



# Brighton City Council Meeting

555 Brighton Street • Community Center • Brighton, Michigan 48116  
(810) 227-1911 • www.brightoncity.org

## MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON AUGUST 19, 2021

### 1. Call to Order

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

### 2. Pledge of Allegiance

Mayor Pro Tem led the audience in the Pledge of Allegiance.

### 3. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, Pettengill, and Tobbe.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, Chief Rob Bradford, DPS Director Marcel Goch, Deputy DPS Director Corey Brooks, Attorney Sarah Gabis, and Planner Jill Bahm. There were thirty-two 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 presented. **The motion carried without objection.**

### 5. Consider Approval of Consent Agenda Items

**Motion** by Councilmember Emaus, seconded by Councilmember Pettengill to approve the consent agenda as presented. **The motion carried without objection.**

#### Consent Agenda Items

- a. **Approval of Minutes: Early Study Session of August 5, 2021**
- b. **Approval of Minutes: Regular Session of August 5, 2021**
- c. **Approval of the Veterans Connected Ruck to Live Civic Event Application**
- d. **Approval of Brighton Command Officers Association (POLC) Letter of Agreement**
- e. **Approval of Police Officers Labor Council, Patrol-Detective Unit (POLC) Letter of Agreement**

#### Correspondence

### 6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:35 p.m.

Susan Bakhaus, Brighton Lake Road, spoke about the growth of arborvitaes previously referenced at the last City Council meeting and discussed a letter referenced by SR Jacobson Manny Kianicky regarding the Brighton Area Chamber of Commerce.

Barbara St. Thomas Darren, Brighton Lake Road, relayed her objection and questioned the growth rate of arborvitaes and discussed HUD housing.

Brian Klear, N 5<sup>th</sup> Street, summarized the Planning Commission meeting noting most opposed the density of the proposed development at the Lindbom site.

Cheryl Krueger, State Street, spoke regarding potential traffic issues with the new development.

Lisa Spitler, W. Main Street, spoke in opposition of the density and traffic associated with a potential new development.

Cameron Scott, Washington Street, also spoke in opposition of the development with regard to height of the

proposed structure and questioned the traffic study.

Cal Stordahl, W. Main Street, questioned several aspects of the proposed development, specifically traffic, dog and pet waste, access and egress, as well as speaking in opposition to renters versus home owners.

Richard McKinney, 7<sup>th</sup> Street, spoke in opposition of the proposed development due to density, traffic, and renters versus home owners.

## **7. Staff Updates**

Director Goch provided a detailed and lengthy update about upcoming road projects in the City. He advises all to subscribe to the text alerts, reference the City website and Facebook pages for up to date information. Notices to all residences directly impacted to road projects will be notified and sandwich boards have been placed throughout work areas for more information. The Fairview Cemetery driveway replacement has been completed, contractors are focusing on turf restoration during the week of August 24, 2021 and expect to be completed by Monday, August 30, 2021. City lot repair is underway and should be completed quickly pending favorable weather. The Kiwanis Car Show has reduced their foot print to allow for more control and safety after concerns raised by the Brighton Area Fire Authority and the City of Brighton Police Department. Cross connection shut off notices will be sent out to forty-five non-compliant businesses after a series of notices and communications.

Manager Geinzer noted the finance department has begun preparations for the fiscal year 2020-2021 audit.

## **8. Updates from Councilmember Liaisons to Various Boards and Commissions**

Mayor Pro Tem Gardner noted the Brighton Arts and Culture Commission has rescheduled their meeting for August 30, 2021.

Councilmember Bohn stated the Planning Commission met to discuss three items on the agenda. The Commission granted approval for a theatre at 111 S. West Street, a carwash at 9836 E Grand River, and provided clarity to City Council for the proposed development at the former Lindbom site. Further, Mr. Bohn asked that the DTN site be reviewed as the weeds and grass have become overgrown.

Councilmember Tobbe met with the SEMCOG director to discuss projects in Livingston County.

Councilmember Muzzin and the Brighton Area Fire Authority met on August 12, 2021, and was provided a construction update on Station 33 on Weber Road. The 9/11 20<sup>th</sup> Anniversary Memorial Tribute will be on September 11, 2021 at 8:45 a.m. And finally the November 11, 2021 scheduled meeting has been moved to November 10, 2021 due to Veterans Day.

## **New Business**

**Motion** by Councilmember Muzzin, seconded by Councilmember Tobbe to un-table the West Village Final Site Plan and PUD agreement. **The motion carried without objection.**

Councilmember Pettengill read a prepared passionate statement thanking residents for their voice and to a developer who has chosen Brighton as a potential development location. Ms. Pettengill then spoke directly about the density of the development and the density being her main point of opposition. She challenged the developer to bring a less dense development to comply with the Master Plan and blend into the surrounding neighborhoods.

Councilmember Tobbe thanked residents who spoke up and voiced concern. He relayed the main issue for him lies with the density of the proposed planned unit development while noting the developer has several other developments within their portfolio that have lower density but are still financially viable. Mr. Tobbe noted the Master Plan is a plan to grow the community from and guide for the City to follow on that path that was crafted by professionals in their field.

Councilmember Bohn cited pages 12-15 within the Master Plan noting future land use descriptions, specifically density. He then noted pages 74-75 which describe and display a map of proposed future land uses within the Downtown with specific definitions of housing within the Downtown area. He then stated the entire document should be viewed in totality as a guide for the City. After much discussion he stated that the proposed development does not fit within the City of Brighton's Master Plan due to density.

Mayor Pro Tem Gardner spoke in support of the development noting the changing world of intentional renters is a missing middle housing that would benefit the community and businesses within the City of Brighton. Ms. Gardner stated that the Lindbom site is a blighted property that has attracted Police activity and the City now has an opportunity to see a development built that will provide housing and bring revenue.

Councilmember Muzzin questioned the procedures associated with a super majority vote and asked City Attorney Gabis for clarification. He then spoke in support of the development, although not absolutely in love with the development, as an opportunity to clean up a site that has attracted Police issues with a development that will bring housing into the City. Mr. Muzzin cautioned that several developers have tried and failed to develop the Lindbom site with the same residents against each and every project. He relayed his concern that the property may never be developed. Mr. Muzzin then cautioned those who call his character and integrity to question as he has always recused himself from agenda items when necessary and acted in the best interest of the City and its residents.

Councilmember Emaus spoke at length about the merits of this development over leaving the abandoned building and continuing to have excessive amounts of calls to the Police Department over activity at the site. Mr. Emaus is concerned that the negative activity at the site will lead to more dangerous situations. Further he expressed his concern over being threatened over this agenda topic and stated that his vote will be from a place that benefits the entire City and will not be bullied by a few City or township residents. Mr. Emaus directed attendees to review page 74 of the Master Plan which specifically called out Lindbom Elementary as adjacent to downtown "where higher density residential uses are desired and warranted to support downtown businesses and activities". Mr. Emaus also described that the purpose of a planned unit development (PUD) is to rezone an area with regulatory process.

Mayor Pipoly echoed much of the same sentiments that other Councilmembers, noting that what he hears from residents and board members is to follow the Master Plan. He stated his concern over density for this property as it is described for this property in the Master Plan, as a point of opposition for him.

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

**Motion** by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to approve with condition, the final site plan #21-06 and rezoning of the property legally described on the final site plan from R1 to PUD, those conditions being that: condition 1: approval of the gabled roof as recommended by the Planning Commission, condition 2: approval of the driveway and increased green belt buffer as recommended by the Planning Commission, condition 3: approval of the parking plan as modified by the developer and approved by the Planning Commission, and condition 4: approval of the PUD as originally proposed; such approval being on the basis that, upon compliance with the conditions, the proposed multi-family residential use is compatible with surrounding land uses and, upon compliance with the conditions, the proposed development would meet the necessary criteria and project design standards of Section 98-3.22, the PUD provisions of the City's Zoning Ordinance, and the proposed development overall promotes the public health, safety and welfare of the City; such approval being subject to the submission to the City Manager of a modified site plan that depicts incorporation of the conditions, and subject to the approval by City Council of a related Planned Unit Development Agreement that incorporates the conditions of approval; and to direct the City Attorney to prepare the related Planned Unit Development Agreement for Planning Commission review and recommendation, and final approval by City Council. **The motion failed. Gardner-yes, Muzzin-yes, Pettengill-no, Pipoly-no, Tobbe-no, Bohn-no, and Emaus-yes.**

**10. Consider Approval of Giffels Webster Sidewalk Due Diligence Scope of Work in the Amount of \$10,600**

**Motion** by Mayor Pro Tem Gardner, seconded by Councilmember Tobbe to approve Giffels Webster sidewalk due diligence scope of work in the amount of \$10,600. **The motion carried without objection.**

**11. Consider Approval of Date and Draft Agenda for City Council Marijuana Related Retreat and Any Further Staff Direction**

**Motion** by Councilmember Emaus, seconded by Councilmember Tobbe to approve of the date and draft agenda for City Council Marijuana, relating to the retreat. **The motion carried without objection.**

**Other Business**

**12. Call to the Public**

Mayor Pipoly opened the Call to the Public at 9:36 p.m.

Susan Bakhaus, Brighton Lake Road, spoke regarding the rescheduled August 30, 2021 Brighton Arts and Culture Commission meeting.

Melanie Moses, Holly Street, asked that chairs and tables at the Community Center be moved back into place after the meeting.

Jordan Genso, Woodlake Circle, asked that traffic from Rickett Road be routed through Oakridge.

Hearing and seeing no further comment, Mayor Pipoly closed the Call to the Public at 9:38 p.m.

Director Goch noted that the intent for the detour from Rickett Road construction not be routed through residential roads.

**13. Adjournment**

**Motion** by Councilmember Emaus, seconded by Councilmember Muzzin to adjourn the meeting at 9:39 p.m. **The motion carried without objection.**

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Tara Brown, City Clerk

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Shawn Pipoly, Mayor