



# 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 FEBRUARY 18, 2021

### Minutes

#### 1. Call to Order

Mayor Pipoly called the Regular 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, all of whom disclosed their locations of City of Brighton, County of Livingston, State of Michigan. 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, DPS Superintendent Daren Collins, DPS Compliance Officer Josh Bradley, Police Chief Rob Bradford, Tetra Tech Engineer Steve Magnan, and Attorney Paul Burns. There were seven persons in the audience.

#### 4. Consider Approval of the Agenda

**Motion** by Councilmember Pettengill, seconded by Councilmember Bohn to approve the agenda as amended, deleting item 10, moving item f to New Business, and combining the closed sessions. **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 revised consent agenda items. **The motion carried without objection by roll call vote.**

##### Consent Agenda Items

- a. Approval of Minutes: Special Retreat Sessions of January 26, 27, & 28, 2021
- b. Approval of Minutes: Study Session of February 4, 2021
- c. Approval of Minutes: Regular Session of February 4, 2021
- d. Approval of Minutes: Closed Sessions of February 4, 2021
- e. Approval of Reappointment to the City of Brighton Arts and Culture Commission
- ~~f. Approval of Texting Services Agreement with RAVE Mobile Safety (moved to New Business)~~
- g. Approve the Issuance of a Purchase Order to NOAR Technologies in the Not to Exceed Price of \$20,000.00 a Police Department Drone and All Peripheral Equipment
- h. Approve Amending a Purchase Order for Police Department HVAC and the Related Budget Amendment
- i. Approve the Purchase of a Cold Patch Machine from Falcon Asphalt Repair Equipment in the Amount of \$24,015.57

##### Correspondence

#### 6. Call to the Public

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

Susan Bakhaus asked to clarify items on the agenda listed as items 12.

Hearing and seeing no additional comment, Mayor Pipoly closed the Call to the Public at 7:38 p.m.

**Motion** by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to number the second agenda item 12 as 12a. **The motion carried by roll call vote, with Councilmember Muzzin voting no.**

## **7. Staff Updates**

Director Goch remarked that he has been busy with bid openings with more coming up therefore City Council will see several items on the agenda soon such as parking lot repairs, tree trimming, and other items.

Director Gomolka was happy to report that the City of Brighton was just awarded a CTG grant for safety measures in an amount of \$17,445.67 with the potential of more grants coming soon.

## **8. Updates from Councilmember Liaisons to Various Boards and Commissions**

Mayor Pro Tem Gardner reported the Brighton Arts and Culture Commission was presented with the new concept for the CEC by Assistant to the City Manager Henry Outlaw. Overall the feedback from the Commission was favorable.

Councilmember Pettengill and the ZBA met to discuss and ultimately grant a variance at 1101 Rickett Road. Ms. Pettengill thanked Director Goch and his team for all their work during the snow storm.

Councilmember Bohn asked Director Gomolka about an assessment issue with a neighbor and the most recent increase in the assessment. Director Gomolka stated that she will look into the exact address and email Councilmember Bohn.

Councilmember Muzzin stated the Brighton Area Fire Authority met on February 11, 2021 to establish a two-person committee to vet new attorneys. The Station 33 a site plan is slated to be presented to the next Brighton Township Planning Commission meeting in March for approval. Mr. Muzzin also noted that BAFA has also discussed the transfer of ownership of the Grand River station similar to the Genoa Township fire stations that have been transferred to BAFA. Councilmember Muzzin stated the Webber Road station is owned by BAFA.

Councilmember Emaus noted the Brighton Veterans Memorial Committee has not met; however, he asked that all who are interested in donating to a great cause visit [www.greatbikegiveaway.com/chuckschulke](http://www.greatbikegiveaway.com/chuckschulke). Chuck Schulke is a young boy who has autism, this fundraiser is to generate funds for Chuck to receive a specially made bike.

Mayor Pipoly stated the DDA discussed Put Your Town on the Map grant and the Streetscape strategy for marketing to assure customers that the merchants are open on Main Street during construction.

## **New Business**

### **8a. Approval of Texting Services Agreement with RAVE Mobile Safety**

Councilmember Pettengill asked for this item to be moved from the Consent Agenda and for the motion to include a dollar amount.

**Motion** by Councilmember Pettengill, seconded by Mayor Pro Tem Gardner to approve texting services agreement with RAVE Mobile Safety for a total of \$3,600.00 per year for five years. **The motion carried without objection by roll call vote.**

## **9. Consider Approval of Tetra Tech Scope of Work for Bidding and Construction Engineering for the Northwest Neighborhoods Project**

Director Goch began the discussion of the agenda item noting the intention is to start the project in May of this year. This agenda item will enable Tetra Tech to begin the bidding process and construction engineering for the Northwest Neighborhoods project after two years of working with residents, City Council, and CSX with the design.

Councilmember Bohn asked if a contingency should be added in light of other projects going over the amount approved. Mr. Magnan assured City Council that he has been assigned to oversee the project and to confirm that engineering and survey work is accurate. Director Goch stated the price for engineering has been discussed at length and feels confident that the requested amount is accurate.

Councilmember Tobbe asked about the intentions for dewatering in light of the lengthy time it took to dewater the 2nd Street Project.

**Motion** by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve of the Tetra Tech scope of work for bidding and construction engineering services for Phases One, Two, and Three of the Northwest Neighborhoods Street Reconstruction Project in an amount not to exceed \$742,000. **The motion carried without objection by roll call vote.**

~~10. Consider Staff Direction Regarding Postponing the Rickett Road Phase 2 Construction Project Until the 2022 Construction Season Due to Recently Secured MDOT Funding (deleted)~~

**11. Consider Approving and Extending the 2019 Sidewalk Maintenance Program Contract Pricing from Rotondo Construction for the 2021 construction season**

Director Goch introduced the agenda item by stating the extension of the contract pricing from 2019 from Rotondo Construction to continue sidewalk maintenance.

Mayor Pro Tem Gardner remarked about the fantastic job Rotondo did last summer and hopes that they will continue the excellent work this summer.

Councilmember Pettengill asked where the focus would be this season. Director Goch said the focus would be in the north east Grand River area near Church Street and Nelson Street. Ms. Pettengill asked if there is a completion list or a percentage of repairs that have been completed to better judge the progress. Director Goch stated about twenty-five percent of the needed repairs have been completed.

Councilmember Bohn noted his concern about continuing to borrow from the next fiscal year and would recommend that instead of borrowing from the next fiscal year, a budget amendment is made to keep the funds in the same fiscal year.

Manager Geinzer noted the agenda item is only to extend the contract pricing and not to approve work to be done. Funding will be discussed during the approval of the repair that will be brought back to City Council; however, if Council wishes, clarification can be added to the motion.

**Motion** by Councilmember Bohn, seconded by Councilmember Emaus approval to extend the 2019 Sidewalk Maintenance Program contact pricing from Rotondo Construction for the 2021 construction season and any construction work that takes place in this fiscal year be funded by a budget amendment with an allocation from the General Fund. **The motion carried without objection by roll call vote.**

**12. Consider Entering into Closed Session Regarding Pending Litigation Pursuant to MCL 15.268(e) and to Receive Written Attorney-Client Privileged Communication Pursuant to MCL 15.268(h)**

**Motion** by Mayor Pro Tem Gardner to enter into closed session regarding pending litigation pursuant to MCL 15.268(e) and to receive written attorney-client privileged communication pursuant to MCL 15.268(h) at 8:25 p.m. **The motion carried without objection by roll call vote.**

**12a. Consider Possible Action Resulting from Closed Session**

No action taken.

**13. Consider Approval of Issuing a Request for Qualifications for Municipal Attorney Services and Appointing a**

**City Council Task Force to Vet Finalists for City Council Interviews**

Mayor Pipoly began discussions by relaying that City Attorney Paul Burns has submitted a letter of resignation. Manager Geinzer noted his willingness to help in any capacity City Council should require during the process.

Mayor Pro Tem Gardner and Councilmember Pettengill are in favor of appointing a task force to seek qualifications. Councilmember Pettengill recommended Councilmembers Emaus and Bohn to the task force.

Councilmember Bohn asked not to be appointed to the task force and recommends the same task force that was charged with seeking new labor counsel.

Councilmember Muzzin thanked Attorney Burns for his forty years of dedication to the City and asks that Councilmember Emaus and Mayor Pipoly be on the task force; however, he does not wish to be on the task force. Further Councilmember Muzzin asked that City staff be a part of the process as they work closely with the attorneys.

Councilmember Tobbe stated that he is sad to see Attorney Burns retire and remarked that he is willing to serve on the task force.

Councilmember Emaus stated he is willing to serve on the task force and believes that the process should be led by City Council however would ask that anyone in the City with input for City Attorney, give their recommendation.

**Motion** by Councilmember Bohn, seconded by Councilmember Pettengill to issue a request for qualifications for municipal attorney services and appointing a City Council task force of Mayor Pipoly and Councilmember Emaus and Tobbe to bring back a list of qualified candidates and to vet finalists for City Council interviews. **The motion carried without objection by roll call vote.**

**Other Business**

**14. Call to the Public**

Mayor Pipoly opened the Call to the Public at 9:18 p.m.

Susan Bakhaus questioned why City Council was not aware of the funding source for the previous sidewalk projects as it relates to item 11 from the agenda.

Mayor Pipoly closed the Call to the Public at 9:20 p.m.

Manager Geinzer noted the funding source of the City sidewalk project was clearly listed in the City Manager Report to City Council when the item was approved.

~~**15. Consider Entering into Closed Session to Receive Written Attorney-Client Privileged Communication Pursuant to MCL 15.268(h) (combined with item 12)**~~

**16. Consider Possible Action Resulting from Closed Session**

No action taken.

**17. Adjournment**

**Motion** by Councilmember Muzzin, seconded by Councilmember Emaus to adjourn the meeting at 9:20 p.m. **The motion carried without objection by roll call vote.**

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