

# Brighton City Council Meeting

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## MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON SEPTEMBER 6, 2018

### 1. Call to Order

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

### 2. Pledge of Allegiance

### 3. Roll Call

Present were Mayor Muzzin, Councilmembers: Bohn, Gardner, Pettengill, Pipoly, and Tobbe. Absent was councilmember Emaus. Staff: City Manager Nate Geinzer, City Clerk Tara Brown, Assistant to the City Manager/DDA Coordinator Brandon Skopek, DPW Director Marcel Goch, Utilities Director Tim Krugh, Superintendent Todd Bennett, Community Development Manager Mike Caruso, Chief of Police Rob Bradford, Assistant to the DPW Director/Deputy Clerk Patty Thomas, and Attorney Paul Burns. There were seven persons in the audience.

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Gardner to excuse Councilmember Emaus for personal reasons. **The motion carried unanimously.**

### 4. Consider Approval of the Agenda

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Pettengill to approve the agenda as amended, correcting the price for item number eleven to \$26,935.20 and to remove item number fifteen. **The motion carried unanimously.**

### Consent Agenda Items

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Bohn to approve the consent agenda as amended. **The motion carried with a roll call vote.**

### 5. Approval of Minutes: Study Session of August 2, 2018

### 6. Approval of Minutes: Regular Meeting of August 2, 2018

### 7. Approval of Minutes: Special Meeting of August 9, 2018

### 8. Acceptance of Quarterly Investment Report

### 9. Approval to Recognize the Livingston County Chorale, DBA Livingston County Choirs (LLC) as a 501c3, Non Profit for the Purpose of Obtaining a Charitable Gaming License, Resolution #18-17

### 10. Approval of the Civic Event Application for LACASA'S Shine the Light Lighting Ceremony

### 11. Approval of the Purchase of a GPS Unit and Associated Professional Services in the Amount of \$26,935.20

### 12. Appointments to Fiscal Realities Task Force

### 13. Approval of ZBA Appointee

#### **14. Approval to Set City Council Retreat Dates October 27 – 28, 2018**

##### **Correspondence**

#### **16. Proclamation: Opioid Awareness Efforts**

Mayor Muzzin presented Francine Zysk with the Opioid Awareness Efforts Proclamation for her outstanding achievements and efforts. Ms. Zysk thanked Council and Staff especially the City of Brighton Police Department for their dedication and outstanding service.

#### **17. Call to the Public**

Mayor Muzzin opened the Call to Public at 7:39 p.m. with no response.

#### **18. Staff Updates**

Chief Bradford updated that Detective Patton has executed six search warrants, and has been instrumental in solving several crimes including a car larceny.

Director Krugh was honored to host students from UofM's Public Health School at the wastewater treatment facility recently. The students were appreciative of the tour and gifted Director Krugh their textbook. Director Krugh gave a brief update on the Second Street project. Councilmember Bohn asked if the project is on track to be completed by November. Director Krugh indicated that a completion date is still slated for end of November, weather permitting.

Director Goch stated that the salt barn roof has been completed, some repair was needed due to structural damage. He thanked Assistant to the DPW Director/Deputy Clerk Patty Thomas for her work receiving a grant for to plant fourteen trees near the east parking lot. Director Goch also stated that Main Street will be closed at 8:00 a.m. on Friday, September 7, 2018 through September 8, 2018 for the Smokin' Jazz and Blues Festival. The sidewalk program is on hold until spring when Director Goch hopes to obtain better pricing.

Assistant to the City Manager/DDA Coordinator Brandon Skopek gave a brief update on the DDA Bandshell which contractors hope to complete by September 17, 2018.

Community Development Manager Mike Caruso wished to welcome Genal Pratt, the new code enforcement/rental inspector. He stated that she is fitting in nicely and is doing a great job.

City Clerk Tara Brown stated the last day to register for the November General Election is October 9, 2018. Interested residents who wish to vote in the November election should register at their local clerk's office, county clerk, or at a Secretary of State branch office.

Manager Nate Geinzer thanked all City staff for the hard work they do. He also stated that Treasurer Laura Hoshaw received her Certification for Professional Treasurer. Manager Geinzer noted that the audit is very near completion, the Auditors will be presenting the audit to Council during the second Council meeting in October.

Councilmember Tobbe asked how long we have been with Plante Moran. Mayor Muzzin stated that he believes the City has been with Plante Moran for about 22 years.

### **19. Updates from Councilmember Liaisons to various Boards and Commissions**

Councilmember Bohn had nothing to report but did have concerns about the seams on Grand River in front of the Chamber of Commerce. Director Goch is aware of the seams along Grand River as well as the seam along Main Street. He stated that he can address the seam with cold patch but the repair is temporary. Bohn is also concerned with the traffic signals on Best Buy Drive. Goch indicated that a traffic study would need to be completed to assess the need, he will contact Gary Markstom from TetraTech to review.

Councilmember Gardner stated that Livingston County now offers their employees access to pet insurance which is funded by 100% employee contribution.

Mayor Muzzin stated that the Smokin' Jazz and Blues Fest is Friday, September 7, 2018 from 5:00 p.m. to 11:00 p.m. and Saturday, September 8, 2018 from 12:00 p.m. to 11:00 p.m. He also stated that he was honored to speak at the University of Michigan Center for Specialty Care ceremonially ribbon cutting. Mayor Muzzin noted that it was a highpoint in his career as Councilmember and Mayor. 9/11 Memorial 5K run-walk is scheduled for Saturday, September 8, 2018 at 9:00 a.m. Also the 9/11 Never Forget Ceremony will be held at the Brighton Area Fire Authority on Tuesday, September 11, 2018 starting at 6:30 p.m.

### **Public Hearing**

#### **20. Conduct Public Hearing and Consider a Temporary Land Use Request by Fifth-Third Bank for a Produce Stand Located at 300 W. North Street as outlined in Chapter 98-7.13 of Brighton Zoning Ordinance**

Mayor Muzzin opened the public hearing at 8:05 p.m. with no response.

Councilmember Gardner remarked that the produce stand is charming aspect to our town.

**Moved** by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly to approve the Temporary Land Use Request by Fifth-Third Bank for a Produce Stand Located at 300 W. North Street as outlined in Chapter 98-7.13 of the Brighton Zoning Ordinance. **The motion carried with a roll call vote.**

### **New Business**

#### **20. Consider Approval of Invitation to Bid for the Purchase of Vacant Real Property—Parcel No. 4718-24-400-028**

Assistant to the City Manager/DDA Coordinator Brandon Skopek gave a brief summary of the property, the intentions, and how it was obtained. He also spoke about the usability of the land and appraisal. There was a brief discussion about the appraisal that came in from the City's appraiser. The parcel is located near MJR Theatre and is 23 acres with 10 usable acres. Any challenges with the property are clearly listed in the bid documents. Manager Geinzer indicated that there is no rush to sell the property, but staff is comfortable to entertain bids for the property.

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Gardner to approve the Invitation to Bid for the Purchase of Vacant Real Property—Parcel No. 4718-24-400-028 in the new revised minimum bid amount of \$1,200,000.00. **The motion carried unanimously.**

### **21. Consider the Release of Deed Restrictions: 306 Main Street**

Community Development Manager Mike Caruso gave a brief overview of the request for the release of deed restrictions for 306 Main Street. The owner would like to develop the outdoor space with complementary landscaping and patio.

Councilmember Bohn stated that he is not in favor of taking away greenspace. He would like more information on the origins of the deed restrictions and to review plans for the intended outdoor space.

Mayor Pro Tem Pipoly stated that Council should not restrict what property owners do with their own property.

Councilmember Bohn stated that he feels misled that there was no mention of an outdoor plan when the owners presented their plans at Planning Commission or City Council. He also cautioned that there are deed restrictions on this property and those restrictions must be there intentionally. Mr. Bohn would like to know the history of the deed restrictions.

Attorney Burns indicated that the deed restrictions on this property were to maintain the Millpond. Mr. Caruso indicated the owner submitted plans for a small patio upon looking over the complete plan for the space.

**Motion** by Councilmember Gardner, seconded by Councilmember Tobbe to authorize Mayor Muzzin to sign the Release of Deed Restrictions for 306 Main Street. **The motion carried (5-1).**

### **22. Consider the Purchase of a Compact Excavator**

Director Goch briefly summarized the needs and utilization of a compact excavator throughout DPS. He also stated that funding would come from the sales of capital. Council spoke about the merits of utilizing a machine throughout the DPS, they also stated that the possibility of renting a Compact Excavator would not be cost efficient.

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Pettengill to approve the Purchase of a Compact Excavator. **The motion carried unanimously.**

### **Other Business**

#### **23. Call to the Public**

Mayor Muzzin opened the Call to Public at 8:30 p.m.

Susan Bakhaus relayed that the patio at 306 Main Street has been brought up before when the owners talked about holding acting day camps for children. She cautioned that the area is not zoned for daycare. Ms. Bakhaus also asked for the appraisers contact information for the parcel of land that is going out for bid. She believes that this property previously had no value.

Mayor Muzzin closed the Call to Public at 8:33 p.m.

Attorney Burns stated that John Widmer of Novi conducted the appraisal for the vacant parcel near MJR Theatre.

**24. Adjournment**

**Motion** by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly, to adjourn the meeting at 8:33 p.m. **The motion carried unanimously.**

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Tara Brown, City Clerk

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James Muzzin, Mayor