



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 MARCH 1, 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: Bohn, Tobbe, Pettengill, and Emaus. Absent was Councilmember Gardner. Staff: City Manager Nate Geinzer, Attorney Paul Burns, Assistant to the DPW Director/Deputy City Clerk Patty Thomas, City Clerk Tara Brown, DPW Director Marcel Goch, Police Chief Rob Bradford, Utilities Director Tim Krugh, Community Development/DDA Coordinator Brandon Skopek, Senior Community Development Associate Mike Caruso, and Gary Markstrom from TTMPs. There were 15 persons in the audience.

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

Motioned by Mayor Pro-Tem Pipoly, seconded by Councilmember Bohn, to excuse Councilmember Gardner from tonight's meeting for personal reasons. **The motion carried unanimously.**

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Councilmember Pettengill, to approve the Agenda as presented. **The motion carried unanimously.**

CONSENT AGENDA

Motion by Mayor Pro-Tem Pipoly, seconded by Councilmember Bohn, to approve the Consent Agenda as amended. **The motion carried with Councilmember Tobbe abstaining.**

The following items were approved:

5. Approval of Minutes: Study Session of February 15, 2018

6. Approval of Minutes: Regular Meeting of February 15, 2018

Correspondence

7. Call to the Public

The Call to the Public Was made at 7:33 p.m.

Ms. Susan Bakhaus asked Council to please take roll call to come back into the regular meeting from the closed session.

Ms. Janet Jasenak who owns a duplex on Franklin Street spoke about the proposed development on Second Street. She would like to maintain the small town community feel. She feels porches and balconies do not make a community.

Ms. Pat Cole stated that the cemetery rules and regulations were passed at the last City Council Meeting and the public hearing was never published in the paper.

The call to the public was closed at 7:39 p.m.

8. Staff Updates

Mr. Goch advised that the DPW crews have been performing tree trimming throughout the City. This work is needed to eliminate damage to the plow trucks when pushing the snow to the curb. If anyone has any questions, please contact his office.

Mr. Geinzer stated that City Staff hosted two elementary school classes earlier in the day at City Hall. Also, he and the Mayor had met with representatives from DTE and they reported that the number of power outages that have occurred in the City has decreased. DTE has made a lot of investments in their equipment in the area. They have also continued their tree trimming program which helps in minimizing outages. Mr. Geinzer will be sending all of the information and data from DTE to City Council.

9. Updates from Councilmember Liaisons to various Boards and Commissions

Mayor Pro-Tem Pipoly provided a review of the DDA Board Meeting held on February 20, 2018.

Councilmember Bohn provided a review of the special and regular meetings of the Planning Commission held on February 26, 2018.

Councilmember Tobbe provided a review of the SEMCOG Board Meeting from last week.

Councilmember Pettengill had nothing to report.

Councilmember Emaus had nothing to report.

Mayor Muzzin had nothing to report.

Old Business

- 11. Consider Approval of an Agreement with the Charter Township of Brighton to Exclude the Shepherd of the Lakes Parcel from the City's Water Service Area as Outlined in the 2008 Water Service Contract**

Motion by Mayor Pro-Tem Pipoly, seconded by Councilmember Emaus, to take from the table the Approval of an Agreement with the Charter Township of Brighton to Exclude the Shepherd of the Lakes Parcel from the City's Water Service Area as Outlined in the 2008 Water Service Contract. **The motion carried unanimously.**

Mr. Geinzer stated that the additional information requested by City Council at their last meeting has been provided to them.

Mr. Krugh provided the history and details of the 2008 Water Service Contract.

Dr. Greg Tataro, the Utilities Director for MHOG Water Authority, stated that they were asked by Shepherd of the Lakes Church to provide water for their church as well as to accommodate their fire suppression system. The MHOG Board has reviewed and approved the church's request. He noted that there has only been one other instance prior to this when MHOG provided water to a property outside of their boundaries that was made at the request of the City of Howell.

Councilmember Emaus stated that he has had concerns that if an exception is made for this property, it will open up opportunities for other parcels to request to be removed from the Agreement . He thanked Staff and Dr. Tataro for all of the information that was gathered and presented to Council as he requested.

Motioned by Councilmember Emaus, seconded by Mayor Pro-Tem Pipoly, to exclude Shepard of the Lakes Parcel from the City's Water Service Area as Outlined in the 2008 Water Service Contract. **The motion carried with Councilmember Bohn abstaining.**

Public Hearing

12. Conduct a Public Hearing for the Second Reading and Adoption of Ordinance Number 581: Amendment to the City's Zoning Map Described in Section 98-3.24 of the City's Zoning Ordinance.

Mr. Skopek provided a background on Agenda Items 12, 13, & 14. The proposed building is a high-density, multi-story building with a zero setback lot line. The DDA put out an RFP for development on this site and two responses were received. After a careful review, the DDA awarded it to Power Play, LLC and they have submitted an application for a PUD at the Planning Commission meeting. The First Reading for Item #12, was done at the February 1, 2018 City Council meeting. He reviewed the zoning of surrounding properties and the request is consistent with the Master Plan.

Mr. Piet Lindhout of Lindhout Architects is the architect for the project. Mr. Lindhout presented the proposed site plan and showed colored renderings with a power point presentation to council.

Mayor Muzzin opened the Public Hearing at 8:17 p.m.

Ms. Susan Bakhaus stated she is against this project. She would like City Council to ensure that these remain owner occupied and do not become rental units.

The Public Hearing was closed at 8:19 p.m.

Councilmember Tobbe believes this is a very unique project and has a niche that is beneficial to the community.

Councilmember Pettengill is happy to see the color renderings and believes it will be a nice mix between the existing homes and the new building. She questioned the proposed additional parking and asked if there will be a possibility for more parking. Mr. Skopek answered that the DDA is looking at additional parking options.

Mr. Geinzer noted that additional parking can still be added along Second Street.

Councilmember Bohn responded to the call to the public comment regarding rentals and condo bylaws and asked if verbiage could be added to prevent renting. Mr. Lindhout stated that they are specifically forbidding Airbnb, but cannot bar rentals. However, there are controls in place to limit exposure.

Mayor Muzzin advised the applicant that there are still minor items that need to be finalized with the Site Plan and the PUD for this project and the City Attorney has suggested that this item be tabled this evening.

Motion by Councilmember Emus, seconded by Mayor Pro-Tem Pipoly, to table item #12 until the March 15, 2018 regularly scheduled meeting. **The motion carried unanimously.**

New Business

13. Consider Approval of Site Plan #18-02 – Second Street Flats – 293, 295, 301 and 303 N. Second Street

Motion by Councilmember Tobbe, seconded by Mayor Pro-Tem Pipoly, to table the Consideration of Approval of Site Plan #18-02 – Second Street Flats – 293, 295, 301 and 303 N. Second Street , until the March 15, 2018 meeting. **The motion carried unanimously.**

14. Consider Approval of Planned Unit Development (PUD) Agreement Between Power Play Development, LLC and the City of Brighton for the Development of Second Street Flats

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Emus, to table the Consideration of Approval of Planned Unit Development (PUD) Agreement Between Power Play Development, LLC and the City of Brighton for the Development of Second Street Flats Item 14 until the March 15, 2018 meeting. **The motion carried unanimously**

15. Consider Approval of The Three Year Fire Extinguisher Maintenance Contract with an Option to Review Annually.

Mr. Goch stated that he put out an RFP for fire extinguisher inspection and service. Currently, each department has separate contracts for this service. He has consolidated all of the extinguishers onto this contract. It is staff's recommendation to approve the Fire Systems of Michigan contract.

Motion by Councilmember Pettengill, seconded by Councilmember Bohn, to approve the three year fire extinguisher maintenance contract with an option to review annually. **The motion carried unanimously.**

15a. Consider Rescinding the Motion to Approve the Revised Cemetery Rules Adopted at the February 15, 2018 City Council meeting.

Motion by Councilmember Bohn, seconded by Councilmember Emaus, to rescind the motion to approve the revised cemetery rules adopted at the February 15, 2018 City Council meeting. **The motion carried unanimously.**

Other Business

16. Call to the Public

The Call to the Public was made at 8:38 p.m. with no response.

17. Adjournment

Moved by Councilmember Tobbe, seconded by Councilmember Emaus, to adjourn the meeting at 8:38 p.m. **The motion carried unanimously.**

Tara Brown, City Clerk

James Muzzin, Mayor