­­This meeting was conducted electronically.

**MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL**

**HELD ON MAY 20, 2021**

1. **Call to Order**

Mayor Pipoly called the meeting to order at 7:30 p.m.

1. **Pledge of Allegiance**

Mayor Pro Tem Gardner led the Pledge of Allegiance.

1. **Roll Call**

Present were Mayor Pipoly (City of Brighton, MI) and Mayor Pro Tem Gardner (City of Brighton, MI), Councilmembers: Bohn (Naples, FL), Emaus (City of Brighton, MI), Muzzin (City of Brighton, MI), Pettengill (City of Brighton, MI), and Tobbe (City of Brighton, MI).

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, Human Resources Manager Michelle Miller, Finance Director Gretchen Gomolka, Public Services Director Marcel Goch, Community Development Manager Mike Caruso, Assistant to the DPS Director Patty Thomas, Assistant to the City Manager Henry Outlaw, Deputy DPS Director Corey Brooks, DPW Superintendent Daren Collins, Regulatory Compliance Officer Josh Bradley, Chief Rob Bradford, Attorney Greg Schultz, and Attorney Mike Homier. There were thirteen persons in the audience.

1. **Consider Approval of the Agenda**

**Motion** by Councilmember Emaus, seconded by Councilmember Muzzin to approve the agenda as amended, removing item f from Consent agenda and item 10 from New Business and moving item e from Consent to New Business as new item 10. **The motion carried by roll call vote, with Councilmember Bohn voting no.**

1. **Consider Approval of Consent Agenda Items**

**Motion** by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approved the amended Consent Agenda. **The motion carried without objection by roll call vote.**

## Consent Agenda Items

* 1. **Approval of Minutes: Study Session of May 6, 2021**
  2. **Approval of Minutes: Regular Session of May 6, 2021**
  3. **Approval of Minutes: Closed Session of May 6, 2021**
  4. **Acceptance of Quarterly Financial and Investment Reports**
  5. **~~Approval to Reduce Curbside Parking Signs~~** (moved to New Business as item 10.)
  6. **~~POLC (Patrol) and POLC (Command) Letters of Understanding~~**
  7. **Consider Amendment of Awarded Bid to TLS Construction for the Municipal Storm Line Replacement Project with an Increase in the Amount of $4,957.72**
  8. **Appointment to Various Boards and Commissions**

**Correspondence**

1. **Call to the Public**

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

Susan Bakhaus spoke regarding the former and current City Manager’s personal evaluation and past practice.

Mayor Pipoly closed the Call to the Public at 7:39 p.m.

1. **Staff Updates**

Chief Bradford announced the 2020 Officer of the Year, Tom Sliwa. Chief Bradford spoke about Officer Sliwa’s career and accomplishments.

Director Goch presented a progress map of the Northwest Neighborhood project, spoke about DPW appreciation week, and discussed summer items that DPW is completing.

Director Gomolka relayed that assessing is conducting its annual review, notices will go out to the homeowners. Intern Andrew Baker will be assisting the City Assessor.

Assistant to the City Manager Outlaw noted the Brighton High School formal night will be on June 2, 2021. The DDA discussed a business survey and the street scape project. Anyone interested in receiving alerts about lane closures, project reminders, etc., please sign up for alerts at www.brightoncity.org/alerts.

Clerk Brown noted all voters on the permanent absentee voter list should have received their ballot application for both the August Primary and November elections. If you would like to obtain an absentee ballot application, please contact the City Clerk at clerk@brightoncity.org, call, or visit City Hall.

1. **Recycling Improvement Grant Presentation**

Assistant to the DPS Director Thomas gave a brief presentation on the recycling improvements grant and what the City hopes to achieve from the educational efforts.

1. **Updates from Councilmember Liaisons to Various Boards and Commissions**

Councilmember Pettengill congratulated Officer Sliwa on achieving Officer of the Year. Ms. Pettengill also relayed that the Zoning Board of Appeals will hear one variance request at the next meeting on June 10, 2021.

Councilmember Muzzin and the Brighton Area Fire Authority met in person on May 13, 2021 to review and adopt a number of budgets presented to the board.

Councilmember Emaus congratulated Officer Sliwa and also thanked DPW for all of their hard work.

Councilmember Tobbe noted SEMCOG will host an American Rescue Plan discussion on May 25, 2021 to speak in detail and gain clarification about the plan.

Mayor Pipoly and the Downtown Development Authority met to elect its new officers on May 18, 2021. The Brighton High School Senior Formal night is June 2, 2021. Mayor Pipoly relayed that Principal Gavin Johnson is very appreciative of the City for honoring the graduating seniors during this difficult year. Mayor Pipoly also attended a meet and greet at Caretel Inns where he toured the facility and met many of the caring skilled nurse staff.

**New Business**

1. **~~Consider Approval of Five-Year AXON TASER 7 Lease to Own Agreement~~**
2. **Approval to Reduce Curbside Parking Signs**

**Motion** by Councilmember Muzzin, seconded by Councilmember Pettengill to reduce curbside parking signs at staff discretion or at least 50%. **The motion carried without objection by roll call vote.**

1. **Consider award of bid for the Rickett Road Phase 2 Rehabilitation Project Including Alternate 1 to Fonson Company, Inc. for $1,367,478.05 including a 15% Contingency for a total of $1,572,600**

**Motion** by Councilmember Emaus, seconded by Councilmember Tobbe to award the bid for the Rickett Road Phase 2 Rehabilitation Project including alternate 1 to Fonson Company, Inc. for $1,367,478.05 including a 15% contingency for a total of $1,572,600 with the contract to be reviewed by City Attorney. **The motion carried by roll call vote, with Councilmember Bohn voting no.**

1. **Consider Approval of Spray Patch Maintenance for Parking Lots, Streets, and Downtown Sidewalks, with A Budget Amendment from the General Fund to the Major Streets Fund for Deteriorated Downtown Sidewalk Areas**

**Motion** by Councilmember Tobbe, seconded by Councilmember Pettengill to authorize a purchase order in the amount of $23,000 to Spray Patch Road Repair, Inc. to perform maintenance in parking lots, on various streets, and sidewalks. **The motion carried without objection by roll call vote.**

## Other Business

1. **Call to the Public**

Mayor Pipoly opened the Call to the Public at 8:43 p.m. Hearing and seeing no comment, the Call to the Public was closed.

1. **Motion to Enter Closed Session to Consider a Written Confidential Legal Opinion from the City’s Attorney Pursuant to MCL 15.268(h), Which Specifically Includes the City Manager and, Pursuant to MCL 15.268(a), to Hear Complaints or Charges, and to Consider the Periodic Personnel Evaluation of the City Manager, at the Request of the City Manager, Which will Specifically Include the Attendance of the City Manager, Any Individual Who Was Interviewed About the Complaints or Charges, and Any Other Member of the Management Team or Supervisors Interested in Participating in the Periodic Personnel Evaluation of the City Manager**

**Motion** by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to enter into closed session to consider a written confidential legal opinion from the City’s attorney pursuant to MCL 15.268(h), which specifically includes the City Manager and, pursuant to MCL 15.268(a), to hear complaints or charges, and to consider the periodic personnel evaluation of the City Manager, at the request of the City Manager, which will specifically include the attendance of the City Manager, any individual who was interviewed about the complaints or charges, and any other member of the management team or supervisors interested in participating in the periodic personnel evaluation of the City Manager. **The motion carried by roll call vote, with Councilmember Bohn and Pettengill voting no.**

1. **Consider Possible Action Resulting from Closed Session**

**Motion** by Councilmember Emaus, seconded by Councilmember Pettengill to officially close the investigation initiated by City Council with no charges against the City Manager, City staff, or employees. **The motion carried without objection by roll call vote.**

**Motion** by Councilmember Emaus, seconded by Councilmember Pettengill to waive the written attorney-client privilege from a letter dated April 13, 2021 by Labor Attorney Greg Schultz. **The motion carried by roll call vote, with Councilmember Muzzin voting no.**

**Motion** by Councilmember Bohn, seconded by Councilmember Muzzin to release the written-attorney client privilege letter dated March 4, 2021 by Attorney Paul Burns. **The motion failed, with Mayor Pipoly, Mayor Pro Tem Gardner, and Councilmembers Emaus, Muzzin, Pettengill, and Tobbe voting no.**

**Motion** by Councilmember Pettengill, seconded by Councilmember Tobbe to direct City Attorney Homier to review the written-attorney client privilege letter dated March 4, 2021 to be brought back to City Council for transparency. **The motion carried without objection by roll call vote.**

1. **Adjournment**

**Motion** by Councilmember Muzzin, seconded by Councilmember Tobbe to adjourn the meeting at 10:58 p.m. **The motion carried by roll call vote, with Councilmember Bohn voting no.**

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Tara Brown, City Clerk Shawn Pipoly, Mayor