



# Brighton City Council Meeting

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

## Regular Business Meeting November 16, 2017 – 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 November 2, 2017](#)
6. Approval of Minutes: [Regular Meeting of November 2, 2017](#)
7. Approval of Minutes: Closed Session of November 2, 2017
8. Approval of Minutes: Biennial Meeting of November 13, 2017
9. Approval of Purchase of Police Department Mobile Data Computers and Radios

#### **Correspondence**

10. Call to the Public
11. Staff Updates
12. Updates from Councilmember Liaisons to other Boards and Commissions

#### **Public Hearing**

13. Conduct **Public Hearing and Consider Approval of a Temporary Land Use Permit for St. Patrick Catholic Church for Christmas Tree Sales**

#### **New Business**

14. Award of Bid for Cured in Place Pipe
15. Discussion on Snow Maintenance Policy

#### **Other Business**

16. Call to the Public
17. Consider Entering Closed Session to Discuss Pending Litigation Pursuant to MCL 15.268(e)
18. Consider Possible Actions Resulting from Closed Session
19. Adjournment

**MINUTES OF THE STUDY SESSION OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON NOVEMBER 2, 2017 AT THE BRIGHTON CITY POLICE DEPARTMENT**  
**440 S. THIRD ST, BRIGHTON, MICHIGAN**

**STUDY SESSION**

The Council conducted a Study Session at 5:32 p.m.

Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers: Emaus, Bohn, Pettengill, and Tobbe. Staff: City Manager Nate Geinzer, Attorney Brad Maynes, Chief Rob Bradford, Management Assistant Jessica Lienhardt, Clerk Pamela Stewart, DPW Director Goch and an audience of four. Tom Tolen from the media attended.

Councilmember Gardner arrived at 5:47 p.m.

**CALL TO PUBLIC**

Mayor Muzzin opened the call to the public at 5:32 p.m. Hearing and seeing none he closed the Call to the Public at 5:32 p.m.

**STATE OF THE POLICE DEPARTMENT**

Chief Bradford spoke about the state of the Police Department and reviewed their current trends in overtime cost, training hours, budget, crime, and traffic stops. He also mentioned newly budgeted patrol vehicles and radios. Sergeant Pirochta talked about training for the officers in firearms, active assailants, tasers, and other areas. Community outreach was also mentioned. The City Council toured the Police facility.

**BRIGHTON COMMUNITY EDUCATION & BRIGHTON AREA RECREATION CONNECTION UPDATE**

Alyssa Trybus from Brighton Community Education mentioned that they had distributed their seasonal catalog of activities.

Ken Grybel of the Brighton Area Recreation Connection spoke about sports programs including pickleball, basketball, volleyball, soccer, and others. He mentioned that the programs were continuing to expand.

**CALL TO PUBLIC**

Mayor Muzzin opened the call to the public at 7:21 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Call to the Public at 7:21 p.m.

**ADJOURNMENT**

It was moved by Councilmember Emaus and seconded by Tobbe to adjourn the meeting at 7:21p.m.

Motion passed 7-0

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Pamela Stewart, Clerk

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James Muzzin, Mayor

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON**  
**HELD ON NOVEMBER 2, 2017 AT THE BRIGHTON CITY HALL**  
**200 N. 1ST STREET, BRIGHTON, MICHIGAN**

**REGULAR SESSION**

Mayor Muzzin called the meeting to order at 7:34p.m. Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers Bohn, Emaus, Gardner, Tobbe and Pettengill. Staff: City Manager Nate Geinzer, Attorney Brad Maynes, Police Chief Rob Bradford, DPW Director Marcel Goch, Clerk Pamela Stewart, Zoning and Code Enforcement Associate Mike Caruso, Management Assistant Jessica Lienhardt, and an audience of seven.

Tom Tolen from WHMI and Susan Bromley from the Press & Argus also attended.

**AGENDA APPROVAL**

Councilmember Emaus requested the approval of the regular session minutes from October 19, 2017 be removed from the Consent Agenda.

The motion was made by Councilmember Tobbe seconded by Emaus to approve the agenda as amended. The motion passed 7-0.

**CONSENT AGENDA**

The motion was made by Mayor Pro-Tem Pipoly seconded by Tobbe to approve the Consent Agenda.

The following items were approved:

Approved the Study Session Minutes of October 19, 2017

Motion passed 7-0

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 7:34 p.m.

Al Wirth, 230 First Street, commented on the level of the water in the pond and the adverse effect it has on his shoreline. He mentioned that the Circuit Court had set the water level.

Manager Geinzer mentioned that he and the DPW Director were working on adjusting the water level and needed to contact the DNR.

Hearing and seeing no additional comment the Call to the Public closed at 7:39 p.m.

**CITY CUSTOMER INFORMATION AND BOARD UPDATES**

DPW Director Goch mentioned that they were working on leaf pickup and that cement work had been completed.

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Mayor Muzzin complimented the Management Assistant Lienhardt on the leaf pickup schedule online and DPW Director Goch on the leaf pickups.

Manager Geinzer mentioned that the City had received the permit for the Shoreline Restoration Project around City Hall.

Clerk Stewart mentioned the hours for AV voting on Saturday from 9 a.m.-2 p.m. and said the polls would be open on Tuesday from 7 a.m.-8 p.m.

Councilmember Gardner reported that Livingston County was looking for input on their website to determine how citizens want to get their information.

Councilmember Emaus mentioned that he had been contacted by the Crossroad Sierra Club and they requested the Planning Commission minutes be amended to correct the name of their Chair and requested that a letter they had provided be included.

### **SECOND READ AND PUBLIC HEARING FOR ORDINANCE 580**

Mayor Muzzin closed the regular meeting and opened up the public hearing. Hearing no comment the Mayor closed the public hearing.

Mayor Pro-Tem Pipoly made and Pettengill seconded the motion to adopt Ordinance 580 to amend to the City's zoning map described in section 98-27 of the City's code of ordinances

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion Passed: 7-0

### **MINUTES FROM NOVEMBER 2, 2017**

Councilmember Emaus mentioned that the Regular Session Minutes from October 19, 2017 had transposed two sets of numbers for two roll call votes. The minutes were amended to read 6-1-0 and 6-1-0 for the roll call on both issues.

It was moved by Councilmember Emaus and seconded by Gardner to approve the minutes as amended.

Motion passed 7-0

### **LIQUOR LICENSES**

Manager Geinzer discussed Dan Cheresko of Cheresko Development is requesting the approval of two liquor licenses and redevelopment liquor license, one at 317 W. Main St. for Main Street Steak and a second at 311 W. Main St. for Wynwood Resturant.

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Councilmember Emaus mentioned that Resolutions 29 and 31 had been misworded and needed to include redevelopment in the descriptions.

Mayor Pro-Tem Pipoly made and Emaus seconded the motion to approve Resolution 17-28 Sale of Alcoholic Liquor at 317 W. Main Street.

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion Passed: 7-0

Councilmember Tobbe made and Emaus seconded the motion to approve Resolution 17-29 Redevelopment Liquor License Application to 317 W. Main Street as amended

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion Passed: 7-0

Councilmember Gardner made and Pipoly seconded the motion to approve Resolution 17-30 Sale of Alcoholic Liquor at 311 W. Main Street

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion Passed: 7-0

Mayor Pro-Tem Pipoly made and Emaus seconded the motion to approve Resolution 17-31 Redevelopment Liquor License Application at 311 W. Main Street as amended.

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion Passed: 7-0

Mr. Ceresko mentioned how easy it was working with the City and how welcoming the City had been. The Council welcomed him to the City.

### **FOIA APPEAL**

Attorney Maynes stated that Mr. Michael Farnsworth is appealing a FOIA partial denial received on a request. The information does not exist in the form requested.

It was moved by Councilmember Emaus and seconded by Pipoly to approve Resolution 17-32 and responding to the FOIA request.

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Tobbe, Emaus, Gardner (No) none (Absent) none

Motion passed 7-0

**CALL TO THE PUBLIC**

Mayor Muzzin opened the Call to the Public at 8:01 p.m.

Pat Cole, 802 Devonshire, mentioned she had sent a City Council feedback item to the City concerning having the Charter updated and had no response.

The Mayor mentioned that charter revision begins with the Council and the Council had not expressed interest in changing it.

Hearing and seeing no additional comment the Mayor closed the Call to the Public at 8:09 p.m.

**CLOSED SESSION**

The motion was made by Councilmember Pettengill seconded by Pipoly to go into closed session at 8:10 p.m.

Roll call vote (Yes) Muzzin, Pipoly, Pettengill, Bohn, Emaus, Gardner, Tobbe (No) none (Absent) none

Motion Passed: 7-0

**ACTION FROM CLOSED SESSION**

Mayor Pro-tem Pipoly made the motion and Gardner seconded to follow the language of the contract with the Brighton Chamber of Commerce regarding the excess funds from the Taste of Brighton event and to require the information requested by staff.

**ADJOURNMENT**

The motion was made by Councilmember Emaus and seconded by Pipoly to adjourn the meeting at 8:41 p.m.

Motion passed: 7-0

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Pamela Stewart, City Clerk

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James Muzzin, Mayor



**CITY OF BRIGHTON**  
**REPORT FROM THE CITY MANAGER TO CITY COUNCIL**  
**NOVEMBER 16, 2017**

**SUBJECT: TO CONDUCT HEARING AND CONSIDER APPROVAL OF A TEMPORARY LAND USE PERMIT FOR ST. PATRICK CATHOLIC CHURCH FOR CHRISTMAS TREE SALES**

**ADMINISTRATIVE SUMMARY**

- St. Patrick's church applied for a Temporary Land Use Permit for the period of time from November 24, 2017 to December 10, 2017.
- A sketch of the layout and proposed use including table and tree locations.
- All neighboring property owners were notified within 300 feet of the proposed site.
- The application has been given a favorable recommendation by the City's Police Chief, the Zoning & Code Enforcement Associate, Director of DPW, and Brighton Area Fire Chief.
- There would be no budget impact to this approval
- This request has been approved for the last three years

**RECOMMENDATION**

Staff recommends approval of the application from St. Patrick Church dated October 23, 2017 for a Temporary Land Use Permit for the sale of Christmas trees from November 24, 2017 to December 10, 2017.

Prepared by: Clerk Stewart

Reviewed by: DPW Director Goch, Chief Bradford, Chief O'Brien, Zoning and Code Enforcement Associate Caruso

Approved by: City Manager

**TEMPORARY LAND USE APPLICATION**

**Applicant:** ST PATRICK CATHOLIC CHURCH **Date:** 10/23/17  
(Only the Property Owner shall serve as the Applicant)

**Driver's License Number:** Church letter attached

**Address:** 711 Rickett

**Phone Number:** 810-229-9863

**Person(s) Conducting Sale:** JOE MEANEY

**Driver's License Number:** M 500 441 603 658

**Address:** 7061 FOREST WAY - BRIGHTON, MI 48116

**Phone Number:** 810 599-8391

**Location of Temporary Land Use:** ST PATRICK CHURCH

**Closest Street Intersection:** RICKETT ; GRAND RIVER

**Items to be Sold:** CHRISTMAS TREES ; WREATHS

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

**Requested Dates of Sale:** NOVEMBER 24 THRU DECEMBER 10, 2017

(Christmas Trees maximum 30 days)

(Produce and Firewood Maximum 90 days)

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

TENTS, TABLES, STANDS ; DISPLAYS

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

- 2x4 WOOD TREE STANDS

- 10x20 TAIL GATE TENT



## St Patrick Church

711 RICKETT ROAD  
BRIGHTON, MICHIGAN 48116-1824  
(810) 229-9863  
FAX # (810) 220-0730  
[www.stpatchurch.org](http://www.stpatchurch.org)

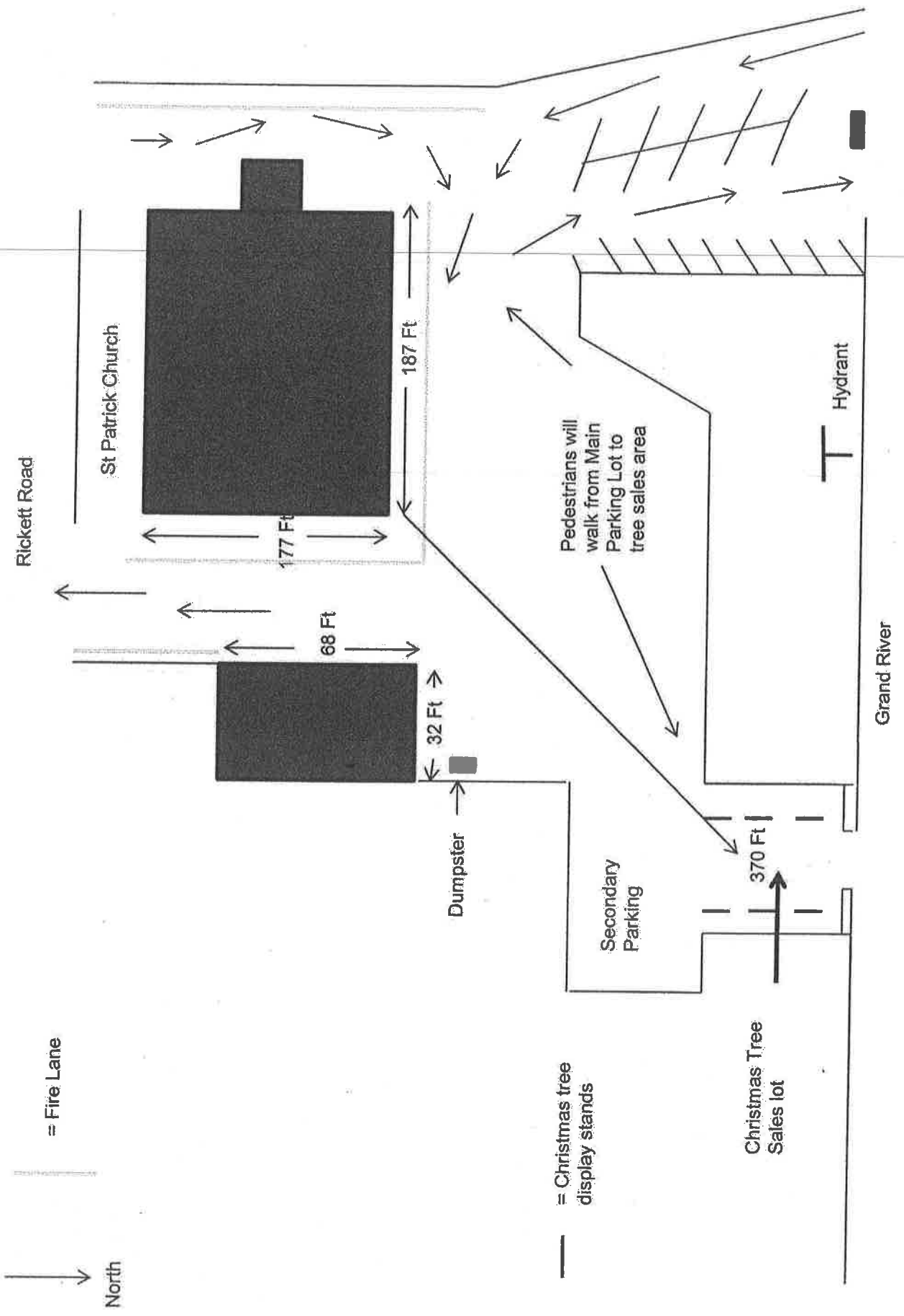
October 10, 2017

To City of Brighton:

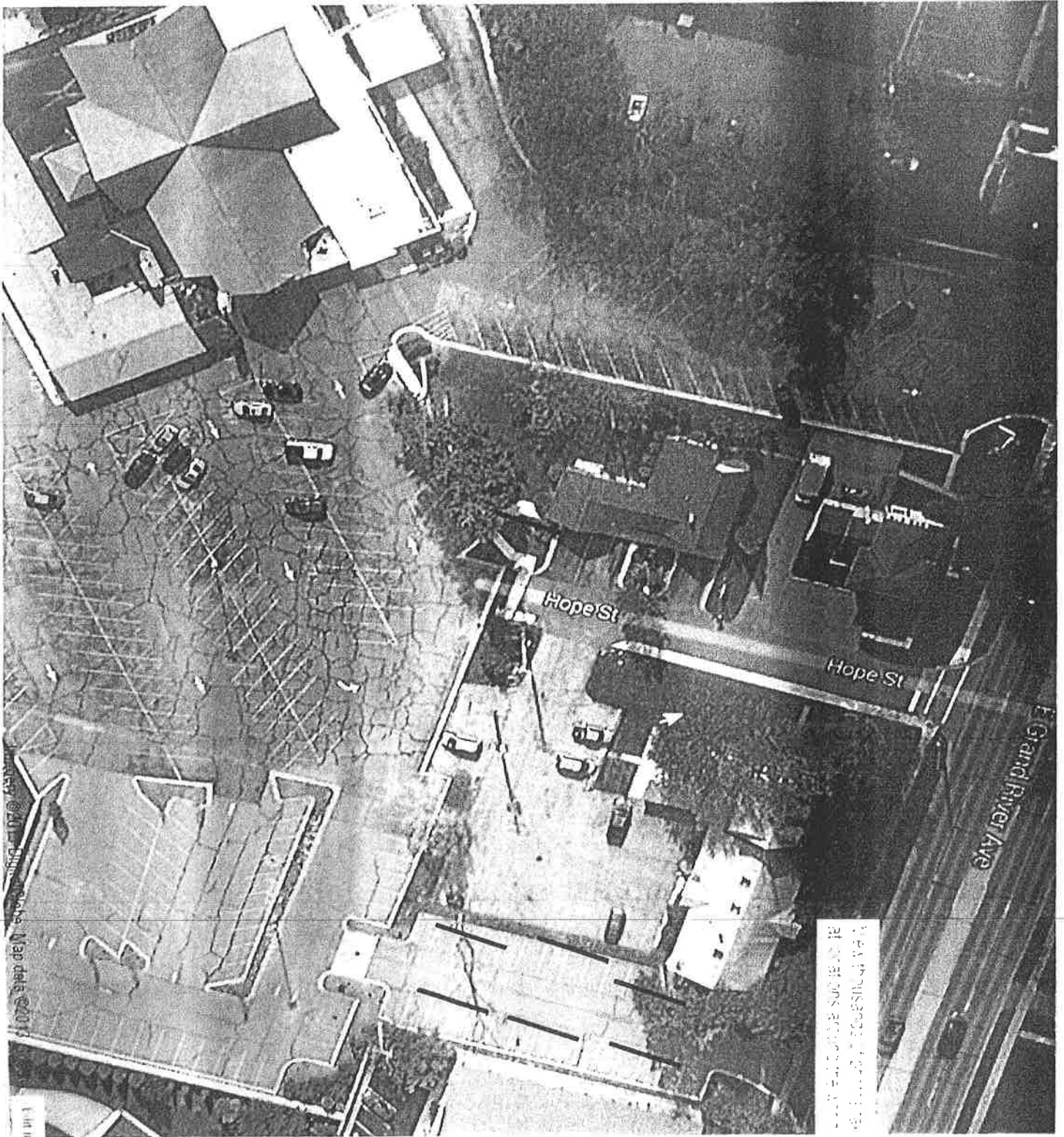
This letter is to inform you that St Patrick Church authorizes the St Patrick School Dad's Club (Joe Meaney-Chairperson) to use the Church grounds for the 2017 Christmas Tree Sales for the following dates: 11/24-11/26/17, 12/1-12/3 and 12/8-12/10.

A handwritten signature in black ink, appearing to read "Rev. Mathias Thelen". The signature is written in a cursive style with a large initial "M" and a long horizontal stroke at the end.

Rev. Mathias Thelen-Pastor



Primary location of tree sales will be in the main parking lot of the church (NE corner). All tree stands will be placed a minimum of 10 feet from any structure. At the closed of business all trees will be removed and placed in the storage lot identified. Minimum amount of lighting will be attached to the stands to parking lot lights.



**Pam Stewart - Re: Updated Temp. Land Use Application for St. Pats**

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**From:** "Michael O'Brian" <mobrian@brightonareafire.com>  
**To:** Pam Stewart <stewartp@brightoncity.org>  
**Date:** 10/24/2017 12:55 PM  
**Subject:** Re: Updated Temp. Land Use Application for St. Pats  
**Cc:** Michael Caruso <Carusom@brightoncity.org>, Marcel Goch <GochM@brightonci...>

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Fire is good as long as mike is good

Michael O'Brian CFO, MIFirE  
Fire Chief  
Brighton Area Fire Authority  
Direct Dial 810-299-0024  
Fire Headquarters [810-229-6640](tel:810-229-6640)

On Oct 24, 2017, at 9:42 AM, Pam Stewart <stewartp@brightoncity.org> wrote:

Hello,

This is the an updated application for St. Pat's Church to sell Christmas trees. **The new location looked like it wouldn't work so they are going to request the OLD location 711 Rickett.** The application, letter, and updated maps are attached. Please let me know ASAP if this look ok to you so I can get the mailing ready. Thank you!!

Pamela Stewart  
City Clerk  
City of Brighton  
200 N. First Street  
Brighton, MI 48116  
[810-227-0463](tel:810-227-0463)  
[www.brightoncity.org](http://www.brightoncity.org)

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<Temp Land Permit St. Pats UPDATED.pdf>

**Pam Stewart - Re: Updated Temp. Land Use Application for St. Pats**

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**From:** Michael Caruso  
**To:** Marcel Goch; Pam Stewart; Rob Bradford; Brian Mike O  
**Date:** 10/24/2017 1:47 PM  
**Subject:** Re: Updated Temp. Land Use Application for St. Pats

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Hi Pam,

The Zoning and Building Dept approves of the temporary land use permit.

Michael Caruso  
Zoning & Code Administrator  
City of Brighton  
[www.carusom@brightoncity.org](mailto:www.carusom@brightoncity.org)  
[810-844-5149](tel:810-844-5149)  
[www.brightoncity.org](http://www.brightoncity.org)

>>> Pam Stewart 10/24/2017 9:42 AM >>>

Hello,

This is the an updated application for St. Pat's Church to sell Christmas trees. **The new location looked like it wouldn't work so they are going to request the OLD location 711 Rickett.** The application, letter, and updated maps are attached. Please let me know ASAP if this look ok to you so I can get the mailing ready. Thank you!!

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**Pam Stewart - Re: Updated Temp. Land Use Application for St. Pats**

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**From:** Rob Bradford  
**To:** Michael Caruso; Marcel Goch; Pam Stewart; Mike Obrien  
**Date:** 10/24/2017 1:37 PM  
**Subject:** Re: Updated Temp. Land Use Application for St. Pats

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PD is good with it.

Rob Bradford  
Chief of Police  
Brighton City Police  
440 S Third St.  
Brighton, MI 48116  
[810-844-5135](tel:810-844-5135)

>>> Pam Stewart 10/24/2017 9:42 AM >>>  
Hello,

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**Pam Stewart - Re: Temp Land Use.**

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**From:** Marcel Goch  
**To:** Pam Stewart  
**Date:** 10/24/2017 2:01 PM  
**Subject:** Re: Temp Land Use.

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DPW is good with it.

Marcel Goch  
Public Works Director  
City of Brighton  
(810)225-8001  
gochm@brightoncity.org

>>> Pam Stewart 10/24/2017 1:59 PM >>>

Marcel,

Is the updated Temp Land Use ok with you? If you ok it I can start the process. LMK.

Pamela Stewart  
City Clerk  
City of Brighton  
200 N. First Street  
Brighton, MI 48116  
810-227-0463  
www.brightoncity.org

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