



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 Meeting December 3, 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: [Study Session of November 19, 2020](#)
- b. Approval of Minutes: [Regular Session of November 19, 2020](#)
- c. Acceptance of Quarterly Financial Statement and Investment Reports
- d. Approval of Agreement with Brighton Area Schools to Collect Operating Property Taxes on the City's Summer 2020 Tax Bills
- e. Approval of Agreement with Livingston Educational Services Agency to Collect Operating Property Taxes on the City's Summer 2020 Property Tax Bills
- f. Approval of Agreement with Livingston County for Designated Assessor per Public Act 660
- g. [Appointment to Various Boards and Commissions](#)

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 Three-Year Professional Services Agreement Renewal with the Economic Development Council of Livingston County](#)
10. Discussion of 2021 Bond Program Outline and Consider Staff Direction

Other Business

11. Call to the Public
12. Adjournment



City Council Study Session

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
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This meeting was conducted electronically.

MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON NOVEMBER 19, 2020

Call to Order

Mayor Pipoly called the Study Session to order at 6:30 p.m.

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, Human Resources Manager Michelle Miller, Management Assistant Henry Outlaw, Police Chief Rob Bradford, DPS Superintendent Daren Collins, Denise Murray, Attorney Paul Burns, and Attorney Jeff Alber. There were two persons in the audience.

Call to the Public

Mayor Pipoly opened the Call to the Public at 6:31 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public at 6:32 p.m.

Discussion: Designated Assessor and Draft Inter-Local Agreement Related to PA 660

Director Gomolka opened discussion about the designated assessor with a brief overview of the intended purpose as it is part of a process to ensure that local units are in compliance with the statutory provisions of the AMAR to meet the minimum assessing requirements. Each county is required to enter into an interlocal agreement that designates the individual who would serve as the designated assessor. The City recently passed its audit, the designated assessor would only be utilized should the City fail to meet the requirements.

Attorney Burns added since the City of Brighton passed its audit with 100% accuracy and will not require an audit for another five years, utilizing the designated assessor most likely would not happen.

Councilmember Bohn asked if there is a cost to the service. Attorney Burns noted that there is a five-year agreement and payment would only be necessary if the designated assessor is utilized. Mr. Burns added the agreement is a formality, the City assessor is in good standing so it is unlikely the City would seek the services of the designated assessor.

Manager Geinzer relayed the agreement will come back to City Council for approval at the next City Council meeting.

~~Discussion: Assessing Field Software will discuss at a later date~~

Discussion: Temporary Parking

Councilmember Emaus began discussion noting a group of stakeholders, City Staff, and Councilmembers have met to discuss strategies to cultivate, sustain, and help business owners throughout the City of Brighton during COVID-19. One topic, in light of the recent shutdown, is to

create more temporary parking along Main Street to facilitate curbside/carry out service. The group is hoping to help merchants and reduce worry and anxiety over decreased business by increasing on street temporary parking for carry out and quick stops. The group would like to allocate fifty percent of parking along Main Street for temporary short term parking with a sunset and possible extension should it be needed.

City Council discussed particulars involved with quantity of spaces as well as the sunset and extension depending on the MDHHS dates or at least until the end of the year. It was determined that there should be temporary spaces along both Main Street and Grand River.

Business owner Steve Pilon stated he would appreciate at least fifty percent of parking be designated temporary but would prefer seventy-five percent although he assumed one hundred percent would be easier to police.

City Council would like to ensure business owners speak with their employees and ask that they leave parking on Main Street and Grand River for customers.

Attorney Burns noted the temporary parking is not enforceable because it is in opposition of the ordinance, unless there is a desire to amend the ordinance. Chief Bradford asked that the parking be in relation to crosswalks for accessibility.

Call to the Public

Mayor Pipoly opened the Call to the Public at 7:19 p.m.

Steve Pilon thanked City Council for their discussion and helping merchants during the shutdown. He further stated he is pleased with a fifty percent temporary parking allocation for curbside and carryout service.

Mayor Pipoly closed the Call to the Public at 7:17 p.m.

Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to adjourn the Study Session at 7:22 p.m. **The motion carried without objection by roll call vote.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



Brighton City Council Meeting

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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON NOVEMBER 19, 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, Human Resources Manager Michelle Miller, Management Assistant Henry Outlaw, Police Chief Rob Bradford, DPS Superintendent Daren Collins, Attorney Paul Burns, and Attorney Jeff Alber. There were two persons in the audience.

4. Consider Approval of the Agenda

Motion by Councilmember Emaus, seconded by Councilmember Tobbe 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 Mayor Pro Tem Gardner, seconded by Councilmember Pettengill 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 of November 5, 2020**
- b. **Approval of Minutes: Regular Session of November 5, 2020**
- c. **Approval to Amend the Existing Adoption Agreement for the MERS Defined Benefit (DB) Plan as Requested and Authorize the City Manager to Execute all Necessary and Related Documents**

Correspondence

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:34 p.m. Hearing and seeing no comment, Mayor Pipoly closed the Call to the Public at 7:34 p.m.

7. Staff Updates

Director Goch noted repairs on Grand River is moving along. Leaf pickup is continuing until the end of the month. The first round of utility reads in Pine Creek were conducted starting the week of November 9, 2020. The DPS is working split crews to ensure coverage of services and for the safety of employees.

Community Development Manager Caruso ensured residents the building department is open and is conducting business by email or drop box.

Director Gomolka relayed the City recently passed its five-year assessing audit with one hundred percent compliance.

Human Resources Manager Miller noted remote working requirements have been sent to employees, most clerical is working from City Hall and DPS is working split shifts to maintain compliance.

Clerk Brown stated the County Board of Canvassers have certified the November 3, 2020 election and the canvass was clean.

Management Assistant Outlaw reported the Patronicity campaign to fund holiday lights has raised \$8,500 so far, if anyone wishes to help fund the holiday lights, please visit patronicity.com/project/brighton_holiday_lights.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Councilmember Pettengill noted Cornerstone Church is sponsoring a drive through Thanksgiving Dinner, Wednesday, November 25, 2020 from 10:00 a.m. to 8:00 p.m. More information can be found on Cornerstone Church Facebook page or website. Simply Give program is back for donations more information can be found at Meijer for those who wish to participate

Mayor Pro Tem Gardner thanked City staff and leadership for working hard and keeping services as normal for the residents during the pandemic. Mayor Pro Tem Gardner was contacted by a resident who was concerned about the safety for the USPS employees who are out working during the evening. Ms. Gardner noted that she would bring it to the attention during the City Council meeting.

Councilmember Muzzin stated the Brighton Area Fire Authority November 12, 2020 virtually meeting and received a clean audit for year ending June 30, 2020 with rave reviews by Pfeffer, Hanniford, & Palka CPA's. The BAFA received an update on Station 33 and will be out to bid in January. Greg Mowbry, BAFA Chief of Training, recently graduated second out of forty-six in his class for Fire and Command at Eastern Michigan. The program is the gold standard for leadership and development in fire service.

Councilmember Emaus stated the Brighton Veterans Memorial Committee is continuing to sell and install pavers at the memorial. More information on how to obtain a paver can be found on the Committees website or Facebook page. The DDA approved advertising on WHMI to help local businesses within the DDA district. The Brighton Pass will benefit the nonprofit agencies in town.

Management Assistant Outlaw and Denise Murray from Ann Arbor SPARK have assembled a Shopping Pass program to bolster shopping throughout the City which will be distributed and benefit nonprofit agencies. More information to come as the program rolls out.

Mayor Pipoly noted the DDA voted to utilize Giffels Webster for the Main Street streetscape design project. The Brownfield Redevelopment Authority(BRA) reviewed a draft plan to move forward on a potential project, once approved by the BRA, the project plan will come to City Council for final approval. He thanked all for a monumental first year as Mayor, particularly City staff, management, and fellow Councilmembers for the support during this challenging year.

Public Hearing

9. Conduct a Public Hearing and Consider Adoption of Ordinance #594, Amending Chapter 78, Article III, Section 78-80, Snow Removal of the City of Brighton Code of Ordinances

Community Development Manager Caruso presented the newly crafted ordinance amendments to the Snow Ordinance and stated he is available for questions.

Mayor Pipoly opened the public hearing at 7:51 p.m.

Susan Bakhaus expressed her gratitude to City Council for extending snow removal time.

Mayor Pipoly closed the public hearing at 7:54 p.m.

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Tobbe to adopt ordinance #594, amending Chapter 78, article III, section 78-80, Snow Removal of the City of Brighton Code of Ordinances. **The motion carried without objection by roll call vote.**

New Business

10. Consider Awarding the bid for the Nelson Street Booster Station Replacement to Kennedy Industries Inc. in

the Amount of \$146,280.00, with a 10% Contingency, for a Total Cost not to Exceed \$160,908

Director Goch introduced the agenda item noting the amount requested is needed to procure equipment needed for the booster station.

Councilmember Bohn asked if the amount requested is for install as well. Director Goch stated the request is solely for equipment.

Mayor Pro Tem Gardner remarked her happiness to be ahead on this project and that the upgrade will be paid for by the developer of the Spring Hill development.

Motion by Councilmember Bohn, seconded by Councilmember Emaus to award the bid for the Nelson Street booster station to Kennedy Industries Inc. in the amount of \$146,280.00, with a 10% contingency, for a total cost not to exceed \$160,908. **The motion carried without objection by roll call vote.**

11. Discussion of Biennial Citizen Survey Results

Manager Geinzer stated City Council asked for the Survey results to be on the agenda and therefore City staff is available for clarification and to answer questions.

Mayor Pro Tem Gardner would like to investigate ways to encourage younger folks to participate in the survey as the segment of residents are not represented as much as others. The survey has a large percentage of homes with no children and those over 55 years old.

Councilmember Muzzin pointed out the results are from 2019 which is pre pandemic.

Councilmember Emaus noted the high number of folks with no interaction with City Council. Mr. Emaus is optimistic services like text messaging apps and the eNewsletter will strengthen communications with residents and would like to find more ways to reach residents.

Councilmember Pettengill stated that she was looking forward to a presentation of the survey findings.

Councilmember Emaus stated this type of discussion is best suited for a City Council retreat. He further expressed that the agenda item presented was to narrow the scope for City Staff to craft a detailed presentation for further discussion.

Manager Geinzer noted marijuana will need to be revisited at a future study session or retreat as per the City Councils direction. Mr. Geinzer stated an email will be sent to align schedules for a retreat.

12a. Consider Temporary Downtown Parking

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to enable City Staff to establish temporary parking on Main Street and Grand River adjacent to businesses up to fifty percent be temporary until January 10, 2020 in coordination with City Staff. **The motion carried without objection by roll call vote.**

Councilmember Pettengill asked how quickly signage can be placed to allow for temporary parking. Director Goch stated it may take a week to purchase the signage and bases.

Councilmember Emaus would like to volunteer to help place signage or provide help where needed.

Councilmember Pettengill also offered her help to facilitate sign placement and help as needed.

Other Business

12. Call to the Public

Mayor Pipoly opened the Call to the Public at 8:29 p.m.

Susan Bakhaus remarked, in response to citizen survey topic regarding marijuana businesses and a discussion at a recent DDA meeting, that some businesses may have a morality clause in their lease agreements.

Craig Wood spoke regarding walkability in Downtown Brighton.

Mayor Pipoly closed the Call to the Public at 8:32 p.m.

13. Adjournment

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Tobbe to adjourn the Study Session at 8:33 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 December 3, 2020

SUBJECT: CITY OF BRIGHTON PLANNING COMMISSION, BOARD MEMBER APPOINTMENT

ADMINISTRATIVE SUMMARY

Chuck Hundley is seeking appointment as a regular board member to the City of Brighton Planning Commission. Chuck is a graduate of Brighton High School and has been a resident of the City most of his life. He has forty-five years of experience in the construction industry as a Project manager, Superintendent, and Client Services. He has expressed a desire to become more involved in the City's community development, and as a long-time resident, believes he understands the challenges to keep moving forward, while preserving its character.

RECOMMENDATION

Staff has reviewed Mr. Hundley's application with Mayor Pipoly and met with the applicant. Together, it is our belief that he would be a welcome addition to the Planning Commission, and would serve with dedication and integrity. Mayor Pipoly is recommending Chuck Hundley's appointment to the City of Brighton Planning Commission.

Prepared by: Michael Caruso, Community Development Manager

Attachments: 1. Application letter
2. Resume

November 11, 2020
Mike Caruso
220 North First Street
Brighton, Mi 48116

Dear Mr. Caruso,

I hope this finds you well.

My name is Chuck Hundley. And I would like to express my interest in becoming involved in the City of Brighton Community Development.

Our family moved to the Brighton area in 1956. In the fall of 1967, we moved to downtown Brighton. Years later in the year 2000 my wife and I moved to 925 West Main ST. in Brighton. It was my passion for the city and the lifestyle in Brighton that helped us make our decision to move into town.

Being a 1972 graduate from Brighton High School I have seen a lot of change in the city. I'm a firm believer that communities need to change and grow.

In my role at Sachse Construction I've been fortunate to travel to hundreds of different communities across the country. I've seen the good and the not so good that communities have to offer.

I believe my background in the construction industry would be very beneficial.

Please consider me for a position on the committee.

Regards,

A handwritten signature in black ink, appearing to read "Chuck Hundley", with a long horizontal flourish extending to the right.

Chuck Hundley

Client Services





CHUCK HUNDLEY

Client Services



WHY CHUCK? // Over \$500,000,000 in retail spaces built // Over 1,500,000 SF in retail work completed // Worked with over 200 brands

ROLE AND RESPONSIBILITIES

Chuck Hundley has over 45 years of experience in the construction industry as a Project Manager, and Superintendent, and his extensive experience with retail, airport, and restaurants has made him a versatile and valuable member of our team. Chuck served as President of the Carpenter's Union, and headed their apprenticeship program as well. He currently acts as Client Services and has successfully overseen many challenging, high-profile projects. It is his logistical approach and commitment to the bottom-line, combined with his keen instincts for developing strategic alliances with clients, business partners, trade partners, regulatory agencies and on-site construction personnel that have proven critical to his success. Responsibilities include:

- Managing the day to day operational and tactical aspects of all retail construction projects
- Overseeing retail tenant coordinators, superintendents, and project managers
- Leading retail project team including recruiting, hiring, training, and supervising
- Communicating clearly and effectively with clients
- Assembling and upkeeping project scheduling

EDUCATION + EXPERIENCE

45 Years of Experience
Journeyman Carpenter

CREDENTIALS

OSHA 30-Hour, CPR & First Aid

AFFILIATIONS

International Council of Shopping Centers (ICSC), Chain Store Age (CSA), National Retail Federation (NRF), Retail Contractor's Association (RCA), SPECS

SELECT CLIENTS

Chuck has worked with hundreds of retail clients throughout his career. The below list highlights select clients:

- | | | | |
|-------------------|-----------------|-------------------------|-------------------------|
| • Amazon Books | • Givenchy | • Moosejaw | • Swarovski |
| • Banana Republic | • Golden Goose | • Nike | • Tapper's Fine Jewelry |
| • Brooks Brothers | • Gucci | • Omega | • Tesla |
| • Calzedonia | • Howard Hughes | • Pandora | • The Taubman Company |
| • Club Monaco | • Hugo Boss | • Pottery Barn | • The Forbes Company |
| • Converse | • Intimissimi | • Restoration Hardware | • Tiffany & Co. |
| • David Yurman | • Jimmy Choo | • Robert B. Aikens | • Tory Burch |
| • Emporio Armani | • L.L.Bean | • Salvatore Ferragamo | • Tumí |
| • Estée Lauder | • Louis Vuitton | • Shinola | • Versace |
| • GAP | • MAC | • Soft Surroundings | • Warby Parker |
| • Giorgio Armani | • MaxMara | • Starwood Retail Group | • Whole Foods Market |



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

December 3, 2020

SUBJECT: THREE-YEAR PROFESSIONAL SERVICES AGREEMENT RENEWAL WITH THE ECONOMIC DEVELOPMENT COUNCIL OF LIVINGSTON COUNTY

ADMINISTRATIVE SUMMARY

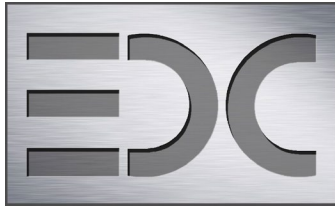
- The City has contracted with the Economic Development Council of Livingston County for Economic Development Services since 2012.
- The EDC contracts with Ann Arbor SPARK for staff and administrative support. A Livingston County Office is staffed and housed at the Brighton Area Chamber of Commerce building.
- Through SPARK Staff, the EDC provides a menu of services including, but not limited to, marketing materials and data, assistance with development incentives, and business retention and recruitment activities. These services are focused largely on industrial and research and development sectors.
- The proposed agreement is for a period of three (3) years, which is a rollback to the contract amounts in 2018, as follows:
 - 2021: \$8,932.00
 - 2022: \$9,065.98
 - 2023: \$9,201.97
- Funds are budgeted in the 2020/21 budget and are reflected in the City's current financial forecast for years two and three of the agreement.

RECOMMENDATION

It is the recommendation of staff that City Council approves and authorizes the City Manager to execute the three (3) year "Service Agreement with the Economic Development Council of Livingston County" renewal as proposed.

Prepared &

Approved by: Nate Geinzer, City Manager



ECONOMIC DEVELOPMENT COUNCIL OF LIVINGSTON COUNTY

November 11, 2020

Nate Geinzer
City Manager
City of Brighton
200 N 1st St
Brighton, MI 48116

RE: Contract Extension between the Economic Development Council of Livingston County (EDCLC) & the City of Brighton

Dear Mr. Geinzer,

Thank you for your ongoing support of the Economic Development Council of Livingston County (EDCLC). We are grateful for City of Brighton's financial support of the EDCLC, and benefit from your active participation on the board. As the EDCLC prepares to renew our agreement with Ann Arbor SPARK, I am reaching out to ask that the city consider its continued participation and financial commitment to the EDCLC. Through our partnership with Ann Arbor SPARK, staff collaborates with business, academic, government and community investor partners to promote healthy business retention and growth in the county and region.

We are looking forward to another renewed relationship between the EDCLC and City of Brighton. We have attached a draft agreement for 2021-2023 for your review. Ann Arbor SPARK has graciously proposed a rollback of dues for municipal partners back to the 2018-2020 structure. The proposed 2021 dues will be rolled back to 2018 structure with a 1.5% annual inflator. Investments requested for the city are as follows:

- 2021 Investment: \$8,932.00
- 2022 Investment: \$9,065.98
- 2023 Investment: \$9,201.97

It has been an unprecedented year for our local businesses. Despite everyone's remote working status, SPARK staff expanded their work on behalf of the EDCLC to support all businesses in Livingston County impacted by COVID-19. For example, SPARK's work locally and leadership regionally helped to expedite the disbursement of more than \$1.6 million of relief funds to small businesses in the county impacted by the pandemic. The COVID-19 dashboard attached shares more on our efforts in Livingston County during the pandemic.

The EDCLC firmly believes the importance in keeping leveraging our partnership with SPARK and their work to support our local economy as we move through this pandemic and businesses continue to see uncertain times. We do not want to lose our ability to see resources and referrals be distributed quickly,



ECONOMIC DEVELOPMENT COUNCIL OF LIVINGSTON COUNTY

while remaining a strong point of contact to the county's industrial sector to work strategically and collaboratively for existing businesses as well as future opportunities.

We would appreciate the opportunity to speak with you further about our work and looking ahead to 2021-2023. Please let us know if we can arrange a time to share more information with your elected board or other stakeholders.

Thank you for your time and consideration, and your continued support.

Sincerely,

Michael Archinal, Economic Development Council of Livingston County Board Chair

CC:
EDCLC Board of Director's Executive Committee

Enclosures

**SERVICE AGREEMENT WITH ECONOMIC DEVELOPMENT
COUNCIL OF LIVINGSTON COUNTY**

THIS AGREEMENT, made and entered into this _____ day of _____, 2020 between the City of Brighton, a Michigan Municipal Corporation, having its offices at 200 N 1st St, Brighton, Michigan hereinafter referred to as the "City", and the ECONOMIC DEVELOPMENT COUNCIL OF LIVINGSTON COUNTY, a Michigan non-profit corporation, having its registered office at 218 East Grand River Avenue, Brighton, Michigan, hereinafter referred to as the "EDC."

WHEREAS, in the current economic climate skilled worker shortages and static tax bases are problems which are faced by many counties in Michigan; and

WHEREAS, a coordinated effort on the part of citizens and institutions in Livingston County is desirable in order to solve the above problems and create employment, industrial expansion and to promote the economic well-being and development of Livingston County and of the City of Brighton; and

WHEREAS, the EDC has been formed for the purpose of developing jobs and promoting the economic development of Livingston County through the cooperation and participation of interested private and public organizations in the City and the County; and

WHEREAS, a coordinated approach to the development of employment and the promotion of economic development for Livingston County will aid the City of Brighton in its own economic development;

NOW, THEREFORE, for considerations recited herein, the parties agree as follows:

1. The EDC shall act as City's non-exclusive agent with respect to economic development projects in and for the for purposes of promoting both the retention and economic expansion of local business and employment currently located within the City as well as establishing new businesses and employment within the City of Brighton. The EDC will renew its contract services agreement with Ann Arbor SPARK to provide business retention, expansion and attraction services for three years beginning January 1, 2021.

2. The EDC will review City development policies, procedures and zoning ordinances and offer recommendations to the City to enhance R & D or industrial development of the type and nature sought by the City Council and conveyed to the EDC by the City representative, Nate Geinzer.
3. The EDC will prepare focused marketing material to highlight the key demographics and attributes of the City that will be used to introduce the City to EDC's targets and contacts.
4. The EDC will apply their extensive experience and knowledge of incentives and their practical applications and work with City staff to craft development of programs and recommendations that will benefit both private and public sectors for the encouragement of new investment. EDC will also assist the City with any agreements relating to the private and public sector investment.
5. The EDC will visit existing companies to identify their needs and ensure their retention. In addition, the EDC will consult with City staff and/or designated officials to identify attraction targets that will meet the long term needs of the City as identified.
6. The EDC will actively recruit targets supported by all available resources. Recruitment efforts will be through personal contact, mail, email, economic development events, and industry contacts continually throughout the term of this contract.
7. When it becomes apparent a relocation in the City is imminent, EDC agrees that it will coordinate, facilitate and mediate meetings with the City and the potential target in order to expedite the closing of the transaction.
8. The EDC will provide quarterly updates to the City detailing the economic development services provided each quarter. Quarterly reports will identify all companies visited and report on the EDC's progress toward set goals and potential targets. In addition, these reports will provide partners with updated data and demographics.
9. Amendments to the Scope of Services may be made as necessary, provided that such amendments are agreed to in writing by both parties.
10. The City of Brighton agrees to pay to the EDC an amount not to exceed \$8,932.00 in 2021, \$9,065.98 in 2022, and \$9,201.97 in 2023; on or before April 15th of each year, for services furnished under this Agreement to be rendered for the calendar year to the City by the EDC which shall specifically report, with documentation, whatever services have been performed and whatever expenses have been incurred on behalf of the City by the EDC for economic development in and for the City in accord with the terms of this agreement.
11. The EDC agrees to keep books, records and accounts which will accurately reflect and document the disposition of all funds coming into and disbursed by the EDC as a result of this Agreement, to make the same available for inspection by the City of Brighton during normal business hours.

12. The EDC agrees to hold the City of Brighton harmless from any and all liability which might result from its activities, and the EDC further agrees to carry such liability insurance naming the City of Brighton as additional insured, as the City of Brighton shall deem necessary to insure protection of the City of Brighton from any and all liability.

13. Within ninety (90) days after the end of the EDC's fiscal year the EDC shall submit to the City of Brighton a final written statement for all work and services performed under this Agreement. All data and work product related to the activities of the EDC and utilized or developed in performance of work in and for the City of Brighton shall become the property of the City of Brighton upon termination of this Agreement.

14. Both parties agree that this Agreement is subject to all applicable ordinances, resolutions and rules of the City of Brighton, Livingston County, and the State of Michigan.

15. The City of Brighton shall have the right to review any and all documents or reports as outlined above that are required to be submitted by EDC or its agents. If, at the end of the second year of this Agreement, the City in its sole discretion determines the said documents and records have not been submitted to their satisfaction, or if EDC otherwise fails to produce the said documents and records, the City may, at its option, terminate this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESSES:

City of Brighton

Nate Geinzer, City Manager

Tara Brown, City of Brighton Clerk

**ECONOMIC DEVELOPMENT COUNCIL
OF LIVINGSTON COUNTY**

Mike Archinal, EDC Chair

Ronald Long, EDC Vice-President