



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.
Please visit the City website or the notice posted at City Hall for Zoom Meeting login instructions.

Regular Business Meeting July 2, 2020 – 7:30 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Consider Approval of the Agenda
5. Consider Approval of Consent Agenda Items

Consent Agenda Items

- a. Approval of Minutes: Closed Session of June 4, 2020
- b. Approval of Minutes: [Regular Meeting of June 18, 2020](#)
- c. [Approval of Reappointments of Michael Schutz to the City of Brighton Planning Commission and Zoning Board of Appeals](#)

Correspondence

6. Call to the Public
7. Staff Updates
8. Updates from Councilmember Liaisons to Various Boards and Commissions

New Business

9. [Consider approval of the 2020 Street and Sidewalk Maintenance Program to Perform Street and Sidewalk Maintenance with Funds from the Major and Local Street Funds Not to Exceed \\$120,000](#)
10. [Consider Approval of Award bid extension of the 2019 Catchbasin and Storm Sewer manhole cleaning contract from Dependable Sewer Cleaners with an amount not to exceed \\$40,000](#)

Other Business

11. Call to the Public
12. Adjournment



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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JUNE 18, 2020

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to excuse Mayor Pro Tem Gardner for personal reasons. **The motion carried without objection by roll call vote.**

4. Consider Approval of the Agenda

Motion by Councilmember Bohn, seconded by Councilmember Muzzin to approve the agenda as amended removing item g, and moving items b, c, and e to New Business. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Councilmember Tobbe, seconded by Councilmember Pettengill to approve the Consent agenda as amended. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Regular Meeting of June 4, 2020
- ~~b. Approval of Freedom of Information Act (FOIA) Updates to Procedures and Guidelines & Written Public Statement, Rescinding and Replacing All Previously Adopted (moved to New Business)~~
- ~~c. Approval to Replace the City Hall, the Police Department and the DPW Building Network Switch Equipment in the Amount of \$14,585.50 (moved to New Business)~~
- d. Approval of Amendment to Resolution 20-12
- ~~e. Approval of Redevelopment Liquor License Canopy Lounge, Resolution #20-14 and #20-15 (moved to New Business)~~
- f. Approval of Alive Family Church's Sunday Nights of Hope Civic Event Application
- ~~g. Approval of Amendment to Wine Art and Music Civic Event Application~~
- h. Approval of Agreement for Cross Connection Control Services to Hydrocorp Inc. in the Amount of \$15,996 per Year

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:37 p.m. Hearing and seeing no comment, Mayor Pipoly closed the

Call to the Public.

7. Staff Updates

Director Goch reported the City sidewalk contractor has completed the sidewalk project concrete pouring for the season, but will on site to backfill soil into the voids that were made during the project. Alpine Fairway, and Third Project is moving along well and has moved onto phase two paving with leveling and final course. Phase three will begin on June 19, 2020.

Clerk Brown noted the Secretary of State's office has mailed absent voter ballot applications for the August 4, 2020 and November 3, 2020 elections to all registered voters not on the permanent absentee list. The completed applications can be returned by mail, dropped off at City Hall, or scanned and emailed to the email address listed on the application. Councilmember Emaus asked if voters choose to vote in person will precincts will be open as usual on election day. Clerk Brown stated if voters prefer to vote in person on election day, disregard the application and plan to attend the regular polling precinct on election day.

Manager Geinzer stated City Hall is open to the public for normal business purposes. Guidelines by the CDC have been implemented in City Hall to protect customers and employees and it is asked that customers practice social distancing and wear a facemask while in City Hall. Miles Buckley and a group of Boy Scouts have designed and planted many native plant species along the City Hall building near the Tridge as part of Mr. Buckley's project to become an Eagle Scout. Mr. Geinzer remarked what a pleasant experience working with Mr. Buckley, the Boy Scouts, and the Buckley family has been.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Councilmember Bohn reported the Planning Commission met on June 15, 2020 with three items on the agenda. Exterior color schemes and building materials were reviewed for the Uptown Vista development. DTN relayed plans to have shovels in the ground this fall for their project on 2nd Street. And a PUD contract for the Bluffs at Spring Hill was recommended to City Council for approval. And finally the Planning Commission discussed zoning ordinance for transit stops along with temporary land use permits.

Councilmember Pettengill reported the biennial sealing of the Imagination Station was completed by DPW along with Ms. Pettengill, on June 8, 2020 and reopened for play on June 10, 2020.

Councilmember Muzzin stated the Brighton Area Fire Authority met on June 11, 2020 and approved necessary budgets for fiscal year ending June 30, 2021. Also amended the operating budget and capital budget for the current fiscal year ending June 30, 2020.

Mayor Pipoly reported the DDA met on June 16, 2020 and the primary focus was a reorganization plan and to streamline the DDA for overall effectiveness for the City and the business within the DDA. Mayor Pipoly stated the City budget reality task force has been reengaged based on recommendations by Manager Geinzer. For continuity, Mayor Pipoly would like Councilmembers Bohn, Muzzin, and Emaus to continue as task force members.

Councilmember Pettengill added the ZBA met on June 11, 2020 to discuss a secondary ground sign at Chemical Bank. The board met in person at City Hall, all attendees were six feet away and the meeting went very well.

New Business

b. Approval of Freedom of Information Act (FOIA) Updates to Procedures and Guidelines & Written Public Statement, Rescinding and Replacing All Previously Adopted

Councilmember Tobbe asked for clarification and necessity of the update to the FOIA policy.

Clerk Brown noted a mass FOIA request sent out to municipalities requesting copies of all 2016 Presidential ballot and

absent ballot documents by a sender named Emily prompted legislators to quickly revise the existing FOIA laws. This request by Emily failed to list a complete mailing address, phone number, and other important information therefore presenting a large problem for clerks. The timing of this FOIA request, unresponsive requestor, and lack of communication precipitated this update. The current FOIA procedures and guidelines and written public statement were last revised in 2015. The new documents have been revised to include the newest updates and have been streamlined to mirror the Michigan State Police policies.

Councilmember Tobbe asked if City Attorneys have reviewed the proposed revisions. Clerk Brown noted both Mr. Alber and Mr. Burns have reviewed the recommended changes.

Motion by Councilmember Bohn, seconded by Councilmember Muzzin to approve the Freedom of Information Act updates to procedures and guidelines and written public statement, rescinding and replacing all previously adopted. **The motion carried without objection by roll call vote.**

c. Approval to Replace the City Hall, the Police Department and the DPW Building Network Switch Equipment in the Amount of \$14,585.50

Councilmember Tobbe noted that he had asked for the Consent Agenda item to be moved to New Business due to his current role and will abstain.

Motion by Councilmember Bohn, seconded by Councilmember Pettengill to approve the replacement of the City Hall, the Police Department, and the DPW building network switch equipment in the amount of \$14,585.50. **The motion carried by roll call vote with Councilmember Tobbe abstaining.**

e. Approval of Redevelopment Liquor License Canopy Lounge, Resolution #20-14 and #20-15

Councilmember Emaus asked for the Consent Agenda items to be moved to New Business due to conflict and will abstain.

Motion by Councilmember Muzzin, seconded by Councilmember Tobbe to approve of the redevelopment liquor license for Canopy Lounge by resolution #20-14 and #20-15. **The motion carried by roll call vote with Councilmember Emaus abstaining.**

9. Consider Approval of Bluffs at Springhill PUD Agreement

Mr. Caruso briefly described the agreement and the PUD process as it pertains to the Springhill development. He also noted Mr. Nowles from the development team is present should City Council have questions.

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to approve of Bluffs at Springhill PUD agreement. **The motion carried without objection by roll call vote.**

10. Consider Approval of Change Authorization from Tetra Tech Engineering Services for Remaining Construction Phase Engineering on the North Rickett Rod Utility and Street Project for an Additional \$31,200

Director Goch introduced the agenda item giving a brief synopsis of the remaining construction phase engineering.

Manger Geinzer reminded all that the project was not a typical road project, but was a necessary utility project to prevent sink holes. This project started late and weather issues delayed the project, pushing the project to the next construction year.

Councilmember Bohn asked if the overage would not have been realized if the project was completed during the same construction years as started. Mr. Goch stated yes but due to weather the project was delayed.

Mayor Pipoly noted the project did come in almost \$120,000 under original estimate and even with this engineering fee the total cost will still be under by \$90,000.

Motion by Councilmember Tobbe, seconded by Councilmember Pettengill to approve of change authorization from Tetra Tech Engineering services for remaining construction phase engineering on the North Rickett Road Utility and Street Project for an additional \$31,200. **The motion carried without objection by roll call vote.**

11. Consider Approval of Final Budget Amendments for Fiscal Year Ending June 30, 2020, Resolution #20-13

Director Gomolka introduced the agenda item and explained in detail the intricacies of the final budget amendments

Motion by Councilmember Muzzin, seconded by Councilmember Emaus to approve of final budget amendments for fiscal year ending June 30, 2020, resolution #20-13. **The motion carried without objection by roll call vote.**

Other Business

12. Call to the Public

Mayor Pipoly opened the Call to the Public at 8:06 p.m.

Susan Bakhaus remarked that she was having technical issues with her connection and stated the BACC met to have two art pieces painted.

Mayor Pipoly closed the Call to the Public at 8:08 p.m.

Councilmember Pettengill thanked Manager Geinzer and staff for their support on the Eagle Scout project with the Buckley family.

Councilmember Muzzin also remarked how different the surrounding City Hall and Millpond looks from work by Miles Buckley, Boy Scouts, and the Buckley family. Mr. Muzzin also remarked that having remote meetings are difficult and technical difficulties are to be expected but the Executive Order does cover these issues.

Councilmember Tobbe asked about the rumored gas line repair along Brighton Lake Road. Director Goch noted that he is aware of plans for Consumers Energy to repair leaks along Brighton Lake Road.

13. Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Pettengill to adjourn the meeting at 8:12 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 2, 2020

SUBJECT: REAPPOINTMENT OF MICHAEL SCHUTZ TO THE CITY OF BRIGHTON PLANNING COMMISSION AND ZONING BOARD OF APPEALS.

ADMINISTRATIVE SUMMARY

Michael Schutz is seeking reappointment to the Planning Commission and Zoning Board of Appeals (ZBA), each for another three-year term. He has been a member of the Planning Commission for six years, and has served on the ZBA since 2018 as the Planning Commission Liaison. Michael has shown professionalism and dedication during his tenure serving the City of Brighton and looks forward to continuing his role with the Planning Commission and ZBA.

RECOMMENDATION

Reappointment of Michael Schutz to the Planning Commission and Zoning Board of Appeals, as recommended by Mayor Pipoly, for a 3-year term ending on July 31, 2023.

Prepared by: Michael Caruso, Community Development Manager

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 2, 2020

SUBJECT: CONSIDER APPROVAL OF THE 2020 STREET AND SIDEWALK MAINTENANCE PROGRAM TO PERFORM STREET AND SIDEWALK MAINTENANCE WITH FUNDS FROM THE MAJOR AND LOCAL STREET FUNDS NOT TO EXCEED \$120,000

BACKGROUND

- At the February 7, 2019 City Council meeting, staff brought forward an outline for road maintenance they desired to accomplish in an effort to prolong surface life of our City street system. This outline contained several treatments that are considered good maintenance practices and can help reduce deterioration if used on a consistent basis. After approving staff's request, contractors moved forward with street maintenance throughout the year with several areas of the City receiving attention.

ADMINISTRATIVE SUMMARY

- As we move forward with new construction projects funded by the millage this year, staff is still focused on identifying areas of the street system that can benefit from surface treatments before they deteriorate past the point where spending ACT 51 Revenue would be advantageous. As stated in the past, money spent on maintenance earlier in a street's life cycle has been estimated to be up to four times more beneficial than spending it toward the end. Using this concept, staff began the process last year with treatments like Reclamite Asphalt treatment, spray patch spray injection, crack sealing and sidewalk trimming (also paid for by ACT 51 funds). Newer streets like Black Walnut, Challis, and Second Street received the Reclamite treatment while older areas like Grand River, Main Street, Spencer, and Woodlake received spray patch spray injection to help slow the degradation of seams and potholes. Over the last three years, the City has also hired Precision Concrete Cutting for sidewalk trimming to remove numerous trip hazards on sidewalks. Trimming improves walkability in the neighborhoods and the downtown area making it safer for pedestrians while reducing the City's liability. In addition, street line painting and crack sealing were performed where needed with prices being received through a cooperative governmental bid process.
- With new areas identified that need the aforementioned treatments, staff developed a budgetary plan for each maintenance process that it would like to move forward with for the new fiscal year.
- Precision Concrete Cutting and Pavement Technologies (Reclamite) are sole source providers and have agreed to hold their 2019/2020 pricing for the 2020/2021 fiscal year. JV Contracting, who was awarded last year's street line/legend painting, has also agreed to hold their pricing. The remaining contractor is Spray Patch Road Repair Inc. who is part of an extendable bid contract through the Michigan Intergovernmental Trade Network (MITN) and is required to offer their contract pricing to other municipalities. They will be coming back to touch up areas under last year's contract work at no cost to the City as well as working on the new areas added that need attention. In the table below, you will see the treatments staff recommends to initiate and the funds being requested.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 2, 2020

Contractor	Treatment	Location(s)	Funding Source	Bidding Process	Estimated Cost
Spray Patch Road Repair	Spray Patch	Brighton Lake Road, Spencer, S. Third Street, other various locations	Major/Local Street Funds	Extendable bid pricing via (MITN Bid Reference #0000146813)	\$40,000
Pavement Technologies	Reclamite-Asphalt Rejuvenator	North Rickett Road, Alpine, S. Third, Fairway Trails	Major/Local Street Funds	Sole Source provider, Budgetary number of \$1 per sq./yd.	\$40,000
JV Contracting	Street Line/Legend Painting	Various	Major/Local Street Funds	Cooperative Governmental Bid-Holding pricing from last year's bid.	\$20,000
Precision Concrete Cutting	Sidewalk trimming	Various	Major/Local Street Funds	Sole Source provider-Holding price from last three years.	\$20,000
				Total	\$120,000

BUDGET

- Under the Council approved 2020/2021 budget, staff is proposing to use \$120,000 from the Major and Local streets funds for the street and sidewalk maintenance outlined above.

RECOMMENDATION

Approval of the 2020 Street and Sidewalk Maintenance Program to perform street and sidewalk maintenance with funds from the Major and Local Street Funds not to exceed \$120,000 including, the extension of the 2019 JV Contracting cooperative bid, the issuance a purchase order for spray patching to Spray Patch Road Repair Inc., per MITN Extendable Bid Reference #0000146813, and authorizing the City Manager to issue a purchase orders for sole source Reclamite treatment to Pavetech Inc. and Precision Concrete Cutting as outlined.

Prepared by: Marcel Goch, DPS Director

Reviewed & Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 2, 2020

SUBJECT: CONSIDER AWARDING BID EXTENSION OF THE 2019 CATCHBASIN AND STORM SEWER MANHOLE CLEANING CONTRACT TO DEPENDABLE SEWER CLEANERS IN AN AMOUNT NOT TO EXCEED \$40,000

ADMINISTRATIVE SUMMARY

- As part of our Phase II Stormwater Program, the City is required to implement and follow a storm structure-cleaning schedule to meet compliance of its Municipal Separate Storm Sewer System (MS4) Permit. Over the past few years, the effort to perform this work in-house fell short as the lack of equipment and available staff proved to be problematic in reaching that goal. Once it was determined that we were unable to meet our program deadline, the decision was made to use an outside contractor to perform this work. This assured the City would remain compliant with Department of Environment, Great Lakes and Energy (EGLE) regulatory requirements.
- Using information from our Wastewater and Stormwater Asset Management Plan, it was determined that approximately 1,500 stormwater structures exist in the City’s storm system. With the system not being cleaned in approximately 10 years it was unknown how much debris had accumulated in each one, a variable that could significantly affect pricing. With this in mind, staff put together a Request for Proposal (RFP) for roughly 750 structures to be cleaned instead of all 1,500 in the system. Had we kept the entire number of structures in the RFP, the price for doing the work may have been more than what was budgeted and could have resulted in the contractor being unwilling to accept the contract as they bid their work based on economy of scale.
- The original RFP was published on the Michigan Intergovernmental Trade Network (MITN) website on October 4, 2019. As seen in the bid list below, Dependable Sewer Cleaning was the low bidder and consequently awarded the contract at the November 7, 2019 Council meeting. The contractor began to work in December and worked throughout the winter, finishing in the spring.

Bidder	Unit Cost	Total Cost	CCTV Storm Sewer (Hourly Cost)
Dependable Sewer Cleaning	\$40.00	\$30,640.00	\$225.00
Safeway Transport	\$44.75	\$34,278.50	\$187.50
E-4 Solutions	\$46.00	\$35,236.00	\$175.00
United Resource, LLC	\$53.00	\$40,598.00	\$190.00
Metro Environmental	\$63.95	\$48,985.70	\$295.00
Pipetech Infrastructure Services	\$64.60	\$49,407.00	\$275.00
Advance Underground	\$88.00	\$67,400.00	\$175.00



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 2, 2020

- As the storm structures were being cleaned, staff assessed the work to see if it was acceptable. Throughout the process, we found that the contractor had performed very well and helped staff develop a list of structures that needed maintenance outside of the contractor's scope of the contract and this list was turned over to City staff for attention. Because of their performance and price, we would like to extend the 2019 contract to include cleaning of the remaining storm sewer structures in our system. Staff reached out to Dependable Sewer Cleaning to see if they would be interested in extending their pricing for the additional work and they responded favorably.
- If this work is completed, the structure-cleaning portion of our Phase II Storm Water program will be caught up for the next four years until we are required to perform the work again. City Council approved a total of \$100,000 for storm-related contractual work in the 2020/2021 Major/Local Streets budget. Staff is requesting that City Council approve up to \$40,000 for storm catch basin and manhole cleaning and main televising.

RECOMMENDATION

Award bid extension of the 2019 Catchbasin and Storm Sewer manhole cleaning contract from Dependable Sewer Cleaners with an amount not to exceed \$40,000.

Prepared by: Marcel Goch, DPS Director

Reviewed &

Approved by: Nate Geinzer, City Manager