



Brighton City Council Meeting

Contact Information: City Hall • 200 N First St. • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org • info@brightoncity.org

This meeting will be conducted electronically.

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JUNE 4, 2020

1. Call to Order

Mayor Pipoly called the meeting to order at 7:30 pm.

2. Pledge of Allegiance

3. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, and Pettengill. Councilmember Tobbe was absent. City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPS Director Marcel Goch, Finance Director Gretchen Gomolka, Human Resource Manager Michelle Miller, Management Assistant Henry Outlaw, Attorney Paul Burns, and Attorney Jeff Alber. There were five persons in the audience.

Motion by Councilmember Muzzin, seconded by Councilmember Emaus to excuse Councilmember Tobbe for personal reasons. **The motion carried without objection by roll call vote.**

Mayor Pipoly noted the addition of two items on the agenda as 10a to go into closed session and 10b to approve of action as discussed in closed session.

4. Consider Approval of the Agenda

Councilmember Bohn remarked the title of item 9 is not appropriate and suggested a title change to better suit the intent of the resolution.

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to approve the agenda as amended, adding items 10a and 10b. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to approve the consent agenda as amended, deleting item b. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Regular Meeting of May 21, 2020
- b. ~~Approval of a Three-Year Contract for Cross-Connection Control Services to Hydrocorp Inc. in the Amount of \$15,996 Per Year Beginning July 1, 2020 Through June 30, 2023~~
- c. Approval of Tetra Tech Engineering Services proposal for retainer services from July 1, 2020 through June 30, 2021 in the amount of \$13,440

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:36 p.m.

Susan Bakhaus stated Zoom is not working properly for her.

Keith Karp requested the Imagination Station be opened as soon as possible and chastised City staff and officials for hampering businesses who depend on the Imagination Station. Mr. Karp also expressed concern over an interaction between police officers and a park patron.

Mayor Pipoly closed the Call to the Public at 7:44 p.m.

7. Staff Updates

Director Goch stated the Alpine, Fairway, and Third Street project will be receiving a top coat of asphalt and contractors will begin phase two. Rickett Road is complete however there are a few small items for review with the contractor. The sidewalk contractor will be pouring concrete during the week of June 8, 2020, it is advised to use caution while walking near affected areas.

Director Gomolka noted Waste Management fees will increase to reflect the change in recycling cost in accordance with the current contract. The increase on the current bill will cover May, June, and July at ninety cents per month.

Clerk Brown stated the absent ballot applications for the August Primary and November General election have been sent to all permanent absent voters, the applications may be returned by mail, email, or dropped off at City Hall.

Manager Geinzer stated his exception to the words spoken during the call to the public noting City staff has been actively working hard to help and support the community during these difficult times. Mr. Geinzer then clarified the Executive Order as it pertains to gathering with people other than immediate family members and the potential difficulties maintaining social distancing would be to monitor as mandated by the Executive Order, he also clarified the picnic tables at The AMP have been loaned for use by the Chamber of Commerce for the summer.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pro Tem Gardner said the Livingston County COVID-19 dashboard is full of helpful information for those looking for statistics and helpful links. The County's veteran affairs is currently call-in only, the building department is setting appointments, and the mental health hotline is available twenty-four hours, seven days a week at 517-546-4126 for those in need.

Councilmember Bohn noted that he has received several emails regarding the locally distributed Green Sheet newspaper which many consider littering and would like the distributors contact information. He also complimented the cemetery crew for all the work that has been done in the cemetery to clear brush and care for the grounds. Mr. Bohn would like to hear from the new cemetery sexton and discuss the plans for the cemetery. Councilmember Bohn also suggested that the City Manager performance review is overdue and would like to make certain it will be conducted in a timely manner.

City Manager Geinzer noted that he is looking into the distribution of Green Sheets and will update City Council.

Councilmember Muzzin noted that he is connected via Zoom and it has been working properly for him. To address the comments by Mr. Karp, Councilmember Muzzin noted the items that have been added to the agenda, 10a and 10b directly address the Imagination Station but must be

talked about prior to any action.

Councilmember Pettengill noted the Imagination Station mulch was laid at the end of May and sealing of the playground will be done by DPS on Monday June 9, 2020. She also stated the trash compactor door by Hyne Alley is out of alignment and directional arrow stickers placed by an event remain scattered throughout downtown, she requests the sticker be removed and every effort to insure events remove their paraphernalia when the event is over. Councilmember Pettengill asked how often the bathrooms near the Imagination Station are cleaned.

Director Goch stated he was unaware of the trash compactor alignment issue but will look into it, the stickers will be removed by power washer, and he will follow up with the cleaning contractor to evaluate the frequency of bathroom maintenance.

Councilmember Muzzin asked how long the sealing of the Imagination Station will take to fully dry. Director Goch stated the seal will take a few days to dry once the job is completed.

Mayor Pipoly stated the DDA is, in coordination with the Chamber of Commerce, working to facilitate carry-out dining and safe dining downtown. Senator Theis and Representative Slotkin have reached out to the City to reaffirm government aid and resources are available should they be needed. At present, Mayor Pipoly is comfortable with the City's response and efforts but will keep communications open with officials if the need to request aid may arise.

New Business

9. Consider Approval of Resolution #20-12 To Promote Community Health

Manager Geinzer introduced the agenda item noting the resolution was a joint effort to facilitate outdoor dining and commerce. Many options were vetted, specifically outdoor dining platforms that enlarge the outdoor seating area, picnic tables, and researching other community efforts. All efforts were made to obtain the most cost effective and efficient planning to promote the community and health of City residents, businesses, and customers to enjoy downtown safely. Based on the feedback of a mutli-stakeholder group, the DDA, and staff it was recommended that City Council close Main Street on Fridays and Saturdays, turning the space over to pedestrians. There will be several seating areas downtown to gather in a healthy and socially distanced manner. The first group of picnic tables to be loaned for use will be by the Chamber of Commerce located near The AMP by the Millpond.

Mayor Pro Tem Gardner appreciates the innovative idea and remarked that this plan has been well received in other communities she has visited in the past. Ms. Gardner also relayed the next regularly scheduled Planning Commission meeting is on June 15, 2020 where the commission will be looking at temporary land use ordinance needs along with possible sidewalk café ordinance amendments to be reviewed.

Attorney Burns remarked that pertinent ordinances may be amended and provide more versatility as needed to facilitate the resolution, should it be approved.

Councilmember Bohn stated that he was not opposed to the resolution and street closure but stressed the need for the planning to be done correctly. Mr. Bohn cited several items within the resolution that may present challenges with the City Ordinances. Councilmember Bohn also asked if the fire department and police were consulted about the road closure.

City Manager Geinzer stated he had spoken with both fire and police and if approved, the closure

plan would be similar to events that close Main Street and would maintain the same access for emergency crews.

Councilmember Muzzin stated that he is not fond of the title of the resolution but defers to Council consensus for wording and asked that the details and Planning Commission work outlined in item number five in the resolution not prohibit the event from proceeding, he has no issue with closing Main Street noting our main drag is not the major road like Grand River is to the City of Howell.

Councilmember Emaus explained the thought process behind the creation of the resolution keeping in mind health and safety. The resolution was developed as a comprehensive approach for all businesses. Further, Mr. Emaus the title of the resolution is not a major issue for him although he would like the word *health* removed and stressed that above all he cares for the intent to help businesses open up and promote the safety for families.

Councilmember Pettengill expressed her support for the resolution but asked if business owners other than restaurant's were permitted to bring their goods onto the sidewalk.

Manager Geinzer stated the intent is for the street to be open to pedestrian traffic and the sidewalk for downtown businesses. Mr. Geinzer relayed that a full communication blast with social media will be utilized to market the Main Street Fridays and Saturdays.

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to approve of Resolution #20-12 To Promote Our Community and Healthy Public Socialization. **The motion carried without objection by roll call vote.**

10. Conduct a First Reading and Set Public Hearing of Proposed Ordinance Amendments to Chapter 54, "Fireworks"

Manager Geinzer introduced the agenda item stating the intent was to clean up the amendments to comply with state statute.

Attorney Alber agreed, stating the amendments is an effort to be lean and correspond with state statute.

Councilmember Bohn questioned the penalty amount of \$1,000.00 for each violation, stating it was high. Attorney Alber noted the penalty amount is in line with the penalty set by state statute, \$500 of which will go to the police department.

Councilmember Muzzin asked when the public hearing would be, Manager Geinzer responded the public hearing will be held July 2, 2020.

Council discussed the noted National Public Holiday verbiage within the ordinance amendments and delineated the specific holidays as set by state law.

Motion by Councilmember Muzzin, seconded by Mayor Pro Tem Gardner to set the public hearing of proposed ordinance amendments to Chapter 54, "Fireworks" on July 2, 2020 or after as deemed by City staff. **The motion carried without objection by roll call vote.**

10a Closed Session to Receive a Written Attorney-Client Privileged Communication Pursuant to MCL 15.268(h)

Motion by Councilmember Muzzin, seconded by Councilmember Pettengill in enter into closed session at 8:34 p.m. to receive written attorney-client privileged communication pursuant to MCL

15.268(h). **The motion carried without objection by roll call vote.**

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to come out of closed session at 9:17 p.m. **The motion carried without objection by roll call vote.**

10b Consider Possible Action Resulting from Closed Session

City Council discussed rules and regulations associated with reopening the Imagination Station with respect to the current COVID-19 situation and adhering to Center for Disease Control guidelines for the health and safety of visitors.

Motion by Councilmember Bohn, seconded by Councilmember Pettengill to open the Imagination Station after sealing following regulations and guidelines by the Center for Disease Control in staff written policy. **The motion carried without objection by roll call vote.**

Other Business

11. Call to the Public

Mayor Pipoly opened the Call to the Public at 9:27 p.m.

Susan Bakhaus spoke about the picnic tables at the Millpond and the DNR.

Mayor Pipoly closed the Call to the Public at 9:29 p.m.

12. Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to adjourn the meeting at 10:13 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor