



# Brighton City Council Meeting

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## MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON DECEMBER 20, 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, Emaus, Gardner, Pipoly, and Tobbe. Absent was Councilmember Pettengill. Staff: City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPW Director Marcel Goch, Utilities Director Tim Krugh, Community Development Clerk Wendy Ayala, Chief of Police Rob Bradford, and Attorney Paul Burns. There were seven persons in the audience.

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

### 4. Consider Approval of the Agenda

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to approve the agenda as presented. **The motion carried unanimously.**

#### Consent Agenda Items

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to approve the consent agenda as amended, adding the November 11, 2019 Biennial Meeting to the 2019 Public Notice of Meetings. **The motion carried unanimously.**

### 5. Approval of Minutes: Study Session Meeting of December 6, 2018

### 6. Approval of Minutes: Regular Meeting of December 6, 2018

### 7. Approval of the 2019 Public Notice of Meetings

### 8. Approval of Request by Livingston Educational Service Agency to Collect Operating Property Taxes on the City's Summer 2019 Property Tax Bills

### 9. Approval of Request by Brighton Area Schools to Collect Operating Property Taxes on the City's Summer 2019 Property Tax Bills

### 10. Approval of Cost Share for Network Switch Replacement with the City of Howell in the amount of \$11,174.75

#### Correspondence

### 11. Proclamation: Radon Action Month

Mayor Muzzin noted the importance of radon detection and proper mitigation and proclaimed January, Radon Action Month. Free radon tests are available at City Hall and throughout Livingston County.

### **12. Economic Development Council of Livingston County (EDCLC) Presentation**

Marcia Gebarowski, Ann Arbor SPARK, gave a presentation on the EDCLC, highlighting key areas in which SPARK has developed and has grown businesses within Livingston County. Promoting the community and fostering new development is one of the focuses. Also present from Ann Arbor SPARK were Julia Upfal and Phil Santer.

Mayor Muzzin asked about SPARK's involvement with the Transportation Coalition with LETS, specifically the Grand River Corridor. Ms. Gebarowski stated they are currently not working with the Coalition but the EDC and SPARK was very involved with bringing MTA into the Howell and Brighton area. She stated that SPARK is keenly aware of employer routes and will begin to work with LETS and the Coalition when the value is there. Councilmember Emaus also asked about the correlation between LETS and SPARK, he noted the beneficial nature of a partnership.

City Manager Geinzer noted that the relationship has been very good and is currently working with SPARK to develop business and marketing data. Ms. Gebarowski noted that Mr. Geinzer is one of the few public sector partners who asks to go on retention visits, she appreciates the involvement.

### **13. Call to the Public**

Mayor Muzzin open the Call to Public at 7:50 p.m. Hearing and seeing none, the Call to Public was closed at 7:50 p.m.

### **14. Staff Updates**

Chief Bradford thanked Green Oak and Hamburg Township police teams for their help in processing the scene during a recent incident. Detective Patton worked sixteen hours processing information which lead to the arrest.

Director Goch stated Second Street is being monitored closely during freeze/thaw and will be properly graded weather permitting.

Manager Caruso stated that radon tests are available through the building department. The tests are at home tests that are mailed in to measure radon. Also the theatre coffee house is in its final stage of completion.

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

Mayor Pro Tem Pipoly noted that the DDA met on December 18, 2018 and stated that the Authority will look closely at its finances during budget planning in an effort to evaluate if they can assist the City with proposed fees for civic events. The DDA approved paying off the land contract for the Johnson lot, saving \$40,000.00 in interest. Boring studies came back from the North Street parking lot. Mr. Pipoly noted that the DDA has decided that the grand opening of the amphitheater will be on May 4, 2019, celebration details to follow. Lastly he wished all a Merry Christmas.

Councilmember Bohn asked if the findings for the North Street parking lot were similar to the findings at the lot near Ciao Amici's. Mayor Pro Tem stated that findings were extremely wet and muddy.

Councilmember Bohn stated that on December 17, 2018, the Planning Commission approved the preliminary site plan #18-10 Brighton Village at Mill Pond by a 6-3-0 vote. He noted that he is interested to see if financing will be approved, he further stated that there is still a long way to go. With the number of items in the coming new year, the Planning Commission has decided to have two meeting a month.

There was some discussion about the schedule and necessary steps for public hearings, PUD outline and such with respect to the Brighton Village at Mill Pond project. Manager Caruso noted that it must come before Council for final approval, the Planning Commission only approved a preliminary PUD.

Councilmember Emaus wished residents, staff, and officials a safe and prosperous holiday season.

Mayor Muzzin met with the Brighton Area Fire Department board on December 13, 2018. The board approved an additional full time position as they have been experiencing staffing issues and an additional person would benefit by having two full time employees.

### **Public Hearing**

#### **16. Conduct a Public Hearing and Second Reading for Ordinance Number 583: Amendment to Chapter 22 of the City of Brighton Code of Ordinances "Prohibition of Marijuana Establishments" and Consider Approval.**

Manager Caruso provided a brief overview of the proposed ordinance amendment 583, prohibition of marijuana establishments noting that there are ten different zoning districts with numerous challenges if marijuana establishments are allowed. Staff has requested this ordinance to allow the State time to complete their rules and regulations for marijuana establishments.

Mayor Muzzin opened the public hearing at 7:59 p.m.

Jerry Griffin, a Green Oak Township resident and president of GMG Public Affairs Associates who represent Compassion Advisors, stated that he thought it was a good idea to prohibit marijuana establishments for now to allow the State time to finalize their regulations. He did urge Council to have an open mind if the City allows medical marijuana facilities, noting the thorough screening and application process for those facilities.

Mayor Muzzin closed the public hearing at 8:04 p.m.

Mayor Pro Tem Pipoly asks how many nearby communities have opted out of marijuana establishments. City Manager Geinzer noted that a majority have opted out. Councilmember Tobbe stated that this ordinance is temporarily in place to allow the State time to get information and regulations together. Councilmember Bohn recommends having the Planning Commission weigh in on the discussion since they will have a big part in the zoning, and urges a joint meeting. Councilmember Emaus would like a joint study session to allow input from planning commission and from other communities. Councilmember Gardner asked if a half step forward may be to allow medical marijuana. City Manager Geinzer said the decision rests solely with City Council. There are many

considerations such as legal and planning. Councilmember Tobbe expressed that he was not in favor of the ballot proposal but does not want to go against the voters. Mr. Tobbe agrees with other Councilmembers that a prepared and well thought out planning and zoning is needed once the state finalizes their laws and regulations before the City can discuss marijuana establishments.

**Motion** by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly to approve Ordinance Number 583: Amendment to Chapter 22 of the City of Brighton Code of Ordinances "Prohibition of Marijuana Establishments".

**The motion carried by roll call vote (5-1-1) with Councilmember Emaus voting no.**

### **Other Business**

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

Mayor Muzzin open the Call to Public at 8:11 p.m. Hearing and seeing none, the Call to Public was closed at 8:11 p.m.

Mayor Muzzin wished all a Merry Christmas.

Councilmember Tobbe relayed his appreciation to staff and all public servants who will be working throughout the holiday to keep the roads salted, the City safe, and the City running smoothly.

#### **18. Adjournment**

**Motion** by Councilmember Gardner, seconded by Councilmember Emaus to adjourn the meeting at 8:13 p.m. **The motion carried unanimously.**

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Tara Brown, City Clerk

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James Muzzin, Mayor