

Brighton City Council Meeting

Contact Information: City Hall ● 200 N First St. ● Brighton, Michigan 48116 (810) 227-1911 ● www.brightoncity.org ● info@brightoncity.org

TEMPORARY LOCATION: Brighton Community Center, 555 Brighton Street, Brighton, MI 48116

EARLY
Regular Meeting
July 15, 2021 – 6:30 p.m.

AGENDA

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

Consent Agenda Items

- a. Approval of Minutes: Study Session of July 1, 2021
- b. Approval of Minutes: Regular Session of July 1, 2021

Correspondence

- 6. Call to the Public
- 7. Staff Updates
- Updates from Councilmember Liaisons to Various Boards and Commissions

Public Hearing

9. Conduct a Public Hearing and Consider Possible Action for the Proposed Planned Unit Development, Site Plan # 21-06, West Village and Related PUD Agreement

New Business

- 10. Consider Approval of Site Plan # 21-03, 1101 Rickett
- 11. Consider Approving the Purchase of a Combination Vacuum Street Sweeper from Bell Equipment Company in the Amount of \$285,235
- 12. Consider Award of Bid to Titus Welding Company for the Rebuild of Return Activated Sludge (RAS) Pump #3 in an Amount Not to Exceed \$143,600
- 13. Consider Approval of Resolution #2021-16 to Introduce First Reading and Set a Public Hearing of August 5, 2021 for Proposed Ordinance Number 596: Amendments to Chapter 54 of the City of Brighton Code of Ordinances
- 14. Discussion and Consider Staff Direction Regarding Partial Advancement of Northwest Neighborhoods Streets Project into Phase II (State Street and Third Street)

Other Business

- 15. Call to the Public
- 16. Adjournment



City Council Study Session

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

This meeting was conducted electronically.

MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON JULY 1, 2021

1. Call to Order

Mayor Pipoly called the study session to order at 6:30 p.m.

2. Roll Call

Present were Mayor Pipoly (City of Brighton, MI), Mayor Pro Tem Gardner, Councilmembers: Bohn (City of Brighton, MI), 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, Community Development Manager Mike Caruso, Assistant to the City Manager Henry Outlaw, Chief Rob Bradford, Deputy DPS Director Corey Brooks, Regulatory Compliance Officer Josh Bradley, and Attorney Laura Genovich. There were six persons in the audience.

3. Consider Approval of the Agenda

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Tobbe to approve the agenda as presented. **The motion carried without objection by roll call vote.**

4. Call to the Public

Mayor Pipoly opened the call to the public at 6:32 p.m.

Susan Bakhaus spoke regarding the proposed Rules of Procedure recommendations.

Mayor Pipoly closed the call to the public at 6:35 p.m.

5. Discussion of Rules of Procedure Task Force Recommendations

City staff, Councilmembers, and attorneys discussed, at length the recommendations by the Rules of Procedure Task Force. Several Councilmembers had reservations about the proposed ethics ordinance and would like to discuss further as well as the length of time for public to speak during the calls to public. City staff and attorneys will discuss the reservations with the Task Force.

6. Call to the Public

Mayor Pipoly opened the call to the public at 7:28 p.m. Hearing and seeing no comment, the call to the public was closed.

7. Adjournment

Motion by Councilmember Pettengill, seconded by Councilmember Emaus to adjourn the meeting at 7:28
p.m.

Tara Brown, City Clerk	Shawn Pipoly, Mayor



Brighton City Council Meeting

Contact Information: City Hall ● 200 N First St. ● Brighton, Michigan 48116 (810) 227-1911 ● www.brightoncity.org ● info@brightoncity.org

This meeting was conducted electronically.

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JULY 1, 2021

1. Call to Order

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

2. Pledge of Allegiance

Mayor Pro Tem Gardner led in the Pledge of Allegiance.

3. Roll Call

Present were Mayor Pipoly (City of Brighton, MI) and Mayor Pro Tem Gardner (City of Brighton, MI), Councilmembers: Bohn (City of Brighton, MI), 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, Finance Director Gretchen Gomolka, Community Development Manager Mike Caruso, Human Resources Manager Michelle Miller, Assistant to the DPS Director Patty Thomas, Assistant to the City Manager Henry Outlaw, Deputy DPS Director Corey Brooks, Regulatory Compliance Officer Josh Bradley, Economic Development Coordinator Denise Murray, Chief Rob Bradford, Attorney Sarah Gabis, and Attorney Mike Homier. There were eight persons in the audience.

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to approve the agenda as amended, moving items d and e from the consent agenda to new business as items 8a and 8b. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve the consent agenda as amended. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Study Session of June 17, 2021
- b. Approval of Minutes: Regular Session of June 17, 2021
- c. Approval of Minutes: Closed Session of June 17, 2021
- d. Authorization to Enter into Service and License Agreement with Pivot Point moved to new business
- e. Approval to Issue a Purchase Order to Graphic Sciences, Inc. for Continued Scanning Services Under a State Bid in an Amount Not to Exceed \$25,000 moved to new business
- f. Approval of the Crop Hunger Walk Civic Event Application
- g. Appointment to Various Boards and Commissions

Correspondence

6. Call to the Public

Mayor Pipoly opened the call to the public at 7:35 p.m. Hearing and seeing no comment, Mayor Pipoly closed the call to the public.

7. Staff Updates

Regulatory Compliance Superintendent Bradley updated City Council on the Northwest Neighborhood project along with upcoming preconstruction meetings and bid openings.

Finance Director Gomolka noted summer tax bills were mailed out and are due August 15, 2021. Different methods and locations for tax bill payment are on the back of the tax bill.

Human Resources Manager Miller stated there is currently an opening within the water department. All interested should visit the City website for more information.

Manager Geinzer would appreciate one or two Councilmember help with ongoing discussions surrounding Marijuana ordinances within the City. It was discussed that an agenda item be created to discuss at a future meeting.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Councilmember Pettengill stated the ZBA will meet to discuss one agenda item on July 8, 2021.

Mayor Pro Tem Gardner stated the BACC has not met.

Councilmember Muzzin stated the Brighton Area Fire Authority met to approve the contractor a new fire station on Weber Road.

New Business

8a. Authorization to Enter into Service and License Agreement with Pivot Point

Councilmember Emaus asked for the agenda item to be moved to new business for clarification on pricing.

Motion by Councilmember Emaus, seconded by councilmember Tobbe to approve the authorization to enter into service and license agreement with Pivot Point and the purchase of necessary equipment for a total of \$2,856.64. **The motion carried without objection by roll call vote.**

8b. Approval to Issue a Purchase Order to Graphic Sciences, Inc. for Continued Scanning Services Under a State Bid in an Amount Not to Exceed \$25,000

Councilmember Emaus asked for the agenda item to be moved to new business for clarification on pricing.

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to issue a purchase order to Graphic Sciences, Inc. for continued scanning services under a state bid in an amount not to exceed \$25,000. **The motion carried without objection by roll call vote.**

9. Consider Approval of Resolution #2021-15 to Adopt a Social District, or Other Staff Direction

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to approve of resolution #2021-15 to Adopt a Social District in the City of Brighton between the hours of 12:00 p.m. and 10:00 p.m. **The motion carried by roll call vote, with Councilmember Bohn voting no.**

10. Consider Staff Direction on Anticipated Robertson Brothers Donation

After discussion, City Council would like City staff to bring back proposals for donation options during a future Council Meeting.

Other Business

11. Call to the Public

Mayor Pipoly opened the call to the public at 8:51 p.m. Hearing and seeing no comment, the call to the public was closed.

Page	2.3
	12. Adjournment
	Motion by Councilmember Pettengill, seconded by Councilmember Tobbe to adjourn the meeting at 8:51 p.m. The motion carried without objection by roll call vote.

Shawn Pipoly, Mayor

City Council Regular Meeting

Tara Brown, City Clerk

July 1, 2021



SUBJECT: CONSIDER APPROVAL OF SITE PLAN 21-03, NEW COMMERCIAL BUILDING – 1101 RICKETT RD.

ADMINISTRATIVE SUMMARY

An application for site plan review has been submitted by AMAG, LLC, representing Dan Oginsky, for a new commercial building to be located at 1101 Rickett. The vacant property is on the east side of Rickett, just south of Sisu Knoll.

The applicant is proposing to construct a 9,063 square-foot structure, which would consist of office space and a storage/warehouse area. The applicant is combining two vacant parcels consisting of 1.8 acres in size, and zoned IB (Intermediate Industrial). The uses are permitted with the assigned zoning classification.

- The proposed development meets the intent of the Intermediate Industrial zone and is compliant with all regulations within this district.
- The applicant also meets the use standards specified within the future land use map designation of Light Industrial for this parcel, as described in the Comprehensive Master Plan.
- The proposed building and uses will have minimal impact on adjacent properties and neighboring districts. The office space is for the applicant's personal use and would accompany only a few employees.
- The applicant originally purchased one of the vacant parcels at the site for the proposed development. Due to size constraints of the property, he decided to purchase the adjacent vacant parcel, instead of seeking opportunities outside the City. Mr. Oginsky has other developments in the City, and believes strongly in building his roots here by investing in the City of Brighton.
- The Planning Commission granted a recommendation of approval at their special meeting held on July 7, 2021.

RECOMMENDATION

Staff is recommending to approve site plan 20-03 with the use of deferred parking language, as described in Section 98-5.6 (b)(4) of the zoning ordinance.

Prepared by: Michael Caruso, Community Development Manager

Reviewed &

Approved by: Nate Geinzer, City Manager

Attachments: 1. Application

2. Site Plan

3. Consultant Reviews

4. Planning Commission Minutes (unapproved)



CITY OF BRIGHTON

Community Development/Planning Department

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SITE PLAN REVIEW APPLICATION

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Heartmonic Holdings / All Heart Garage

Location:

1101 Rickett Road, Brighton MI 48116

Petitioner:

AMAG, LLC

Instructions:

A. Initial Submittal and Review Meeting:

1. Submit the completed, original site plan review application, seven (7) signed and sealed sets of full size (24" x 36") drawings, an electronic version of the complete site plan, and applicable fees. All site plan submittal documents must be submitted to:

Brighton City Hall 200 N. First Street Brighton, Michigan 48116

- 2. Review fees, property delinquencies and penalties shall be paid at the time the site plan review documents are submitted. * Initial review fees are the minimum fees required. Additional fees may be incurred. *
- 3. The meeting at which the Planning Commission will consider the site plan review application, drawings and other submittals will be determined when the site plan application is deemed complete. A meeting schedule is included on the last page of this packet. Any site plan review application submitted after the monthly deadline will not be considered for that month's agenda.
- 4. The information required on the site plan review application and drawings is the **minimum amount of information** that generally applies to all site plan review applications. Additional project specific information may also be required. Failure to submit information and materials will delay consideration of the site plan review application until such time they are submitted and found to be in acceptable form.
- 5. Generally one (1) week after the site plan review application submittal deadline, a site plan review meeting will be scheduled to consider staff and consultant input. * It will be determined by staff at this meeting whether the applicant will have an additional review meeting with staff and consultants. Additional meetings will be assessed applicable fees indicated on the planning and engineering fee schedules.



CITY OF BRIGHTON

Community Development/Planning Department

General Information:

Development Property Address: 1101 Rickett Road, Brighton MI 48116
Parcel(s) tax ID number(s): 4718-31-400-051
Lot Dimensions: N <u>164.23'</u> , E <u>332.31'</u> , S <u>179.29'</u> , W <u>183.66'</u>
Net Acreage of site: 0.85 acres
Current Site Zoning: I-B (Intermediate Industrial)
Proposed Use of Development:
Office / Warehouse
Tenant(s) (if known): Heartmonic Holdings, LLC
Number of proposed employees and/or residents: 2
Adjacent Zoning of Surrounding Properties: N_R-4 (Multiple Dwelling), E_R-4 (Multiple Dwelling),
S I-B (Intermediate Industrial), W O-S (Office Service)
Multiple Family Developments: Number of Units Number of Buildings N/A Number of Buildings N/A Percentage of Open Space/Wetlands N/A



CITY OF BRIGHTON

Community Development/Planning Department

Warranty of Petitioner (MUST BE COMPLETED BY PETITIONER):

The site plan submitted with this application contains the minimum amount of information required by the City. I understand that the proposed site plan will not be considered by the Planning Commission until such time that the plan contains at least the minimum amount of information required by the City, per **Section 98-6.1 (D)** of the City of Brighton Zoning Ordinance.

I understand that if the Planning Commission and City Council approve the proposed site plan that I am bound to construct the project in strict compliance with the approved plan. The attached site plan represents my intentions to develop the proposed project.

I (we) the undersigned, hereby make application for site plan approval for the following described

property:	
Development Property Address: 1101 Rickett Road	d, Brighton MI 48116
Parcel(s) tax ID number(s): 4718-31-400-051	
Basis of representation of applicant (owner, architect, engage) Architect	gineer, attorney, etc):
It is expected that, if site plan approval is granted, the con	struction will proceed as follows:
Construction will Begin: 5/1/21 Cons	struction will be Completed: 9/30/21
I warrant to the City that neither I (we) or the subject proof City records indicates a default of any kind, that the Commission's consideration of the proposed site plan.	operty are in default to the City and that if a search deficiency will be resolved prior to the Planning
I understand the approval of this site plan will be effective approval by City Council.	e for one (1) year following the date of final
1/m1_	David McLane, AIA, NCARB
Signature of Petitioner Date: 3/5/21	Printed Name of Petitioner
Address: 4488 W. Bristol Rd., Ste. 200	
Flint, MI 48507	
Phone: (810) 230-9311	
Email: dmclane@amagarch.com	
1. the property owner, authorize the petitioner to submit	, ,
Want & Tourshy	Daniel Oginsky
Signature of Property Owner Date: 3/5/21	Printed Name of Property Owner
Date: 3/5/21 Address: 5853 Hartford Way	
Brighton, MI 48116	
Phone: (810) 360-3768	
email: doginsky@heartmonicholdings.com	 Site Plan Review Application

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HEARTMONIC HOLDINGS / ALL HEART GARAGE

1101 RICKETT ROAD BRIGHTON, MICHIGAN 48116

PROJECT SCOPE: NEW OFFICE AND VEHICLE STORAGE WAREHOUSE

PROJECT TEAM SITE REVIEW . CITY OF BRIGHTON ZONING ORDINANCE. HEARTMONIC HOLDINGS, LLC 'I-B' (INTERMEDIATE INDUSTRIAL) ZONING ADJACENCIES: NORTH & EAST: 'R-4' (MULTIPLE DWELLING - RESIDENTIAL); WEST: 'O-S' (OFFICE 1101 Rickett Road SERVICE); SOUTH: 'I-B' (INTERMEDIATE INDUSTRIAL) Brighton, Michigan 48116 Contact: Daniel Oginsky . BUILDING FOOTPRINT (INCLUSIVE OF EXTERIOR WALLS): 9,063SF Cell: (810) 360-3768 BUILDING AREA (EXCLUSIVE OF EXTERIOR WALLS): 8.580SF

> PROPERTY AREA (GROSS): 1.80 ACRES (78,447 SF) PROPERTY AREA (EXCLUDING R/W): 1.49 ACRES (64,968 SF) TOTAL IMPERVIOUS LOT COVERAGE: 21,469SF / 64,968SF = 33% SITE REQUIREMENTS: LOT AREA (MIN): NONE SPECIFIED.

LOT WIDTH (MIN): NONE SPECIFIED. (SECTION 98-3.18) LOT COVERAGE (MAX): NONE SPECIFIED

e-mail: doginsky@heartmonicholdings.com

ARCHITECT

AMAG, LLC

4488 West Bristol Road

Project Manager: Ray Embach

e-mail: rembach@amagarch.com

e-mail: dmclane@amagarch.com

Contact: David McLane, AIA, NCARB

Flint, Michigan 48507

Office: (810) 230-931

Cell: (810) 569-1082

SIWEK CONSTRUCTION 5020 Pilarim Road

Flint, Michigan 48507

Phone: (810) 736-7843

Contact: Terry Mayberry, VP

Contact: Neal Phillips, PM

14165 North Fenton Road

Phone: (810) 354-8115

Contact: Rade Beslac

Cell: (810) 423-5014

CITY OF BRIGHTON

200 North First Street

Brighton, Michigan 48116

Phone: (810) 844-5149

420 South Third Street

Brighton, Michigan 48116

DPS Director: Marcel Goch

7927 Nemco Way, Ste. 100

Brighton, Michigan 48116

Phone: (810) 220-2112

LIVINGSTON COUNTY

Howell, Michigan 48843

Phone: (517) 546-3240

FIRE DEPARTMENT

Brighton, Michigan 48116

Phone: (810) 229-6640

Direct: (810) 299-0033

Building Official: Jim Rowell

e-mail: jrowell@livgov.com

e-mail: rswanson@livqov.com

615 West Grand River Avenue

e-mail: gochm@brightoncity.org

e-mail: brooksc@brightoncity.org

<u>Civil Site Engineer:</u> Kari Jozwik

2300 East Grand Boulevard

e-mail: kari.jozwic@tetratech.com

LIVINGSTON COUNTY - BUILDING DEPT.

Deputy Building Official: Rick Swanson

BRIGHTON AREA FIRE DEPARTMENT

Fire Marshal: Rick Boisvert, FM, CFPS

e-mail: rboisvert@brightonareafire.com

Deputy DPS Director: Cory Brooks

Phone: (810) 225-8001

TETRA TECH

COMMUNITY DEVELOPMENT

e-mail: rade@fentonlse.com

Cell: (614) 327-2498

e-mail: tmayberry@siwekcc.com

FENTON LAND SURVEYING & ENGINEERING

Fenton, Michigan 48430

APPROVAL AGENCIES

Comm. Dev. Director: Michael Caruso

e-mail: carusom@brightoncity.org <u>DEPT. OF PUBLIC SERVICES</u>

CONTRACTOR

FRONT YARD SETBACK: 50 FEET. (ZBA APPROVED 24' ON 2/25/21)

REAR YARD SETBACK: 25 FEET. (NOT APPLICABLE DUE TO ADJACENT R/R TRACKS)

DESIGN REGULATIONS:

BUILDING FACADE FINISHES: SPLIT-FACE CMU, METAL SIDING & COMPOSITE CLADDING PARKING LOT: . PARKING SPACES (SECTION 98-5.6)

(SECTION 98-5.6) OFFICE / LIMITED BUSINESS: ONE FOR EACH 1,000SF OF FLOOR AREA

> WAREHOUSE SPACE: ONE FOR EACH EMPLOYEE ON LARGEST SHIFT PLUS I FOR EACH 200SF OF OFFICE RECEPTION AREA: 2 EMPLOYEES + NO RECEPTION = 2 SPACES. TOTAL PARKING SPACES REQUIRED: 4 SPACES (5 PROVIDED)

PARKING SPACE SIZE: 9' x 20' SITE LIGHTING (98.5.4): COMPLIANCE WITH REQUIREMENTS. SITE PHOTOMETRICS: PROVIDED.

LOADING AREA (SECTION 98.5.6(C.2)): NONE REQUIRED PER USE.

BUILDING CODE REVIEW

BUILDING CODES: MICHIGAN BUILDING CODE - 2015 BARRIER FREE - ICC/ANSI AII7.I - 2009

> MECHANICAL CODE - 2015 PLUMBING CODE - 2015

ELECTRICAL CODE: NEC - 2017 (W/ PART & AMENDMENTS)

MICHIGAN FIRE CODE - 2015

USE GROUP: 'B' (BUSINESS) SECTION 304.1 AND 'S-1' (MODERATE-HAZARD STORAGE) SECTION 311.2.

CONSTRUCTION TYPE: . YB (SECTION 602.5 \$ TABLE 601)

TABULAR ALLOWED: 9,000SF w/o AREA MODIFICATIONS. BUILDING AREA: INCREASE DUE TO FRONTAGE: IF=[F/P-0.25]W/30 = [4771/4771-0.25]30/30 =

1.75×9,000SF = 15,750SF

BUILDING FOOTPRINT (INCLUSIVE OF EXTERIOR WALLS): 8,9835F

BUILDING AREA (EXCLUSIVE OF EXTERIOR WALLS): 8,580SF TABULAR ALLOWED: 'B' & 'S-1' USES: 40' (TABLE 504.3).

'B' USE: 2-STORIES; 'S-I' USE: I-STORY (TABLE 504.4)

PROPOSED BUILDING HEIGHT: 22'-0" OCCUPANT LOAD: 'B' USE: 1,755SF / 100SF/OCCUPANT = 18 OCCUPANTS. (TABLE 1004.1.2)

'S-1' USE: 7,228SF / 500SF/OCCUPANT = 15 OCCUPANTS. (TABLE 1004.1.2)

FIRE PROTECTION: NO AUTOMATIC SPRINKLER SYSTEM REQUIRED. (SECTION 903) MEANS OF EGRESS: MIN. NUMBER REQUIRED (TABLE 1006.3.2(2) & 1006.2.1): TWO REQUIRED & PROVIDED.

> EGRESS WIDTH (SECTION 1005.1): 0.2"/PERSON (10/DOOR*0.2) = 2"/EXIT REQUIRED (36"/DOOR PROVIDED).

LIGHTING/SIGNAGE: PROVIDED AS REQUIRED

PANIC HARDWARE (SECTION 1010.1.10): NONE REQ'D. OCCUPANT LOAD LESS THAN 50.

COMMON PATH EGRESS TRAVEL DIST. (TABLE 1006.3.2(2) & 1006.2.1): 75 FEET MAX. EXIT ACCESS TRAVEL DIST. (TABLE 1017.2): 200 FEET MAX.

CORRIDOR FIRE-RESISTANCE RATING (TABLE 1020.1): NOT APPLICABLE.

ACCESSIBILITY: PARKING (TABLE 1106.1 & SECTION 1106.5): ONE SPACE REQUIRED FOR EVERY 25 PARKING SPACES PROVIDED. FOR EVERY SIX OR FRACTION OF SIX ACCESSIBLE PARKING SPACES, AT LEAST ONE SHALL BE A VAN-ACCESSIBLE PARKING SPACE

> ENTRANCE (SECTION 1105): AT LEAST 60 PERCENT OF ALL PUBLIC ENTRANCES SHALL BE ACCESSIBLE.

ROUTE (SECTION 1104): AT LEAST ONE ACCESSIBLE ROUTE SHALL BE PROVIDED TOILET/SINKS/FIXTURES (SECTION 1109): COMPLIANCE AS REQUIRED

SIGNAGE (SECTION IIII): COMPLIANCE AS REQUIRED

PLUMBING FIXTURES: TOILET (TABLE 403.1): MEN/WOMEN TOILET: I PER 25 FOR FIRST 50 OCCUPANTS LAVATORIES (TABLE 403.1): MEN/WOMEN LAVATORIES: I PER 40 FOR FIRST 80

> OCCUPANTS. DRINKING FOUNTAINS (TABLE 403.1): I PER 100 OCCUPANTS.

SERVICE SINK (TABLE 403.1): ONE REQUIRED.

BARRIER-FREE (SECTION 1109): COMPLIANCE AS REQUIRED. DESIGN CRITERIA: FLOOR LIVE LOAD: EXISTING SLAB ON GRADE.

> GROUND SNOW LOAD: 30PSF. DEAD LOAD: 20PSF

MEZZANINE FLOOR LIVE LOAD: 125PSF

WIND LOAD: 30PSF (3-SEC GUST (115MPH), RISK CATEGORY II, EXPOSURE 'B').

SOIL BEARING (MIN.): EXISTING CONDITION NOT CONFIRMED (1,500PSF ALLOWED BY

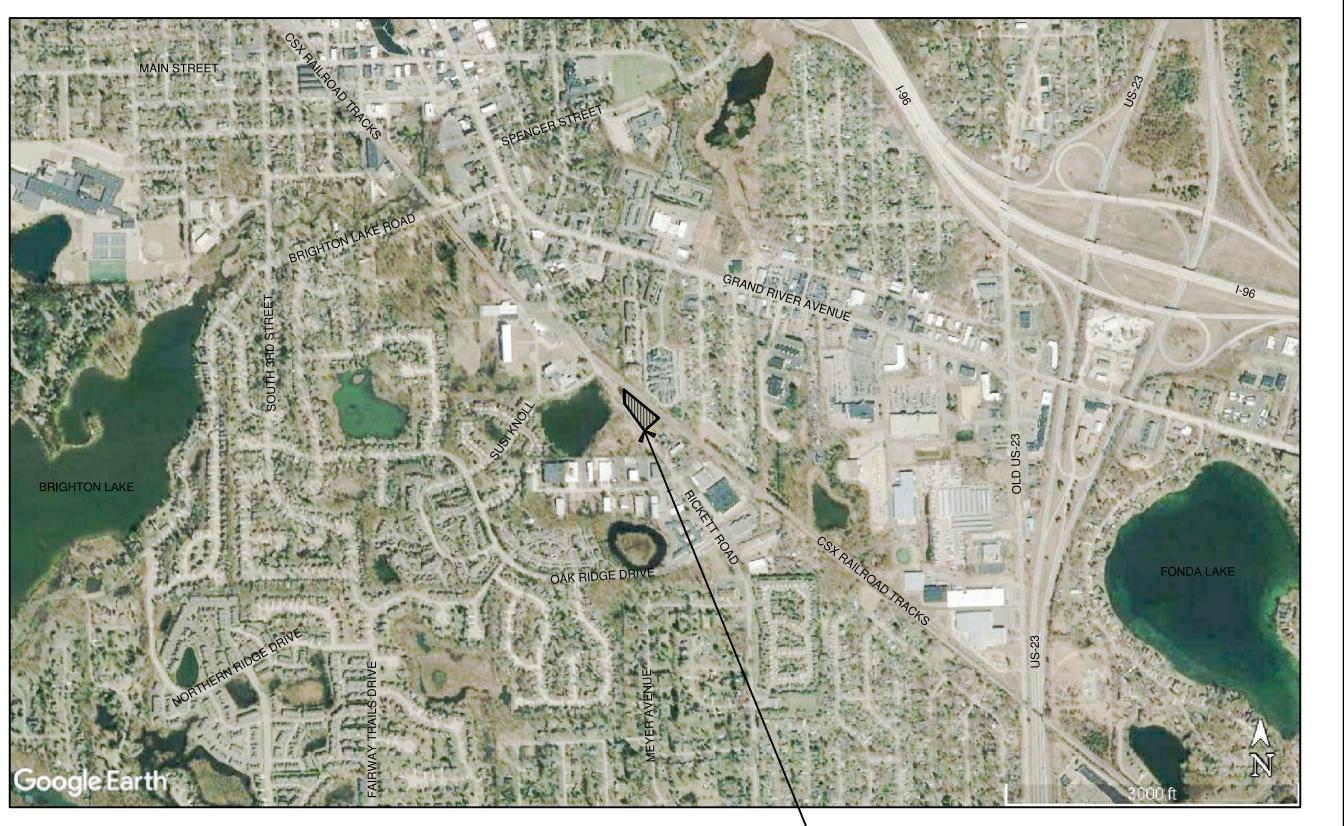
CODE WITHOUT SOILS TEST)

AREA MAP



SCALE: NONE

PROJECT LOCATION PARCEL ID: 4718-31-400-051 & 4718-31-400-050 ZONING: 'I-B' (INTERMEDIATE INDUSTRIAL)

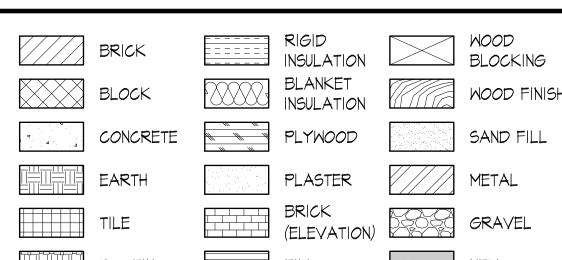


PROJECT LOCATION PARCEL ID: 4718-31-400-051 & 4718-31-400-051 ZONING: 'I-B' (INTERMEDIATE INDUSTRIAL)

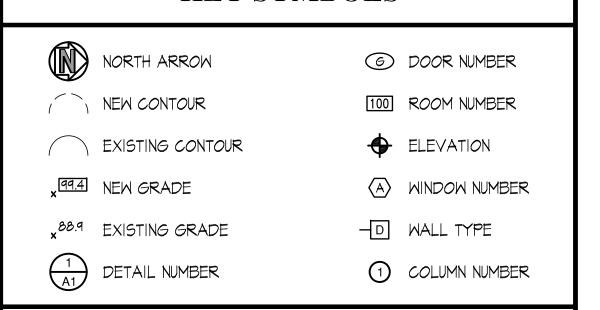
CVR COVER SHEET / ORDINANCE & BUILDING CODE REVIEW SITE PLAN LAYOUT & COVER SHEET EXISTING CONDITIONS / REMOVAL PLAN GRADING, DRAINAGE, PAVING & UTILITY PLAN DETENTION BASIN & CALCULATIONS C-5 | SOIL EROSION CONTROL PLAN C-6 | SOIL EROSION CONTROL DETAILS & NOTES SITE LIGHTING PLAN SITE LANDSCAPE PLAN STANDARD CONSTRUCTION DETAILS & NOTES BRIGHTON - ROAD, PARKING, & SIDEWALK STANDARD DETAILS BRIGHTON - SANITARY SEWER DETAILS BRIGHTON - STORM SEWER DETAILS BRIGHTON - WATER MAIN DETAILS BRIGHTON - WATER MAIN DETAILS SITE FIRE PROTECTION PLAN AIOI | FLOOR PLAN EXTERIOR ELEVATIONS A202 EXTERIOR BUILDING RENDERINGS A: ARCHITECTURAL S: STRUCTURAL C: CIVIL E: ELECTRICAL P: PLUMBING 1: MECHANICAL

SCHEDULE OF DRAWINGS

MATERIAL SYMBOLS



KEY SYMBOLS



LEGAL DESCRIPTION: REFER TO SHEET C-1.

PARCEL ID#: 4718-31-400-051 & 4718-31-400-050

> **UTILITY WARNING** UNDERGROUND UTILITY LOCATIONS, AS SHOWN ON THE PLAN, WERE OBTAINED FROM UTILITY OWNER AND NOT FILED LOCATED.



Know what's **below.** Call before you dig

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF AND/OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE

COPYRIGHT (C) AMAG, LLC

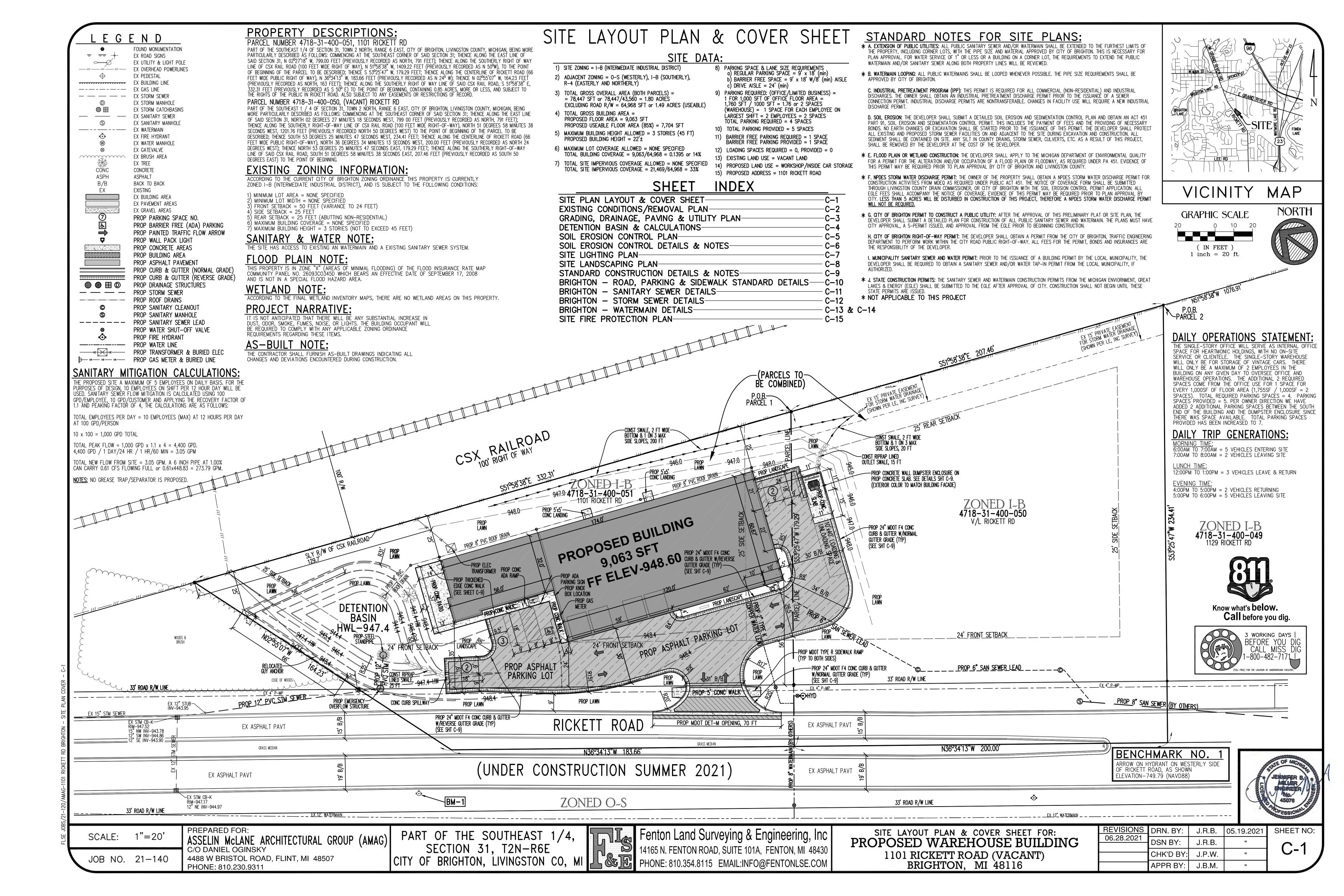


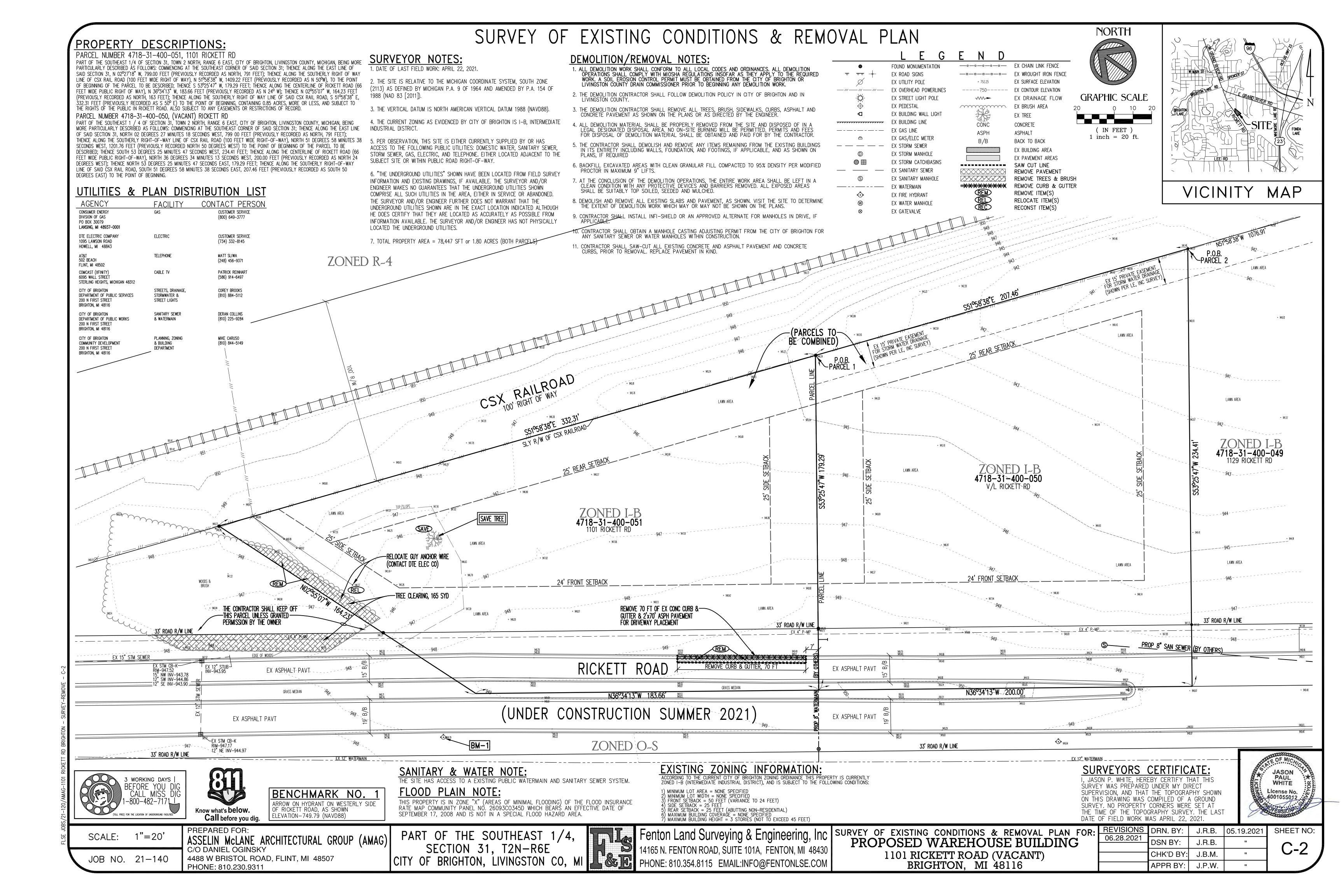


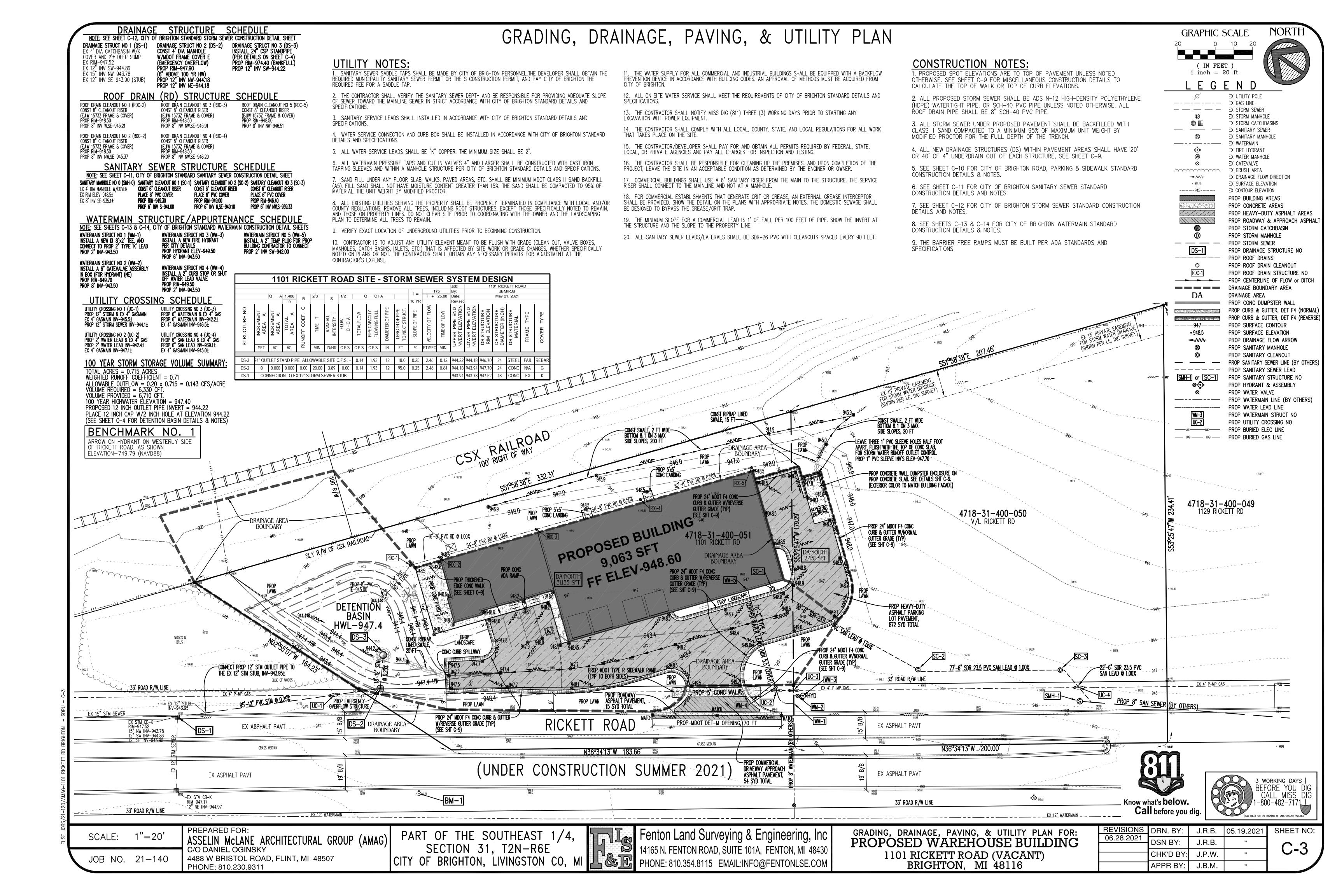
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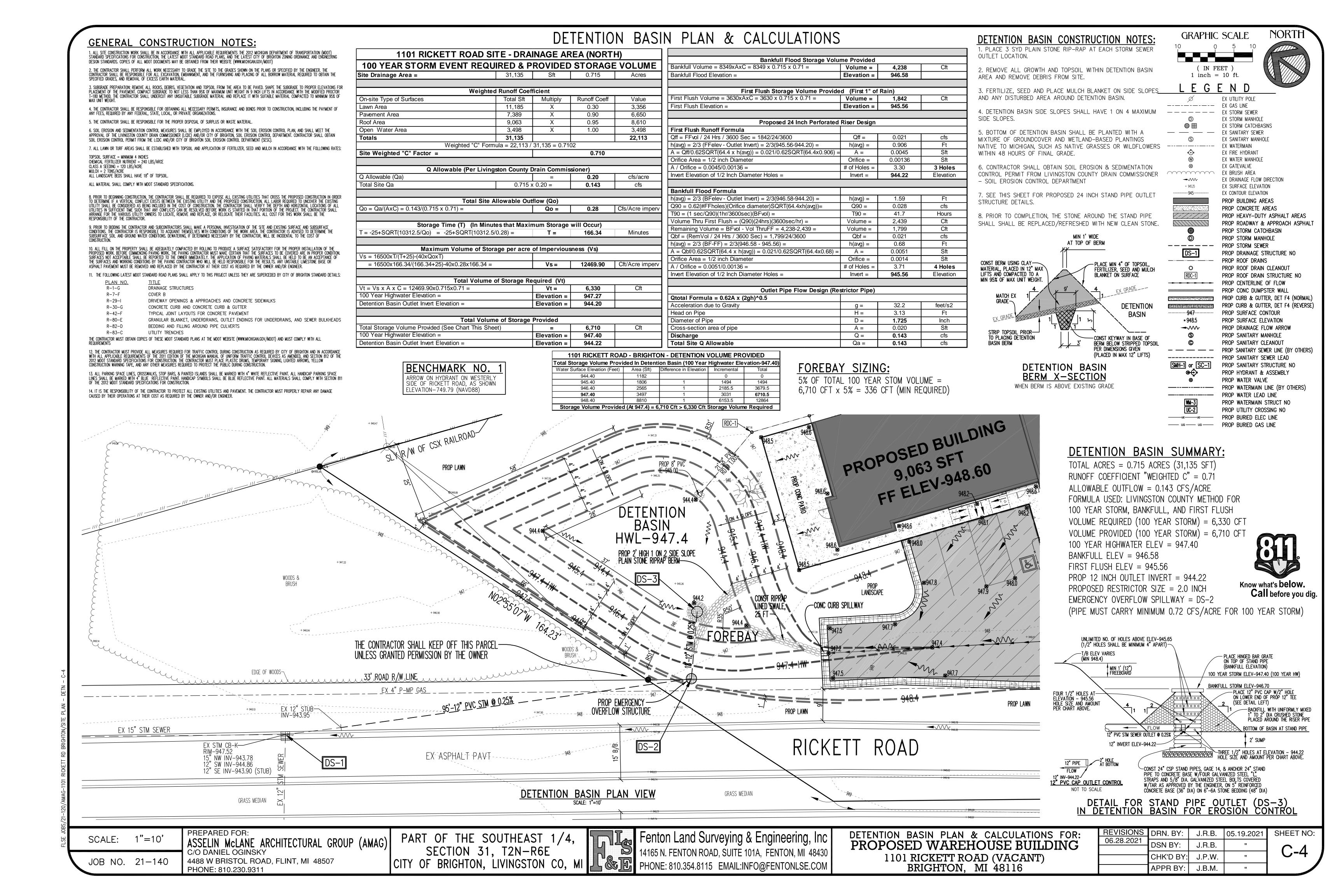
Permit Construction

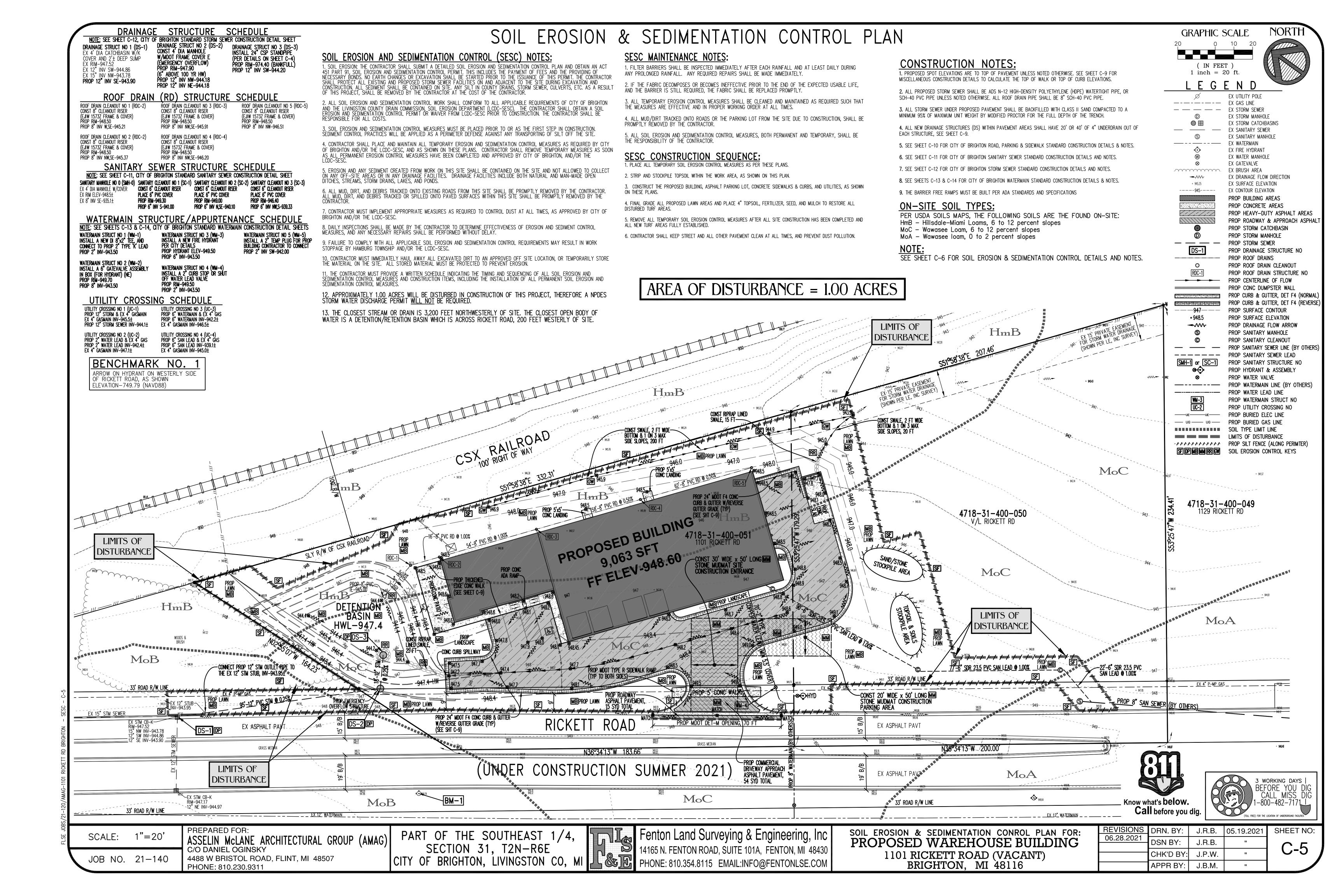
CVR











SITE PREPARATION:

1. CONSIDER PROTECTING SEEDED AREAS FROM PEDESTRIAN ACCESS.

2. WHERE POSSIBLE, DIVERT CONCENTRATED FLOWS AWAY FROM THE SEEDED AREA AT LEAST UNTIL THE VEGETATION IS ESTABLISHED.

3. SOIL TESTS SHOULD BE DONE TO DETERMINE THE NUTRIENT AND PH CONTENT OF THE SOIL. DEPENDING ON THE RESULTS OF SOIL TESTS, SOIL MANAGEMENT MAY BE NECESSARY TO ADJUST THE PH TO BETWEEN 6.5 AND 7.0 (FOR MOST CONDITIONS). NOTE THAT SANDY LOAM, LOAM, AND SILT LOAM ARE THE PREFERRED SOILS FOR SEEDING. CONSIDERATION SHOULD BE GIVEN TO INCORPORATING THESE SOILS INTO THE SEEDBED.

4. PREPARE A 3-5-INCH DEEP SEEDBED, WITH THE TOP 3-4 INCHES CONSISTING OF TOPSOIL. NOTE THAT THE EARTH BED UPON WHICH THE TOPSOIL IS TO BE PLACED SHOULD BE AT THE REQUIRED GRADE.

5. THE SEEDBED SHOULD BE FIRM BUT NOT COMPACT. THE TOP THREE INCHES OF SOIL SHOULD BE LOOSE, MOIST AND FREE OF LARGE CLODS AND STONES. FOR MOST APPLICATIONS, ALL STONES LARGER THAN 2 INCHES IN DIAMETER, ROOTS, LITTER AND ANY FOREIGN MATTER SHOULD BE RAKED AND REMOVED. THE TOPSOIL SURFACE SHOULD BE IN REASONABLY CLOSE CONFORMITY TO THE LINES, GRADES AND CROSS SECTIONS SHOWN ON THE GRADING PLANS.

PLANTING:

1. SEED SHOULD BE APPLIED AS SOON AFTER SEEDBED PREPARATION AS POSSIBLE. WHEN THE SOIL IS LOOSE AND MOIST, I THE SEEDBED HAS BEEN IDLE LONG ENOUGH FOR THE SOIL TO BECOME COMPACT, THE TOPSOIL SHOULD BE HARROWED WITH A DISK, A SPRING TOOTH DRAG, A SPIKE TOOTH DRAG, OR OTHER EQUIPMENT DESIGNED TO CONDITION THE SOIL FOR SEEDING.

2. ALWAYS APPLY SEED BEFORE MULCH.

3. APPLY SEED AT THE RATES SPECIFIED IN THE ATTACHED EXHIBITS USING CALIBRATED SPREADERS, CYCLONE SEEDERS, MECHANICAL DRILLS, OR HYDROSEEDERS.

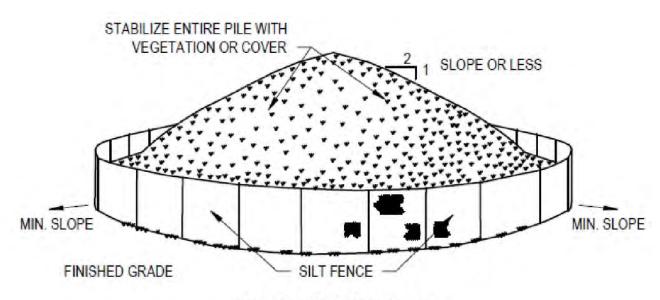
4. IDEALLY, BROADCAST SEED SHOULD BE INCORPORATED INTO THE SOIL BY RAKING OR CHAIN DRAGGING, OR OTHERWISE FLOATED, THEN LIGHTLY COMPACTED TO PROVIDE GOOD SEED-SOIL CONTACT.

5. FOR HYDROSEEDING OPERATIONS:

- SEED SHOULD BE APPLIED AT RECOMMENDED RATES. IF NO RATES ARE GIVEN, USE 150-200 LBS/ACRE.

- USE 2 TONS/ACRE STRAW MULCH, UNLESS OTHERWISE RECOMMENDED. USE 3 TONS/ACRE WHEN DORMANT.

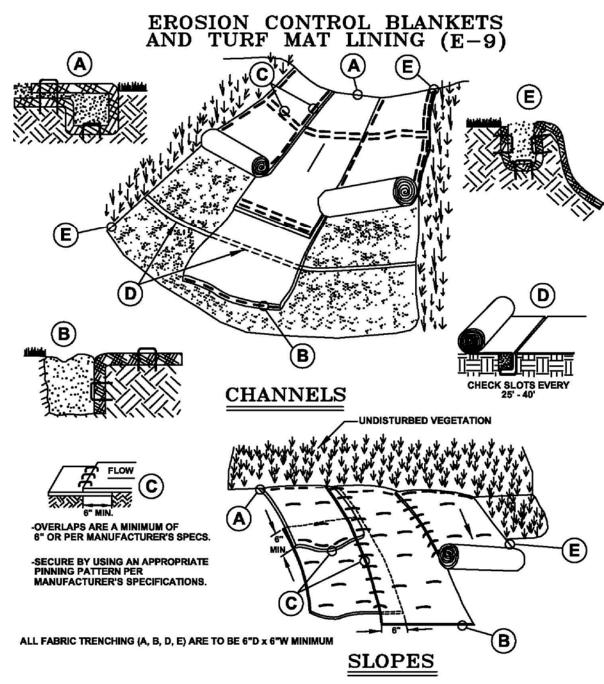
6. ALL NEWLY SEEDED AREAS SHOULD BE PROTECTED FROM EROSIVE FORCES BY MULCH BLANKETS.



INSTALLATION NOTES

- AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE
- MAXIMUM SLOPE OF STOCKPILE SHALL BE 2:1
- UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE SURROUNDED WITH REINFORCED SILT FENCING, THEN STABILIZED WITH VEGETATION OR COVERED.

TOPSOIL AND SOIL STOCKPILE SP

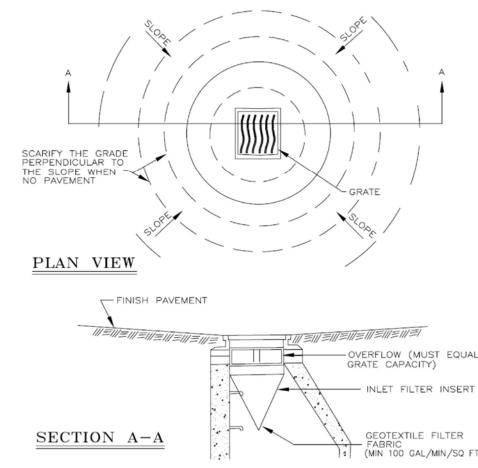


DEPENDING ON THE VELOCITY, SLOPE, SOILS, USE PROPER BLANKET OR TURF MAT LINING PER MULCH MATTING BLANKETS MB

PREPARED FOR:

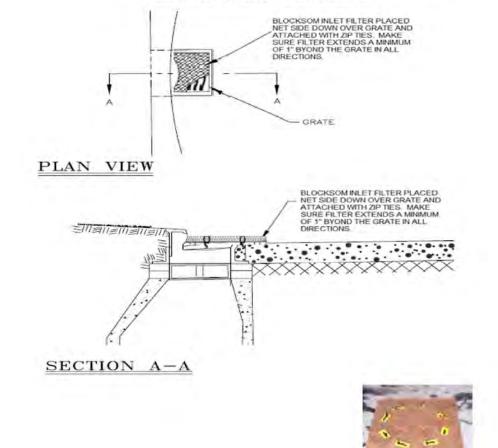
PHONE: 810.230.9311

APPROVED FOR USE DURING WINTER MONTHS OR IN AREAS THAT MAY BECOME A SAFETY HAZARD DUE TO FLOODING OR FREEZING



DRAINAGE STRUCTURE PROTECTION DP

(ALL ALTERNATIVES MUST BE PRE-APPROVED BY THE INSPECTOR ON A CASE BY CASE BASIS) NOT FOR USE IN WINTER MONTHS OR IN AREAS THAT MAY BECOME A SAFETY HAZARD DUE TO FLOODING OR FREEZING



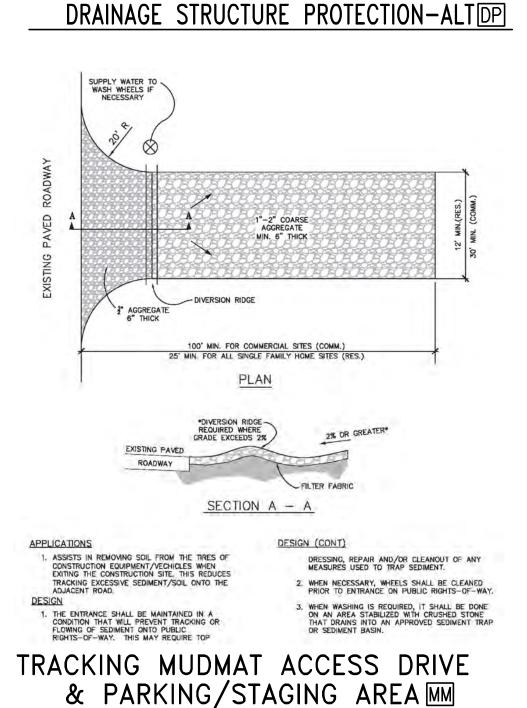
and top of Inlet Filter to remove sediment and debris after each rain event.

MAINTENANCE:

Clean Inlet Filter while mounted on the grate, even

if ponded water surrounds the inlet. Sweep sides

INSTALL PER MI'G SPECIFICATIONS



INDIVIDUAL SOD SECTION

WHEN IMMEDIATE VEGETATIVE COVER IS NEEDED ON EXPOSED AREAS.

 APPLY ON EXPOSED AREAS/SLOPES WHERE VEGETATIVE STABILIZATION IS NEEDED SOONER THAN CAN BE ESTABLISHED BY SEEDING AND WHERE IRRIGATION IS AVAILABLE. PREPARE AREA BY GRADING AND REMOVAL OF STICKS, ROCKS, ROOTS, SOIL CLODS, AND CONSTRUCTION DEBRIS.

COMPLETE SOIL TESTING TO DETERMINE PH AND NUTRIENT CONTENT OF SOIL. 3. APPLY SOIL AMENDMENTS AS NECESSARY PER SOIL

 STRIPS OF SOD SHOULD BE UNIFORM IN WIDTH WITH STRIPS FREE OF WEEDS. 6. CULTURED SOD SHOULD BE APPROXIMATELY 0.5"
THICK AND NOT LESS THAN 30" IN LENGTH. OTHER
GRASS SODS SHOULD BE CUT AT LEAST 2" THICK
AND IN STRIPS AT LEAST 10" BY 18".

DESIGN (CONT)

7. APPLY SOD IN ROWS PERPENDICULAR TO SLOPE APPLY SOD PERPENDICULAR TO WATERFLOW DIRECTION ON SLOPES OR IN FLOW PATHS.

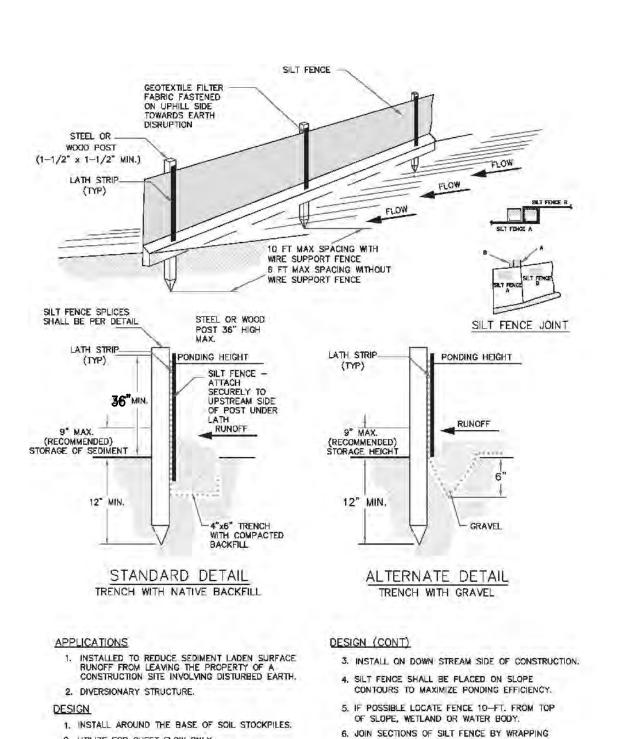
 PLACE SOD PIECES IMMEDIATELY ADJACENT TO ONE ANOTHER WITH NO OPEN JOINTS LEFT BETWEEN STRI EDGES OR ENDS. 10. STAGGER ENDS OF ADJACENT SOD STRIPS TO MINIMIZE CONCENTRATED FLOW AT JOINTS.

11. ROLL OR TAMP SOD IMMEDIATELY AFTER INSTALLATION 12. ON SLOPES STEEPER THAN 1:3. OR IN AREAS OF

3. WATER SOD TO THOROUGHLY MOISTEN SOIL. WITHHOLD TRAFFIC FROM RECENTLY SODDED AREA UNTIL SOD IS FIRMLY ESTABLISHED.

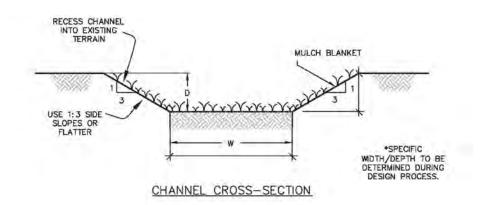
15. SOD CAN BE LAID BETWEEN MAY 1 AND OCTOBER 2: BETWEEN JUNE 10 AND SEPTEMBER 10 IRRIGATION IS

SOD/SODDING PROTECTION SD



SILT FENCE DETAIL SF

2. UTILIZE FOR SHEET FLOW ONLY.



DESIGN (CONT)

APPLICATIONS

- 1. WHEN SURFACE FLOW VELOCITIES WITHIN A CREATED STORMWATER CHANNEL HAVE THE POTENTIAL TO CAUSE EROSION.
- 2. TO SLOW WATER VELOCITY AND REDUCE EROSION AND SEDIMENT LOADING IN THE STORMWATER

DESIGN

- REVIEW SUBJECT SITE TO IDENTIFY CHANNEL AREAS POTENTIALLY SUSCEPTIBLE TO HIGH FLOWS, EROSIVE VELOCITIES OR FLOODING.
- CONSULT A PROFESSIONAL LANDSCAPE ARCHITECT, PROFESSIONAL ENGINEER OR CPESI REGARDING CONSIDERATIONS OF CHANNEL DESK BASED ON WATER VELOCITY, CHANNEL SLOPE, DISCHARGE VOLUME AND SOIL TYPE.
- 3. GENERAL CAPACITY REQUIREMENTS SHOULD ALLOW FOR CONVEYANCE OF A 10-YEAR.
- 24-HOUR RAIN EVENT AT A MINIMUM.
- 4. CHANNEL SHAPE SHOULD EITHER BE PARABOLIC OR TRAPEZOIDAL. V-SHAPED CHANNELS ARE NOT RECOMMENDED AS THEY FORM GULLIES AND INCREASE THE EROSION POTENTIAL.

5. ALL VEGETATED CHANNELS SHOULD HAVE A DEPTH OF ONE FOOT OR MORE.

- IN CHANNELS PLANTED WITH VEGETATIVE PLUGS OR SEEDLINGS, PREPARE CHANNEL, AND INSTALL MULCH BLANKET/TRM. NOT RECOMMENDED TO USE DORMANT SEEDINGS DUE TO HIGH FAILURE RATE.
- 11. ESTABLISH VEGETATED CHANNEL PRIOR TO PERIODS OF HIGH RUN-OFF.
- PRIOR TO CONSTRUCTION WORK IN AREA SURROUNDING CHANNEL, ALLOW VEGETATION IN CHANNEL TO ESTABLISH. CHECK DAMS OR VELOCITY DISSIPATERS MAY BE NEEDED UNTIL VEGETATION IS ESTABLISHED.

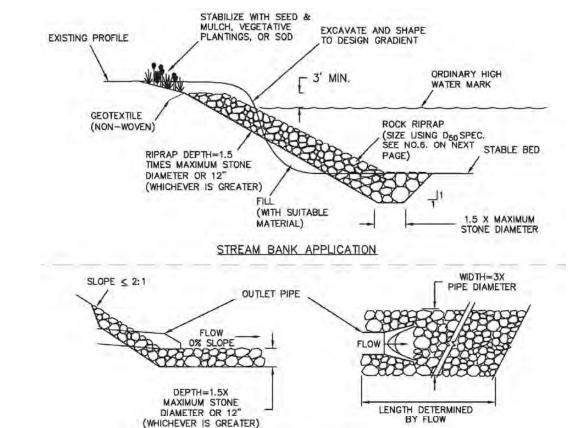
EXCAVATE OR GRADE CHANNEL SURFACE ACCORDING TO DESIGN. LOCATE CHANNELS IN NATURAL TOPOGRAPHIC DEPRESSIONS WHERE POSSIBLE. RECESS CHANNEL INTO EXISTING GRADE SO THAT CHANNEL TOP IS FLUSH WITH

DETERMINE VEGETATIVE SPECIES BASED ON THE DEPTH TO WATER TABLE, CLIMATE, ANTICIPATED FLOW VELOCITIES, AND FINAL MANAGED LENGTH OF VEGETATION. UTILIZE NATIVE SPECIES FOR VEGETATION PURPOSES.

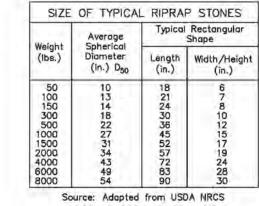
8. IN CHANNELS TO BE SEEDED, PREPARE SEEDBED

APPLY SEED, AND INSTALL MULCH BLANKET/TRA

GRASSED WATERWAY GW



OUTLET POINT APPLICATION



APPLICATIONS

1. WHEN CONCENTRATED WATER FLOWS HAVE THE POTENTIAL TO CREATE SCOUR, DOWN-CUTTING, OR LATERAL CUTTING. 2. TO PREVENT LOSS OF LAND OR DAMAGE TO UTILITIES OR STRUCTURES. IN AQUATIC APPLICATIONS, RIPRAP IS USED TO CONTROL CHANNEL MEANDER AND MAINTAIN CAPACITY, PROTECT AGAINST

WAVE ATTACK, AND REDUCE SEDIMENT ON SLOPES WITH PROFILES MEASURING 1:1.5 OR LESS.

- REVIEW SUBJECT SITE TO IDENTIFY AREAS SUBJECT TO CONCENTRATED FLOWS OR WAVE/CURRENT ATTACK. 2. THE AREA UNDER REVIEW FOR RIPRAP
- PLACEMENT MUST BE SHAPED AND CONTOURED APPROPRIATELY BY GRADING PRIOR TO MATERIAL PLACEMENT.
- 3. NON-WOVEN GEOTEXTILE FABRIC SHOULD BE INSTALLED PRIOR TO RIPRAP PLACEMENT, WITH UPPER END AND TOE END OF FABRIC BURIED OR ANCHORED T
- 4. RIPRAP PLACEMENT SHOULD BE STARTED AT A STABILIZED LOCATION AND ENDED AT A STABILIZED OR CONTOURED POINT. 5. MATERIAL SELECTED FOR RIPRAP SHOULD BE HARD, ANGULAR, AND RESISTANT TO WEATHERING. APPROPRIATE MATERIAL SIZE DEPENDS ON EXPECTED WATER
- RIPRAP WILL TIE INTO A STABLE BANK AT THE DOWNSTREAM END AND WILL BE KEYED INTO THE BANK AT THE UPSTREAM END. RIPRAP SHOULD EXTEND 3 FT. ABOVE THE ORDINARY HIGH WATER MARK OR TO THE TOP OF THE BANK ON SHORT SLOPES. EXTEND RIPRAP A MINIMUM 10 FT. BEYOND ACTIVE EROSION AREA.

MIXTURE OF STONE SIZES BASED ON THE AVERAGE, OR DS. THIS MEANS 50% OF THE STONE, BY SIZE, WILL BE LARGER THAN THE DIAMETER SPECIFIED, AND 50%

LARGEST STONE SHOULD NOT BE MORE THAN 1.5 TIMES THE Dag STONE SIZE.

SEE TABLE ON THE PREVIOUS PAGE FOR TYPICAL RIPRAP STONE SIZES.

8. ROCK SHALL BE PLACED SO THAT LARGE ROCKS ARE UNIFORMLY DISTRIBUTED AND IN CONTACT WITH ONE ANOTHER. SMALLER ROCKS SHOULD FILL THE VOIDS 9. WHEN IN CONTACT WITH MOVING WATER, RIPRAP WILL TIE INTO A STABLE BANK AT

WILL BE SMALLER THAN THE SIZE SPECIFIED. THE DIAMETER OF THE

RIPRAP SLOPE PROTECTION & RIPRAP AT END SECTIONS RR

SCALE:

ASSELIN McLANE ARCHITECTURAL GROUP (AMAG) C/O DANIEL OGINSKY JOB NO. 21-140 4488 W BRISTOL ROAD, FLINT, MI 48507

PART OF THE SOUTHEAST 1/4,



Fenton Land Surveying & Engineering, Inc. SECTION 31, T2N-R6E
CITY OF BRIGHTON, LIVINGSTON CO, MI
PHONE: 810.354.8115 EMAIL:INFO@FENTONLSE.COM SOIL EROSION CONTROL DETAILS & NOTES FOR: PROPOSED WAREHOUSE BUILDING 1101 RICKETT ROAD (VACANT) BRIGHTON, MI 48116

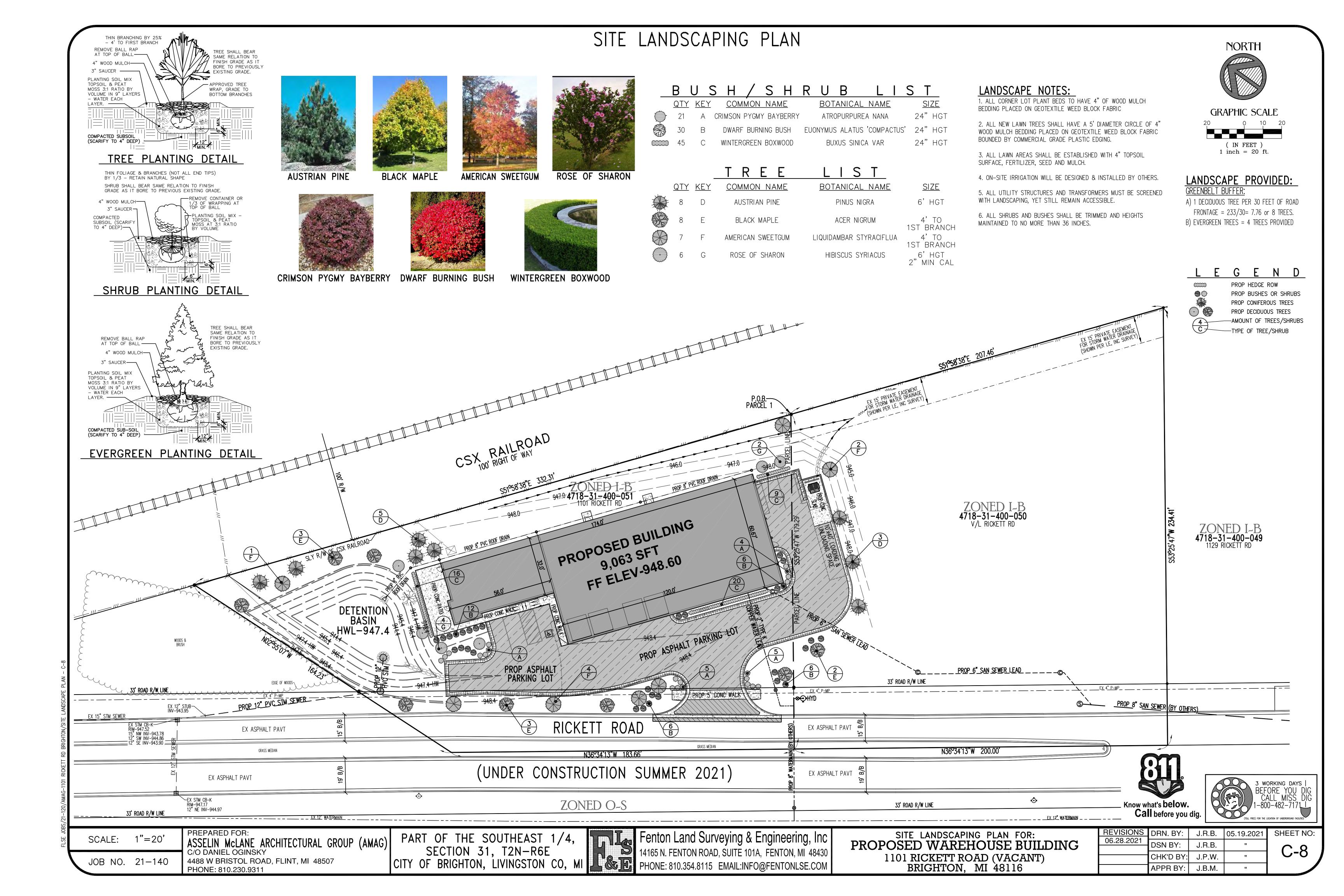
REVISIONS	DRN. BY:	J.R.B.	05.19.2021	SHEET NO:
06.28.2021	DSN BY:	J.R.B.	"	
	CHK'D BY:		"	C-6
	APPR BY:	J.B.M.	"	

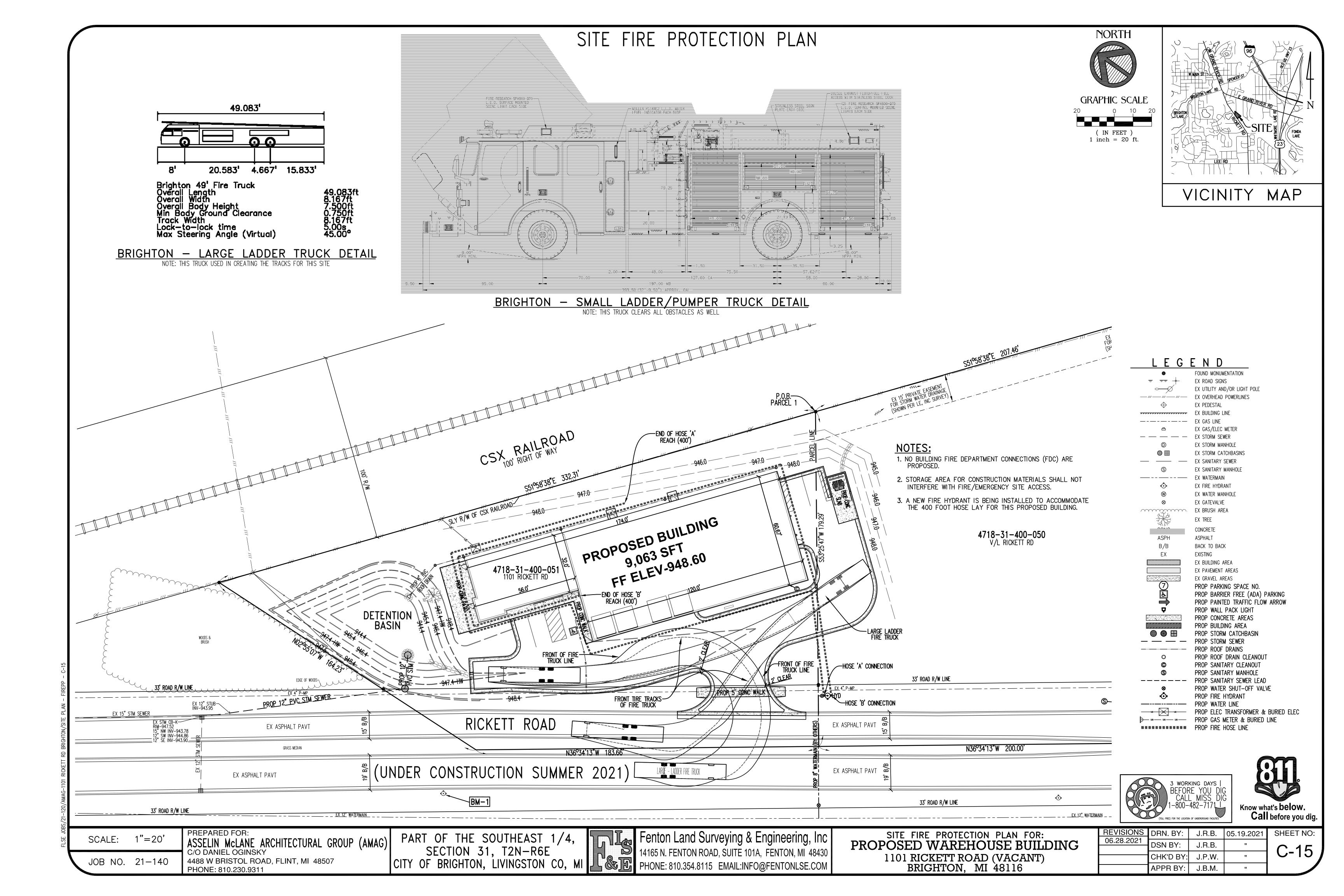
LIGHT FIXTURE SCHEDULE/DATA

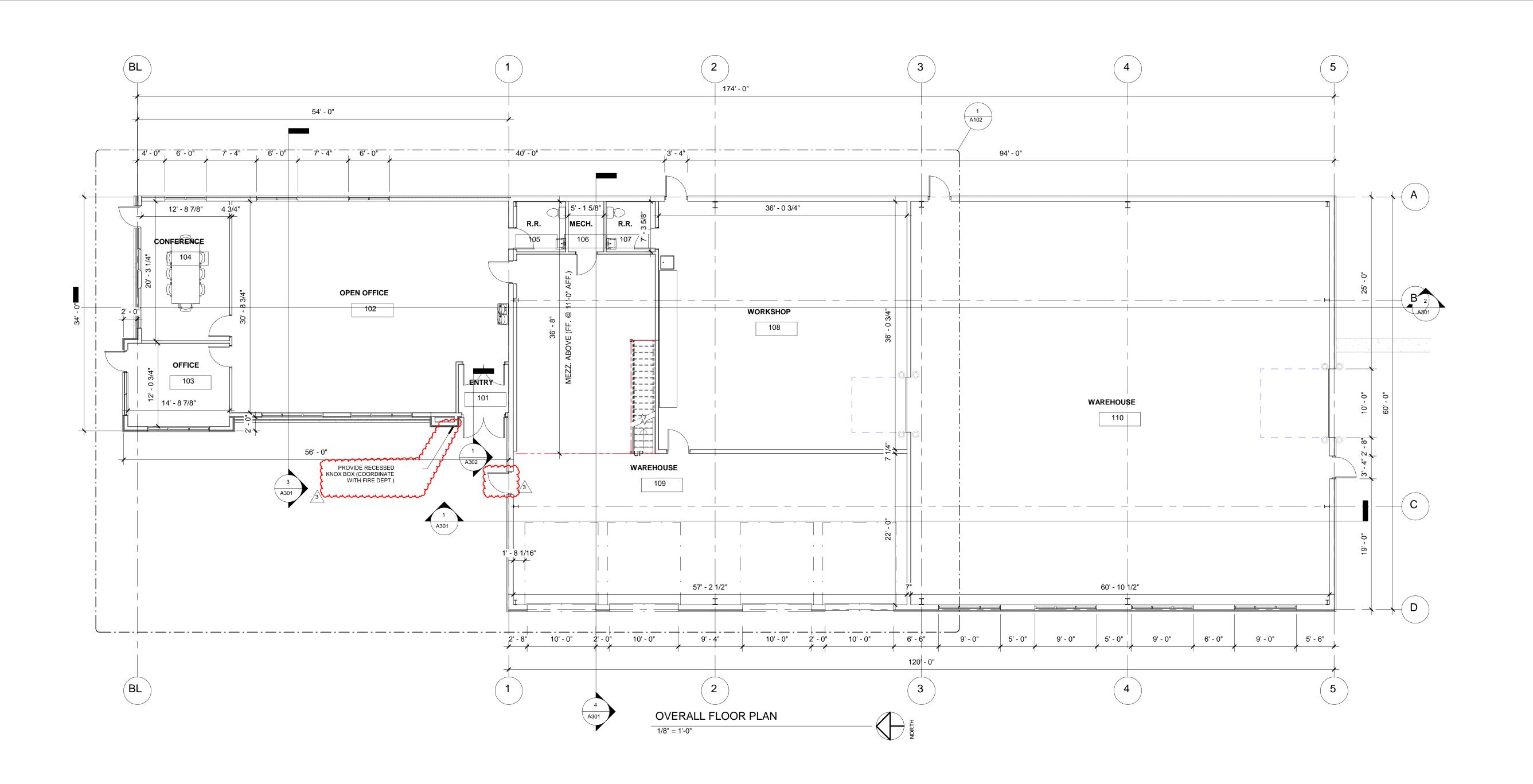


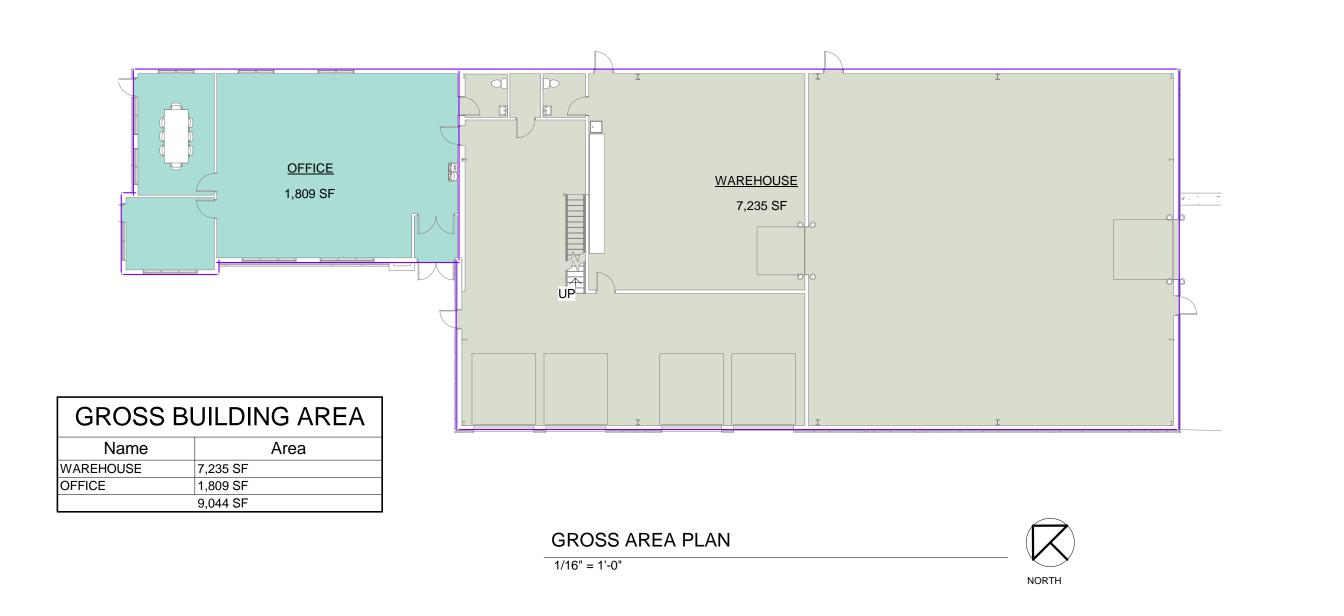
Holdings HQ/All Heart Garage Heartmonic

Construction













Heartmonic Holdings HQ/All Heart Garage

Date
O3-08-21
Construction
Design
Permit
Construction
06-28-21
06-28-21

1 ISSUED FOR SPR
2 RE-ISSUED FOR SPR
3 REVISED PER SPR COMMENTS
wises Last Issue: 6/28/2021 11:53:28 AM

Project # 210

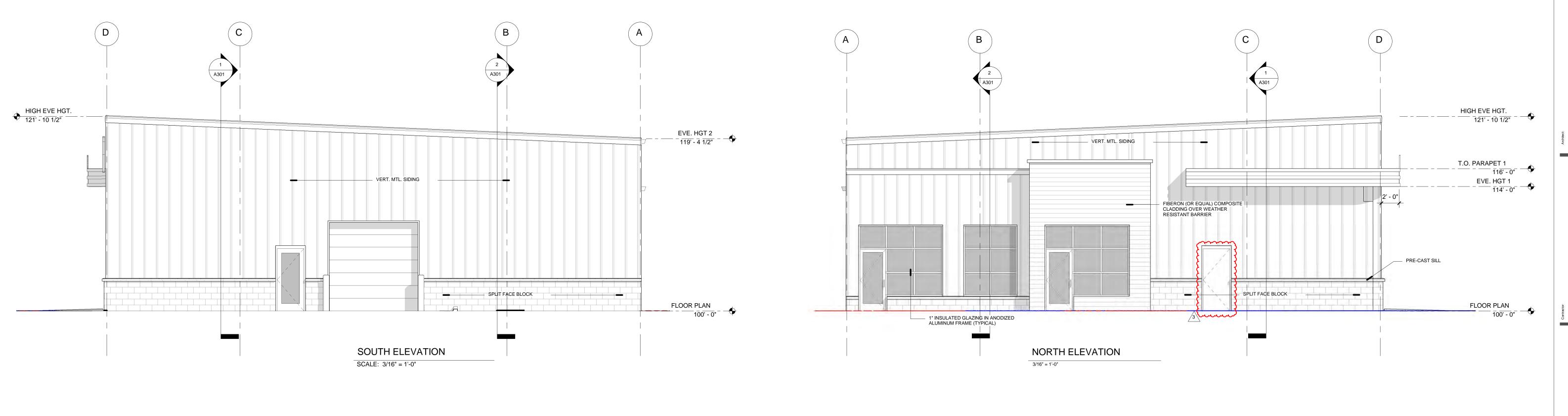
Drawn by:

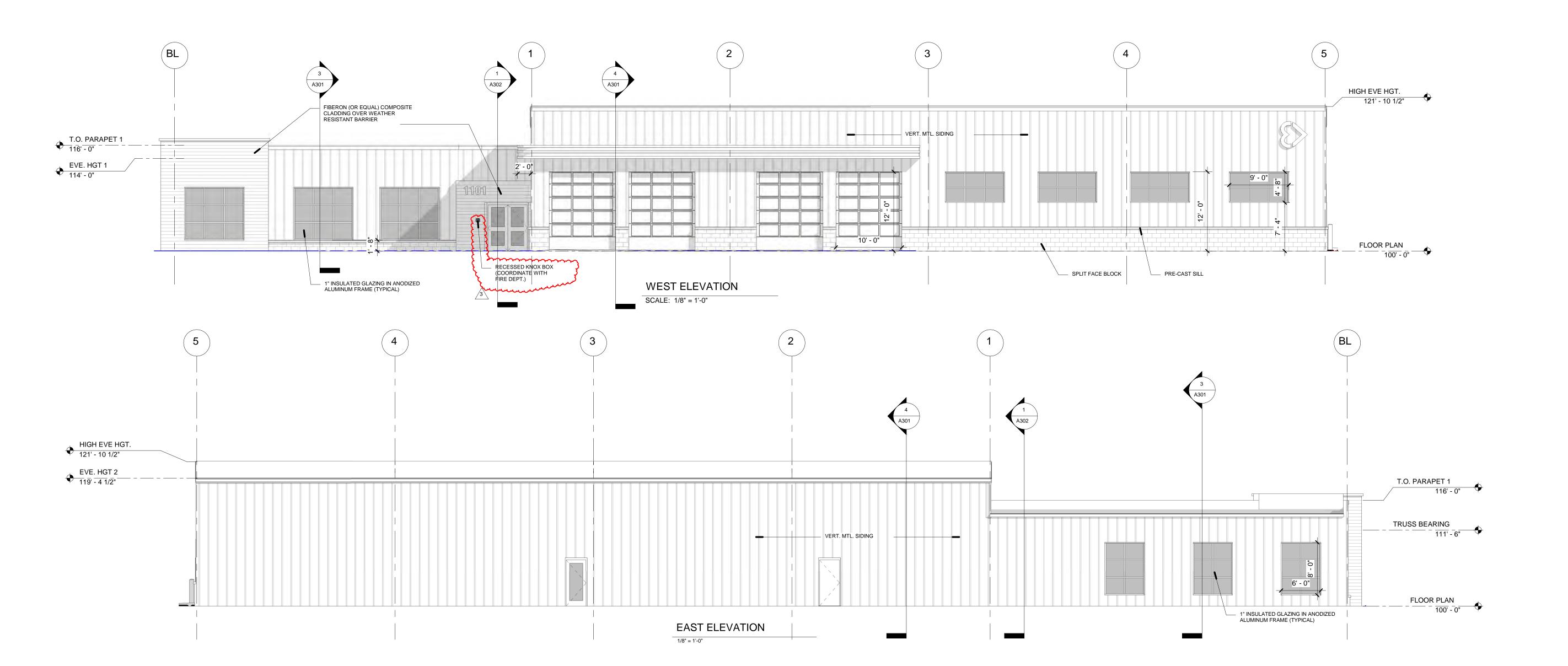
Checked by:

FLOOR PLANS

A101

rs/remba\CloudStation\AMAG Jobs\2101 - Oginsky Property\Revit





4488 WEST BRISTOL ROAD, SUITE 200, FLINT, MI 48507 PH: (810) 230-9311



Heartmonic Holdings HQ/All Heart Garage

Project Phase:

Design
Permit
Construction

12-82-7
12-82-7
10-82-90

JED FOR SPR SSUED FOR SPR ISED PER SPR COMMENTS

Mev. Description

Accordance

ect# 2101
wn by: rle
cked by: dm

TERIOR ELEVATIONS

A201











JIWEK

Heartmonic Holdings HQ/All Heart Garage

Project Phase: Design Permit Construction **Date** 03-08-21 05-25-21

A202 Sheet



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave. Brighton, MI 48116 o: 810-229-6640 f: 810-229-1619

July 6, 2021

Mike Caruso
Building/Zoning Dept.
City of Brighton
200 North First Street
Brighton, MI 48116

RE: Heartmonic Holdings / All Heart Garage

1101 Rickett Rd., Brighton 48116

Site Plan Review

Dear Mike:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The digital plans were received for review on June28, 2021 and the drawings are dated June 28, 2021 The project is for a 1.80-acre parcel to be developed for a proposed new construction single-story 8,983-square foot, mixed-use Business (B) and moderate storage (S-1)structure. The plan review is based on the requirements of the International Fire Code (IFC) 2021 edition.

All previous comments have been resolved or are noted to be addressed during construction.

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department.

If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Respectfully,

Rick Boisvert, FM, CFPS

Fire Marshal

cc: Sbarb@livaov.com

kari.iozwik@tetratech.com

Dave McLane: dmclane@amagarch.com



Livingston County Department of Planning

MEMORANDUM

Kathleen J. Kline-Hudson AICP, PEM Director

Robert A. Stanford AICP, PEM Principal Planner

Scott Barb AICP, PEM Principal Planner TO:

City of Brighton Planning Commission

FROM:

Scott Barb, Principal Planner

DATE:

June 30, 2021

SUBJECT:

Revised Site Plan Review #2 – Heartmonic Holdings/ All Heart

Garage

A revised site plan and response letter (date 6/28/21) has been submitted for your approval of the Heartmonics Holdings/All Heart Garage to be located at 1101 Rickett Road in Brighton, Michigan. We have reviewed the revised site plan and associated response letter from the applicant and offer the following comments for the Planning Commission's consideration:

- 1. The applicant has clarified that there will be no outdoor storage of vehicles on the property.
- 2. One 10' x 40' loading space has been added to the site plan near the dumpster enclosure and is compliant with the ordinance standards.
- 3. Two (2) additional parking spaces have been added near the south end of the building adjacent the dumpster enclosure. The parking requirements have been met.
- 4. The Brighton Area Fire Authority has included comments regarding on-site emergency vehicle maneuverability.

Recommendation **Department Information**

All of our previous review comments have been addressed and we are recommending approval of the revised site plan for Heartmonic Holdings/All Heart Garage. Should you have any concerns or comments regarding our review, please do not hesitate to contact me at any time, and at your convenience.

Respectfully,

Scott Barb, AICP, PEM

Administration Building

304 E. Grand River Avenue Suite 206

Howell, MI 48843-2323

(517) 546-7555 Fax (517) 552-2347

Web Site www.livgov.com



July 6, 2021

Mr. Michael Caruso City of Brighton 200 North First Street Brighton, MI 48116

Re: Heartmonic Holdings / All Heart Garage Site Plan Review No. 3

Dear Mr. Caruso:

Tetra Tech has reviewed the revised site plan for the proposed Heartmonic Holdings / All Heart Garage located at 1101 Rickett Road. The 1.80-acre land development is located on parcel ID's 4718-31-400-51 and 4718-31-400-500, in the Intermediate Industrial (I-B) zoning district. The site plan, with revisions dated June 28, 2021, was prepared by Fenton Land Surveying & Engineering, and submitted in response to our June 9, 2021 review letter.

The following comments remain for your consideration:

- 1. The applicant is requesting the City allow the proposed parking lot to encroach into the Rickett Road right-of-way by approximately 4-feet. Typically, site improvements for private developments are maintained within the limits of the property. We recommend the City decide if this variance is acceptable.
- 2. We recommend the City discuss if sidewalks should be placed along Rickett Road along the property line within Rickett Road to promote future pedestrian paths within the City.
- 3. Due to the simplicity of the fire hydrant construction, an Act 399 Permit for Water Supply Systems from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) is not required. However, the City of Brighton will need to review material shop drawings and be on-site to witness the installation of the hydrant.

RECOMMENDATION

The applicant has satisfactorily addressed our previous concerns. We have no further engineering objections to the approval of the site plan once the above comments are addressed to the City's satisfaction.

Please call me at 810.360.9842 if you have any questions or comments.

Sincerely.

Kari Jozwik, P.E., LEED AP

Project Engineer

City of Brighton Planning Commission 200 N. First St. Brighton, MI 48116 Special Meeting Minutes July 7, 2021

The Board for the Planning Commission held a Special Meeting on Wednesday, July 7, 2021 at 7:00 p.m., conducted electronically.

1. Call to Order/Roll

Chairperson Smith called the meeting to order at 7:06 p.m.

Board Members present were Jim Bohn, Chuck Hundley, Ken Schmenk, Dave Petrak, Mike Schutz, Susan Gardner, Steve Monet and Matt Smith. All Members participated remotely and disclosed their location.

Also present were Kari Jozwik, Tetra Tech; Mike Caruso, Community Development Manager; Kelly Haataja, Executive Assistant to Community Development and an audience of five persons.

Members Absent were Bill Bryan.

Motion by Gardner, seconded by Schutz to excuse Commissioner Bryan for personal reasons. **Motion** carried unanimously by a roll call vote.

2. Approval of the July 7, 2021 Agenda

Motion by Monet, seconded by Hundley to approve the July 7, 2021 Agenda with an amendment to add an additional Call to the Public after item 2. **Motion carried unanimously by a roll call vote.**

Call to the Public

Chairperson Smith opened the Call to the Public at 7:09 p.m.

Susan Bakhaus claimed this Call to the Public is illegal. She further stated her disapproval of the site plan to be presented tonight because she doesn't know how fluids from cars will be disposed.

Hearing and seeing no further comments, Chairperson Smith closed the Call to the Public at 7:12 p.m.

3. Consider Recommendation of Approval for Site Plan 21-03, New Commercial Building at 1101 Rickett Rd.

Mr. Caruso provided a brief overview of the applicant's development history within the City. He mentioned the applicant received a twenty-six feet, front-yard setback variance for this site, earlier this year.

Mr. Dan Oginsky, Heartmonic Holdings defined his business operations and his intent for uses of the site, which includes storage warehouse, workshops for light maintenance projects, and office space as the headquarters for his flourishing company.

Mr. Dave McLane delivered a thorough presentation of the site plan.

City of Brighton Planning Commission Special Meeting Minutes July 7, 2021

Commissioner Monet commented he is impressed with the selection of materials.

Commissioner Schmenk commented he is pleased with the appearance of the building.

Commissioner Hundley commented he likes the design of the building.

Commissioner Petrak stated he doesn't foresee an issue with not placing a sidewalk in front of the building.

Commissioner Bohn commented the building is nice looking and it will be a welcoming addition to the area.

Commissioner Schutz asked if there is enough staff parking.

Mr. Oginsky stated the majority of time will there will be one to two employees. Mr. McLane stated the site will provide five parking spaces, four is required, and there is room for additional parking to be added if necessary.

Commissioner Gardner thanked the applicant for considering investing in the City of Brighton again. She commented she likes the design and how it doesn't feel too industrial. She asked about potential deferred parking.

Mr. McLane explained additional parking could be provided on the adjacent parcel, also owned by the applicant.

Commissioner Smith commented he likes the design features and appreciates the light uses proposed for the site.

Commissioner Monet suggested a requirement for providing a sidewalk along Rickett Rd.

Mr. Oginsky stated he supports walkability and although he is not opposed to providing a sidewalk, he asked the board for consideration with there being a sidewalk across Rickett Rd.

Commissioner Bohn offered an outline of sidewalks on Rickett Rd. and commented he doesn't see a useful purpose for requiring one.

Motion by Gardner, seconded by Schmenk that site plan 21-03 be considered for approval with the use of deferred parking language, as described in Section 98-5.6 (b)(4) of the zoning ordinance. **Motion** carried unanimously by a roll call vote.

4. Staff Updates

Mr. Caruso stated there will be a public hearing at the July 15th City Council meeting for the recommendation of denial to the West Village site plan.

City of Brighton Planning Commission Special Meeting Minutes July 7, 2021

5. Commissioner Report

Commissioner Bohn cited the City Charter, and noted adding a call to the public to the agenda is not a "Business" item, and stated the comment made in the Call to the Public earlier tonight is misdirected.

6. Call to the Public

Chairperson Smith opened the Call to the Public at 7:52 p.m. Hearing and seeing no comments, Chairperson Smith closed the Call to the Public at 7:52 p.m.

7. Adjournment

Motion by Petrak, seconded by Schutz to adjourn the meeting. **Motion carried unanimously by a roll call vote.** The meeting adjourned at 7:53 p.m.

Matthew Smith, Chairperson

Kelly Haataja, Executive Assistant to Community Development



SUBJECT: CONSIDER APPROVAL OF THE PURCHASE OF A NEW COMBINATION VACUUM STREET SWEEPER FROM BELL EQUIPMENT COMPANY IN THE AMOUT OF \$286,235

BACKGROUND

Currently, the City of Brighton performs street sweeping services in-house with its own 2007 Elgin vacuum street
sweeper. The Public Works Division uses this machine a minimum of twice a week in the spring, summer and fall
to remove over 400 yards of debris from our storm sewer collection system annually. Additionally, this vehicle
plays an important role in meeting compliance of the City's Municipal Storm Sewer System (MS4) Permit issued
through the Department of Environment, Great Lakes and Energy.

ADMINISTRATIVE SUMMARY

- On average, the estimated useful life for a municipal street sweeper is 10 to 12 years old. With our current sweeper at 14 years of age, mechanical breakdowns have become common and very costly. The down time for these repairs has also made it difficult to keep the streets swept on a regular schedule, including the extra sweeping needed for downtown events or emergency use. Unfortunately, the last three years have proven costly with repairs ranging upwards of \$25,000.00 to keep the street sweeper in operation. While Staff is able to perform certain maintenance on the sweeper, there is a time when replacement becomes necessary.
- Before the purchase of a new street sweeper was considered, Staff contemplated having the work performed by
 a contractor. It was thought that by eliminating a piece of equipment and the labor hours needed to run the
 machine, the City would find cost savings and free up time for Staff to work on other projects. With that in mind,
 Staff reached out to a few service providers to get a yearly cost estimate. What Staff found was that contractor
 costs were drastically higher than the cost of sweeping in-house. Furthermore, the benefit of owning the
 equipment gives Staff access to the machine when unexpected things, such as when water main break or spill
 cleanup is necessary.
- In the last month, DPW staff has operated three demonstration vacuum street sweepers to compare performance, ease of use, and safety equipment. All three units had a rear suction hose feature that can be used to clean catch basins, vacuum leaves or clean hard—to-reach areas like curb corners and behind parking blocks. Our current sweeper does not have this feature. When the demonstrations were complete, City Staff met with each supplier and selected the options needed to allow them to provide us a quote. Each one was priced through a competitive bidding contract offered to municipalities. Staff then reviewed the features and pricing and chose the one that would best serve the City.
- Two of the three sweepers demoed have two motors, one to drive the vehicle and one to power the vacuum and sweeper. This means more maintenance and higher costs. The sweeper we prefer, the Elgin model, uses one motor to operate the vehicle and attachments. This is a newer innovation for vacuum sweepers and will save time and money with performing repairs or maintenance on one engine instead of two. Another reason that the Elgin sweeper is preferred over the Southeastern Equipment Company's model is because it did not perform well on heavy material laden areas due to it not having a bottom broom. This model uses vacuum and airflow to pick up debris and, when tested, could not clean problem areas like Grand River and Main Street.

• The table below outlines the three companies that provided Staff with demonstrations and pricing. Pricing from Southeastern Equipment Company was provided through the competitive bid service Sourcewell, MTech's pricing was obtained through the Wayne County RESA CoPro Program, and Bell Equipment Company pricing is from the Omnia Contract in conjunction with the City of Rochester Hills, Contract # RH-16-045.

Combination Vacuum Street Sweeper with Rear Suction Hose Attachment Proposal Analysis				
No.	. VENDOR Cost Pricing Source			
	Southeastern Equipment			
1	Company	\$276,900.00	Sourcewell	
			Omnia, Rochester Hills Contract # RH-	
2	Bell Equipment Company	\$286,235.00	16-045	
3	M Tech	\$291,614.00	Wayne County RESA CoPro Program	

BUDGET INFORMATION

City Council approved \$300,000.00 in the 21/22 fiscal year CIP budget for the purchase of a new vacuum street sweeper. As presented, this unit is \$13,765.00 below the approved budget amount. If approved this evening, the purchase agreement will be reviewed and approved by the City's General Counsel, signed by the City Manager, and the order will be placed.

RECOMMENDATION

Approve the Purchase of a New Combination Vacuum Street Sweeper from Bell Equipment Company in the amount of \$286,235.

,200,233.	
Prepared by:	Daren Collins, DPW Superintendent
Reviewed by:	Marcel Goch, DPS Director
Gretchen Gom	olka, Finance Director ⊠ Within Budget
	$\ \square$ Budget Amendment Necessary and In Proper Form
	□ Other
	City Attorney
	☐ Acceptable Form and Ready to Execute
	□ Other

Reviewed &

Approved by: Nate Geinzer, City Manager



SUBJECT: CONSIDER AWARD OF BID TO TITUS WELDING COMPANY FOR THE REBUILD OF RETURN ACTIVATED SLUDGE (RAS) PUMP #3 IN AN AMOUNT NOT TO EXCEED \$143,600

BACKGROUND

The #3 Return Activated Sludge (RAS) Pump was installed as part of the wastewater treatment plant expansion that took place during 2001-2002. This pump is an internal lift pump that "lifts" the return activated sludge that flows from the bottom of Secondary Clarifier #3 to a higher chamber where it can then flow by gravity to Oxidation Ditch #3.

The RAS Pump is one of the pieces of equipment at the plant that operates 24 hours a day, 7 days a week with exception of about eight hours per year when an oil change and other maintenance is performed. In the past year, wastewater staff have increased the maintenance performed on the pump due to the fact that there is an unusual amount of noise emitting from the pump, which is a signal to our operators that the upper and lower bearings need to be replaced.

On March 24, 2021, wastewater staff decided to shut the pump down before any major damage occurs to it. Since this pump works in conjunction with Oxidation Ditch #3, Secondary Clarifier #3, and Tertiary Clarifier #3, all three of the tanks had to be emptied and taken out of service. Wastewater staff are taking the opportunity while this system is down to clean the tanks and perform other maintenance and equipment evaluations. Essentially, one third of the plant capacity has been taken out of service.

ADMINISTRATIVE SUMMARY

According to our NPDES permit issued by EGLE, the capacity of the wastewater plant is 2.25mgd when all tanks are in operation. By shutting down approximately 33 percent of the plant to repair the screw pump, it puts us closer to the pre-expansion flow limit of 1.52mgd making operation of the plant more difficult to operate. Once RAS Pump #3 is repaired, we plan to have the wastewater plant fully back in operation by the end of this summer.

On May 23, 2021, a Request for Proposal (RFP) for the repair of the RAS Pump was published on the Michigan Intergovernmental Trade Network (MITN) using documents approved by the City's general council. A mandatory pre-bid meeting was held on May 11 with only two contractors attending. Staff was expecting more interest in the project and felt that it would be beneficial to reach out to some of the contractors that received bidding documents to ask why they did not attend. Staff was informed that some contractors could not make the pre-bid meeting due to prior obligations. Wanting to generate more bids for the project, Staff published an addendum to the RFP to offer onsite meetings by appointment. Staff also moved the bid submittal deadline from June 3 to June 10 to allow time for other interested contractors to submit their bid.

On June 10, bids were received from three bidders; however, all of the bids were lacking pricing for a new upper bearing assembly and a new lower roller bearing assembly. Since the bids were incomplete, we reached out to the bidders who all advised that they were still having difficulty obtaining pricing for the new upper bearing assembly and a new lower roller bearing assembly, we decided to extend the bid date once again to July 2 to allow the contractors more time to obtain pricing from the supplier.

During that extension, it became apparent that the pricing for new parts was proving to be extremely difficult to acquire. We have since learned that the companies that would perform the repair work can actually machine/manufacture the parts needed and one of them actually did that on the City's RAS Pump #1 approximately eight years ago. With the new bid due date approaching, we decided to again extend the due date to July 7, to further allow interested contractors time to develop a price for the machining and manufacturing of the parts that may be needed for the upper bearing assembly and lower roller bearing assembly.

A public bid opening was held on July 7 and two bids were received. At this time, we learned that both bidders were able to obtain pricing for new assemblies. In the Bid Analysis table below, Titus Welding Company was the low bidder for replacing the assemblies (\$143,600) and their bid was \$403 above CSM Mechanical for machining the original assemblies (\$92,200).

RAS Pump #3 Rebuild Bid Analysis						
BIDDER	AMOUNT TOTALS					
	RAS Pump Rebuild					Rebuild
Titus Welding Company,						
Farmington Hills	\$84,700.00	\$38,500.00	\$20,400.00	\$7,500.00	\$143,600.00	\$92,200.00
CSM Mechanical, LLC, Fenton	\$83,300.00	\$44,835.00	\$25,850.00	\$8,497.00	\$153,985.00	\$91,797.00

Staff is recommending awarding the bid to Titus Welding. While their bid was \$403 over CSM Mechanical's for rebuilding the existing assemblies, they are \$10,385 lower for complete replacement of both assemblies. Also, Titus has performed work on our wastewater equipment since the plant was built in 1988, including the recent refurbishment of Oxidation Ditch Rotor #2 last year.

BUDGET INFORMATION

City Council approved \$100,000 in the 2021/2022 CIP Budget to repair this pump. If the bearing assemblies can be rebuilt, the cost will be below the budgeted amount; however, if they need to be replaced, it will cost \$43,600 more than what was budgeted. In this case, Staff is proposing to use funds from previously-approved CIP projects. The budgeted flow meter replacement (\$30,000) and the Phosphorous study on the sand filters at the wastewater treatment plant (\$15,000) can be postponed until next fiscal year if needed. This would provide the additional funding and no budget amendment would be necessary as we would reallocate the budgeted dollars to this project.

RECOMMENDATION

Award the bid for the rebuild, or possible replacement, of Return Activated Sludge (RAS) Pump #3 in an amount not to exceed \$143,600 to Titus Welding Company, as City Council finds accepting the higher bid is in the public interest due to the savings should replacement be warranted.

Prepared by:	Corey Brooks, Deputy DPS Director
Reviewed by:	Marcel Goch, DPS Director
Gretchen Gomo	ka, Finance Director
	⊠ Within Budget
	☐ Budget Amendment Necessary and In Proper Form

	□ Of	ther	
Reviewed &			
Approved by:	Nate (Geinzer, City Manager	



SUBJECT: Amendment to Chap. 54 Brighton Code of Ordinances – Open Containers

BACKGROUND

- At the July 1st 2021 meeting, City Council adopted a social district policy. This allows for open consumption of alcohol on the area designated as the "commons area".
- The City currently has an ordinance preventing the possession of an open container of alcohol in any public areas of the City.

ADMINISTRATIVE SUMMARY

- The proposed amendment to Chap. 54 Brighton Code of Ordinances Open Containers addresses a minor legal contradiction with the adoption of the social district policy.
- Previously, all open alcohol containers in public spaces were prohibited. However, with the social district policy, this must be amended to exempt the Common Area of the Social District from this ordinance.

RECOMMENDATION

• Consider Approval of Resolution #2021-16 to Introduce First Reading and Set a Public Hearing of August 5, 2021 for Proposed Ordinance Number 596: Amendments to Chapter 54 of the City of Brighton Code of Ordinances

Prepared by:	Henry Outlaw, Assistant to the City Manager
Reviewed by:	Nate Geinzer, City Manager
	City Attorney (Required for all agreements, ordinances, etc.)
Reviewed & Approved by:	Nate Geinzer, City Manager

RESOLUTION NO. _____

RESOLUTION INTRODUCING ORDINANCE NO. 596 AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

At a meeting of the City Council of the City of Brighton, Livingston County, Michigan

The following resolution was offered by _____ and supported by

At a meeting of	the city council of the city of brighton, bivingston county, Michigan,
held at the City Hall, 2	00 North First Street, Brighton, Michigan 48116, on the 15th day of
July 2021, at 7:30 p.m.	
PRESENT: _	
ABSENT:	

.

WHEREAS, pursuant to Resolution No. 2021-15, Resolution Designating a Social District and Defining a Commons Area, adopted July 1st, 2021 by the City Council, the City designated a Commons Area within the designated Social District that allows qualified licensees to sell alcoholic beverages to be consumed within the Commons Area; and

WHEREAS, Section 54-199 of the Brighton City Code prohibits the possession of open bottles or containers containing alcohol in or on any public highway, park, place of amusement, parking area, or any other public place open to the public; and

WHEREAS, the Commons Area defined by Resolution No. 2021-15 includes areas within the public right of way of a public highway, other City owned or managed areas, and other areas that are open to the public; and

WHEREAS, the amendment of Section 54-199 is necessary to exempt the defined Commons Area from those areas wherein open containers of alcohol are prohibited; and

WHEREAS, the public health, safety and welfare will be served by amending Section 54-199.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- The City Council hereby introduces Ordinance No. 596 Amendment to Section
 54-199 Open Containers attached hereto as **Exhibit A**, and a public hearing shall be set.
- 2. The City Clerk shall cause notice of introduction and a brief description of the subject and contents of the proposed ordinance, and the date for the public hearing, to be published in a newspaper of general circulation in the City within seven (7) days.
- 3. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS:	
NAYS:	
THE RESOLUTION WAS DECLARI	ED ADOPTED.
STATE OF MICHIGAN))
COUNTY OF LIVINGSTON I the undersigned the du) ally qualified and acting City Clerk of the City of Brighton,
Livingston County, Michigan, DO	HEREBY CERTIFY that the foregoing is a true and complete n by the City Council at a meeting held on the 15th day of

Tara Brown, City Clerk

EXHIBIT A

ORDINANCE NO. 596

AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

The City of Brighton ordains:

Section 1. Amendment of Section 54-199.

The City of Brighton hereby amends Section 54-199 of Article VII of Chapter 54, Division 1 of the Brighton City Code, entitled "Open Containers" which shall be amended to read, in its entirety, as follows:

Sec. 54-199. Open Containers.

No person shall have in his possession any open bottle or container, containing alcoholic liquor, while such person is on any public highway, park, place of amusement, parking area, or any other public place open to the public, excepting those premises duly licensed for the sale and consumption of alcoholic beverages on the premises, including, but not limited to sidewalk cafes holding permits issued under sections 22-86 et seq., of this Code, and excepting those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council*.

*As of 7/14/21, the hours of operation as set by City Council by resolution are 12:00 PM to 10:00 PM. Hours subject to change and are posted at City Hall and on the City's website.

Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective f	ifteen (15) days after adoption.
Adopted on July 15th, 2021.	
Tara Brown, Clerk	Shawn Pipoly, Mayor
•	of Brighton, Michigan, do hereby certify that a summary of in a newspaper of general circulation on the day of
Tara Brown, Clerk	

NOTICE OF INTRODUCTION AND BRIEF DESCRIPTON

ORDINANCE NO. 596 AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

To the residents and property owners of the City of Brighton, Livingston County, Michigan, and all other interested persons:

On July 15th, 2021, the City of Brighton (the "City") introduced Ordinance No. 596 Amendment to Section 54-199 Open Containers. The following is a brief description of the subject and contents of the Ordinance:

On July 1st, 2021, the City Council adopted Resolution No. 2021-15 and thereby designated a Social District and Commons Area as permitted by Section 551 of the Michigan Liquor Control Code. The proposed Ordinance would amend Section 54-199 of Article VII of Chapter 54, Division 1 of the City of Brighton Code of Ordinances to permit open containers of alcohol in those areas defined as a Commons Area by the City Council pursuant Resolution No. 2021-15 when the Commons Area is designated open by the City Council.

A copy of the proposed Ordinance, including all exhibits, is available for inspection at the City Hall, 200 North 1st Street, Brighton, MI 48116.

Tara Brown, City Clerk Brighton City Hall 200 North 1st Street Brighton, MI 48116

RESOLUTION NO. _____

RESOLUTION ADOPTING ORDINANCE NO. 596 AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

At a meeting of the City Council of the City of Brighton, Livingsto	n County, Michigan,
held at the City Hall, 200 North First Street, Brighton, Michigan 48116	, on the 5th day of
August 2021, at 7:30 p.m.	
PRESENT:	_
ABSENT:	_
The following resolution was offered by	and supported by

WHEREAS, pursuant to Resolution No. 2021-15 Resolution Designating a Social District and Defining a Commons Area, adopted July 1st, 2021, by the City Council, the City designated a Commons Area within the designated Social District that allows qualified licensees to sell alcoholic beverages to be consumed within the Commons Area; and

WHEREAS, Section 54-199 of the Brighton City Code prohibits the possession of open bottles or containers containing alcohol in or on any public highway, park, place of amusement, parking area, or any other public place open to the public; and

WHEREAS, the Commons Area defined by Resolution No. 2021-15 includes areas within the public right of way of a public highway, other City owned or managed areas, and other areas that are open to the public; and

WHEREAS, the amendment of Section 54-199 is necessary to exempt the defined Commons Area from those areas wherein open containers of alcohol are prohibited; and

WHEREAS, Ordinance No. 596 Amendment to Section 54-199 Open Containers was introduced on July 15th, 2021 and a public hearing held on August 5th 2021.

WHEREAS, the public health, safety and welfare will be served by amending Section 54-199.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 4. The City Council hereby adopts Ordinance No. 596, Amendment to Section 54-199 Open Containers attached hereto as **Exhibit A**.
 - 5. The Ordinance shall be filed with the City Clerk.
- 6. The City Clerk shall publish notice of adoption in a newspaper of general circulation in the City within ten (10) days.
- 7. The City Manager shall cause the amendment adopted by Ordinance No. 596 to be codified in the Brighton City Code.
- 8. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.
- 9. All resolutions or portions of resolutions that are inconsistent with this Resolution are hereby repealed.

YEAS:	 	
NAYS:	 	

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF LIVINGSTON)
Livingston County, Michigan, Do	duly qualified and acting City Clerk of the City of Brighton, O HEREBY CERTIFY that the foregoing is a true and complete aken by the City Council at a meeting held on the day n.
	Tara Brown, City Clerk

EXHIBIT A

ORDINANCE NO. 596

AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

The City of Brighton ordains:

Section 1. Amendment of Section 54-199.

The City of Brighton hereby amends Section 54-199 of Article VII of Chapter 54, Division 1 of the Brighton City Code, entitled "Open Containers" which shall be amended to read, in its entirety, as follows:

Sec. 54-199. Open Containers.

No person shall have in his possession any open bottle or container, containing alcoholic liquor, while such person is on any public highway, park, place of amusement, parking area, or any other public place open to the public, excepting those premises duly licensed for the sale and consumption of alcoholic beverages on the premises, including, but not limited to sidewalk cafes holding permits issued under sections 22-86 et seq., of this Code, and excepting those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council*.

*As of 7/14/21, the hours of operation as set by City Council by resolution are 12:00 PM to 10:00 PM. Hours subject to change and are posted at City Hall and on the City's website

Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective fi	fteen (15) days after adoption.
Adopted on August 5th, 2021.	
Tara Brown, Clerk	Shawn Pipoly, Mayor
	of Brighton, Michigan, do hereby certify that a summary of a newspaper of general circulation on the day of
Tara Brown, Clerk	

NOTICE OF ADOPTION

ORDINANCE NO. 596 AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

To the residents and property owners of the City of Brighton, Livingston County, Michigan, and all other interested persons:

On August 5th, 2021, the City of Brighton (the "City") adopted Ordinance No. 596 Amendment to Section 54-199 Open Containers. A true copy of the Ordinance, including all exhibits, is available for inspection at the City Hall, 200 North 1st Street, Brighton, MI 48116.

CITY OF BRIGHTON

ORDINANCE NO. 596

AMENDMENT TO SECTION 54-199 OPEN CONTAINERS

The City of Brighton ordains:

Section 1. Amendment of Section 54-199.

The City of Brighton hereby amends Section 54-199 of Article VII of Chapter 54, Division 1 of the Brighton City Code, entitled "Open Containers" which shall be amended to read, in its entirety, as follows:

Sec. 54-199. Open Containers.

No person shall have in his possession any open bottle or container, containing alcoholic liquor, while such person is on any public highway, park, place of amusement, parking area, or any other public place open to the public, excepting those premises duly licensed for the sale and consumption of alcoholic beverages on the premises, including, but not limited to sidewalk cafes holding permits issued under sections 22-86 et seq., of this Code, and excepting those areas designated by the City Council as a commons area pursuant to MCL 436.1551 as amended, when designated open by resolution of the City Council*.

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Section 2. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance becomes effective fifteen (15) days after adoption.

Adopted on August 5th, 2021.	
Tara Brown, Clerk	Shawn Pipoly, Mayor

Tara Brown, City Clerk Brighton City Hall 200 North 1st Street Brighton, MI 48116

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