



Brighton City Council Meeting

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This meeting was conducted electronically.

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JULY 16, 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 and Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Muzzin, Pettengill, and Tobbe. City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, Finance Director Gretchen Gomolka, DPS Director Marcel Goch, Deputy DPS Director Corey Brooks, Superintendent Daren Collins, Management Assistant Henry Outlaw, Engineer Gary Markstrom, Engineer Kari Jozwik, Police Chief Rob Bradford, Attorney Paul Burns, and Attorney Jeff Alber. There were ten people in the audience.

4. Consider Approval of the Agenda

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Gardner to approve the agenda as presented. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

Motion by Councilmember Tobbe, seconded by Councilmember Muzzin to approve the consent agenda as presented. **The motion carried without objection by roll call vote.**

Consent Agenda Items

- a. Approval of Minutes: Regular Meeting of July 2, 2020
- b. Approval of Reappointments to the City of Brighton Arts and Culture Commission
- c. Approval of Flagstar Contract Renewal

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:34 p.m.

Craig Wood voiced his support for the complete streets strategy.

Susan Bakhaus also spoke.

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

7. Staff Updates

Chief Bradford noted Sergeants Pirochta and Miller are in the process of gaining their accreditation.

Councilmember Bohn asked if the Police Department will be enforcing mask wearing as indicated by the Governor's Executive Order.

Chief Bradford stated the goal is to educate first. MIOSHA and the Health Department will respond to complaints from customers should it be needed.

Councilmember Muzzin asked if the Police will be issuing tickets, Chief Bradford stated tickets will be issued for disorderly conduct or trespassing at the request of the business owner. The paperwork will then be sent to the Prosecutors office for further action.

Director Goch stated the ATF project is going well, there are a few punch list items to complete. The spray patch contractor will be in town starting July 17, 2020 to address a number of areas. And Precision Concrete will be addressing sidewalk trip hazard areas throughout the City.

Councilmember Bohn asked why Oakridge Court was not included in the ATF project due to the condition of the road. Director Goch stated the roadwork had to stop somewhere and the areas addressed were within the bid price and scope of the project.

Director Gomolka updated the City is seeking CARES Act funds to cover payroll costs, the outcome of the application should be available by fall.

Councilmember Muzzin asked if the application was accepted because the Brighton Area Fire Authority application was rejected right away as the CARES Act does not reimburse wages for authorities. Director Gomolka said the application was submitted and accepted, stating only cities and townships would be permitted to apply, not authorities.

Councilmember Pettengill asked if the donation bin companies were noticed for the excessive amount of donations spilling onto parking lot spaces. Community Development Manager Caruso stated the companies were sent a ten-day notification and pick up and clear the area of excessive donations currently the scheduled pick up is a weekly occurrence although during the pandemic the bins have seen a lot more donations.

Councilmember Bohn asked if the developer at the Bluffs is keeping Spring Hill clean. Mr. Caruso noted the road is kept clean and is cleaned daily as needed during construction.

Management Assistant Henry Outlaw noted world renowned retail expert Robert Gibbs, through sponsorship from Lake Trust, will speak to DDA members and public about best practices and other marketing strategies. The talk will be conducted via Zoom on July 23, 2020.

Manager Geinzer noted several businesses Downtown Brighton will have merchandise out on the sidewalk for sale during the Fridays & Saturdays on Main Street car free zone on the weekend of July 17 and 18, 2020.

Mayor Pro Tem Gardner asked when Blank Slate Creamery is projected to open to the public, Mr. Caruso noted the final certificate of occupancy was issued on July 15, 2020 but anticipates the business opening very soon.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Councilmember Tobbe relayed he was recently a panelist at the SEMCOG webinar on digital systems.

Councilmember Pettengill thanked Livingston Twilight Rotary for contributing to the buddy bench at the Imagination Station, she also thanked DPW for installing the bench. The bench is located in the shaded area at the Imagination Station.

Councilmember Emaus noted the iron fence along Fairview Cemetery has been hit near the gate and is damaged.

Councilmember Muzzin happily reported Fire Chief O'Brian received the honor of becoming 2020 Michigan Association of Fire Chiefs, Fire Chief of the Year. Mr. Muzzin anticipates the fire authority will have a proposal on the November ballot.

Mayor Pipoly noted the DDA met to discuss restructuring the DDA and ongoing efforts to streamline the DDA.

New Business

9. Consider Approval of Professional Services Agreement with Ann Arbor SPARK for Economic Development Services

Manager Geinzer gave a brief overview and introduced Marcia Gebarowski and Phil Santor who then presented the proposal to the City Council. She noted the value will be realized citywide rather than just Downtown Brighton and defined particulars associated with the position.

Councilmember Bohn is opposed to the agreement and believes the City should not be cultivating business development or having a hand in directing what businesses go Downtown as well as the fees.

Councilmember Pettengill asked what roll the City have in the hiring process, Mr. Geinzer stated Ms. Miller, Human Resources, and he will be part of the hiring process.

Councilmember Muzzin noted there is a termination clause within the agreement should the position not work out. Further he stated his support for the collaboration.

Mr. Geinzer noted the trifecta among Community Development, DDA, and SPARK will be a great support collaboration between the DDA and City. He noted the savings associated with this type of collaboration would be through health care and retirement benefits that will be paid by SPARK rather than the City.

Councilmember Bohn again stated his opposition to the collaboration noting government is starting to pick winners and losers when there should be a free market to let interested businesses choose Brighton as their market or not.

Mayor Pipoly noted the importance of variety within the market. The fees will be paid from a portion of the DDA contribution to the City.

Manager Geinzer further stated the position would help support the best mix of business within the City and provide the platform for businesses to be successful.

Motion by Councilmember Muzzin, seconded by Councilmember Emaus to approve of professional services agreement with Ann Arbor SPARK for economic development services. **The motion carried by roll call vote with Councilmember Bohn voting no.**

10. Consider Approval of an additional funding request from Tetra Tech Engineering Services for Construction Phase Engineering on the Alpine, S. Third and Fairway Trails (ATF) Street Project in the amount of \$37,890.

Director Goch introduced the agenda item, relaying the additional cost necessity and turned discussion over to Gary Markstrom. Mr. Markstrom noted that Tetra Tech had underestimated the time required to complete the job and to provide more oversight for the contractor.

City Council discussed previous project underestimations and are concerned moving forward with large scale future projects such as North West Neighborhoods and others. There is concern over the pattern of unanticipated costs and hope to mitigate any issues now before larger projects begin.

Director Goch expressed his concern and will work with Gary Markstrom and Tetra Tech to achieve better estimations.

Motion by Councilmember Bohn, seconded by Councilmember Tobbe to approve of an additional funding request from Tetra Tech engineering services for construction phase engineering on Alpine, S. Third, and Fairway Trails

(ATF) Street Project in the amount of \$37,890. **The motion carried without objection by roll call vote.**

11. Consider Approval of Tetra Tech Design Engineering Proposal for Phases 2 and 3 of the Grand River Rehabilitation Project in Fiscal Year 2021/2022 in an amount not to exceed \$120,000.

Manager Geinzer introduced the agenda item and would like to get started on design work, the project is mainly funded by a Federal grant of \$1.8 million dollars. Director Goch expressed his desire to get ahead of planning and is very happy to receive this grant for the project.

City Council discussed the scope of the project and the possibility of adding to the project, specifically the east side of Grand River. Various feeder streets are in poor condition; City Council asks that a secondary evaluation for those smaller street be gained for reconstruction/rehabilitation potential.

Motion by Councilmember Bohn, seconded by Councilmember Pettengill to approve of Tetra Tech design engineering proposal for phases 2 and 3 of the Grand River Rehabilitation Project in Fiscal Year 2021/2022 in an amount not to exceed \$120,000 and a secondary proposal to look at feeder streets on the eastside of Grand River. **The motion carried without objection by roll call vote.**

12. Consider Approval of Tetra Tech Proposal for Design and Construction Engineering Services for the Nelson Street Booster Station in the Amount of \$69,000

Director Goch stated the upgrade to the system is necessary for the new development but also because current residents within the area have been experiencing low water pressure. The developer, Pulte, has paid the REU's in advanced which total \$440,000 to support the upgrade of the booster station.

Kari Jozwik noted a 2014 evaluation that identified this area as low pressure during high use times.

Mayor Pipoly questioned the affected area and those who will see improved water pressure.

Ms. Jozwik stated Hillcrest, Nelson St, The Bluff, and all condominium developments will see an increase in pressure.

Councilmember Bohn asked if Pulte paid all fees upfront to pay for the booster station construction. Manager Geinzer stated Pulte did pay upfront to fund the booster station upgrade.

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve of Tetra Tech proposal for design and construction engineering services for the Nelson Street booster station in the amount of \$69,000. **The motion carried without objection by roll call vote.**

13. Consider Approval of Tetra Tech Engineering Services Proposal for America's Water Infrastructure Act (AWIA) Water System Risk and Resiliency Assessment at a Cost in an Amount Not to Exceed \$17,500

Motion by Councilmember Tobbe, seconded by Councilmember Pettengill to approve of Tetra Tech engineering services proposal for America's Water Infrastructure Act (AWIA) Water System Risk and Resiliency Assessment at a cost in an amount not to exceed \$17,500. **The motion carried without objection by roll call vote.**

14. Consider Staff Direction Regarding Social District Legislation

City Council discussed the new legislation to allow social districts and common areas for open consumption of alcohol as described in the recently approved House Bill 5781. Merits and concerns were discussed as well as input for the Police Chief.

Motion by Councilmember Bohn to not spend any additional staff time further exploring social districts and

common area within the City of Brighton. **The motion failed due to lack of support.**

Motion by Councilmember Emaus, seconded by Councilmember Muzzin to assemble a workgroup to explore legal, fiscal, and practical implications of the Social District Legislation for further Council consideration. **The motion carried by roll call vote with Councilmember Bohn voting no.**

Other Business

15. Call to the Public

Mayor Pipoly opened the Call to the Public at 9:45 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public at 9:45 p.m.

16. Adjournment

Motion by Councilmember Bohn, seconded by Councilmember Muzzin to adjourn the meeting at 9:45 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor