NEW BUSINESS

19. Consider Approval of Proposal for Website Design Services with Revize in an amount not to exceed \$12,500.

Ms. Macklin-Camel stated that Staff is recommending City Council approval the proposal with Revize.

Mayor Pro-Tem questioned why the proposal amount is for \$11,400; however, Staff is requesting \$12,500. Ms. Macklin-Camel stated that this would allow some room for possible additional work that may be required based on issues that may arise, or additional work needed during the redesign process.

There was a discussion regarding the proposal and/or agreement that was presented in the packet. It was not detailed and did not include such items as unforeseen costs, who owns the intellectual rights to the website content, etc.

Mr. Geinzer stated he has spoke to Attorney Burns regarding the proposal and Mr. Burns would like to review it further. He suggested that this item be approved this evening contingent upon the attorney's review and approval.

Councilmember Emaus stated he would not be comfortable approving this item for more than the \$11,400 that was quoted without a longer agreement or contract that is has been reviewed and approved by the City attorney.

Councilmember Bohn would like more detail as to what is included in the four-year update.

Motion by Councilmember Gardner, seconded by Councilmember Emaus, to approve the website design proposal with Revize in the amount not to exceed \$12,500 subject to legal review. **The motion carried unanimously.**

20. Consider Approval of Agreement for As Needed Professional Planning Services with Giffels Webster

Mr. Skopek stated that as part of the comprehensive master plan update, there are zoning ordinance updates that may be needed, which are outside the scope of the current planning contract with the Livingston County Planning Department. Giffels Webster would be providing on-call/as-needed planning services. They would not be replacing the Livingston County Planning Department, but it would be an additional tool. The agreement has been reviewed by the attorney; however, there are a few items that are still under discussion so staff is recommending that City Council approve the agreement pending review and approval by the City Attorney.

There was a discussion regarding the anticipated costs associated with this service, if all costs would be approved by City Council individually, the length of the contract, issues with the liability insurance stated in the agreement, and the description of services that would be provided by Giffels Webster.

Motion by Mayor Pro-Tem Pipoly, seconded by councilmember Emaus, to approve the Agreement for As Needed Professional Planning Services with Giffels Webster subject to review by the City Attorney, specifically the insurance requirements, including a three-year contract limitation, and the amount expended shall not exceed the amount budgeted for Community Development consultants. **The motion carried unanimously.**

21. Consider Approval of the Purchase and Installation of Five (5) Avigilon Cameras in an Amount not to Exceed \$30,000.

Chief Bradford reviewed the types of cameras as well as where they would be located for this purchase. This work will include wireless receivers. The total cost is \$23,858; however, there is a cost of add power to one of the light poles. This has already been budgeted. He would like to use the additional money to update the cameras at City Hall. They are currently analog.

Motion by Councilmember Emaus, seconded by Mayor Pro-Tem Pipoly, to approve the Purchase and Installation of Five (5) Avigilon Cameras in an Amount not to Exceed \$30,000. **The motion carried unanimously.**

22. Consider Approval of an Agreement with the Charter Township of Brighton to Exclude Shepherd of the Lakes from the City's Water Service Area as Outlined in the 2008 Water Service Contract

Mr. Geinzer provided a summary of the reason for this request. Shepherd of the Lakes Church is currently part of the franchise area in the 2008 Water Service Contract; however, they would prefer to connect to MHOG's water system because it is closer than the City's water mains. Staff and the City Engineer are not opposed to excluding Shepherd of the Lakes Church from the contract.

The representative from Shepherd of the Lakes Church stated they are having water quality issues with their well so they would like to connect to municipal water.

Mr. Burns stated that it is legally permissible to shrink the agreement, and it is a policy issue for the City Council.

Mr. Krugh described the system in that area and that the City would not be receiving any additional REU's even if Shepherd of the Lakes Church were to connect to our water system as Brighton Township currently has a credit for REU's. He agrees that the church should be allowed to connect to MHOG instead of the City's water system.

Mr. Burns stated the City Council's decision this evening should be if they want to shrink the service area. If that is the case, then he can begin working with the township and their attorneys on drafting documents to exclude Shepherd of the Lakes from the 2008 Water Service Contract.

Mr. Brian Vick, Brighton Township Manager, confirmed that they have 280 REU credits with the City of Brighton, and he would like to be able to sell them to the church.

Mayor Muzzin was in agreement with allowing the church to connect to MHOG instead of the City's water system. Councilmember Bohn agreed.

Councilmember Emaus asked for clarification as to why this exception is being made. This could be setting a precedent for other properties in that area to request to connect to MHOG instead of the City's water supply. The City needs to ensure that the City is treating everyone equally.

Mr. Geinzer stated that the City Attorney can provide clarification as it relates to Councilmember Emaus' concern and Mayor Pro-Tem Pipoly's request to ensure that this change in the contract makes sense long term. It is reasonable to review this entire area at one time so as to avoid other property owners requesting one at a time to be removed from the Franchise Agreement. Staff can also provide information on what the impacts of a change would be from a legal, engineering, and policy perspective.

Motion by Mayor Pro-Tem Pipoly, seconded by councilmember Gardner, to direct the City Attorney to prepare a contract amendment to the Franchise Agreement and return to City Council for review. **The motion carried unanimously.**

OTHER BUSINESS

23. Call to the Public

Mayor Muzzin opened the Call to the Public at 9:29 p.m.

Ms. Maggie Gibbons, Chairman of the Brighton Walk to End Alzheimer's Event, and Ms. Lauren Kovak, a life-long Brighton Resident, thanked the council for approving their request for 2018. Their event continues to grow. They had many more participants and raised a lot more money in 2017.

The Call to the Public was closed at 9:34 p.m.

24. Closed Session to Receive a Written Attorney-Client Privileged Communication Pursuant to MCL 15.268(h)

Motion by Councilmember Tobbe, seconded by Mayor Pro-Tem Pipoly, to enter into closed session to receive a written attorney-client privileged communication pursuant to MCL 15.268(h) at 9:35 pm. **The motion carried unanimously with a roll-call vote.**

The Council reconvened the Regular Session at 10:02 p.m.

25. Consider Possible Action Resulting from Closed Session

No action was taken.

26. Adjournment

Motion by Councilmember Tobbe, seconded by Mayor Pro-Tem Pipoly, to adjourn the meeting at 10:03 p.m. **The motion carried unanimously.**

Patty Thomas, Asst. to the DPW
Director / Deputy Clerk

James Muzzin, Mayor