



Brighton City Council Meeting

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 MAY 16, 2019

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, Pettengill, Pipoly, and Tobbe. Staff: City Manager Nate Geinzer, City Clerk Tara Brown, Finance Director Gretchen Gomolka, DPW Director Marcel Goch, Assistant to the DPW Director Patty Thomas, Chief Rob Bradford, Engineer Gary Markstrom, and Attorney Paul Burns. There were five persons in the audience.

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Pipoly to approve the agenda as amended moving items 6 and 7 to New Business. **The motion carried without objection.**

Consent Agenda Items

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to approve the consent agenda as amended. **The motion carried without objection.**

5. Approval of Minutes: Study Session Meeting of May 2, 2019

~~6. Approval of Minutes: Regular Meeting of May 2, 2019 (moved to New Business)~~

~~7. Approval of Resolution #19-13 Placing Liens on Properties for Unpaid Weed Cutting for Related Code Violation Abatement (Moved to New Business)~~

8. Acceptance of Quarterly Financial Report

9. Acceptance of Quarterly Investment Report

Correspondence

10. Call to the Public

Mayor Muzzin opened the Call to Public at 7:34 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Call to Public at 7:34 p.m.

11. Public Works Week Proclamation

Mayor Muzzin presented the Public Works Week Proclamation to DPW Director Marcel Goch. Director Goch thanked the entire DPW team for all of their hard work and commitment.

12. Staff Updates

Chief Bradford congratulated Officer Chris Parks on his upcoming promotion to Sergeant which will take place on Monday, May 20, 2019.

Director Goch updated that spray patching has started on Main Street to Grand River and will be moving along, weather permitting. Single Barrel Social tied into sewer while City of Brighton DPS crew were on staff to observe.

Mr. Goch also completed the second walk through on Second Street with the City contractor. Consumers Energy is currently working on the upgrade along Second Street, all greenbelt disturbance will be restored. The pavilion bathrooms will be closed for repair May 20-24, 2019, however, City Hall bathrooms will be open during regular business hours.

Councilmember Tobbe asked why the Single Barrel Social dewatering took so long. Director Goch stated that wet conditions necessitated a longer dewatering period and several days of rain delayed the tie in. Councilmember Pettengill asked when the sidewalk cutting/shaving will be back. Director Goch stated that all areas were completed last year. She asked Director Goch to review a portion of sidewalk by the Tridge by The AMP. Councilmember Gardner thanked the DPW crew, she stated the City looks noticeably clean.

13. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pro Tem Pipoly expressed his appreciation to staff, attorney, and fellow Councilmembers for the kind words and thoughts given in light of his father's recent passing. Mr. Pipoly also thanked Mayor Muzzin for the very kind words during the last Council meeting.

Councilmember Bohn and the Planning Commission met on May 6, 2019. Brighton Square PUD was unanimously approved.

Councilmember Tobbe noted that the PSD met and is currently discussing what the future will hold for the committee. He also expressed his frustration over a current construction site on Main Street, stating it is very dangerous as the sidewalk is impassable. Manager Geinzer noted that the project has been tricky but will address this with the building owner.

Councilmember Gardner stated that Livingston County will get twenty-two mobile computers for law enforcement use and to share with local agencies. Chief Bradford noted that the City will receive four of those computers.

Councilmember Pettengill remarked how nice it is to see the cafes out and sidewalk seating but asks if the space for walking is monitored or inspected. Certain areas between the seating and road are very narrow. Manager Geinzer said that it is something that is addressed all season. Community Development Manager Caruso confirmed the outdoor seating areas are inspected monthly.

Mayor Muzzin thanked voters who voted for the streets millage. Mr. Muzzin stated that the Brighton Area Fire Authority millage passed which is .89 mills for eleven years will be used for capital. A new fire station will be built next to the old Webber Street station, which will be a replacement not an expansion.

Public Hearing

14. Conduct a Public Hearing and Consider Adoption of Ordinance #585 to Chapter 54 Article VIII, to Repeal Division 2 Smoking, and Replacing with Division2 Tobacco, Vapor and Alternative Nicotine Products

Chief Bradford introduced the item stating that the ordinance has been reviewed by attorneys and school staff.

Mayor Muzzin opened the Public Hearing at 7:53 p.m.

Megan Palmer and Allison Cox expressed their appreciation and thanked Council for thinking of the health and welfare of the students.

Mayor Muzzin closed the Public Hearing at 7:55 p.m.

Councilmember Tobbe asked if Chief Bradford had communication with the Brighton Area Schools administration. Chief Bradford noted that he has their full support on this item.

Motion by Councilmember Emaus, seconded by Councilmember Tobbe to adopt Ordinance #585 to Chapter 54 Article VIII, to Repeal Division 2 Smoking, and Replacing with Division 2 Tobacco, Vapor, and Alternative Nicotine Products. **The motion carried without objection by roll call vote.**

15. Conduct a Public Hearing and Consider Adoption of Ordinance #586 Amending Chapter 22, Businesses by Creating Article XIII Collection Containers

Mr. Caruso stated that he did not have anything further to add on the remaining ordinances but is available for questions.

Mayor Muzzin opened the Public Hearing at 7:57 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Public Hearing at 7:57 p.m.

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Pettengill to adopt Ordinance #586 Amending Chapter 22, Business by Creating Article XIII Collection Containers. **The motion carried without objection by roll call vote.**

16. Conduct a Public Hearing and Consider Adoption of Ordinance #587, Amending Chapter 42, Environment (Noise), by Removing and Replacing Article III, Division 2

Mayor Muzzin opened the Public Hearing at 7:58 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Public Hearing at 7:58 p.m.

Mayor Muzzin asked if The AMP concerts are exempt from this ordinance. Mr. Caruso confirmed that City events are exempt from this ordinance.

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to adopt Ordinance #587, Amending Chapter 42, Environment (Noise), by Removing and Replacing Article III, Division 2. **The motion carried without objection by roll call vote.**

17. Conduct a Public Hearing and Consider Adoption of Ordinance #588, Amending Chapter 18, Building and Building Regulations, Adding Article VII Abandoned and Vacant Buildings

Mayor Muzzin opened the Public Hearing at 8:00 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Public Hearing at 8:00 p.m.

Councilmember Gardner asked if vacant construction sites would be effected by this new ordinance noting an abandoned residential construction site. Mr. Caruso stated that yes, abandoned buildings will be addressed and the ordinance will take effect fifteen days after adoption.

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly to adopt Ordinance #588, Amending Chapter 18, Building and Building Regulations, Adding Article VII Abandoned and Vacant Buildings. **The motion carried without objection by roll call vote.**

18. Conduct a Public Hearing and Consider Approval of Brighton Square Site Plan #19-08 Rezoning/Planned Unit Development Contract Agreement

Mr. Caruso introduced this item stating the item is approving the site plan and contract agreement. Item 19 is approving the PUD.

Mayor Muzzin opened the Public Hearing at 8:04 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Public Hearing at 8:04 p.m.

Mr. Tim Loughrin, Robertson Brothers, thanked City Council for the opportunity to talk about the project. The Flint Road project will have 85 townhomes named Brighton Square on 5.5 acres. They are all for sale, not rental. A total

of 210 parking spaces. He discussed parking spaces and structures. The greenspace will be maintained by a home owner's association. Similar structures have been quite successful in Ferndale, Royal Oak, and Detroit.

Mayor Muzzin asked if the units will be three story. Councilmember Emaus inquired about the features within the townhomes. Councilmember Tobbe asked Mr. Loughrin what brought Robertson Brothers to the city. Mr. Loughrin responded that walkability was key. Councilmember Gardner asked if this site will stitch together a few properties. John Conley indicated that it will combine some properties. Councilmember Emaus asked if there will be sidewalks throughout and along Flint Road. Mr. Loughrin replied that sidewalks will be throughout the development and along Flint Road. Mr. Emaus further stated that there are currently no sidewalks to get to the Millpond from the development. Ms. Pettengill asked if the development in Detroit (Corktown) is similar to the proposed development. Mr. Loughrin stated that the development in Detroit is much more urban than the traditional build that is proposed for Brighton. Ms. Pettengill thanked Mr. Loughrin for choosing to have the front of the development facing Flint Road, she noted how aesthetically pleasing it will look.

Council thanked the Robertson Brothers team for choosing Brighton and thanked them for their investment in the city. Manger Geinzer and Mr. Caruso thanked Mr. Loughrin and Robertson Brothers for being so easy to work with. Mr. Loughrin thanked city staff for all their work to make the process smooth.

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Gardner to approve Brighton Square Site Plan #19-08 Rezoning and Planned Unit Development Contract Agreement. **The motion carried without objection by roll call vote.**

New Business

19. Consider Approval of Planned Unit Development Agreement for Brighton Square

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Emaus to approve Planned Unit Development Agreement for Brighton Square. **The motion carried without objection by roll call vote.**

6. Approval of Minutes: Regular Meeting of May 2, 2019

Motion by Councilmember Bohn, seconded by Mayor Pro Tem Pipoly to approve the Regular Meeting minutes from May 2, 2019 as corrected. **The motion carried without objection.**

7. Approval of Resolution #19-13 Placing Liens on Properties for Unpaid Weed Cutting for Related Code Violation Abatement

Motion by Mayor Pro Tem Pipoly, seconded by Councilmember Bohn to approve revised Resolution #19-13 Placing Liens on Properties for Unpaid Weed Cutting for Related Code Violation Abatement, removing Mr. Patrick Tortora from the lien. **The motion carried without objection by roll call vote.**

20. Consider Approval of FY 2019/2020 Budget Amendment Incorporating May 7th Headlee Override Revenues and Related Expenditures to Local (Neighborhood) Streets

Manager Geinzer introduced this item noting specifically that this amendment is necessary to incorporate the new revenue and related expenditures.

Councilmember Bohn asked about specific funds regarding millage and streets fund. Manager Geinzer clarified that all millage revenue is going directly to local neighborhood streets. Mayor Muzzin asked how residents will be kept aware of projects. Manager Geinzer noted several communication pieces and avenues that are being developed and will be brought back to City Council for review.

Councilmember Pettengill asked Manager Geinzer to explain why the northwest neighborhoods will be started in 2021, rather than sooner. Manager Geinzer explained that the shear scope and cost of the project must be

planned meticulously because it involves a very large area and several entities such as utilities. This project is a full reconstruct.

Motion by Councilmember Bohn, seconded by Mayor Pro Tem Pipoly to approve of FY2019/2020 Budget Amendment Incorporating May 7th Headlee Override Revenues and Related Expenditures to Local (Neighborhood) Streets. **The motion carried without objection by roll call vote.**

21. Consider Approval of Tetra Tech Proposal for Design Engineering and Bidding Services for the Alpine, Fairway, S. 3rd Streets Improvement Project in the Not-to-Exceed Amount of \$30,000

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Pipoly to approve TetraTech Proposal for Design Engineering and Bidding Services for the Alpine, Fairway, S. 3rd Streets Improvement Project in the Not-to-Exceed Amount of \$30,000. **The motion carried without objection.**

22. Consider Approval of Tetra Tech Proposal for Final Design Engineering and Permitting Services for the Northwest Neighborhoods Streets Improvement Project in the Not-to-Exceed Amount of \$136,500

Manager Geinzer briefly clarified that no money is coming out of the millage revenue, it will be split between utilities and local streets fund. Councilmember Emaus restated that no millage money will be used for engineering of this project. Manager Geinzer confirmed, no millage revenue will be used for engineering on this project. Councilmember Bohn asked that residents have input on the project, whether it is sidewalks or other requests. Manager Geinzer stated that there will be several opportunities to give input to staff. Councilmember Pettengill asked how residents will be notified about meetings and project scope. Manager Geinzer stated that mailers will be sent, and opportunities for open house talks. All policy changes or concerns will be brought to Council.

Councilmember Gardner asks how displaced vegetation will be handled, and will there be new plantings. Manager Geinzer stated that during the preliminary planning the number of proposed trees to be cut down was reduced by half. It is the goal to save all trees possible.

Motion by Councilmember Gardner, seconded by Councilmember Pettengill to approve of TetraTech Proposal for Final Design Engineering and Permitting Services for the Northwest Neighborhoods Streets Improvement Project in the Not-to-Exceed Amount of \$136,500 and will not be millage revenue. **The motion carried without objection.**

23. Consider Approval of Resolution #19-14 for Local Agency Pavement Warranty Program

Director Goch introduced the Department of Transportation adopt a local warranty program by the end of 2019. It does not need to be implemented right now. This warranty is for projects over \$2,000,000 and is funded by the federal and/or state. The first step is to adopt the resolution. Mayor Muzzin noted that the second part of this warranty program may never happen if the City never has a project that meets the criteria.

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Pipoly to approve of Resolution #19-14 for Local Agency Pavement Warranty Program. **The motion carried without objection by roll call vote.**

Other Business

24. Call to the Public

Mayor Muzzin opened the Call to Public at 8:56 p.m. Hearing and seeing no comment, Mayor Muzzin closed the Call to Public at 8:56 p.m.

25. Adjournment

Motion by Councilmember Emaus, seconded by Councilmember Bohn to adjourn the meeting at 8:56 p.m. **The motion carried without objection.**

Tara Brown, City Clerk

James Muzzin, Mayor