



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 AUGUST 6, 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, Human Resources Manager Michelle Miller, Finance Director Gretchen Gomolka, DPS Director Marcel Goch, Management Assistant Henry Outlaw, Police Chief Rob Bradford, Deputy Police Chief Craig Flood, Attorney Paul Burns, and Attorney Jeff Alber. There were nineteen people in the audience.

4. Consider Approval of the Agenda

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve the agenda as amended adding item 12a. **The motion carried without objection by roll call vote.**

5. Consider Approval of Consent Agenda Items

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

Consent Agenda Items

- a. **Approval of Minutes: Study Session Meeting of July 16, 2020**
- b. **Approval of Minutes: Regular Meeting of July 16, 2020**
- c. **Resolution #20-16: Reallocation of MERS Assets Between Linked Divisions**
- d. **Appointments to Various Boards and Commissions**

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:38 p.m.

Business owners Ken Larscheid, Barb Binkley, Karen Hummer, Al Hummer, Collin Miller, Amy McCauley, Mac Hawes, Keith Karp, and Mark Binkley spoke during the Call to the Public in opposition of the continued closure of Main Street on Fridays and Saturdays.

Mayor Pipoly closed the Call to the Public at 8:07 p.m.

7. Staff Updates

Chief Bradford reported new officer Brendan Bauer was recently sworn in as a full time officer and is currently on field training and is completing daily observation reports.

Director Goch relayed the spray patching throughout the City is wrapping up.

Director Gomolka stated the summer taxes are due August 17, 2020, after which a fine will be assessed.

Human resources manager Miller congratulated Police Chief Rob Bradford on his twenty-three years of service to the City of Brighton.

Management assistant Outlaw happily reported the Farmers Market was a great success, hosting approximately 6,000 attendees.

Clerk Brown thanked the hard working election workers on all of their efforts during the August 4, 2020 Primary election. The absent voter counting board experienced a very high turnout but powered through to complete the count. Many precautions were in place to ensure a safe working environment such as large barriers between voters and election workers, sanitizing on a continuous basis, pens to take after voting, and hand sanitizer after voting.

Manager Geinzer reported favorable reductions in OPEB (other post employee benefits) liabilities. He reported an apparent overall 20% reduction in unfunded pension/OPEB liabilities based on the actuarial reports. Staff will be further analyzing results.

Councilmember Bohn asked how these reductions impact the benchmarks. Director Gomolka stated she will be compiling data and present a report but did note how the benchmarks are calculated.

Councilmember Pettengill stated her concern that communication and concern relayed to staff by business owners has not been forwarded to her. Further Councilmember Pettengill asked about the gas line repairs throughout the City in the Northwest Neighborhoods asking if there is plans for yard restoration.

Director Goch informed DTE is making upgrades within the Northwest Neighborhoods prior to the road construction planned for next year and once the work is completed a DTEs restoration contractor will be on site to restore yards.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pipoly stated City staff always addresses issues when contacted and felt that Council did not need to be bothered with the concerns since staff was handling it. Mayor Pipoly thanked staff for their efforts.

Councilmember Bohn asked that residents and businesses that have concerns feel free to email City Council.

Councilmember Muzzin remarked to a prior stated concern that complaints about the Main Street closure has not been communicated to City Council by noting Councilmembers contact information on the City website. He further thanked Management Assistant Henry Outlaw for his work to get the Farmers Market on Main Street and noted a large turn out during the weekend of August 1-2, 2020 during the street closure.

Councilmember Emaus thanked fellow Councilmembers for all their work and noted the large turn around the City has seen over the last three or four years due to the efforts by the City Manager and his staff and the sacrifices City employees have made to their retirement have made to ensure fiscally responsibility. Councilmember Emaus then gave a brief timeline of various efforts and committees that were assembled as the COVID-19 virus reached the state to protect residents, feed children, and to keep businesses a float. Many stakeholders from all sectors of City government and businesses were involved to ensure all areas were represented during these talks. Mr. Emaus stated he disagreed with Councilmember Pettengill, all emails and complaints/concerns were received by the appointed subcommittee through the proper channels and were overwhelmingly positive.

Councilmember Pettengill congratulated Eagle Scout Andrew Hanna who installed a permanent trail head at a park in the City of Brighton on Karl Greimel Road.

Councilmember Bohn and the Planning Commission met to discuss three times. He encouraged all concerned residents and businesses to contact City Councilmembers directly if they feel they are not being heard.

Mayor Pro Tem Gardner wished to welcome Nathan Burd as the new County Commissioner, he comes from the City of Adrian with many years of experience. Livingston County has a Census response rate of 80.3% which is number one in the state and number twelve in the Country. Census enumerators will be making home visits starting August 11, 2020. To avoid an enumerator from coming to your home, please visit the County website or Census site to respond. Ms. Gardner noted her concern over some Farmers Market vendors that were not

wearing masks and asked that those vendors participating to please wear a mask. Mayor Pro Tem noted that she voted in person and felt very safe, further she thanked the election workers for all their hard work and dedication.

New Business

9. Conduct First Reading and Set Public Hearing of Proposed Ordinance Amendments to the City of Brighton Ordinance Chapter 54 "Fireworks"

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to set a public hearing of proposed ordinance amendments to the City of Brighton Ordinance Chapter 54 "Fireworks". **The motion carried without objection by roll call vote.**

10. Consider Approval of Genoa Township Wastewater Treatment and Water Service Agreement

Councilmember Tobbe asked if there were any monies from tap fees within the lump sum that will be transferred over by MHOG. Superintendent Brooks noted the lump sum consists of service and debt fees.

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to approve the Genoa Township Wastewater Treatment and Water Service Agreement. **The motion carried without objection by roll call vote.**

11. Review and Consider Approval of the City Council Task Force's Recommendation Concerning the City's Liability Insurance Coverage and Possible Change in Carrier

Councilmember Tobbe asked as to the precipitating event that prompted Attorney Burns to ask for an evaluation of the City insurance coverage. Attorney Burns noted a previous carnival incident from years ago as well as the new Genoa Township waste water treatment agreement made it necessary to evaluate the sewer backup coverage.

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to approve of the City Council Task Force's recommendation concerning the City's liability insurance Coverage to PAR for the \$10,000,000/\$13,000,000 sewer backup limit. **The motion carried without objection by roll call vote.**

12. Consider Approval of Resolution to Establish a "Social District," "Common Area," and "Management and Maintenance Plan"

Mr. Outlaw began discussions noting a work group made of staff, attorneys, and Councilmembers met to discuss the legal requirements and practical implementation of a social district within the City. They relayed their findings and presented a plan should City Council wish to proceed. It was the consensus of Council to slow down and let the State sort out the laws associated with the social district. Attorney Alber noted his concern over the language in the new legislation and asks that further investigation continue.

Motion by Councilmember Muzzin, seconded by Councilmember Tobbe to table the consideration to establish a social district for further discussion in early spring. **The motion carried by roll call vote with Councilmember Emaus voting no.**

12a. Evaluation of Main Street Closure

Based on feedback and concerns City Council discussed alterations to the Main Street closure and merits of allowing the Farmers Market to remain on Main Street on Saturday. It was proposed that the Farmers Market remain but then directly after, reopen to traffic but closing West and St. Paul Street for those businesses who take advantage of the extra space for social distancing.

Motion by Councilmember Bohn, seconded by Councilmember Emaus to revise the Main Street closure to allow the Farmer's Market to remain on Main Street on Saturday until concluded then reopen and to traffic but extend the closure to West and St. Paul Streets for Fridays and Saturdays. **The motion carried by roll call vote with Councilmember Muzzin voting no.**

Other Business

13. Call to the Public

Mayor Pipoly opened the Call to the Public at 9:32 p.m.

Susan Bakhaus would like clarification on the utility bill.

Barb Binkley thanked City Council for listening to the businesses and asked for clarification on when the Farmers Market will end.

Pam McConeghy stated that she has been on the committee since the beginning and the sole goal was always to benefit the downtown merchants and keep people safe. The committee constantly asked how can we help. How can we generate growth in these economic times? Manager Geinzer' s heart was always in the right place but it is sad to see he is taking a beating for trying to help and be innovative. Ms. McConeghy also thanked Mr. Outlaw for his wisdom and commitment to Fridays and Saturdays on Main Street.

Collin Miller thanked City Council and staff for the adjustment and appreciates being part of the conversation.

Ken Larscheid thanked City Council and staff for listening.

Mayor Pipoly closed the Call to the Public at 9:42 p.m.

14. Adjournment

Motion by Councilmember Tobbe, seconded by Mayor Pro Tem Gardner to adjourn the meeting at 9:43 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor