



Brighton City Council Minutes

City Hall Council Chambers • 200 N First St. • Brighton, Michigan 48116
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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JANUARY 18, 2018

1. Call to Order

Mayor Muzzin called the Regular Meeting to order at 7:30 pm.

2. The Pledge of Allegiance was recited

3. Roll Call

Present were Mayor Muzzin, Mayor Pro-Tem Pipoly, Councilmembers: Emaus, Bohn, Gardner, Tobbe, and Pettengill. Staff: City Manager Nate Geinzer, Attorney Paul Burns, Assistant to the DPW Director/Deputy City Clerk Patty Thomas, Assistant to the City Manager Jessica Lienhardt, Senior Community Development Associate Mike Caruso, DPW Director Marcel Goch, Police Chief Rob Bradford, Utilities Director Tim Krugh, Community Development/DDA Coordinator Brandon Skopek, Finance Director Gretchen Gomolka, Organizational Relations Manager Michelle Miller and Community Development Associate Lydia Macklin-Camel. There were 11 individuals in the audience.

Susan Bromley from the Livingston County Daily Press & Argus and Tom Tolen from WHMI were present.

4. Consider Approval of the Agenda

Councilmember Emaus requested to have Agenda Item #9 moved from the Consent Agenda.

Motion by Mayor Pro-Tem Pipoly, seconded by Councilmember Emaus, to approve the Agenda with Item #9 being moved from the Consent Agenda. **The motion carried unanimously.**

CONSENT AGENDA

Motion by Councilmember Pettengill, seconded by Councilmember Emaus, to approve the Consent Agenda as presented. **The motion carried unanimously with a roll-call vote.**

The following items were approved:

5. Approval of Minutes: Study Session of January 4, 2018
6. Approval of Minutes: Regular Meeting of January 4, 2018
7. Approval of Minutes: Closed Session of January 4, 2018
8. Approval of Amendment to Fee Schedule: New Fee for Planning Commission Conceptual Plan Review

CORRESPONDENCE

10. Call to the Public

Mayor Muzzin opened the Call to the Public at 7:33 p.m.

Ms. Debra Carley, owner of Beverly Rae's, stated she has been in the community for 42 years and has had her business on Main Street since 1974. Her landlord is trying to push her out of the building. She will not be leaving the community and will begin litigation with her landlord. She does not feel that another coffee shop or theater is needed downtown. There is a performing arts center at the High School. She stated that the City has issues with parking. A vibrant community needs both retail and restaurants.

Betsy, a resident of Brighton for 13 years, is in support of The Gollers' proposed business. This is an activity that will be available for kids.

Ms. Amy Goller stated she would like to open a café theater in downtown at 306 W. Main Street. The theater will not just be for children. It will be for adults also. This will be a smaller venue than the Brighton Center for the Performing Arts.

Mr. Tom Carley, who owns Beverly Rae's with his wife, questioned where the vehicles will be parking that will be visiting the new restaurants being constructed on Main Street. He asked if their parking requirements have been met.

Ms. Patty Phillips echoes the concerns of the parking downtown. She believes having a theater downtown is a good use; however, not in this location. She asked for clarification if the proposed business is a theater or a coffee shop.

The Call to the Public was closed at 7:45 p.m.

Mr. Geinzer reviewed the parking ordinance for businesses downtown and the new restaurants in Mr. Carley's question are not required to provide on-site parking. He stated that the City is working on addressing downtown parking options.

11. Staff Updates

Chief Bradford stated the Ransomware virus is active again. He suggested having that everyone have their information backed up on hardware.

Mr. Skopek stated that the renovations at 440 W. Main are almost complete and they anticipate opening shortly.

Mr. Goch advised that the crosswalk signs on Main Street have been blinking when not being utilized by pedestrians. Staff is working on fixing the problem, which is being caused by the buttons freezing.

Ms. Lienhardt stated the PSD Board will be holding informational meetings regarding the proposed Special Assessment on January 30th from 8 am - 10 am and from 6 pm - 8 pm and on February 8th from 8 am – 10 and from 6 pm – 8 pm at City Hall.

12. Updates from Councilmember Liaisons to other Boards and Commissions

Mayor Pro-Tem Pipoly had nothing to report.

Councilmember Bohn is concerned with DTE's service. He notices that the electricity is out frequently. He recalls that DTE visited City Council a few years ago and they were supposed to provide a plan for upgrades to the system, tree trimming, etc. He asked if the representative could come before City Council in the near future to discuss these items.

Councilmember Tobbe provided a review of the Arts and Culture Commission meeting held last week.

Councilmember Gardner provided a review of the recent County Commissioners meeting she attended. She noted that there has been an outbreak of Hepatitis C in Michigan, and Livingston County specifically. The County has been awarded \$98,500 to conduct community education, immunizations, etc. If any residents have concerns, they can contact the County Health Department or their own physician.

Councilmember Pettengill had nothing to report.

Councilmember Emaus provided a review of the Brighton Veteran's Memorial Committee held on January 10, 2018. He stated the Bill Reuben has stepped down as President and Steve Conaway was voted in as the new President. There is now a vacancy on the Board so the Committee is seeking applicants. It is a five-year term and the requirement is that the person needs to be a veteran.

Mayor Muzzin provided a review of the Brighton Area Fire Authority Meeting on January 11, 2018 and the DDA meeting held on Tuesday, January 16, 2018. Mr. Pipoly added that the plan is to begin the Millpond construction in April. The plan is to hold the Sunday Night Gazebo Concerts and classic cars in the City Hall Parking lot; however, he has spoken to some of the owners of the classic cars who participate, and they would like to have them continue to be staged on Main Street. He advised staff that this will need to be discussed as part of the Civic Event approval process.

NEW BUSINESS

9. Transmittal of Pension and OPEB Reporting under Public Act 202 of 2017

Ms. Gomolka reviewed the details of the transmittal. The City does not trigger an underfunded status in either the Pension or OPEB plans; however, it is close to triggering the status on both.

Councilmember Emaus stated he asked to have this item removed from the Consent Agenda to ask for clarification as to why these plans are not considered to be underfunded and thanked Ms. Gomolka for explaining this in her review.

Motion by Councilmember Emaus, supported by Councilmember Tobbe, to approve the transmittal of Pension and OPEB Reporting under Public Act 202 of 2017. **The motion carried unanimously.**

13. Consider Approval of Special Land Use Permit Request #17-018 - 306 W. Main St.

Mr. Skopek provided a detailed review of the proposed Special Land Use Permit Request. This will be both a coffee house and a theater; however, the Special Land Use is for the performing arts theater only. The coffee house is a permitted use. He noted that this business previously received approval for a different location in the City.

City Council discussed the hours of operation, parking needs of the proposed use, specific uses of the building, the details of the Special Land Use Permit, possible conditions to be placed on an approved permit, and what procedure should be followed if City Council wishes to deny the request.

Motion by Councilmember Emaus, seconded by Mayor Pro-Tem Pipoly, to approve Special Land Use Permit #17-018 for 306 W. Main Street and direct staff and the City Attorney define evenings and weekends when finalizing the permit. **The motion carried with a roll call vote (Muzzin - no; Pettengill - yes; Pipoly - yes; Tobbe – yes; Bohn – no; Emaus – yes; Gardner - yes).**

14. Consider Approval of Ballot Language for a Proposed Headlee Override Millage for the Purpose of Reconstructing and Maintaining Streets and Improvements within the Rights-of-Way to be Scheduled for the August 2018 Election

Mr. Geinzer reviewed the strategy that staff has developed to address the City's fiscal shortfall and how it relates to the need for investment in the City's street network. Based on the study that was done last year, there is a multi-million dollar backlog of maintenance needed. He presented photographs showing the conditions of many of the City's streets.

Mr. Goch described the details of the street study and how the lack of maintenance has affected, and will continue to affect, the streets. The City's current rating is 48 /100, or "poor".

Ms. Lienhardt explained the reasons why street maintenance was not funded over the past decade, including the recession in 2008 which lowered property tax revenue, the Headlee Rollback, Proposal A, and a decrease in State revenue sharing.

Mr. Geinzer provided the details of the street maintenance program if the funding is available. Staff would ensure that the program includes dedicated funding, data-driven priorities, and accountability.

Motion by Mayor Pro-Tem Pipoly, seconded by Councilmember Gardner, to direct staff and the City Attorney to review the proposed ballot language for the August 2018 Election with the changes suggested this evening and return it to City Council for final approval at the next City Council meeting prior to sending it to Livingston County. **The motion carried unanimously.**

15. Discussion and Consideration of the Basis for Public Education Materials for a Proposed Headlee Override Millage for the Purpose of Reconstructing and Maintaining Streets and Improvements within the Rights-of-Way to be Scheduled for the August 2018 Election

Ms. Lienhardt reviewed the materials that will be used as part of the public education plan for the proposed Headlee Override Millage.

Motion by Councilmember Gardner, seconded by Councilmember Pettengill, to direct staff and the City Attorney to finalize education and Public Education Messaging Materials for a Proposed Headlee Override Millage for the Purpose of Reconstructing and Maintaining Streets and Improvements within the Rights-of-Way to be Scheduled for the August 2018 Election and return to City Council for their review and approval at their next meeting. **The motion carried unanimously.**

OTHER BUSINESS

16. Call to the Public

Mayor Muzzin opened the Call to the Public at 9:22 p.m. Hearing and seeing none, the Call to the Public was closed at 9:24 p.m.

17. Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Emaus, to adjourn the meeting at 9:24 p.m. **The motion carried unanimously.**

Patty Thomas, Asst. to the DPW
Director / Deputy Clerk

James Muzzin, Mayor