



# 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 OCTOBER 3, 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. City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPS Director Marcel Goch, Assistant to the DPS Director Patty Thomas, Chief Rob Bradford, Attorney Paul Burns and Attorney Jeff Alber. There were five persons in the audience.

### 4. Consider Approval of the Agenda

**Motion** by Councilmember Tobbe, seconded by Councilmember Emaus to approve the agenda as amended, adding item 12a. **The motion carried without objection.**

#### Consent Agenda Items

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

### 5. Approval of Minutes: Study Session Meeting of September 19, 2019

### 6. Approval of Minutes: Regular Meeting of September 19, 2019

### 7. Approval of Minutes: Closed Session of September 19, 2019

### 8. Approval of Traffic Control Orders #174 and #175

#### Correspondence

### 9. Economic Development Council of Livingston County (EDCLC) Update

Marcia Gebarowski and Ann Paddington from SPARK gave an update with a short power point presentation on developments within their organization and plans for the future while identifying key economic priorities and growth.

Councilmember Bohn asked how SPARK anticipates electric vehicles will shape the industry and how SPARK hopes to tailor their focus. Ms. Gebarowski stated that identifying industry clusters to pinpoint change is a focus for SPARK to anticipate the change and garner new relevant industry and talent.

### 10. Call to the Public

Mayor Muzzin opened the Call to the Public at 7:56 p.m.

Pat Cole spoke on several topics. She asked for clarification on the terminology Blue Sky versus Study Session, asked to televise other board and commission meetings, accessibility of the City Charter, and the necessity to renew the Charter language to better fit with times.

Mayor Muzzin closed the Call to the Public at 8:01 p.m.

Councilmember Bohn noted that Blue Sky was used to review items on the agenda, Study Session was intended to review items that require deeper discussion and eventual action. Mayor Muzzin added that action can be taken at the Study Session but City Council has made a practice of not. Councilmember Emaus noted that the City Charter does have legal language provided by the State to address he/she pronouns. Councilmember Bohn stated the City Charter is much like the Constitution. Like the constitution of the Country, the Charter has severed and is serving the City quite well.

#### **11. Staff Updates**

Director Goch stated that the Rickett Road project is moving along very well and anticipates it will open late October or early November.

Clerk Brown stated that absentee voter ballots for the November 5, 2019 election were sent out to those on the permanent absentee list on September 30, 2019. Anyone who would still like an absentee ballot could apply for one by contacting the City Clerk's office.

Manager Geinzer attended Manufacturing Day with SPARK and students from Flex Tech at a local city company on October 3, 2019. Along with the students, Mr. Geinzer was very impressed with the behind the scene robotics and machinery during the tour.

#### **12. Updates from Councilmember Liaisons to Various Boards and Commissions**

Councilmember Bohn updated that the Planning Commission met on September 23, 2019 and reviewed a draft DBD ordinance, the public hearing is set for October 21, 2019. A preliminary PUD extension was approved for the Bluffs at Spring Hill. There were several neighboring residents at the meeting and feels confident that developer will work diligently to address their concerns. The Planning Commission conditionally approved a site plan for Sidecar Slider Bar.

Councilmember Tobbe stated the PSD met on October 1, 2019 to discuss the future of the board. More to come at future meetings.

Councilmember Gardner thanked Council and staff who reached out to her after the death of her mother, Anna Trussell. She said the heartwarming support was very much appreciated during this difficult time.

Councilmember Pettengill updated that due to the heavy rain on September 28, 2019, the Imagination Station resealing will be postponed until October 12, 2019. If the weather is not corporative the event will be postponed until June of 2020. Please check the Facebook page for updates.

Councilmember Emaus congratulated the Brighton Art Guild on their twentieth year and noted the annual fine art exhibition Kaleidoscope will be held on October 11-20, 2019 at the Green Oak Village Place Mall. He stated there are many City of Brighton artists showcasing and involved with the guild. Mr. Emaus also stated that he does have a copy of the Charter, which he reads via the City's website for free, and it is a classic and fantastic document. There are modern amendments that address he/she. He also thanked the Brighton Police department for their professionalism and care during a recent situation at Charyl Stockwell Academy as well as the Academy's staff.

#### **New Business**

#### **12a. Approval of Reimbursement of Stormwater Facility Costs Associated with City Requested Site Plan Changes Benefiting the Northwest Neighborhoods Project to Innovant Group LLC (Uptown on First) in an Amount not to Exceed \$30,500, plus a 20% Contingency**

Director Goch summarized the opportunity that was identified by city engineers as plans progressed for the Uptown at First development. The plan was to upgrade the planned eighteen inch stormwater drain to thirty-six inches in preparation for the northwest neighborhoods project. The foresight of this opportunity would save

several large trees, eliminate the necessity of easements, and ultimately save approximately \$40,000. If approved, the funds would be from the local streets fund rather than the millage fund.

Mayor Pro Tem Pipoly stated that this plan would eliminate the need to replace new pipe while saving money. Mayor Muzzin remarked that Gary Markstron and staff came up with this opportunity and thanked them for working together to find savings and efficiencies.

**Motion** by Councilmember Emaus, seconded by Councilmember Gardner to approve Reimbursement of Stormwater Facility Costs Associated with City Requested Site Plan Changes Benefiting the Northwest Neighborhoods Project to Innovant Group LLC (Uptown on First) in an Amount not to Exceed \$30,500, plus a 20% Contingency. **The motion carried without objection.**

**13. Consider Approval of an Access Easement Agreement and a Termination of Easement Agreement for 1320 Rickett Road, Brighton Manor Assisted Living Facility**

Community Development Manager Mike Caruso introduced the agenda item stating that there are a series of easements that will need approval to clean up the property easements and deed. The agreement has been reviewed by the City Attorney and management.

Mayor Pro Tem Pipoly inquired about the proximity of the easement to the building. Mr. Caruso indicated that the building is on the easement. Mr. Pipoly clarified that these agreements are to clean up the property.

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Gardner to approve of an access easement agreement and a termination of easement agreement for 1320 Rickett Road, Brighton Manor Assisted Living Facility. **The motion carried without objection.**

**14. Conduct First Reading and Set Public Hearing of Proposed Ordinance #589, Text Amendments to Chapter 90 of the City of Brighton Code of Ordinances: Specific Rates and Charges**

Community Development Manager Mike Caruso introduced this agenda item referencing a past study session in which specific rates and time frame was discussed. It was surmised that the consensus among City Council was to break the payments from twelve quarterly payments to twenty, keeping one third down and two thirds would be allowed to be paid over a five-year term.

Councilmember Gardner asked how the remaining payments would be made if the property sold before the five-year period was up. Mr. Caruso stated that the new owner would assume the payments.

**Motion** by Councilmember Bohn, seconded by Mayor Pro Tem Pipoly to set a public hearing date of November 21, 2019 for proposed ordinance #589, text amendments to chapter 90 of the City of Brighton Code of Ordinances: Specific Rates and Charges. **The motion carried without objection.**

**15. Consider Approval of City Manager Compensation Committee Recommendations**

Councilmember Bohn introduced the item with a handout and presentation of comparable wages and compensation within Livingston County as well as similar city's within Michigan. The Compensation Committee, constructed of Councilmembers Tobbe, Bohn, and Mayor Pro Tem Pipoly discussed and evaluated comparable and agreed to meet in the middle and have recommended a six percent increase and to commit to an annual review in September of each year. Council discussed the intricacies of merit based increases and language that is requested to be altered in the managers' contract. Attorney Burns and labor council will bring the requested language to Council in November.

**Motion** by Councilmember Emaus, seconded by Councilmember Gardner to approve the City Manager Compensation Committee Recommendations and direct the City Attorney and Labor Council to review the proposed amendments. **The motion carried without objection by roll call vote.**

**Other Business**

**16. Call to the Public**

Mayor Muzzin opened the Call to the Public at 8:54 p.m.

Pat Cole thanked Council for their response and asked about an elected Charter Commission.

Mayor Muzzin closed the Call to the Public at 8:55 p.m.

**17. Adjournment**

**Motion** by Mayor Pro Tem Pipoly, seconded by Councilmember Tobbe to adjourn the meeting at 8:55 p.m. **The motion carried without objection.**

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Tara Brown, City Clerk

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James Muzzin, Mayor