



Brighton City Council Meeting

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.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.

*****REVISED***Regular Meeting
November 18, 2021 – 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 October 21, 2021](#)
- b. Approval of Minutes: [Regular Session of October 21, 2021](#)
- c. Approval of Minutes: Closed Session of October 21, 2021
- d. Approval of Minutes: [Special Biennial Election Meeting of November 8, 2021](#)
- e. [Approval of a Request for Extension to the 60 Day Deadline for Planning Commission Response on Draft Zoning Ordinance for Marijuana to 75 Days](#)

Correspondence

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

New Business

9. Consider Possible Direction Resulting from Closed Session
10. [Approve Tetra Tech Engineering Services Proposal for America's Water System Risk and Resiliency Assessment and Emergency Response Plan at a Cost Not to Exceed \\$8,100](#)
11. Consider Approval of Applications for Social District License by Qualified Businesses
 - a) [Consider Approval of Resolution #2021-27, Approval of Social District License Application for Champs Pub](#)
 - b) [Consider Approval of Resolution #2021-28, Approval of Social District License Application for El Arbol](#)
 - c) [Consider Approval of Resolution #2021-29, Approval of Social District License Application for Single Barrel Social](#)
 - d) [Consider Approval of Resolution #2021-30, Approval of Social District License Application for The Pound](#)
12. [Consider Approval of the Changes to the 2021 Holiday Glow Civic Event, Specifically Increasing the Road Closure of Main Street from Grand River to First Street and Extending the Event Time to 11 am to 7 pm](#)
13. [Consider Affirmation of Beginning Civic Event Fee Phase In in 2022, Which had Been Previously Postponed](#)
14. [Discussion and Consider Staff Direction to Prepare Amendments to the Ordinance Related to Restructuring Brighton Arts & Culture Commission and Establishing a Community Enrichment Fund](#)

15. Discussion and Consider Staff Direction Regarding City Council and Staff Training with the City Attorney
16. Discussion and Consider Staff Direction Regarding the Upcoming Annual City Council Retreat

Other Business

17. Call to the Public
18. Adjournment



City Council Study Session

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

MINUTES OF THE STUDY SESSION OF THE BRIGHTON CITY COUNCIL HELD ON OCTOBER 21, 2021

1. Call to Order

Mayor Pipoly called the study session to order at 6:30 p.m.

2. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Pettengill, and Tobbe. Councilmember Muzzin was absent.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPS Director Marcel Goch, Attorney Sarah Gabis, Assistant to the City Manager Henry Outlaw, Human Resources Manager Michelle Miller, Chief Rob Bradford, and Sergeant Brent Pirochta. There were ten persons in the audience.

3. Consider Approval of the Agenda

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

4. Call to the Public

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

5. Discussion: American Rescue Plan Act (ARPA)

Finance Director Gomolka provided a detailed overview on the American Rescue Plan Act (ARPA), specifically discussing disallowable uses and eligible uses for the fund within the City of Brighton. Director Gomolka also relayed which departments could benefit most. Investing in water and sewer infrastructure was targeted as the best use given the aging system and current immediate needs.

6. Call to the Public

Mayor Pipoly opened the Call to the Public at 7:14 p.m. Hearing and seeing no comment, the Call to the Public was closed.

7. Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Pettengill to adjourn the meeting at 7:14 p.m. **The motion carried without objection.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



Brighton City Council Meeting

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON OCTOBER 21, 2021

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, Mayor Pro Tem Gardner, Councilmembers: Bohn, Emaus, Pettengill, and Tobbe. Councilmember Muzzin was absent.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPS Director Marcel Goch, Assistant to the City Manager Henry Outlaw, Human Resources Manager Michelle Miller, Attorney Sarah Gabis, Attorney Greg Shultz, Chief Rob Bradford, and Sergeant Brent Pirochta. There were ten persons in the audience.

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

4. Consider Approval of the Agenda

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to approve the agenda moving item g from the consent agenda to new business as item 11a. **The motion carried without objection.**

5. Consider Approval of Consent Agenda Items

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

Consent Agenda Items

- a. Approval of Minutes: Special Retreat Meeting of October 2, 2021
- b. Approval of Minutes: Study Session of October 7, 2021
- c. Approval of Minutes: Closed Session of October 7, 2021
- d. Approval of Minutes: Regular Session of October 7, 2021
- e. Approval of Sidecar Slider Bar Redevelopment Liquor License, Resolution #2021-22 and Resolution #2021-23
- f. Consider Approval of Budget Amendment to Transfer Funds Back to the General Fund for Sidewalk Improvements Not Completed in 2020-2021
- ~~g. Appointments to Various Boards and Commissions (moved to New Business)~~
- h. Acceptance of the Pension and OPEB Reporting Under Public Act 202 of 2017
- i. Approval of a Budget Amendment for the 2021/2022 Police Millage Fund in the Amount of \$5,121 from Fund Balance to Cover the Cost of Replacing a Furnace at the Police Department that was Approved by Council During the Last Fiscal Year
- j. Cancellation of Scheduled November 4, 2021 City Council Meeting

Correspondence

6. Call to the Public

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

7. Staff Updates

Director Goch provided an update on the Northwest Neighborhoods construction project, noting sanitary and storm water should be completed during the end of October. Rickett Road water and storm water has been completed; pavement will be laid during the first week of November. The Nelson Street booster station is projected to be completed early next year.

Assistant Outlaw stated the signage for social district boundaries are out, red arrows indicate the patron is leaving the social district while green arrows indicate the patron is entering the district.

Chief Bradford stated Saturday, October 23, 2021 is drug take back day from 10:00 a.m. to 2:00 p.m. However, the red barrel located next to the front doors at the Police Department is always available.

Clerk Brown noted the November 2, 2021 election is quickly approaching, all voters who have an absentee ballot should return them before 8:00 p.m. on election night. It is advised to forego mailing the ballots but to drop them off at City Hall in one of the three drop boxes or hand deliver. Those who wish to vote in person can find polling location information on the City website or by contacting the City Clerk. Also, the City Clerk is holding special Saturday hours on October 30, 2021 from 8:00 a.m. to 4:00 p.m., to register residents or issue and receive absentee ballots.

8. Updates from Councilmember Liaisons to Various Boards and Commissions

Mayor Pro Tem Gardner noted the Brighton Arts & Culture Commission met on October 12, 2021 to consider the therapy dog memorial statue donation.

Councilmember Bohn noted the Planning Commission met on October 18, 2021 to discuss a site plan extension for DTN.

Councilmember Pettengill was happy to report a new addition to the Imagination Station is the Quinn Johnson climbing wall. The climbing wall took two days to install with the help from twenty children. The climbing wall is quite large, standing over 12 feet tall.

Councilmember Emaus stated the Brighton Veterans Memorial Committee met earlier in October for ongoing Veterans Day Parade planning. The parade will be on Saturday, November 6, 2021 starting at 11:00 a.m. Local Veterans as well as three City staff Veterans and two Brighton Area Fire Authority Veterans will be honored at the ceremony at the AMP.

Mayor Pipoly noted the Downtown Development Authority met on October 19, 2021 and approved digital promotional services from TwoSix Digital and approved holiday lighting services from Michigan Master Landscape.

Councilmember Muzzin noted the Brighton Area Fire Authority met on October 14, 2021 and discussed Station 33 construction update and lease agreements.

Mayor Pipoly attended a Lions Club meeting where 30-35 members met with a 37-year-old woman named Jamie Barron who is legally blind. The Lions Club paid for Ms. Barron's special telescopic biopic lens for her glasses.

9. Receive Annual Audit Report and Presentation

Tim St. Andrew and Tyler Luce, from Plante Moran presented the findings from the 2020-2021 audit for the City of Brighton. The City, again, received an unmodified opinion which is a clean opinion.

Public Hearing

10. Conduct a Public Hearing and Consider Adoption of Proposed Ordinance Number 598: Code of Ethics Amendments to Chapter 43 of the City of Brighton Code of Ordinances, Resolution #2021-24

Mayor Pipoly opened the public hearing at 8:21 p.m. Hearing and seeing no comment, the public hearing was closed.

Motion by Councilmember Emaus, seconded by Mayor Pro Tem Gardner to adopt ordinance number 598: Code of Ethics Amendments to Chapter 43 of the City of Brighton Code of Ordinances, Resolution #2021-24. **The motion carried without objection by roll call vote.**

New Business

11. Consider Approval of Site Plan 21-16, Scooters Coffee Drive Thru, 910 W. Grand River

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve of site plan 21-16, Scooters Coffee Drive Thru, 910 W. Grand River. **The motion carried without objection.**

11a. Appointments to Various Boards and Commissions

Councilmember Bohn questioned why Councilmember Muzzin should be appointed rather than a continuing Councilmember. Mayor Pipoly relayed that Council may appoint those who are not on City Council.

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to reappoint Shawn Pipoly and Jim Muzzin to the Brighton Area Fire Authority as recommended by Mayor Pipoly. **The motion carried with Councilmember Bohn voting no.**

12. Consider Approval of Resolution #2021-26 to Accept the Caesar Memorial Statue Donation from Brighton Area Schools

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve of resolution #2021-26 to accept the Caesar Memorial Statue Donation from Brighton Area Schools. **The motion carried without objection by roll call vote.**

13. Consider Adoption of Resolution #2021-25 to Adopt City of Brighton Public Meeting Procedures

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to adopt resolution #2021-25 to adopt City of Brighton Public Meeting Procedures. **The motion carried without objection by roll call vote.**

14. Consider Award of Bid for Backwash Basin Rehabilitation to Myers Excavating in an Amount Not to Exceed \$34,000, with a Budget Transfer of \$44,000 from the Utilities Fund Fund Balance to the Utilities CIP Fund for a Total Project Cost Not to Exceed \$114,000.

Motion by Councilmember Emaus, seconded by Councilmember Tobbe to award the bid for backwash basin rehabilitation to Myers Excavating in an amount not to exceed \$34,000, with a budget transfer of \$44,000 from the Utilities Fund fund balance to the Utilities CIP Fund for a total project cost not to exceed \$114,000. **The Motion carried without objection.**

15. Consider Approval of City Manager's 2021/22 Budget Amendment Recommendations

Motion Councilmember Emaus, seconded by Councilmember Bohn to approve of a budget amendment transferring an additional \$750,000 from the City's General Fund fund balance to increase the Fiscal Year 2021/2022 General Fund contribution to the MERS Pension plan to \$1,250,000. **The motion carried without objection.**

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Emaus to approve of necessary budget amendment to facilitate the implementation of a one-time performance pay to all regular full and part time employees, with the exception of the City Manager, in the approximate amount of \$60,000 as outlined. **The motion carried by roll call vote with Councilmember Bohn voting no.**

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to approve the transfer \$18,250 from the City's General Fund Balance to the Police Department Budget for the purpose of adding a new Police Officer Position creating a temporary staffing overlap in perpetration of an anticipated retirement. **The motion carried without objection.**

Other Business

16. Call to the Public

Mayor Pipoly opened the Call to the Public at 10:05 p.m.

Susan Bakhaus noted various concerns she has with the City.

Mayor Pipoly closed the Call to the Public at 10:06 p.m.

17. Consider Entering Closed Session to Receive Written Attorney-Client Privileged Communications Pursuant to MCL 15.268(h)

Motion by Councilmember Emaus, seconded by Councilmember Tobbe to enter into closed session to receive written attorney-client privileged communications pursuant to MCL 15.268(h) at 10:09 p.m. **The motion carried without objection by roll call vote.**

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to resume the regular meeting at 10:32 p.m. **The motion carried without objection.**

18. Consider Approval of City Manager Compensation Task Force Recommendations

Motion by Mayor Pro Tem Gardner, seconded by Councilmember Pettengill to approve of City Manager Compensation Task Force recommendations and to execute the contract between the City Manager and the City of Brighton. **The motion carried without objection.**

19. Adjournment

Motion by Councilmember Tobbe, seconded by Councilmember Emaus to adjourn the meeting at 10:43 p.m. **The motion carried without objection.**

Tara Brown, City Clerk

Shawn Pipoly, Mayor



Brighton City Council Meeting

City Hall Council Chambers • 200 N First St. • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncity.org

MINUTES OF THE SPECIAL BIENNIAL ELECTION MEETING OF THE BRIGHTON CITY COUNCIL HELD ON NOVEMBER 8, 2021

1. Call to Order

Mayor Pipoly called the special biennial election meeting to order at 8:00 p.m.

2. Pledge of Allegiance

3. Roll Call

Present were Mayor Pipoly, Mayor Pro Tem Gardner, Councilmembers: Bohn, Muzzin, Councilmembers-elect Emaus, Pettengill, Tobbe, and Albert.

Staff Present: City Manager Nate Geinzer, City Clerk Tara Brown, Finance Director Gretchen Gomolka, Community Development Manager Mike Caruso, Assistant to the City Manager Henry Outlaw, Attorney Sarah Gabis, and Chief Rob Bradford. There were ten persons in the audience.

4. State of the City

Mayor Pipoly gave the State of the City address, see attached.

5. Mayoral Proclamation

Mayor Pipoly presented a Mayoral Proclamation to James Muzzin for his dedication and service to the City.

James Muzzin thanked fellow Councilmembers and Staff for their support, dedication, and hard work.

6. Oaths of Office of New/Re-Elected Council Members

Clerk Brown administered oaths of office to newly and re-elected Councilmembers Albert, Emaus, Pettengill, and Tobbe.

7. Nomination and Election of Mayor

Manager Geinzer asked for nominations for Mayor. Councilmember Pipoly nominated Jon Emaus for Mayor. Councilmember Pettengill nominated Kristoffer Tobbe for Mayor.

City Council discussed in detail each of their decisions for their chosen candidate for Mayor.

There being no further nominations, ballots were distributed, voted, and read aloud.

The result was four votes for Kristoffer Tobbe and three votes for Jon Emaus.

Clerk Brown administered the oath of office to Mayor Tobbe.

8. Nomination and Election of Mayor Pro Tem

Mayor Tobbe assumed the Chair and asked for nominations for Mayor Pro Tem. Councilmember Emaus nominated James Bohn, Councilmember Albert nominated Jon Emaus, Councilmember Jon Emaus nominated Renee Pettengill, Councilmember Albert nominated Susan Gardner, Councilmember Albert nominated Shawn Pipoly. Councilmember Pettengill, Councilmember Emaus, Councilmember Pipoly, and Councilmember Gardner decline their nominations.

After much discussion, ballots were distributed, voted, and read aloud.

The result was a unanimous vote for James Bohn for Mayor Pro Tem. Clerk Brown administered the

oath of office to Mayor Pro Tem Bohn.

9. Call to the Public

Mayor Tobbe opened the Call to the Public at 9:03 p.m.

James Muzzin noted that he will be happy to read War and Peace during the five-minute Calls to Public.

Ken Schmenk spoke against the recent Republican defund the police mailer that was sent from the Livingston County Republican Party that highlighted five City of Brighton non-partisan candidates.

Carrie Pipoly thanked all Councilmembers and staff for the support while Shawn Pipoly was Mayor. She spoke about the enormous time commitment being a Mayor was and asked that those newly elected in office understand the commitment.

Kate Lawrence thanked Mayor Pipoly and Mayor Pro Tem Gardner for their service. She also cautioned those in office of the large time commitment being Mayor and Mayor Pro Tem take to keep the community growing and thriving.

10. Adjournment

Motion by Councilmember Gardner, seconded by Councilmember Emaus to adjourn the meeting at 9:11 p.m. **The motion carried without objection.**

Tara Brown, City Clerk

Kristoffer Tobbe, Mayor



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

November 18, 2021

SUBJECT: CONSIDER APPROVAL OF A REQUEST FOR EXTENSION TO THE 60 DAY DEADLINE FOR PLANNING COMMISSION RESPONSE ON DRAFT ZONING ORDINANCE FOR MARIJUANA

ADMINISTRATIVE SUMMARY

- At the City Council marijuana retreat held on October 2, 2021, the following motion was passed:
“to direct the Planning Commission to (1) investigate licensure requirements and zoning amendments to allow two adult-use marijuana retailers and two adult-use marijuana safety compliance facilities; (2) consider locational requirements for these establishments that are not in residential areas, not within 1,000 feet of schools, and not within 1,000 (or, alternatively, 500 feet) of the downtown business district; and (3) work with City staff, the City Attorney, and the City’s consultants to refer proposed ordinances to City Council within 60 days.”
- At the Planning Commission meeting held on October 18, 2021, discussion commenced between staff, consultants, and the Commissioners. An overview and informational power point given by Jill Bahm and Laura Genovich preceded the discussion.
- During the review and discussion, it was determined at least two more meetings should be scheduled to have a thorough and confident draft ready for City Council.
- The 60-day deadline would put the due date as the December 2nd City Council meeting, which leaves only one more regular scheduled meeting of the Planning Commission on November 15th. Staff has attempted to schedule a special meeting of the Commission, but this has proven to be a complicated task, taking into account that the Thanksgiving holiday eliminates one week of opportunity, and we would want the entire Commission and all consultants available.
- If the 60-day deadline was extended to the December 16th City Council meeting, this would give the Planning Commission another regular scheduled meeting on December 6th to go along with the November 15th meeting.

RECOMMENDATION

Staff is recommending City Council consider a motion to extend the Planning Commission’s 60-day deadline to 75 days, to submit the draft ordinance per the motion passed at the Council retreat held on October 2, 2021.

Prepared by: Mike Caruso, Community Development Manager

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

November 18, 2021

SUBJECT: CONSIDER APPROVAL OF TETRA TECH ENGINEERING SERVICES PROPOSAL FOR AMERICA'S WATER SYSTEM RISK AND RESILIENCY ASSESSMENT AND EMERGENCY RESPONSE PLAN AT A COST NOT TO EXCEED \$8,100.

BACKGROUND

- As part of the compliance requirements initiated in 2018, the Environmental Protection Agency (EPA) created a program known as America's Water Infrastructure Act (AWIA). This Act requires community water systems with a population of more than 3,300 to develop a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) for their facilities.
- The Risk and Resilience Assessment certification was completed and submitted to the EPA on May 24, 2021. Currently, the City has an ERP in place; however, it needs to be updated with the information revealed during the Risk Resilience Assessment and to meet federal compliance with the EPA. The ERP needs to be certified to the EPA by December 31, 2021.

ADMINISTRATIVE SUMMARY

- An Emergency Response Plan describes strategies, resources, plans, and procedures utilities can use to prepare for, and respond to, an incident, natural or man-made, that threatens life, property, or the environment. Incidents can range from small main breaks or localized flooding to tornados, earthquakes or system contamination, cyber security attacks, among other examples.
- City Council approved Tetra Tech Engineering Services to complete the AWIA Water System Risk and Resiliency Assessment in July 2020, but the Emergency Response plan was not part of that proposal. Tetra Tech's familiarity with the findings of the Resiliency Risk Assessments and their skillset is the reason staff is comfortable with them to complete the ERP.
- Staff will provide the information and Tetra Tech will be performing the technical portion of the project. Tetra Tech estimates approximately five weeks to complete the work once they have received authorization at a cost not to exceed \$8,100. Once the project is complete and staff has reviewed the ERP, staff will certify the ERP to the EPA and EGLE.

BUDGET

- This project must be completed by December 31, 2021 and while it was not specifically budgeted in the 2021/2022 fiscal year, there is funding available in the utility fund that staff is able to use to fund this project.

RECOMMENDATION

- Approve Tetra Tech Engineering Services proposal for America’s Water System Risk and Resiliency Assessment and Emergency Response Plan at a cost not to exceed \$8,100.

Prepared by: Josh Bradley, DPS Regulatory Compliance Superintendent

Reviewed by: Patty Thomas, Assistant to the DPS Director

Gretchen Gomolka, Finance Director (Required for all financial related agenda items)

- Within Budget
- Budget Amendment Necessary and In Proper Form
- Other: Within total budget when considering using savings from a deferred project if necessary.

Reviewed &

Approved by: Nate Geinzer, City Manager



November 10, 2021

Mr. Nate Geinzer
City of Brighton
200 North First Street
Brighton, MI 48116

**Re: America's Water Infrastructure Act Water System Risk and Resiliency Assessment and
Emergency Response Plan Scope of Work**

Dear Mr. Geinzer:

Tetra Tech is pleased to provide our proposal for professional design engineering services for the above referenced assignment associated with America's Water Infrastructure Act (AWIA) Water System Risk and Resiliency Assessment and Emergency Response Plan.

PROJECT UNDERSTANDING

The City of Brighton is undertaking a water system risk and resilience assessment (RRA) and Emergency Response Plan Update (ERP) of its physical operational assets and cyber networks in compliance with America's Water Infrastructure Act (AWIA). The assessment is designed to determine the water system's vulnerabilities to malevolent acts, natural hazard, and proximity and dependency risks.

SCOPE OF SERVICES

Task 1 Project Administration

Tetra Tech's Project Manager, Steve Magnan, will lead the collaboration between the City of Brighton team leader and Tetra Tech's technical staff for inclusion and final acceptance of the Emergency Response Plan (ERP). Steve will address questions from City staff and will coordinate documentation to be shared with the technical team. Primary tasks include the following:

- Track progress of the work.
- Manage direct lines of communication as required for updates on progress of the work.
- Monitor project timelines for completion of drafts and final documentation of the ERP submittal.
- Assist in collaborating reporting information to the State of Michigan (EGLE).
- Monitor financial budgeting and tracking of the work performed.

Task 2 Emergency Response Plan (ERP) Initiation

Tetra Tech will initiate the process of developing the ERP. Tetra Tech will conduct a one-hour project kickoff meeting with the City's DPW Director and key personnel. Tetra Tech's Project Manager will facilitate the meeting.

The objectives of this meeting will be to initiate the City’s involvement in the ERP development, identify available relevant ERP documentation (received as of November 4, 2021), and finalize the project timeline. The deadline for completion and submittal is on or before December 31, 2021. Tetra Tech will identify and discuss the planning requirements for this project and review applicable local, state, and federal guidelines. Meeting objectives will also include obtaining commitment and buy-in to the planning process, as well as setting expectations for final deliverable.

Task 3 Plan Review, Gap Analysis, and ERP Outline

Tetra Tech will conduct a comprehensive review of the existing emergency response documentation and guidance and determine their suitability for meeting requirements for AWIA compliance. This information was provided by the City of Brighton for Tetra Tech’s initial review on November 4, 2021. A gap analysis will assist Tetra Tech in guiding a discussion with the City regarding the update’s overall vision and end state.

After discussing the gap analysis and reviewing revisions needed to meet the AWIA compliance, Tetra Tech will develop an ERP outline that is consistent with both the City’s vision and AWIA requirements.

Tetra Tech will submit a data request for ERP documents to the City’s project manager and assess those provided. Tetra Tech will then develop a gap analysis summary that highlights current capabilities and areas for further development.

Task 4 Preliminary and Final ERP Development and Review

Tetra Tech will develop a preliminary draft ERP and submit it to the City one week prior to a document review workshop with the City’s ERP Working Group. The workshop objective is for stakeholders to provide review, input, and direction and for the Tetra Tech team to gather feedback and guidance on missing information. The workshop will be scheduled for one hour.

Following the workshop, Tetra Tech will prepare a draft final ERP for City review. The City will provide a final review of the ERP. Tetra Tech will conduct a conference call with the City project manager to review comments and revisions. Following the conference call, Tetra Tech will prepare a final ERP for the City’s records. Tetra Tech will also prepare the required ERP compliance letter for the City’s submission to the EPA.

Deliverables:

- Preliminary draft ERP
- Final ERP

Assumptions:

The City will provide a single set of reviewed and resolved comments. It is anticipated that City comments may be completed within one (1) week from receipt of the preliminary draft ERP.

Project Schedule

We can begin immediately upon authorization to proceed from the City. Tetra Tech anticipates the following schedule for the project:

Proposal Submittal November 10, 2021
Authorization to Proceed November 18, 2021

Task 2 ERP Initiation	November 23, 2021
Task 3 Plan Review, Gap Analysis & ERP Outline	November 26, 2021
Address Comments from City	December 3, 2021
Task 4 Preliminary Submittal	December 9, 2021
Task 4 Pre-Final Draft Review	December 17, 2021
Task 4 Finalize ERP Review	December 23, 2021

COMPENSATION

Compensation for our personnel directly engaged in the work of this proposal will be based on our hourly billable rates plus in-house reimbursable expenses. We propose the following not-to-exceed budget for the above-mentioned scope of work.

Primary Tasks	Budget
Task 1 – Project Administration	\$ 1,400
Task 2 – Emergency Response Plan (ERP) Initiation	\$ 750
Task 3 – Plan Review, Gap Analysis & ERP Outline	\$ 2,750
Task 4 – Preliminary and Final ERP Review	<u>\$ 3,200</u>
Total	\$ 8,100

If you concur with our proposal, please sign in the space provided below and return one original signed copy of this proposal to indicate your authorization to proceed. The agreement for this project is comprised of this proposal and the attached Tetra Tech Standard Terms and Conditions.

We appreciate the opportunity to assist the City in this important project. If you have any questions regarding this proposal, please call.

Sincerely,



Steve Magnan, P.E.
 Senior Project Manager

Attachment: Tetra Tech Standard Terms and Conditions

PROPOSAL ACCEPTED BY CITY OF BRIGHTON

By: _____

Title: _____ Date: _____

Tetra Tech, Inc.

Engineering Services Standard Terms & Conditions

Services Consultant will perform services for the Project as set forth in the provisions for Scope of Work/Fee/Schedule in the proposal and in accordance with these Terms & Conditions. Consultant has developed the Project scope of service, schedule, and compensation based on available information and various assumptions. The Client acknowledges that adjustments to the schedule and compensation may be necessary based on the actual circumstances encountered by Consultant in performing their services. Consultant is authorized to proceed with services upon receipt of an executed Agreement.

Compensation In consideration of the services performed by Consultant, the Client shall pay Consultant in the manner set forth above. The parties acknowledge that terms of compensation are based on an orderly and continuous progress of the Project. Compensation shall be equitably adjusted for delays or extensions of time beyond the control of Consultant. Where total project compensation has been separately identified for various tasks, Consultant may adjust the amounts allocated between tasks as the work progresses so long as the total compensation amount for the project is not exceeded.

Fee Definitions The following fee types shall apply to methods of payment:

- **Salary Cost** is defined as the individual's base salary plus customary and statutory benefits. Statutory benefits shall be as prescribed by law and customary benefits shall be as established by Consultant employment policy.
- **Cost Plus** is defined as the individual's base salary plus actual overhead plus professional fee. Overhead shall include customary and statutory benefits, administrative expense, and non-project operating costs.
- **Lump Sum** is defined as a fixed price amount for the scope of services described.
- **Standard Rates** is defined as individual time multiplied by standard billing rates for that individual.
- **Subcontracted Services** are defined as Project-related services provided by other parties to Consultant.
- **Reimbursable Expenses** are defined as actual expenses incurred in connection with the Project.

Payment Terms Consultant shall submit invoices at least once per month for services performed and Client shall pay the full invoice amount within 30 days of the invoice date. Invoices will be considered correct if not questioned in writing within 10 days of the invoice date. Client payment to Consultant is not contingent on arrangement of project financing or receipt of funds from a third party. In the event the Client disputes the invoice or any portion thereof, the undisputed portion shall be paid to Consultant based on terms of this Agreement. Invoices not in dispute and unpaid after 30 days shall accrue interest at the rate of one and one-half percent per month (or the maximum percentage allowed by law, whichever is the lesser). Invoice payment delayed beyond 60 days shall give Consultant the right to stop work until payments are current. Non-payment beyond 70 days shall be just cause for termination by Consultant.

Additional Services The Client and Consultant acknowledge that additional services may be necessary for the Project to address issues that may not be known at Project initiation or that may be required to address circumstances that were not foreseen. In that event, Consultant shall notify the Client of the need for additional services and the Client shall pay for such additional services in an amount and manner as the parties may subsequently agree.

Site Access The Client shall obtain all necessary approvals for Consultant to access the Project site(s).

Underground Facilities Consultant and/or its authorized subcontractor will conduct research and perform site reconnaissance in an effort to discover the location of existing underground facilities prior to developing boring plans, conducting borings, or undertaking invasive subsurface investigations. Client recognizes that accurate drawings or knowledge of the location of such facilities may not exist, or that research may reveal as-built drawings or other documents that may inaccurately show, or not show, the location of existing underground facilities.

Regulated Wastes Client is responsible for the disposal of all regulated wastes generated as a result of services provided under this Agreement. Consultant and Client mutually agree that Consultant assumes no responsibility for the waste or disposal thereof.

Contractor Selection Consultant may make recommendations concerning award of construction contracts and products. The Client acknowledges that the final selection of construction contractors and products is the Client's sole responsibility.

Ownership of Documents Drawings, specifications, reports, programs, manuals, or other documents, including all documents on electronic media, prepared under this Agreement are instruments of service and are, and shall remain, the property of Client.

Record documents of service shall be based on the printed copy. Consultant will retain all common law, statutory, and other reserved rights, including the copyright thereto. Consultant will furnish documents electronically; however, the Client releases Consultant from any liability that may result from documents used in this form. Consultant shall not be held liable for reuse of documents or modifications thereof by the Client or its representatives for any purpose other than the original intent of this Agreement, without written authorization of and appropriate compensation to Consultant.

Standard of Care Services provided by Consultant under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Consultant makes no other warranty or guaranty, either express or implied. Consultant will not be liable for the cost of any omission that adds value to the Project.

Period of Service This Agreement shall remain in force until completion and acceptance of the services or until terminated by mutual agreement. Consultant shall perform the services for the Project in a timely manner consistent with sound professional practice. Consultant will strive to perform its services according to the Project schedule set forth in the provisions for Scope of Work/Fee/Schedule above. The services of each task shall be considered complete when deliverables for the task have been presented to the Client. Consultant shall be entitled to an extension of time and compensation adjustment for any delay beyond Consultant control.

Insurance and Liability Consultant shall maintain the following insurance and coverage limits during the period of service. The Client will be named as an additional insured on the Commercial General Liability and Automobile Liability insurance policies.

Worker's Compensation – as required by applicable state statute
Commercial General Liability - \$1,000,000 per occurrence for bodily injury, including death and property damage, and \$2,000,000 in the aggregate
Automobile Liability –\$1,000,000 combined single limit for bodily injury and property damage
Professional Liability (E&O) - \$5,000,000 each claim and in the aggregate

Indemnification Consultant shall indemnify and hold harmless the Client and its employees from any liability, settlements, loss, or costs (including reasonable attorneys' fees and costs of defense) to the extent caused by the negligent act, error, or omission of Consultant in the performance of services under this Agreement. If such damage results in part by the negligence of another party, Consultant shall be liable only to the extent of Consultant's proportional negligence.

Dispute Resolution The Client and Consultant agree that they shall diligently pursue resolution of all disagreements within 45 days of either party's written notice using a mutually acceptable form of mediated dispute resolution prior to exercising their rights under law. Consultant shall continue to perform services for the Project and the Client shall pay for such services during the dispute resolution process unless the Client issues a written notice to suspend work. Causes of action between the parties to this Agreement shall be deemed to have accrued and the applicable statutes of repose and/or limitation shall commence not later than the date of substantial completion.

Suspension of Work The Client may suspend services performed by Consultant with cause upon fourteen (14) days written notice. Consultant shall submit an invoice for services performed up to the effective date of the work suspension and the Client shall pay Consultant all outstanding invoices within fourteen (14) days. If the work suspension exceeds thirty (30) days from the effective work suspension date, Consultant shall be entitled to renegotiate the Project schedule and the compensation terms for the Project.

Termination The Client or Consultant may terminate services on the Project upon seven (7) days written notice without cause or in the event of substantial failure by the other party to fulfill its obligations of the terms hereunder. Consultant shall submit an invoice for services performed up to the effective date of termination and the Client shall pay Consultant all outstanding invoices within fourteen (14) days. The Client may withhold an amount for services that may be in dispute provided that the Client furnishes a written notice of the basis for their dispute and that the amount withheld represents a reasonable value.

Authorized Representative The Project Manager assigned to the Project by Consultant is authorized to make decisions or commitments related to the project on behalf of Consultant. Only authorized representatives of Consultant are authorized to execute contracts and/or work orders on behalf of Consultant. The Client shall designate a representative with similar authority. Email messages between Client and members of the project team shall not be construed as an actual or proposed contractual amendment of the services, compensation or payment terms of the Agreement.

Project Requirements The Client shall confirm the objectives, requirements, constraints, and criteria for the Project at its inception. If the Client has established design standards,

they shall be furnished to Consultant at Project inception. Consultant will review the Client design standards and may recommend alternate standards considering the standard of care provision.

Independent Consultant Consultant is and shall be at all times during the term of this Agreement an independent consultant and not an employee or agent of the Client. Consultant shall retain control over the means and methods used in performing Consultant's services and may retain subconsultants to perform certain services as determined by Consultant.

Compliance with Laws Consultant shall perform its services consistent with sound professional practice and endeavor to incorporate applicable laws, regulations, codes, and standards applicable at the time the work is performed. In the event that standards of practice change during the Project, Consultant shall be entitled to additional compensation where additional services are needed to conform to the standard of practice.

Permits and Approvals Consultant will assist the Client in preparing applications and supporting documents for the Client to secure permits and approvals from agencies having jurisdiction over the Project. The Client agrees to pay all application and review fees.

Consequential Damages Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Client nor Consultant, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Client and Consultant shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project or with this Agreement.

Waiver of Subrogation Consultant shall endeavor to obtain a waiver of subrogation against the Client, if requested in writing by the Client, provided that Consultant will not increase its exposure to risk and Client will pay the cost associated with any premium increase or special fees.

Environmental Matters The Client warrants that they have disclosed all known potential hazardous materials that may be encountered on the Project. In the event unknown hazardous materials are encountered, Consultant shall be entitled to additional compensation for appropriate actions to protect the health and safety of its personnel, and for additional services required to comply with applicable laws. To the extent permitted by law, the Client shall indemnify Consultant from any claim related to hazardous materials encountered on the Project except for those events caused by negligent acts of Consultant.

Cost Opinions Consultant shall prepare cost opinions for the Project based on historical information that represents the judgment of a qualified professional. The Client and Consultant acknowledge that actual costs may vary from the cost opinions prepared and that Consultant offers no guarantee related to the Project cost.

Contingency Fund The Client acknowledges the potential for changes in the work during construction and the Client agrees to include a contingency fund in the Project budget appropriate to the potential risks and uncertainties associated with the Project. Consultant may offer advice concerning the value of the contingency fund; however, Consultant shall not be liable for additional costs that the Client may incur beyond the contingency fund they select unless such additional cost results from a negligent act, error, or omission related to services performed by Consultant.

Safety Consultant shall be responsible solely for the safety precautions or programs of its employees and no other party.

Information from Other Parties The Client and Consultant acknowledge that Consultant will rely on information furnished by other parties in performing its services under the Project. Consultant shall not be liable for any damages that may be incurred by the Client in the use of third party information.

Force Majeure Neither party shall be liable for any damages caused by any delay that is beyond the reasonable control of either party, including but not limited to unavoidable delays that may result from any acts of God, strikes, lockouts, wars, acts of terrorism, riots, acts of governmental authorities, extraordinary weather conditions or other natural catastrophes, or any other cause beyond the reasonable control or contemplation of either party.

Waiver of Rights The failure of either party to enforce any provision of these terms and conditions shall not constitute a waiver of such provision nor diminish the right of either party to the remedies of such provision.

Warranty Consultant warrants that it will deliver services under the Agreement within the standard of care. No other expressed or implied warranty is provided by Consultant.

Severability Any provision of these terms later held to be unenforceable shall be deemed void and all remaining provisions shall continue in full force and effect. In such event, the Client and Consultant will work in good faith to replace an invalid provision with one that is valid with as close to the original meaning as possible.

Survival All obligations arising prior to the termination of this Agreement and all provisions of these terms that allocate responsibility or liability between the Client and Consultant shall survive the completion or termination of services for the Project.

Assignments Neither party shall assign its rights, interests, or obligations under the Agreement without the express written consent of the other party.

Governing Law The terms of Agreement shall be governed by the laws of the state where the services are performed provided that nothing contained herein shall be interpreted in such a manner as to render it unenforceable under the laws of the state in which the Project resides.

Collection Costs In the event that legal action is necessary to enforce the payment provisions of this Agreement if Client fails to make payment within sixty (60) days of the invoice date, Consultant shall be entitled to collect from the Client any judgment or settlement sums due, reasonable attorneys' fees, court costs, and expenses incurred by Consultant in connection therewith and, in addition, the reasonable value of Consultant's time and expenses spent in connection with such collection action, computed at Consultant's prevailing fee schedule and expense policies.

Equal Employment Opportunity Consultant will comply with federal regulations pertaining to Equal Employment Opportunity. Consultant is in compliance with applicable local, state, and federal regulations concerning minority hiring. It is Consultant's policy to ensure that applicants and employees are treated equally without regard to race, creed, sex, color, religion, veteran status, ancestry, citizenship status, national origin, marital status, sexual orientation, or disability. Consultant expressly assures all employees, applicants for employment, and the community of its continuous commitment to equal opportunity and fair employment practices.

Attorney Fees Should there be any suit or action instituted to enforce any right granted in this contract, reasonable attorney fees, costs, and disbursements may be recovered only as permitted by law.

Third Party Beneficiaries Nothing in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder. The Client agrees to include a provision in all contracts with contractors and other entities involved in this project to carry out the intent of this paragraph.

Captions The captions herein are for convenience only and are not to be construed as part of this Agreement, nor shall the same be construed as defining or limiting in any way the scope or intent of the provisions hereof.



Resolution #2021-27

Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the City of Brighton council/board
(regular or special) (name of city, township, or village)

called to order by Mayor Kristoffer Tobbe on Nov. 18 at 7:30 pm
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from NLB Ventures Inc. D/B/A Champ's Pub
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City of Brighton
council/board at a Regular meeting held on November 18, 2021
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Tara Brown

Print Name of Clerk

11/18/2021

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Brighton City Police

**Deputy Chief of Police
Craig C Flood**

810-844-5134

floodc@brightoncitypolice.org

Memo

To: Community Development

From: Deputy Chief Flood

Date: 11/12/2021

Re: Champs Pub Social District Education

On November 12th, 2021 Henry Outlaw and I presented Social District Education to Champs Pub. In attendance was the following:

- Owner, Mr. Beauchamp
- Scott Claxtonseine
- Pam Sisan
- Chelsea Hamilton
- Julius Medina
- Kerri Sauve

All in attendance are members of the management staff. I provided the approved Social District Education Packet, read through the packet with them and answered questions as they were asked.

Champs Pub has met the Social District education requirement as prescribed by Resolution 2021-015.

PSD21-04



Social District License Application

City of Brighton

200 N. First St.

Brighton, MI 48116

4718-99-000-054

Applicant Name: David Beauchamp	Applicant Title: Owner
Business Name: Champ's Pub	Business Address: 140 E. Grand River
City/State/Zip: Brighton 48116	Telephone: 734-904-1281
Other Telephone: business 810-227-4443	Email: champspub@sbcglobal.net

Proposed Days/Hours of Operation for alcohol sales to be consumed in the Common Area:

Monday thru Sunday
 M-T-W 12pm to 10pm DAB Sunday 12pm to 10pm DAB
 Th-F-S 12pm to 10pm DAB

Have you ever had a license or permit required by the City of Brighton or any other state or municipal authority revoked, suspended, or denied in the last three years?

- Yes
 No

If Yes, provide details here:

Requirements:

- Completed and signed permit application
- Certificate of Insurance naming the City as an additional insured (Already on file for cafe)
- \$50 Permit application fee ok # 6614
- A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.)
- Approved Completion of the Social District Education Course from City of Brighton PD
- A visual depiction of the acceptable business logo/signifier, and a description and visual depiction of the cup(s) the applicant intends to use for the Social District with the business logo/signifier and the Social District logo on it
- A copy of the completed Michigan Liquor Control Commission Application for a Social District Permit (See Attachment A). Applications may also be found online at: www.michigan.gov/documents/lara/LCC208_695497_7.pdf



Resolution #2021-28

Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the City of Brighton council/board
(regular or special) (name of city, township, or village)

called to order by Mayor Kristoffer Tobbe on Nov. 18 at 7:30 pm
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from EI Arbol, LLC D/B/A EI Arbol
(name of licensee - if a corporation or limited liability company, please state the company name)

for a Social District Permit is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City of Brighton
council/board at a Regular meeting held on November 18, 2021
(regular or special) (date)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Tara Brown

Print Name of Clerk

11/18/2021

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Brighton City Police

**Deputy Chief of Police
Craig C Flood**

810-844-5134

floodc@brightoncitypolice.org

Memo

To: Community Development

From: Deputy Chief Flood

Date: 11/12/2021

Re: El Arbol Social District Education

On November 12th, 2021 I presented Social District Education to El Arbol. In attendance was the following:

- Lauren Pilon
- Ray Rodriguez
- Hanna Pilon
- Jull Ganczarski
- Susan Bobiez
- Elizabeth Nelson

All in attendance are members of the management and service staff. I provided the approved Social District Education Packet, read through the packet with them and answered questions as they were asked.

El Arbol has met the Social District education requirement as prescribed by Resolution 2021-015.



Social District License Application CITY OF BRIGHTON

City of Brighton
 200 N. First St.
 Brighton, MI 48116

Applicant Name: <i>Stephen Pilon</i>	Applicant Title: <i>owner/member</i>
Business Name: <i>El Arbol, LLC</i>	Business Address: <i>140 W. Main Street</i>
City/State/Zip: <i>Brighton, MI 48116</i>	Telephone: <i>810-522-6750</i>
Other Telephone:	Email: <i>Steve.Pilon@yahoo.com</i>
Proposed Days/Hours of Operation for alcohol sales to be consumed in the Common Area: <i>Tue - Sun 12pm - 10pm</i>	
Have you ever had a license or permit required by the City of Brighton or any other state or municipal authority revoked, suspended, or denied in the last three years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide details here:	
Requirements: <input checked="" type="checkbox"/> Completed and signed permit application <input checked="" type="checkbox"/> Certificate of Insurance naming the City as an additional insured <input checked="" type="checkbox"/> \$50 Permit application fee <i>ok # 2685</i> <input checked="" type="checkbox"/> A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.) <input checked="" type="checkbox"/> Approved Completion of the Social District Education Course from City of Brighton PD <i>MISSING</i> <input checked="" type="checkbox"/> A visual depiction of the acceptable business logo/signifier, and a description and visual depiction of the cup(s) the applicant intends to use for the Social District with the business logo/signifier and the Social District logo on it <input type="checkbox"/> A copy of the completed Michigan Liquor Control Commission Application for a Social District Permit (See Attachment A). Applications may also be found online at: www.michigan.gov/documents/lara/LCC208_695497_7.pdf	



Resolution #2021-29

Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the City of Brighton council/board
(regular or special) (name of city, township, or village)

called to order by Mayor Kristoffer Tobbe on Nov. 18 at 7:30 pm
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from SBS 1, LLC D/B/A Single Barrel Social
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City of Brighton
council/board at a Regular meeting held on November 18, 2021
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Tara Brown
Print Name of Clerk

Signature of Clerk

11/18/2021
Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Brighton City Police

**Deputy Chief of Police
Craig C Flood**

810-844-5134

floodc@brightoncitypolice.org

Memo

To: Community Development

From: Deputy Chief Flood

Date: 11/12/2021

Re: Single Barrel Social - Social District Education

On November 12th, 2021 I presented Social District Education to Single Barrel Social. In attendance was the following:

- Erin Herron
- Tyler Herron
- Spenser Keener
- Robert Soop
- Jacob Soop

All in attendance are members of the management and service staff. I provided the approved Social District Education Packet, read through the packet with them and answered questions as they were asked.

Single Barrel Social has met the Social District education requirement as prescribed by Resolution 2021-015.



PSD 21-02

Social District License Application

City of Brighton
200 N. First St.

Brighton, MI 48116

99-003-737

ck # 1535
w



Applicant Name: <i>Joseph Mathews</i>	Applicant Title: <i>CFO</i>
Business Name: <i>SBS1, LLC / DBA Single Barrel Social</i>	Business Address: <i>8724 W. Grand River Ave</i>
City/State/Zip: <i>Brighton, MI 48116</i>	Telephone: <i>734-658-4036 (marie)</i>
Other Telephone:	Email: <i>ap@northerndiamondmgt.com</i>

Proposed Days/Hours of Operation for alcohol sales to be consumed in the Common Area:
Tuesday - Saturday 12 pm - 10 pm

Have you ever had a license or permit required by the City of Brighton or any other state or municipal authority revoked, suspended, or denied in the last three years?

Yes
 No

If Yes, provide details here:

- Requirements:**
- Completed and signed permit application
 - Certificate of Insurance naming the City as an additional insured
 - \$50 Permit application fee
 - A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.)
 - Approved Completion of the Social District Education Course from City of Brighton PD
 - A visual depiction of the acceptable business logo/signifier, and a description and visual depiction of the cup(s) the applicant intends to use for the Social District with the business logo/signifier and the Social District logo on it
 - A copy of the completed Michigan Liquor Control Commission Application for a Social District Permit (See Attachment A). Applications may also be found online at: www.michigan.gov/documents/lara/LCC208_695497_7.pdf



Resolution #2021-30

Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the City of Brighton council/board
(regular or special) (name of city, township, or village)

called to order by Mayor Kristoffer Tobbe on Nov. 18 at 7:30 pm
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from ABCD & Nick, LLC D/B/A The Pound Bar & Grill
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City of Brighton
council/board at a Regular meeting held on November 18, 2021
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Tara Brown

Print Name of Clerk

Signature of Clerk

11/18/2021

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Brighton City Police

**Deputy Chief of Police
Craig C Flood**

810-844-5134

floodc@brightoncitypolice.org

Memo

To: Community Development

From: Deputy Chief Flood

Date: 11/12/2021

Re: The Pound Social District Education

On November 17th, 2021 I am scheduled to present Social District Education to The Pound.

I will provide the approved Social District Education Packet, read through the packet with them and answer any questions as they may have.

Pending this education, The Pound will have met the Social District education requirement as prescribed by Resolution 2021-015.

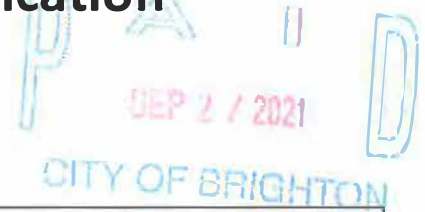


PSD21-01

Social District License Application

City of Brighton
200 N. First St.
Brighton, MI 48116

CK# 10051



Applicant Name: ALICIA JONCKHEERE	Applicant Title: MEMBER
Business Name: ABCD & NICK LLC dba The POUND! Bar & Grill	Business Address: 139 W MAIN ST
City/State/Zip: BRIGHTON, MI 48116	Telephone: 517-404-9714
Other Telephone:	Email: alicia@thepoundbar.com

Proposed Days/Hours of Operation for alcohol sales to be consumed in the Common Area:

SUNDAY - MONDAY - 12:00 PM - 10:00 PM

Have you ever had a license or permit required by the City of Brighton or any other state or municipal authority revoked, suspended, or denied in the last three years?

- Yes
- No

If Yes, provide details here:

Requirements:

- Completed and signed permit application
- Certificate of Insurance naming the City as an additional insured
- \$50 Permit application fee
- A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.)
- Approved Completion of the Social District Education Course from City of Brighton PD
- A visual depiction of the acceptable business logo/signifier, and a description and visual depiction of the cup(s) the applicant intends to use for the Social District with the business logo/signifier and the Social District logo on it
- A copy of the completed Michigan Liquor Control Commission Application for a Social District Permit (See Attachment A). Applications may also be found online at: www.michigan.gov/documents/lara/LCC208_695497_7.pdf



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

NOVEMBER 18, 2021

SUBJECT: CONSIDER APPROVAL OF CHANGES TO THE HOLIDAY GLOW CIVIC EVENT

BACKGROUND

- In April, City Council approved the 2021 Holiday Glow Civic Event.

ADMINISTRATIVE SUMMARY

- The Chamber of Commerce is requesting to increase the scope of this event. They are proposing to increase the Main Street closure from the approved closure of Hyne to West Street to close Main Street from Grand River to First Street. They would also like to increase the time of the event from the approved times of 4 pm to 7 pm to 11 am to 7 pm.
- The additional street closure and extended event time is needed to facilitate a Holiday Market, which will include outside vendors, vendors from the Farmers Market as well as Main Street business.
- The Civic Event Committee met with the Chamber of Commerce to discuss the changes and the Committee is recommending their approval.

RECOMMENDATION

Approval of the changes to the 2021 Holiday Glow Civic Event, specifically increasing the road closure of Main Street from Grand River to First Street and extending the event time to 11 am to 7 pm.

Prepared by: Patty Thomas, Asst. to the DPS Director

Reviewed by: Craig Flood, Deputy Police Chief

Reviewed &

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

NOVEMBER 18, 2021

SUBJECT: CONSIDER AFFIRMATION OF BEGINNING CIVIC EVENT FEE PHASE-IN IN 2022, WHICH HAD BEEN PREVIOUSLY POSTPONED

BACKGROUND

- In 2019, City Council approved the implementation of fees for Civic Events to be effective for the 2020 Season.
- Due to the COVID-19 Pandemic that caused the cancellation of almost all Civic Events in 2020, City Council voted to postpone the implementation of Civic Event Fees.
- In 2021, in an effort to assist organizations and businesses who were negatively financially affected by the COVID-19 Pandemic in 2020, City Council again voted to postpone the implementation of the Civic Event Fees.

ADMINISTRATIVE SUMMARY

- The City spends approximately \$60,000 per season for personnel, supplies, and contractor costs to assist with the civic events that occur downtown.
- Staff is recommending that the previously approved fee schedule be implemented for the 2022 Civic Event Season. Per the City’s Policy, all applicants will receive an estimate of costs for their event if approval is received from City Council. This payment shall be made prior to the event date. Following the event, the permit holder will receive an invoice with the total amount due. The fee schedule will be implemented on a tiered plan. That fee schedule and examples are below:

2022

Events will be charge 33% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

		1/3 of 50% of Total Event Cost			\$1,408.16

2023

Events will be charged 66% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

		2/3 of 50% of Total Event Cost			\$2,817.16

2024

Events will be charged 100% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

		50% of Total Event Cost			\$4,226.16

RECOMMENDATION

Affirm the Implementation of the Civic Event Fees for the 2022 Event Season as detailed in the Civic Event Policy.

Prepared by: Patty Thomas, Asst. to the DPS Director

Reviewed &

Approved by: Nate Geinzer, City Manager

Attachments: Updated Civic Event Policy & Application



City of Brighton

Civic Event Application

City of Brighton Civic Event Policy

Purpose

The purpose of the Civic Event Policy & Application is to promote uniform procedures to regulate and permit civic event activity at locations under the jurisdiction of the City of Brighton. The Civic Event Application is a starting point for any business, group, or individual who wishes to hold an event, parade, assemblage, festival, or similar activity within the municipal limits of Brighton.

Implementation

City staff will assist the applicant with the process.

Eligibility Requirements

The applicant or representative of any business, group, or organization that seeks a permit to conduct a civic event must be 21 years of age or older and officially designated as the spokesperson of the sponsoring business, group, or organization.

Application Procedure

A Civic Event Application (attached) must be submitted between 8 a.m. and 4 p.m., Monday through Friday. Applicants only need to submit the Application. The Policy and Notes should be kept for reference. Submitted applications are to be received at least forty-five (45) days before the actual date of the event. The City asks that those interested begin the process as early as possible in order for the proper approvals and deadlines to be met.

Civic Event Applications may be submitted in person at any City office or via e-mail to thomasp@brightoncity.org. City staff will contact groups and/or organizations within five (5) business days to review event plans and discuss the activity. If necessary, organizers will meet with the Civic Event Committee to determine the scope of the event and what City resources and/or services may be necessary to accommodate the activity. Once a request is approved, written approval will be issued to the group representative.

Civic Event Evaluation Criteria

Application approval will be considered under the following parameters:

1. Events that directly benefit business interests and the social welfare of Brighton residents



City of Brighton

Civic Event Application

2. Demand on City resources
3. Security and public safety
4. Traffic flow

The criteria and priority of event approval will be considered under the following parameters:

1. Civic events sponsored by the City of Brighton and/or a recognized affiliate agency
2. Other public (governmental) agencies and their affiliates
3. Community service groups; local (City/County) non-profit organizations that support a range of community services and where the activity is a benefit to the general community and the City of Brighton
4. Commercial organizations of the City that want to conduct a non-promotional event that does not charge a fee or generate revenue (i.e. an activity that is categorized as a public service)

Once an event is approved, the City will direct and control all aspects of the event. Control over an activity will be exercised with a focus on emphasizing municipal community involvement and ensuring quality control in the best interest of the City, businesses, and residents. As the managing agency, the City will work with businesses and/or residents to ensure permitted activities will pose a minimal disruption to what otherwise would be normal conditions. The City of Brighton will work closely with the group representative to determine the most suitable location to appropriately and best manage the event and its content.

Regulations

Groups or organizations utilizing public areas for permitted civic events shall abide by all rules, regulations, laws, and general ordinances as established by the City of Brighton, which includes respective local, county, and state agencies, as related to the sale of any item, food, or beverage product. Regulations that may pertain to the sale of items and the serving of food will be distributed to the group representative.

All signs shall conform to the description contained in the Civic Event Application (number of signs, type of signs, locations of signs, display date, etc.) or as modified by City Council in its approval motion. All signs are required to be removed immediately upon completion of the event.



City of Brighton

Civic Event Application

Depending on the activity, vehicles will be restricted to designated parking areas with the exception of set-up and breakdown of the event. Organizers will be required to provide all necessary personnel to properly direct traffic to designated parking areas.

At no time will it be permissible for any person or group to sell or consume alcoholic beverages on public property without the expressed approval of the City of Brighton.

Violations of any term or condition of the issued permit or any law, ordinance, rule or regulation by the permittee or his/her agents, shall constitute grounds for revocation of the permit and if warranted, additional penalties will be imposed as applicable by State Statute, City Ordinance, or the Civic Event Policy.

Fees

The following fees will be assessed for all approved Civic Event Permits:

Personnel Assistance Fee

The event organizer shall pay the true hourly rate of all City personnel costs (straight time, overtime, and double time) incurred by DPW and Police Department staff assisting with the Civic Event. Including, but not limited to road closures, trash maintenance, event security, set up and tear down assistance, etc. The hourly rate is the hourly cost for any employee working on a Civic Event as established by the City Administration. Please note that these rates are reviewed/adjusted annually.

Vehicle, Equipment, and Supplies Charges

The event organizer shall pay the direct cost for all vehicles, equipment, and supplies used or provided by the City of Brighton for each Civic/Special event. All City-owned vehicles and equipment fees will be per the State of Michigan Schedule C Equipment Rates.

Electrical Contractor Fees

Event organizers shall reimburse the City for all contracted electrician costs when the City's Main Street electrical system is used for an event.

Replacement Costs

Missing or damaged equipment/supplies will be billed at 100% replacement costs.



City of Brighton

Civic Event Application

Waste Collection Services

Event organizers will be responsible to supply sufficient waste collection services for the approved event. All fees associated with waste collection services shall be the responsibility of the event organizer. Including, but not limited to paid or volunteer trash collection personnel, trash and recycling containers, trash bags, Dumpster service, etc.

The City will determine what assistance is needed based on the nature of the event.

Fee Schedule (See “Fee Implementation Schedule” Below)

Item	Cost
DPW Personnel Services**	\$31.36 per hour OT will be hourly cost x 1.5; DT will be hourly cost X 2
Police Department Personnel**	\$44.15 per hour OT will be hourly cost x 1.5; DT will be hourly cost X 2
Vehicle / Equipment Charges	TBD
Purchased/Rented Materials/Supplies	TBD
Electrician	\$67.50 per hour _____
Missing/Damaged Equipment/Supplies	TBD

** Personnel fees can increase based on union contract negotiations

Fee Implementation Schedule

2022

Events will be charge 33% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

			1/3 of 50% of Total Event Cost		\$1,408.16



City of Brighton

Civic Event Application

2023

Events will be charged 66% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

		2/3 of 50% of Total Event Cost			\$2,817.16

2024

Events will be charged 100% of 50% of the total cost of the event.

Example:

Event	Trash Bags	Electrician	Total DPW Cost	Total PD Cost	Total Event Cost
2-day Festival	\$130	\$800	\$4,652.24	\$2,870.08	\$8,452.32

		50% of Total Event Cost			\$4,226.16

Event Organizers who have previously hosted the same event in a prior year AND paid their bill in a timely manner will be extended the courtesy of paying all City Fees after their event is completed and billed for the current year. No deposit will be required.

For the 2022 Civic Event Season and New events OR events that are repeated annually and did NOT pay their bill in a timely manner, a deposit equal to 75% of the estimated Total Event Holder Cost expenses MUST be paid. Deposit Fees required under this paragraph must be paid not less than 30 days prior to the scheduled event.

All events who have an outstanding balance for a previous event WILL NOT receive approval for another event until their previous bill is paid in full and they have submitted a 75% Deposit on the new event.



City of Brighton

Civic Event Application

The AMP Usage

Event organizers will be required to provide a \$500 refundable deposit for usage of any portion of The AMP*

The AMP consists of:

The stage

1. The covered stage is 39 feet long, 10 inches wide x 11 feet, 4 inches deep
2. The overall stage size is 39 feet, 10 inches wide x 19feet
3. The side stage area is 7 feet x 14 feet on each side

The 2,500 square foot dance floor, which can also be used for seating. The seating capacity is 120 to 150 chairs.

Tiered concrete seating area – seating capacity is 115.

Equipment

1. 2 wireless microphones
2. 2 wired microphones
3. 4 microphone stands

* City staff will inspect the premises and equipment after each rental and fill out the “Site & Equipment Refund Checklist” to determine if all, or part, of the security deposit is to be returned.

Comprehensive Liability Insurance

A Certificate of Insurance naming the City of Brighton as additionally insured in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage, may be required per the type of activity.

Insurance for Events Involving Alcohol

Events that include the sale or distribution of alcohol must have a Special Event Liquor Liability policy in an amount not less than \$1,000,000, naming the City of Brighton as additionally insured. This policy is in addition to the Comprehensive Liability Insurance.



City of Brighton

Civic Event Application

Indemnification

The applicant and any other persons, business, organizations, or firms on whose behalf the application is made by filing a permit application shall represent, stipulate, contract, and agree that they will jointly and severally indemnify and hold the City of Brighton, its agents, officials (elected or appointed), and employees, harmless against liability including court costs and attorney's fees for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the assembly or any of its participants. A copy of Disclaimers must be maintained on the location of the Civic Event for the length of the same.

Definitions

Festival

An organized celebration generally held on an annual basis, which is open to the general public, including entertainment of many kinds, and honoring people, places or events. A festival will tend to be an all-day event and/or a multi-day event.

Event

An organized noteworthy happening, occurrence or contest designed for a definite purpose or occasion. Duration is usually up to a few hours or one day in length.

Public Open Space

City of Brighton streets, parks, public squares, and public parking lots.

Representative

The person designated by the event organizers as the prime person responsible for the event.

Community Group

A Community Group shall mean a local non-profit organization that supports a broad range of community service; Membership of the group is open and available to any city or county resident. The purpose of the group will enrich the livability of the City of Brighton community; the group is not a registered political party.



City of Brighton

Civic Event Application

Non-Profit Organization

Any organization that is a registered not-for-profit society.

Public Agency

Any governmental agency that operates on a not-for-profit basis.

Commercial/Business

Any organization that operates on a for-profit basis.

Event Organizer

The organization producing the event

Fees

Costs that will be charged to the event holder for City staff and contractor services.

Contact Information

To assist with the answering of specific questions and provide application assistance please contact the Department of Public Works at 810.225.8309 or via e-mail to thomasp@brightoncity.org.

Civic Event Application must be filled out completely, with all required information (signatures, maps, etc.) included, in order to be considered for review.

Send your completed application to:

City of Brighton
Attn: Patty Thomas
200 N. First Street
Brighton, MI 48116

Or

thomasp@brightoncity.org



City of Brighton

Civic Event Application

Civic Event Application Form

Application Date: _____

Name of Organization: _____

Name of Applicant: _____

Address: _____

Contact Information:

Cell Phone _____ Home Phone _____

Email Address _____

Event Title: _____

Event Location: _____

Event Days/Times (Please stipulate the following information for each date of event)

Date	Day of Week	Beginning Time	Ending Time
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



City of Brighton

Civic Event Application

Set up Time/Date

Tear down Time / Day

Rain Date (if applicable)

Please Note: Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the tear down of all materials with their on-site vendors, sponsors, etc. is complete by the tear down time given above.

Organization/Applicant Information

Applications for Civic Events in the City of Brighton shall NOT be approved for applicants in default to the City. Therefore, each Application for Civic Events shall be routed to the Finance Department for a determination of any defaults to the City. In the event a default to the City exists, the Application shall be disapproved by the Finance Department with the nature of the default described as the reason of the disapproval.

Tax Identification Number: _____

Brief Description of Organization's Purpose and/or Function:

Is this organization a non-profit?

 Y N

If yes, attach a copy of the organizations Sales Tax Exempt Certificate.



City of Brighton

Civic Event Application

Does your group presently have Liability Insurance? Y N

General Liability Insurance is required naming the City of Brighton as additionally insured. If food is being served, product liability must be included. Limits of liability should be no less than \$1,000,000 combined single limit for bodily injury and property damage.

Events that include the sale or distribution of alcohol must have a special event liquor liability policy in an amount not less than \$1,000,000 naming the City of Brighton as additionally insured. This policy is in addition to the comprehensive liability insurance.

Please Provide a Description of the Proposed Civic Event (attach additional pages if necessary):

Is this event expected to occur next annually? Y N

If yes, you can reserve a date for next year via this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule, if applicable (e.g., third weekend in July):



City of Brighton

Civic Event Application

OR

Next year's specific date(s):

Date(s)	Day(s) of Week	Date(s)	Day(s) of Week
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Proceeds from the event(s) will be used for:



City of Brighton

Civic Event Application

Parade, Run or Walk

Answer the following section if the proposed civic event is a parade or run/walk event.

Starting Point:

Route (use the attached map or provide your own to designate the route):

Ending Point:

Number of Entries:

Traffic Control Plan:

If your event is a run/walk, will you be providing volunteers at all road crossings? Y N

Will volunteers be wearing shirts identifying them? Y N

Will Volunteers be wearing reflective safety vests? Y N



City of Brighton

Civic Event Application

Will there be an admission fee?

 Y

 N

If yes, how much will you charge?

Do you plan to utilize vendors and/or exhibitors for sales of any kind?

 Y

 N

What is the fee charged to each vendor/exhibitor? _____

Do you plan to contribute revenues received from this event to local organizations and/or community groups? Y N

If yes, please specify which organizations and/or local community groups and how much you will contribute.

Organization/Community Group

\$ Amount

What is the expected attendance for this event? _____

Do you plan to supply additional restroom facilities?

 Y

 N

Number of volunteers _____



City of Brighton

Civic Event Application

Number of staff members: _____

How will volunteers and staff members be identified?

How will this event benefit the residents and/or improve the quality of life in the City of Brighton?

Electrical services required (please be as accurate as possible)

Other utilities required (please be as accurate as possible):

City facilities requested (please be as accurate as possible):



City of Brighton

Civic Event Application

Do you plan to utilize the City's AMP? Y N

If yes, please note a refundable security deposit of \$500 will be required.

Please review the page entitled "The AMP", which details what areas and equipment are included in the AMP. Please provide the detailed aspects (i.e. vendors, musical performances, days, times etc.) and their locations on the AMP Drawing.

Do you plan to utilize off-site parking facilities? Y N

If yes, please specify where the off-site parking will be located:

What is your plan for transportation from the parking area to the event location?

Signage

Signage Requested (please detail sign locations and types on the attached map and provide sign renderings.

Number of signs _____

Detailed locations of signs:

Date signs posted: _____ Date signs removed: _____



City of Brighton

Civic Event Application

Please attach a list of equipment (e.g. stage, tents, vehicles, etc.) that you will use for the event or will be bringing onto City property, streets, or park areas. Please note, all equipment items are subject to approval. If tents are to be used, please fill out the “Brighton Area Fire Authority Tent Permit Application” (attached).



City of Brighton

Civic Event Application

Are you requesting a street closure for your event? Y N

If yes, please detail the street(s) you would like closed and the location of the closure(s) on the attached map.

Do you want to sell and/or serve alcohol? Y N

If yes, please see the attached sheet titled, "Alcohol," and fill in the questions in complete detail.

Security

If the event requires overnight setup or storage of goods, equipment, etc., security is the responsibility of the event applicant.

If your event requires overnight security, please provide the following details of your security plan:

Please list on site representative names and contact information:

On Site Representative

Phone Number



City of Brighton

Civic Event Application

Owner(s) Affidavit

I, _____, have authorized _____ as
(Company/Organization Owner) (Civic Event Applicant)

my representative for the purpose of obtaining a Civic Event permit(s) from the City of Brighton

for my organization located at

(Company/Organization Address)

Company/Organization Owner's Signature

Date



City of Brighton

Civic Event Application

Indemnification Agreement

The _____ agrees to defend, indemnify, and hold harmless
(Company/Organization)

the City of Brighton, Michigan, from any claim, demand, suit, loss, cost of expense, or any
damage that may be asserted, claimed or recovered against or from the

_____ and/or the City of Brighton, Michigan, by reason of
(Company/Organization)

any damage to property, personal injury or bodily injury, including death, sustained by any
person whomsoever and which damage, injury or death arises out of or is incident to or in any
way connected with the performance of this contract, and regardless of which claim, demand,
damage, loss, cost of expense is caused in whole or in part by the negligence of the City of
Brighton, Michigan, or by third parties, or by the agents, servants, employees or factors of any
of them.

Signature _____ Date _____

Witness _____ Date _____



City of Brighton

Civic Event Application

Alcohol

Please provide a brief description of the type of alcohol to sold/served during your event:

Who will be the alcohol license holder?

On the attached map, detail the locations where alcohol will be sold/served during your event.

Describe in detail your alcohol management plan:

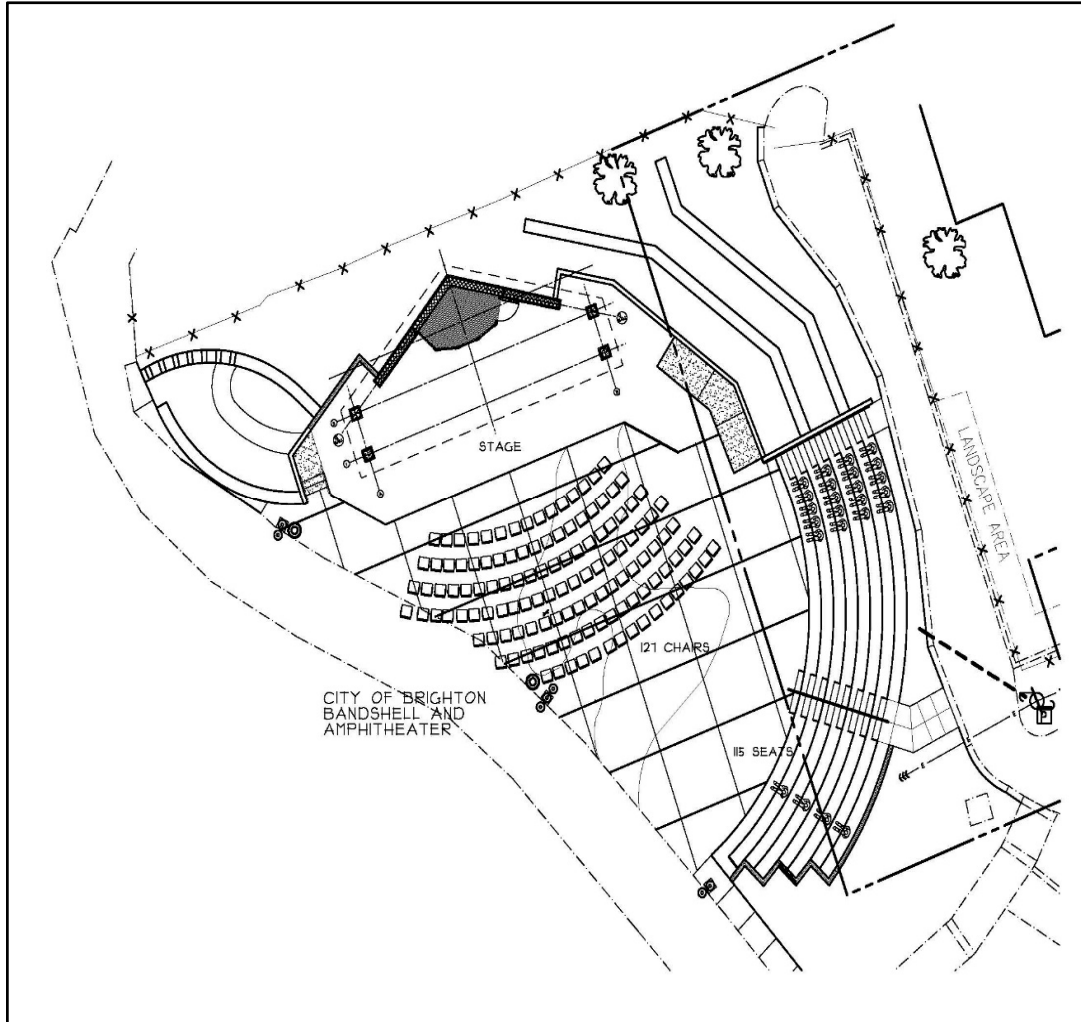
If alcohol sales or service is approved by the City Council as part of this event, the applicant must also receive approval from the Liquor Control Commission and event insurance must include an additional indemnification for alcohol (see Comprehensive Liability Insurance section).



City of Brighton

Civic Event Application

The AMP



What day(s) and time(s) will each of these events be occurring



Sound System Operational Guide

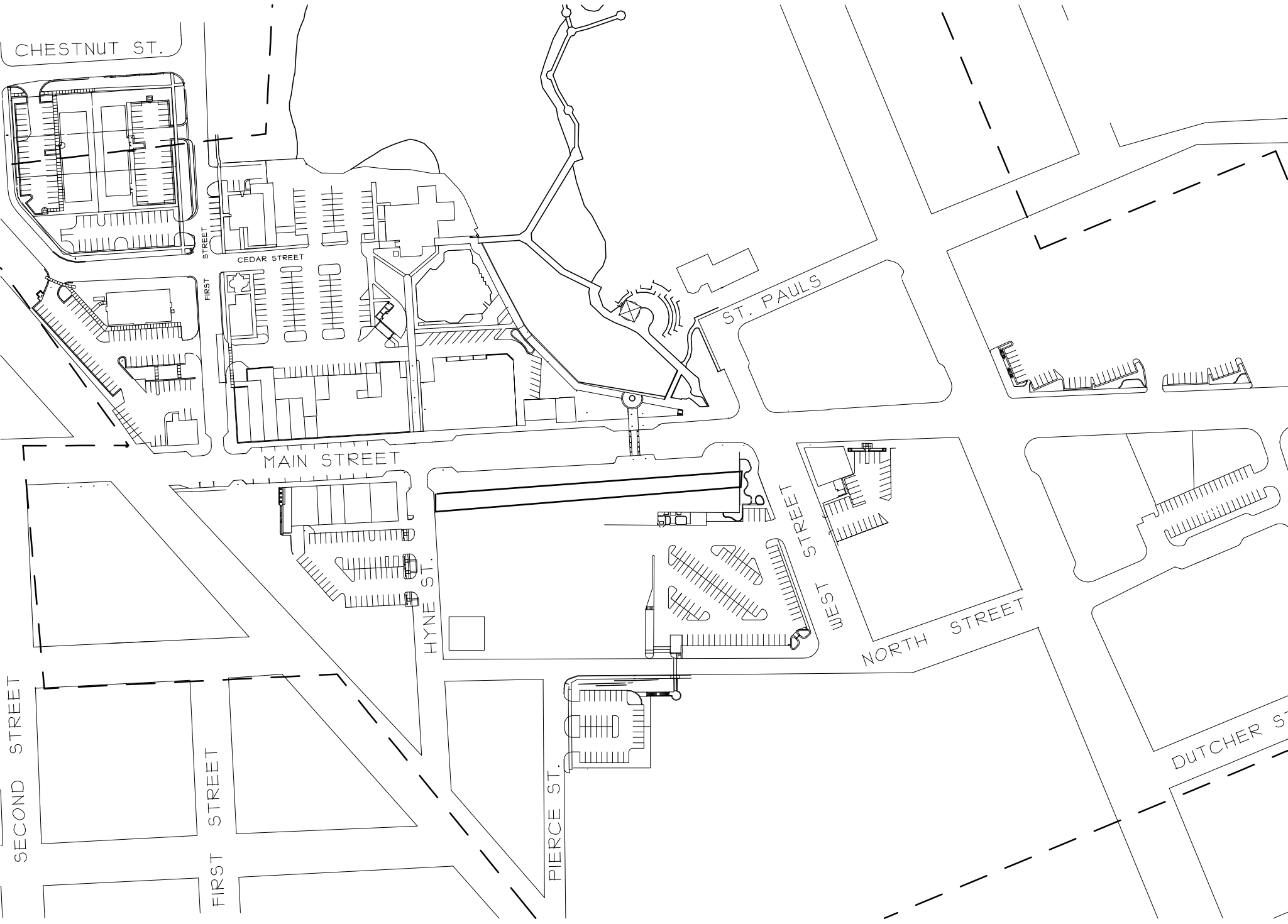
Do not adjust any knobs or switches except those outlined below!

For technical assistance call 248-804-8395, ask for Joe Heslip.

1. Plug any microphones or other audio sources into jacks BEFORE turning system on.
2. Check that input volume controls on JBL mixer are turned down.
3. Turn system on by pressing white button below the label that says "SYSTEM ON/OFF". This button and label are located on the left side center of the equipment in the rack.
4. The wireless microphones turn on by a switch located near center of microphone. Press and hold switch for 3 seconds to turn microphone off. Pressing the switch for a shorter interval will mute the output but keep microphone powered on. Pressing the switch again will un-mute the output.
5. There is an interface device (Rapco/Horizon LTIBLOX) to connect laptop/Ipod/phone into the system. Turn the volume on the interface down when plugging into laptop/Ipod/phone.
6. Turn up microphone volume controls on the JBL mixer – typically about half way up. Too high a level and feedback (squealing) will occur. Microphones should not be in front of speakers, unless pointed away from speaker.

Shutting System Down

1. When done with the sound system, turn off power using the white button labeled "SYSTEM ON/OFF." Do this BEFORE unplugging anything from the jacks.
2. Turn down microphone levels on mixer.
3. Store microphones and cables inside metal cabinet.



CHESTNUT ST.

STREET

CEDAR STREET

FIRST

ST. PAULS

MAIN STREET

HYNE ST.

STREET

WEST

NORTH STREET

SECOND STREET

FIRST STREET

PIERCE ST.

DUTCHER ST.



Brighton Area Fire Authority

615 W. Grand River Ave. Brighton, MI 48116

Ph: 810-229-6640 Fax: 810-229-1619

Permit Fee: \$50.00

Payable to Brighton Area Fire Authority
10 days prior to event

Permit No: _____

Date Issued: _____

TENT PERMIT APPLICATION

Event Name/Type:

Address of Tent Location:

Date(s) of Event:

Start Time:

End Time:

OWNER/OCCUPANT

Owner/Occupant Name:

Address:

Phone Number:

TENT INSTALLER

Tent Installer Name:

Address:

Phone Number:

EVENT COORDINATOR

Name of Event Coordinator:

Address:

Phone Number:

TENT INFORMATION

Size of Tent:

Number of Attendees:

Entertainment Type:

Dance Floor:

Stage/Platform:

Special Effects:

Describe Use in Tent:

Cooking in Tent?

YES

NO

Source of Heat:

Source of Power:

Heater Provided with Tent?

YES

NO

Source of Heat:

Source of Power:

Desired Date &
Time for
Inspection?

Date:

Time:

Inspector Approval:

Date:



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.

Brighton, MI 48116

o: 810-229-6640 f: 810-229-1619

TENT EVENT FIRE CODE PERMIT REQUIREMENTS

The Brighton Area Fire Authority will consider a request for issuance of a tent permit, provided all information submitted meets the minimum requirements of the Fire Code, as adopted by the City of Brighton, Brighton Township and Genoa Township. **A permit is required for tents in excess of 400 square feet in area.**

SUBMITTAL PROCESS

The application packet must be submitted no less than **10 business days** prior to the event date. Your application packet must include the following:

- 1.) Tent Permit Application Form.
- 2.) A site plan of the tent location on the property.
 - a. Include the location of all lot lines, all other tents, buildings, parked vehicles. (Minimum separation 20')
 - b. Include the location of a fire apparatus access drive to be within 150' of all portions of tent.
 - c. Include the intended use and seating arrangement for all parts of the tent (dining, dancing, etc.)
 - d. Include numbers of tables, chairs, and sizes of dance floors, stages, bars, displays, etc.
 - e. Include locations of fire extinguisher, no smoking signs and exit signs, emergency lights.
- 3.) Certificate of flame resistance for the proposed tent, canopy or membrane structure materials.
- 4.) Payment of \$50 application fee (for review and inspection), payable to the Brighton Area Fire Authority.

GENERAL TENT FIRE SAFETY RULES

1.) Location & Emergency Access

- a. Tents shall not be located within 20' of lot lines, buildings, other tents or parked cars.
- b. A fire apparatus road shall be provided to within 150' of all parts of the tent envelope.

2.) Means of Egress

- a. At least two marked means of egress shall be provided in all tents.
- b. Additional exits are required for occupant loads over 200.
- c. For occupant loads over 50 persons, Exit signs shall be installed and shall be illuminated.
- d. All means of egress shall be illuminated at all times.

3.) Cooking

- a. Is prohibited under tents that are occupied by the general public. (food warming is allowed)
- b. Cooking tent shall be separated from other tents by 20' minimum.
- c. Outdoor cooking & grilling shall be separated from tents by 20' minimum.

4.) Extinguisher Requirements

- a. At least one (fully charged) class ABC extinguisher with a minimum of a 2A10BC rating shall be provided in a conspicuous, visible, and unobstructed location.



- b. Travel distance to an extinguisher shall not be more than 75'. More extinguishers may be required.
- c. A Fully charged **Class K** rated portable extinguisher is required when using a deep fryer.
- d. An extinguisher shall be located within 30' of cooking equipment.

5.) Smoking

- a. Smoking is prohibited within tents and "No Smoking" signs shall be posted.

6.) Open Flames

- a. Open flames or exposed flame devices are prohibited in tents open to the public.

7.) Compressed Gas

- a. LP/Propane cylinders are properly secured & remain secured by one of the following methods.
 - i. Nested & secured by one or more restraints.
 - ii. Secured by one or more restraints to a fixed object.
- b. Minimum of 10-foot clearance from any trash or combustible material.
- c. Less than 500 lbs. water weight.
 - i. Must have minimum separation of 10' from any canopy & out of the public way.
- d. More than 500 lbs. water weight.
 - i. Tanks more than 500 lbs. water weight must have minimum separation of 25' from any canopy.

8.) Generators

- a. The use of single generators is prohibited. Equipment requiring electrical power, (where power is unavailable), shall be provided by a trailer type generator unit and shall be 20' from tent.

9.) Fireworks

- a. Fireworks (of any type) shall not be used within 100' of a tent.

INSPECTION PROCESS

DO NOT BEGIN INSTALLATION UNTIL YOUR APPLICATION AND FLOORPLANS HAVE BEEN APPROVED. Upon approval, an inspection will be scheduled. A representative from your organization must be present. The inspection will consist of the following in accordance with the adopted fire code:

- 1.) Verification of tent location and layout along with proper separations.
- 2.) Verification of proper tent support and anchorage.
- 3.) Verification of tent material being flame retardant in accordance with NFPA 701 with proper labels.
- 4.) Verification of Fire Extinguishers, No Smoking signs, and Occupancy Load signage.
- 5.) Verification of the proper number of means of egress and aisle widths.
- 6.) Verification of proper Exit signage and emergency lighting.
- 7.) Verification of compliance with all general fire safety rules.

Note: The requirements listed above may not be inclusive of all fire safety requirements. Additional requirements will be addressed for each specific permit requested.

Sustainable Vendor Checklist

We are excited that you will be participating in our upcoming event!
Here are some ideas to help us make this event more sustainable.

VENDORS/ARTISTS

REDUCE

- Avoid individually wrapped items
- Use recycled paper content shopping bags as opposed to plastic or offer an incentive for those that bring their own

REUSE

- Bring your own reusable water bottle and/or mug and reusable utensils
- Display reusable signage that can be used at future events

RECYCLE

- Single-stream recycling bins for cardboard, plastic, glass and aluminum available around the Mill Pond (look for the green bin)

FOOD VENDORS

REDUCE

- Offer condiments in refillable containers or bulk containers/bottles instead of individual packets
- Steer away from polystyrene (Styrofoam)
- Have straws/lids available upon request only
- Use locally sourced food when possible
- Offer a vegetarian and vegan option
- Use compostable serving products; recycled content napkins

REUSE

- Have a food donation plan for leftovers

RECYCLE

- Single-stream recycling bins for cardboard, plastic, glass and aluminum available around the Mill Pond (look for the green bin)



Thank you!



City of Brighton

Civic Event Application

FOR OFFICE USE ONLY

Year: _____

Event Name: _____

Estimated Costs: \$ _____

Payment Received Date: _____ Received by: _____

Cash / Check / Credit Card: _____

Final Costs: \$ _____

Remaining Balance (Final Costs – Estimated Costs): \$ _____

Payment Received Date: _____ Received by: _____

Cash / Check / Credit Card: _____



City of Brighton

Civic Event Application

Notes

No gas-powered generators are permitted.

No open flame cookers or heaters are permitted without prior approval from the Brighton Area Fire Authority.

Any additional restroom facilities deemed necessary for this event are to be supplied by the event organizer.

Event organizer staff/volunteers/vendors are responsible for trash control.

Dependent upon the type of event, organizer may be required to provide security.

Event organizer is responsible for arranging EMS (Ambulance) at the event.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
November 18, 2021

SUBJECT: CONSIDER PROPOSAL TO DISSOLVE THE BRIGHTON ARTS & CULTURE COMMISSION AND ESTABLISH A COMMUNITY ENRICHMENT COMMISSION

BACKGROUND

- Established in Chap. 2, Article III, Section 2-261 of City Ordinance, the Brighton Arts and Culture Commission (BACC) “shall be to advise and recommend to the city council and city administration appropriate means to encourage, facilitate and promote arts and culture in the city”.
- Over time, the Commission has found that the interests and needs of the community appear to be shifting. Accordingly, the Commission has concluded that a re-structuring is needed in order to better align with the goals and needs of the City.
- In Spring 2021, the BACC voted to formally propose the re-structure to City Council.

ADMINISTRATIVE SUMMARY

- Recent survey data, feedback from residents and Commissioners, as well as a changing social landscape has prompted discussions around the effectiveness and operational efficiency of the current structure of the BACC.
- Accordingly, the BACC has developed a proposal for the approval of City Council to restructure the Commission to be in a better position to serve the community.
- As stated in the establishing ordinance, the Brighton Arts and Culture Commission (BACC) was ascribed the following objectives/purposes:
 - a) Promotional and educational activities aimed at increasing the public awareness of the necessity and desirability of the fine arts, performing arts, crafts and culture, particularly as they may be beneficial to the development of downtown Brighton;
 - b) Enlisting the support of business, industry, educational institutions, civic organizations and service clubs, as well as the general public, in the promotion of arts and culture in the city;
 - c) Establishing working partnerships with other arts and culture organizations such as the Brighton Art Guild and the Brighton Center for the Performing Arts, in order to effectively promote and encourage the pursuit of arts activities in the city, and in particular, within the walkable area of downtown Brighton;
 - d) Support and facilitate the goals and objectives of the city’s guiding development plans including the master plan, the DDA development plan, the 2003 downtown blueprint, and the tactical marketing plan of the principal shopping district;
 - e) Assume responsibility for the organization, promotion, and maintenance of the current Brighton Biennial outdoor art exhibit placed throughout downtown;
 - f) Organize and maintain outdoor and indoor arts, crafts and cultural exhibits;
 - g) Develop and implement a cultural plan for the City of Brighton
- Please note the current objectives/purposes as shown above reflect several interests that the Commission feels are misaligned:
 - 1) A narrow focus on arts forgoing other areas of expressed resident interest like parks or mobility.
 - 2) A predilection for Downtown Brighton as opposed to the City of Brighton as a whole.
 - 3) Specific reference to outdated plans or non-existing entities.
- Further, specific feedback from Commissioners has revealed a frustration with barriers to program development and lack of resources. All Commissioners feel the BACC can have more of a positive impact on the community but



currently lacks the organizational ability to do so.

- To achieve the capability for the desired positive impact, the BACC specifically proposes the following changes:

Purpose

- 1) Restructure the Commission as the: Community Enrichment Commission (CEC)
- 2) Revise the purpose of the CEC to include:
 - a) Creating, developing, advocating for, or otherwise facilitating any policy, program, or capital project that enriches the lives of the residents of the City of Brighton.
 - b) A commitment to policy/programs that are considerate and inclusive of the various demographics, abilities, lifestyles, and interests that exist in the City.
 - c) Advocate for and facilitate the implementation of relevant Master Plan recommendations (e.g. the Recreation Plan, parts of the Complete Streets plan, etc.).

Membership

- 3) Revise membership to include seven (7) total commissioners:
 - 3 - the current BACC Commissioners
 - 1 - the City Council Liaison
 - 1 - A member with a child(ren) under the age of 18
 - 1 - A member with a business interest in the City
 - 1 - An annually rotating member
- 4) Members will be appointed by the Mayor and confirmed by City Council and serve two-year terms, except for the annually rotating member who will serve a one-year term.
- 5) The Chair must be elected by a majority of the Commission Members annually.

Operations

- 6) Provide the CEC the direction to make recommendations to advance policy and programs as they have determined are consistent the goals of the Commission, provided it is within the requirements of the Open Meeting Act.
- 7) Provide the CEC a regular budget for programs. This recommendation will be made during the budget process.
- 8) Create and provide the CEC the authority to manage, in compliance with standards articulated by City Council, a *Community Enrichment Fund* to facilitate community-driven enrichment projects. Grants are to be applied for by residents or representative groups and funded at the discretion of the CEC.
- 9) Fund the *Community Enrichment Fund* with the \$16,000 donation from Robertson Brothers, a comparable contribution from City Council for seed funds and consider a regular budget allocation to the fund.

RECOMMENDATION

Consider Staff Direction to Prepare Amendments to the Ordinance Related to Restructuring Brighton Arts & Culture Commission and Establishing a Community Enrichment Fund.

- Prepared by: Henry Outlaw, Assistant to the City Manager
 City Attorney (Required for all agreements, ordinances, etc.)
- Acceptable Form and Ready to Execute
- Other Reviewed and approved for next steps

Reviewed &
 Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

NOVEMBER 18, 2021

SUBJECT: DISCUSSION AND CONSIDER STAFF DIRECTION REGARDING CITY COUNCIL TRAINING AND THE CITY ATTORNEY

ADMINISTRATIVE SUMMARY

- Our new City Attorneys have offered to conduct trainings with City Council relating to related law updates and other best practices.
- With a new City Councilmember, and other long serving members who may be interested in a refresher, City Staff is looking for direction on scheduling a training with the City Attorneys.
- Topics that Attorneys and staff have discussed, and would recommend to City Council, include the Open Meetings Act, Freedom of Information Act, the Planning Enabling Act, etc.
- Per the Attorney General's Open Meetings Act [Handbook](#):

"A board quorum also may meet for a workshop, seminar, informational gathering, or professional conference designed to convey, to the conference participants, information about areas of professional interest common to all conference participants. These kinds of meetings involve a conference designed primarily to provide training or background information and involve a relatively broad focus upon issues of general concern, rather than a more limited focus on matters or issues of particular interest to a single public body. However, when gatherings are designed to receive input from officers or employees of the public body, the OMA requires that the gathering be held at a public meeting."

RECOMMENDATION

Consider directing the City Manager to work with the City Attorney to plan and schedule City Council training.

Prepared by: Nate Geinzer, City Manager and Sarah Gabis, City Attorney

Approved by: Nate Geinzer, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

NOVEMBER 18, 2021

SUBJECT: DISCUSSION AND CONSIDER STAFF DIRECTION REGARDING THE UPCOMING ANNUAL CITY COUNCIL RETREAT

ADMINISTRATIVE SUMMARY

- Annually, City Council gathers for a weekend retreat.
- In the past these retreats have largely focused on policy discussion and less on City Council Development and Team Building.

RECOMMENDATION

Consider directing the City Manager to outline an annual retreat agenda that prioritizes City Council Development and Team Building versus policy discussions that could be conducted during study sessions or other special meetings. Further, consider directing the City Manager to identify outside facilitators who could be vetted by City Council to facilitate the retreat, and an outside venue that would support the City Council Development and Team Building goals of the retreat, within the total budget of \$2,500 currently available in the City Council budget.

Prepared and

Approved by: Nate Geinzer, City Manager