

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
November 7, 2013

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. Consider approval of the Agenda
5. [Approval of minutes: Regular Meeting](#) and closed sessions of [10/17/13](#), [Special Meetings of 10/22/13 & 10/29/13](#)
6. Eagle Scout award recognition & presentation
7. Mayor's presentation for recognition of service provided by City Council Members Roblee & Schillinger
8. Mayor's Reading of Citizen Inquiries received since the last City Council Meeting
9. Call to the Public

Consent Agenda

10. Consider approval of the Mayor's recommended reappointment to the Board of Review
11. Consider approval of the Mayor's recommended reappointment to the Election Commission
12. Receive and approve Officers Compensation Commission report and recommendations
13. Consider approval of the [Quarterly Investment Report](#) from the Finance Director
14. Consider approval a [resolution required for an Asset Management Grant Application to the DEQ](#)
15. Consider approval of staff's recommended [street pavement marking bid award](#)
16. Consider approval of staff's recommended [amendment](#) to the [fee schedule for residential rental registration & inspection fees](#)

Policy Development & Customer Communications' action item

17. Conduct a public hearing for and then consider approval of a [temporary land use permit application for Christmas Tree sales](#)
18. Receive updated 6-year Financial Forecast for the General Fund and DDA Fund presentation from the Finance Director
19. Consider possible authorization of litigation or other actions by the City Attorneys regarding pending code violations

Other Business

20. Information for City Customers
21. Receive updates from Council Member Liaisons to other Boards and Commissions
22. Call to the Public
23. Consider closed session as may be requested by the City Attorney
24. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON OCTOBER 17, 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, Councilmembers Bohn, Bandkau, Roblee, Schillinger, Cooper and Pipoly. The Council reviewed agenda items.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:35 p.m. Following the Pledge of Allegiance, the roll was called. Present were Mayor Muzzin, Councilmembers Bandkau, Pipoly, Schillinger, Roblee, Cooper and Bohn. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Kelly Hanna Dave Blackmar, Jennifer Burke and Jon Westendorf and an audience of 6. Press and Media included Tom Tolen from WHMI.

AGENDA APPROVAL

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to approve the agenda with the following changes: add item #20a, Closed Session Action. Motion passed 7-0.

MINUTE APPROVAL

It was moved by Councilmember Roblee, seconded by Bohn to approve the Regular Meeting minutes of October 3, 2013 as presented. Councilmember Cooper abstained. Motion passed 6-0-1.

CITIZEN INQUIRIES

Mayor Muzzin read a Citizen's Inquiry from Susan Walters-Steinacker: Please explain why the Brighton Art Guild is continually allowed to use the CoBACH building even though they are failing to staff on their scheduled days?

Mayor Muzzin stated each of the three nonprofit tenant organizations occupying the CoBACH Center is staffing the building to make activities, events, and exhibits available to the public. Between the non-profits and their volunteers, the building is staffed during the hours that it is open to the public. They all help each other to provide staffing of the building. There is no requirement for the three nonprofit tenant organizations of the CoBACH to get City approval of any of its advertisements.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:38 p.m.

Pat Cole expressed her concerns that residents would be confused by publishing two Informational meeting notices.

The Call to the Public was closed at 7:42 p.m.

Mayor Muzzin stated the City is permitted to publish two notices to comply with Open Meetings Act.

CONSENT AGENDA

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve the Consent Agenda as presented. Motion passed 7-0.

The following items were approved:

1. Appointed Kristy Meek to fill the City resident-at-large vacancy on the SELCRA Board.
2. Appointed Alicia Urbain and Alex Tortora and reappointed Doug Angst to the Zoning Board of Appeals.
3. Reappointed Bill Bryan and Steve Monet to the Planning Commission.
4. Approved Resolution 13-22, Authorizing placement of liens on properties with unpaid City-directed Maintenance.
5. Approved the Millpond Aquatic Weed Harvesting RFP as submitted by Swamp Thing, LLC in the amount of \$12,872.00.
6. Established 6:00 p.m. to 9:00 p.m. for Halloween trick or treating hours for October 31, 2013.

PUBLIC INFORMATIONAL LETTER TO REGISTERED VOTERS

Manager Foster discussed the draft letter, which would be signed by all Councilmembers and would be mailed to all registered City voters regarding the Headlee Millage Lid Override Election Proposals next week following review by the City Attorney.

Councilmember Roblee recommended City Council make some phone calls to voters to advise them of the proposals and to create more personal contact with our taxpayers.

It was moved by Councilmember Cooper, supported by Councilmember Pipoly to approve the draft letter to be sent to registered voters regarding the Headlee Millage Lid Override Election Proposals subject to City Attorney's review. Motion passed 7-0.

City Manager, Dana Foster thanked City Clerk, Diana Lowe regarding the postcard mailing cost savings.

CITY SERVICE SURVEY

City Manager, Dana Foster stated the City Service Survey is designed to gauge taxpayer's view of City services, the importance of various services and to provide opportunities for comment/inputs.

It was moved by Mayor Pro-Tem Cooper, seconded Pipoly by to approve the draft biennial City Service Survey questionnaire for posting on the City's Website. Motion passed 7-0.

Human Resources Director, Jennifer Burke stated the survey would be mailed next week following Council approval with results expected by the end of November and brought to retreat in early December.

ANNUAL EXTERNAL AUDIT REPORT

Finance Director, Kelly Hanna presented the 2013 Comprehensive Annual Financial Report. She stated she anticipates submitting the report for a 5th Certificate of Excellence award. She thanked Assistant Finance Director, Denise Meier, Finance Staff and Plante Moran for all of their help throughout the year.

Tim St. Andrews of Plante Moran highlighted the 2013 Comprehensive Annual Financial Audit report.

Martin Olejnik presented the letter management letter for the year ended June 30, 2013.

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to accept the 2013 Comprehensive Annual Financial Report. Motion passed 7-0.

CITY CUSTOMER INFORMATION

City Manager, Dana Foster stated he has conducted one informational meeting regarding the four proposed Headlee Millage Lid Override Election Proposals. He also stated that the Citizen Inquiry report of earlier this evening about the CoBach is illustrative of how volunteers are doing a lot of work for us at the CoBach, Old Village Cemetery by the Historical Society and at the Imagination Station.

Councilmember Bandkau gave a Veteran's Memorial update stating the Rock Memorial at the Mill Pond will be relocated to the new site.

Councilmember Roblee stated DIA inside out program pieces of art will be removed from City and thanked them for having this program. She thanked Lauri French and DPS Staff for moving items for the memorial. She gave a BACC update.

Councilmember Bohn attended the ZBA meeting regarding soil operation at Northridge Hills construction site, where they approved for one year with conditions.

Mayor Muzzin stated he attended the Arbor Day ceremony and thanked Patty Thomas, Dave Blackmar, Dana Foster for their work on this event. Mayor Muzzin read a Proclamation recognizing Arbor Day. He gave a Brighton Area Fire Authority update.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 8:55 p.m. The following comments were heard:

Pat Cole, Brighton City stated she is not in favor of Headlee millage increases.

Hearing no further comment, the Call to the Public was closed at 9:03 p.m.

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MTT TAX TRIBUNAL CLOSED SESSION

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to go into Closed Session to discuss pending litigation pursuant to MCL 15.268(e). A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The Council convened into Closed Session at 9:04 p.m.

The Council reconvened the Regular Session at 9:08 p.m.

It was moved by Mayor Pro-Tem Cooper, seconded by Roblee to execute the consent judgment relative to the October 15th letter from Attorney. Motion passed 7-0.

POSSIBLE LITIGATION CLOSED SESSION

It was moved by Councilmember Cooper, seconded by Bohn to go into closed session to discuss possible pending litigation pursuant to MCL 15.268(e) at 9:10 p.m.

The Council convened into Closed Session at 9:10 p.m.

The Council reconvened the Regular Session at 9:39 p.m.

ADJOURNMENT

It was moved by Councilmember Pipoly, seconded by Bohn to adjourn the meeting at 9:40 p.m. Motion passed 7-0.

Jennifer Burke, Deputy City Clerk

Jim Muzzin, Mayor

MINUTES OF THE SPECIAL MEETING OF THE BRIGHTON CITY COUNCIL
HELD ON OCTOBER 22, 2013 AT THE BRIGHTON COMMUNITY CENTER
555 BRIGHTON STREET, BRIGHTON, MICHIGAN

SPECIAL MEETING

The Special Meeting was called to order by Councilmember Bandkau at 6:30 p.m.

ROLL CALL

Roll Call was taken. Present were Councilmembers Bohn, Pipoly, Roblee and Bandkau, City Manager Dana Foster and an audience of 19.

CALL TO THE PUBLIC

Councilmember Bandkau gave a Call to the Public. The following was heard:

Nancy Stamp asked if Councilmembers in attendance would be paid for this meeting, who would be taking minutes and if minutes would be approved in a Regular Council meeting.

Hearing no further comment, the Call to the Public was closed.

SPECIAL MEETING DISCUSSION

It was moved by Councilmember Pipoly, seconded by Roblee that Councilmembers attending these Special Information meetings would not receive a per diem. Motion passed 4-0.

City Manager, Dana Foster gave a presentation on the Headlee Lid Override ballot proposals.

Questions were answered and comments were taken from the audience after the presentation regarding clarification on "Personal Property", where real estate value projections come from, fund surplus, Headlee cap Vs. Over Ride Vs. Lid, No direct services - only direct infrastructure, a guarantees that funds are not going to downtown commercial district, criteria for determining the streets on Proposal 1, why Robertson not on the list; one comment from NW quadrant thanking us for the Proposal 1, proposals are not clear enough, clarification between real estate values and taxable values and why are there no Police Patrols through the condo associations?

CALL TO THE PUBLIC

Councilmember Bandkau gave a Call to the Public at 8:48 p.m.

It was stated that a portable microphone would have been a plus.

Nancy Stamp recommended a plant study recommended before weed harvesting in Millpond.

Pat Cole stated she hopes future Councils will do the responsible thing if property values increase and reduce the mills.

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Hearing no further comment, the Call to the Public was closed at 8:54 p.m.

ADJOURNMENT

It was moved by Councilmember Roblee, seconded by Pipoly to adjourn the Special Meeting at 8:55 p.m. Motion passed 4-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

MINUTES OF THE SPECIAL MEETING OF THE BRIGHTON CITY COUNCIL
HELD ON OCTOBER 29, 2013 AT THE BRIGHTON COMMUNITY CENTER
555 BRIGHTON STREET, BRIGHTON, MICHIGAN

SPECIAL MEETING

The Special Meeting was called to order by Mayor Muzzin at 6:34 p.m.

ROLL CALL

Roll Call was taken. Present were Councilmembers Bohn, Pipoly, Muzzin and Bandkau, City Manager, Dana Foster, Dave Blackmar and Tom Wightman, Tom Tolen of WHMI and an audience of 22.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public. Hearing no comment, the Call to the Public was closed.

SPECIAL MEETING DISCUSSION

There was discussion regarding current taxable values, regular millage, if the millage will decrease when taxable values increase, Hamilton Farms Condos maintain their own roads, funds being spent in the downtown business district, parks, law about rubbish pickup, what will happen if Proposal 4 fails, franchise fees, cable television fees, taxes on easements, How much money does the city take in in revenues?, Why does the City not charge more than \$1 to lease City property to restaurant establishments?, Brighton Lake Road sidewalk, leasing the CSX property for \$1, Where is the extra \$451,000 coming from on Proposal 4?, State of the City and the positives of the DDA and how the City looks, What do the taxable values look like for 10 years down the road?, If Proposal 1 is generating \$400,000 in the first year, how are we spending \$1,000,000?, Why does the DDA not pay for the new cameras?, Cemetery conditions, volunteers, tree service, specific projects for Proposal 1 and how to draw from the General Fund?

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public. The following comments were heard:

Comment on garbage and how is it that it was in taxes, but now it is not. If the Waste management contract increases, will the City pass the extra cost on to the tax payers again?

Pat Cole, Because there is a quorum, who is taking the minutes?

Hearing no further comment, the Call to the Public was closed

ADJOURNMENT

It was moved by Councilmember Bandkau, seconded by Bohn to adjourn the Special Meeting at 8:47 p.m. Motion passed 4-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

MEMORANDUM

To: Dana Foster, City Manager

From: Kelly Hanna, Finance Director



Date: November 7, 2013

Subject: The City's Quarterly Investment Report as of September 30, 2013

Attached you will find the City's Quarterly Investment Report as of September 30, 2013.

In comparison to the quarter ended June 30, 2013, the City's total investment/bank balance has increased by \$3,981,872 or 98% to \$8,047,703, which is generally indicative of the fact that the majority of the City's tax revenue levied is collected in the first quarter of the fiscal year, while expenditures are relatively more constant throughout the year. In comparison to the same quarter a year ago, i.e., the quarter ended September 30, 2012, the City's total investment/bank balance has decreased by \$194,136 or 2%. This is reflective of lower millage rates for 2013 compared to 2012 (2012 was the last year for the Street Voted Debt Millage).

In comparison to the quarter ended June 30, 2013, the City's average rate of return on investments increased from 0.24% to 0.32%. The increase is reflective of additional certificate of deposit investments and additional money market accounts, which are earning a higher rate. The City continues to earn more than the benchmark 3-month Treasury Bill Rate and Fed Funds Rate.

Since June 30, 2013, the City's investment in FDIC insured CD's increased by \$2,658,263. The City's collateralized deposits/investments with JP Morgan Chase Bank totaled approximately \$1,296,438 or approximately 16% of the City's overall portfolio.

Attached you will find a quarterly investment report prepared by the City Treasurer, per the Adopted Investment Policy. We continue to work within the primary objectives of the City's Investment Policy, which, in priority order, are; safety, liquidity and return on investment.

Let me know if you have any questions.

MEMO

To: City Council
From: Fern Jackson, Treasurer 
Subject: 3rd Quarter Investment Report
Date: October 23, 2013

The City of Brighton currently has 17 certificates of deposits with various Michigan banks with a 15 month maturity or less. There were 2 CD's purchased this quarter in the utilities fund, 11 in the general fund and one in the DDA fund as we wage the cost of keeping our funds liquid vs. low rate of return from pooled money market accounts.

The interest rates of these outstanding certificates range from .25% to a maximum of .70% and will vary in amounts from \$150,000 to \$250,000. Laddering the investments out provides an on-going steady interest income, which is an additional revenue to the City budget. This also protects the interest revenue from market declines in the money market accounts. The general fund currently holds CD's in the amount of \$2,710,000 which is from the tax revenue received from the tax bills due August 15 of each year. The Utilities and Utilities Replacement fund currently holds 4 CD's in the amount of \$925,103.05 and the DDA holds one CD for \$200,000.

Our current financial institutions, which we hold money market accounts with, are providing .20% to .53% interest rates on 39% of our total investments. These funds are completely liquid in nature and are available to use on demand. Certificates of Deposit require a penalty in interest; normally one month is forfeited, if they are needed prior to their maturity. Municipalities are allowed to only use Michigan banks for investment purposes. In the month of September, we opened 2 new money market accounts with Bank of Birmingham and Huntington National Bank with higher return rates than our current financial institutions.

Our current financial institution, JPMorgan Chase, has received much in the way of bad publicity with the news media with regard to fines from the Justice Department to settle civil charges related to wrongdoing by some of its units just before and during the housing crisis. Recent news reported JPMorgan Chase is nearing a major settlement with a group of institutional investors to settle claims over questionable mortgage-backed securities issued prior to the financial crisis.

The investigation into JPMorgan Chases' trading loss in London reached a peak in August when the United States attorney's office in Manhattan, along with the F.B.I., announced charges against the two former traders. The bank was fined from the Office of the Comptroller of the Currency, followed by the U.K. Financial Conduct Authority, the Federal Reserve and the U. S. Securities Exchange Commission.

Last year JPMorgan Chase reported a third straight year of record profit in 2012 with \$21.3 billion in net income. The BauerFinancial star rating for JPMorgan Chase was 3.5 stars out of 5 as of September 30, 2013. All of our funds with JPMorgan Chase are collateralized above the FDIC limit. We continue to monitor news and rating changes for a potential need to change financial institutions.

CITY OF BRIGHTON
 QUARTERLY INVESTMENT REPORT
 AS OF SEPT. 30, 2013*

<u>Investment Account</u>	<u>Account Balance</u>	<u>Maturity Date</u>	<u>Current % Interest Rate</u>	<u>Average R.O.R.</u>
JP Morgan Chase & Co. - A/P	495,089.90	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Payroll	540,627.36	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Employee FSA	10,554.38	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Escrow	100,281.23	Immediate	0.20%	0.00%
JP Morgan Chase & Co. - Payroll MM	70,092.73	Immediate	0.20%	0.00%
JP Morgan Chase & Co. - Money Market	<u>79,792.34</u>	Immediate	0.20%	0.00%
Total Chase Bank	1,296,437.94			
Michigan Commerce - Police Forfeiture	0.00	Closed	0.15%	0.00%
Michigan Commerce - Juvenile	231.21	Immediate	0.00%	0.00%
Michigan Commerce - Tax account	<u>150,039.92</u>	Immediate	0.25%	0.00%
Total Michigan Commerce Bank	150,271.13			
First National Bank-tax account	<u>120,613.21</u>	Immediate	0.25%	0.00%
Total 1st Natl Bank	120,613.21			
Level 1-Money Market	839,339.83	Immediate	0.25%	0.03%
Level 1-U/B checking	<u>654.62</u>	Immediate	0.00%	0.00%
Total Level 1	839,994.45			
LOTUS BANK	<u>202,574.07</u>	Immediate	0.40%	0.01%
Total Lotus Bank	202,574.07			
FIRST NATIONAL BANK OF AMERICA	<u>402,483.85</u>	Immediate	0.53%	0.03%
Total First National Bank of America	402,483.85			
BANK OF BIRMINGHAM	<u>200,011.51</u>	Immediate	0.35%	0.01%
Total Bank of Birmingham	200,011.51			
HUNTINGTON NATIONAL BANK	<u>1,000,213.69</u>	Immediate	0.30%	0.04%
Total Huntington National Bank	1,000,213.69			
CD-UNITED BANK	200,082.19	11/27/2013	0.50%	0.01%
CD-CRESTMARK BANK	175,015.44	12/26/2013	0.40%	0.01%
CD-THE PRIVATE BANK	150,005.42	12/29/2014	0.65%	0.01%
ANN ARBOR STATE BANK	240,000.00	1/9/2014	0.50%	0.01%
CD-FLAGSTAR	250,000.00	2/5/2014	0.25%	0.01%
CD-FLAGSTAR	250,000.00	3/5/2014	0.25%	0.01%
CD-BANK OF ANN ARBOR	250,000.00	4/30/2014	0.50%	0.02%
CD-THE PRIVATE BANK	200,000.00	5/2/2014	0.25%	0.01%
CD-INDEPENDENT BANK	240,000.00	5/20/2014	0.35%	0.01%
CD-MERCANTILE BANK	250,000.00	6/11/2014	0.49%	0.02%
CD-BANK OF ANN ARBOR	250,000.00	6/25/2014	0.50%	0.02%
CD-BANK OF BIRMINGHAM	200,000.00	6/25/2014	0.40%	0.01%
CD-MACATAWA BANK	240,000.00	7/23/2014	0.28%	0.01%
CD-HURON VALLEY	240,000.00	8/29/2014	0.40%	0.01%
CD-LIVINGSTON COMMUNITY BANK	250,000.00	9/11/2014	0.70%	0.02%
CD-WOLVERINE BANK	250,000.00	9/11/2014	0.35%	0.01%
CD-MERCANTILE BANK	<u>200,000.00</u>	9/13/2014	0.49%	0.01%
Total Certificate of Deposits	3,835,103.05			
TOTAL	<u>8,047,702.90</u>		<u>10.34%</u>	<u>0.3249%</u>
Avg. three Month Treasury Bill Rate				0.0855%
Average three Month Fed Funds Rate				0.0322%
City's Avg. R.O.R. over/(under) the 3-month T-Bill Rate				0.24%
City's Avg. R.O.R. over/(under) the Avg. Fed Funds Rate				0.29%

* From the website below

<http://bonds.yahoo.com/>

** From the website below

<http://app.ny.frb.org/markets/omo/dmm/fedfundsdata.cfm>

M:Fern/Mydocs/misc/Council qtrly report 3-31-13.xls

*Amounts match the bank statement balance and there may be reconciling items between the General Ledger and the bank.

City of Brighton
County of Livingston

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the City Council of the City of Brighton, County of Livingston, State of Michigan, (the "Municipality") held on November 7, 2013.

PRESENT: Members: _____

ABSENT: Members: _____

Member _____ offered and moved the adoption of the following resolution, seconded by Member _____.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to establish a(n) (*select one or more*) asset management plan, stormwater management plan, plan for wastewater/stormwater, design of wastewater/stormwater, innovative technology, or for disadvantaged community construction activities (up to \$500,000).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$700,000 ("Grant") be requested from the MFA and the DEQ to pay for the planning and/or design activities; and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. City Manager (*title of the designee's position*), a position currently held by Dana Foster (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached hereto as Appendix I) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation from the general funds of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members:

NAYS: Members:

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Brighton, County of Livingston, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Name
_____ of _____, Clerk
_____ of _____ County of _____

**POLICY REPORT
DEPARTMENT OF PUBLIC SERVICE**

Prepared by:

Dave Blackmar
Acting DPW Director

Reviewed by:

Dana W. Foster
City Manager

ISSUE: To consider awarding the Pavement Marking 2013 RFP to PK Contracting in the amount of \$12,437.25.

STAFF RECOMMENDATION: Staff recommends awarding the Pavement Marking 2013 RFP to PK Contracting in the amount of \$12,437.25.

BACKGROUND: The Pavement Marking 2013 RFP was let on October 11th, with proposals due on October 18, 2013. Per the attached specification sheet, the RFP was to have the contractor perform center line painting (both double yellow, single white, and solid white) in locations in the City where painting was needed for safety. Additionally, yellow curb will be painted on Advance Street.

We received one bid in the amount of \$12,437.25 from PK Contracting. We believe that the reason for our receiving only one bid is due to the lateness of the season. Additionally, there are very few contractors in the area who specialize in this type of work.

Also because of the lateness of the season, this work may not be able to be completed until the spring of 2014; however, the contractor has advised that the bid price will remain the same until that time.

BUDGET IMPACT: This work will be funded by a combination of the year-ending Major Street Fund fund balance of FY 12-13 and the FY 13-14 General Fund budget appropriation to the Major Street Fund.

COUNCIL ACTION: Approval of the Pavement Marking 2013 RFP to PK Contracting in the amount of \$12,437.25.

ATTACHMENTS: Completed RFP Specification Sheet from PK Contracting.

**CITY OF BRIGHTON
DEPARTMENT OF PUBLIC SERVICE
"REQUEST FOR PROPOSAL"**

PROJECT: "PAVEMENT MARKING 2013" DATE: 10/11/2013
 LOCATION: SEE BELOW PROJ#: RFP1304
 BASIS FOR ESTIMATE: [] CONC [] PREL [] FINAL ESTIMATOR: DCB
 SCOPE: LINE & HAND PAINT W/REFLECTIVE PAINT PER MDOT SPEC'S. CHECKED BY: N/A

NO.	ITEM DESCRIPTION	QUANT	UNIT	\$/UNIT	AMOUNT
	LINE PAINTING				
1	GRA:				
	4 INCH DOUBLE YELLOW	12,500	LF	0.19	2,375.00
	4 INCH BROKEN WHITE	25,000	LF	0.025	625.00
	4 INCH SOLID WHITE	600	LF	0.09	54.00
2	MAIN:				
	4 INCH DOUBLE YELLOW	7,200	LF	0.19	1,368.00
	4 INCH SOLID WHITE	600	LF	0.09	54.00
3	RICKETT & S. CHURCH:				
	4 INCH DOUBLE YELLOW	4,500	LF	0.19	855.00
	4 INCH SOLID WHITE	75	LF	0.09	6.75
4	WASHINGTON & HYNE:				
	4 INCH DOUBLE YELLOW	3,000	LF	0.19	570.00
5	NORTH & EAST:				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
	4 INCH SOLID WHITE	100	LF	0.09	9.00
6	WEST:				
	4 INCH DOUBLE YELLOW	500	LF	0.19	95.00
7	ORNDORF:				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
	4 INCH SOLID WHITE	50	LF	0.09	4.50
8	CHALLIS:				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
	4 INCH SOLID WHITE	50	LF	0.09	4.50
9	S. SEVENTH:				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
	4 INCH SOLID WHITE	50	LF	0.09	4.50
10	ST. PAUL, EAST & FLINT:				
	4 INCH DOUBLE YELLOW	5,000	LF	0.19	950.00
	4 INCH SOLID WHITE	7,000	LF	0.09	630.00
11	BRIGHTON LAKE ROAD:				
	4 INCH DOUBLE YELLOW	5,500	LF	0.19	1,045.00
12	SPENCER, WILLIAMSEN, N. CHURCH:				
	4 INCH DOUBLE YELLOW	4,800	LF	0.19	912.00
13	S. 3RD (FR: W. MAIN TO: FAIRWAY TR):				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
14	N. FIRST, N. SECOND & CROSS:				
	4 INCH DOUBLE YELLOW	3,500	LF	0.19	665.00
15	LIBRARY DR:				
	4 INCH DOUBLE YELLOW	1,500	LF	0.19	285.00
16	ADVANCE ST:				
	YELLOW CURB	100	LF	5.00	500.00
	CONTINGENCY:				
TOTAL PROJECT(S) COST:					\$ 12,437.25

SUBMITTED BY: P. K. CONTRACTING, INC.
 DATE: 10-18-13
 AUTHORIZED SIGNATURE: *[Signature]*

POLICY REPORT: RECOMMENDATION TO AMEND THE EXISTING FEE SCHEDULE

November 7, 2013

Prepared by:

Amy Cyphert
Planning & Zoning Director

Michael Caruso
Rental Inspector

Reviewed by:

Dana Foster
City Manager

ISSUE:

Consider passing a resolution to amend the existing fee schedule to include residential rental registration inspection and other fees.

BACKGROUND:

On September 16, 2010, City Council approved the adoption of the Mandatory Registration and Inspection of Residential Rental Properties Ordinance. The ordinance went into effect on July 5, 2013.

On August 22, 2013, City Staff mailed a letter to owners of properties identified as rentals explaining the new rental registration and inspection program and included a copy of the registration form. To date the City has registered over 1,000 rental units.

Currently, City Staff is dividing the rental units into 3 groups that will create the tri-annual inspection schedule. Once that is complete, owners will be notified of their inspection year and Staff will begin to schedule inspections. The attached resolution fees are based on research of fees in other communities with existing rental registration and inspection programs as well as the cost of paying our contractual rental inspector.

BUDGET IMPACT:

As stated during the adoption of the ordinance, the City Manager has advised that he is estimating a budget-neutral impact on the General Fund budget since the proposed fees will cover the cost of employing a person(s) to administer the ordinance.

STAFF RECOMMENDATION:

Staff recommends the adoption of the fee schedule amendments.

COUNCIL ACTION:

Pass the attached resolution which approves the proposed amendments to the fee schedule.

ATTACHMENTS:

Resolution

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE SCHEDULE OF FEES AND CHARGES FOR THE CITY OF BRIGHTON FOR FY 2013-14

WHEREAS, pertinent sections of the Brighton Municipal Code requires that the Brighton City Council periodically establish fees and charges to be collected by the City staff for selected services, penalties and licenses; and

WHEREAS, Brighton City Council has adopted an ordinance authorizing the City to register and inspect residential rental units within the City and;

WHEREAS, the Brighton City Council has reviewed the proposed fees schedule change and;

BE IT FURTHER RESOLVED, that the following fees associated with the Rental Registration and Inspection Ordinance are hereby amended as follows effective _____, 2013:

Rental Registration Fees:

- A late fee of \$150 per unit will be assessed if not registered within the allotted time according to Section 18-86 of the ordinance.
- Fees charged for unregistered units or false information on registration form is described in Section 18-90 of the ordinance.

Residential Rental Registration Inspection Fees:

- Single family dwelling (single family, condominiums, duplex with owner occupied unit) - \$100.00 per unit
- Multiple-family buildings up to 4 units - \$90.00 per unit
- Multiple-family buildings over 4 units - \$80.00 per unit
- Missed inspection appointment fee for an inspection scheduled by the property owner or local agent will be the same fee as the applicable inspection fee above.
- 1st re-inspection fee - \$60.00
- 2nd and beyond re-inspection fee - \$100.00
- Inspection requested by a tenant fee - \$60.00 (request must be made in writing)
- Late fees assessed per Section 18-98, 3rd sentence, will be \$100.00 within ten days after inspection date. After ten days a daily charge of 5% will be assessed per Section 18-98, 4th sentence.

Construction Board of Appeals:

- \$100.00

Document Fees:

- International Property Maintenance Code - \$20.00

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

This Resolution was adopted this day of _____, 2013.

Diana Lowe, City Clerk

I, Diana Lowe, City Clerk for the City of Brighton, do hereby certify that the foregoing is true and complete copy of a Resolution adopted by City Council at the Regular Meeting held on November 7, 2013.

Diana Lowe, City Clerk

**POLICY REPORT
TEMPORARY LAND USE
NOVEMBER 7, 2013**

PREPARED BY:

REVIEWED BY:

Diana Lowe
City Clerk

Dana Foster
City Manager

ISSUE:

To conduct a public hearing and consider approval of a Temporary Land Use Permit for St. Patrick Catholic Church for Christmas Tree Sales at 711 Rickett Road.

STAFF RECOMMENDATION:

Recommend approval based on conditions set forth in the motion below.

BACKGROUND:

St. Patrick Church applied for a Temporary Land Use Permit for the period of time from November 29, 2013 through December 15, 2013, weekends only. They have included a sketch of the layout and proposed use including table and tree locations.

All neighboring property owners were notified within 300 yards of the proposed site.

The application has been given favorable recommendation by the City's Police Chief, Building Official, Director of Public Services and Brighton Area Fire Chief.

BUDGET IMPACT:

None.

COUNCIL ACTION:

Consider conducting the Public Hearing and if no objections, accept the Staff recommendation to approve the application from St. Patrick Church dated October 24, 2013 and attached plans for a Temporary Land Use Permit for produce sales from November 29, 2013 through December 15, 2013.

TEMPORARY LAND USE APPLICATION

Applicant: St. Patrick Catholic Church Date: 10/24/13
(Only the Property Owner shall serve as the Applicant)

Driver's License Number: _____

Address: 711 Rickett Road, Brighton

Phone Number: (810) 229-9863

Person(s) Conducting Sale: St. Patrick School Dads Club - David Koster

Driver's License Number: K236 135 261 067

Address: 7326 Forest Way, Brighton 48116

Phone Number: (C) 312 286 8274, (H) 810 588 6074

Location of Temporary Land Use: St. Patrick Church, 711 Rickett Rd.

Closest Street Intersection: Rickett Rd. and Church St.

Items to be Sold: Christmas Trees

(Fireworks, Appliances, Furniture, Artwork, Crafts, Clothing, and other similar products are NOT ALLOWED per City Ordinance)

Requested Dates of Sale: 11/30, 31 12/5-7, 12-14 Fri 6-9

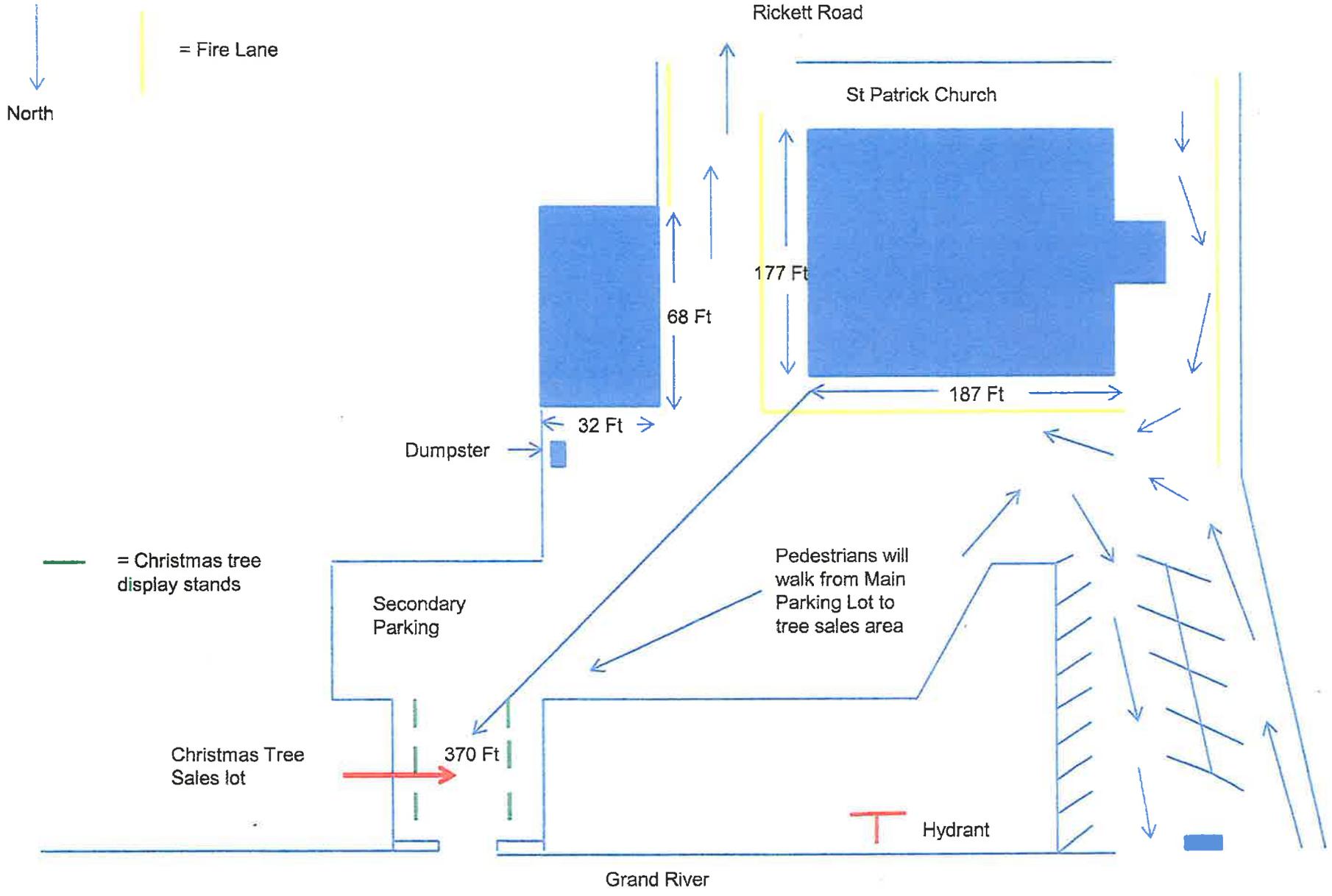
(Christmas Trees maximum 30 days) Sat 9-8
(Produce and Firewood Maximum 90 days) Sun 9-6

List and Temporary Facilities to be Erected or Located upon the Property, i.e. tents, tables, stands, displays:

Christmas Tree Stand (6), Tables (2)

List the materials to be utilized in the construction of any temporary facilities:

Stands constructed from basic lumber, diagram attached



North

= Fire Lane

Rickett Road

St Patrick Church

177 Ft

68 Ft

187 Ft

32 Ft

Dumpster

= Christmas tree display stands

Secondary Parking

Pedestrians will walk from Main Parking Lot to tree sales area

Christmas Tree Sales lot

370 Ft

Hydrant

Grand River

St Patrick's Church Dads Club Christmas Tree Sale site plan

