



Brighton City Council Meeting

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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JULY 20, 2023

1. Call to order

Mayor Tobbe called the regular meeting to order at 6:30 p.m.

2. Pledge of Allegiance

3. Roll call

Present were Mayor Tobbe, Mayor Pro Tem Bohn, Councilmembers: Albert, Emaus, Gardner, Gipson, and Pettengill.

Staff Present: City Manager Gretchen Gomolka, City Clerk Tara Brown, DPS Director Marcel Goch, Community Development Manager Mike Caruso, Chief Brent Pirochta, and Attorney Sarah Gabis. There were approximately fifty people in the audience.

4. Consider approval of the agenda

Motion by Councilmember Emaus, seconded by Councilmember Albert to approve the agenda, moving items b and c from the consent agenda to new business. **The motion carried, 7-0.**

5. Consider approval of consent agenda items

Motion by Councilmember Emaus, seconded by Councilmember Gardner to approve the amended consent agenda. **The motion carried, 7-0.**

Consent Agenda Items

a. **Approval of Minutes: regular meeting of July 6, 2023**

~~b. Approval of Appointments to the Downtown Development Authority moved to new business~~

~~c. Approval of Appointments to the Planning Commission moved to new business~~

Correspondence

6. Call to the public

Mayor Tobbe opened the call to the public at 6:33 p.m.

Jim Vichich spoke regarding the promotional event starting August 6, 2023, called Deck Hunt in which the public will pick up a deck of cards starter pack at 2 Dandelions and visit participating stores for the remainder of the deck.

Tony Kassab spoke regarding the need for a parking deck in the City of Brighton and cautioned City Council that he is very familiar with other city's parking needs and solutions. Mr. Kassab also inquired about the apparent lack of workers on the Main Street during construction hours.

Ken Larscheid spoke about several highlights so far about the Believe in Brighton joint effort among downtown merchants and the great reception they have experienced with several events so far this summer.

7. Presentation of the Robertson Brothers donation

Tim Loughrin from Robertson Brothers presented a check to Chairperson Jeri Kay Thomas on behalf of the Brighton Arts and Culture Commission for \$17,000.00 which will help fund downtown a revitalization of the pocket park near St. Paul Street.

8. Proclamation: Brighton Area Historical Society

Mayor Tobbe presented a City of Brighton Proclamation to the Brighton Historical Society for their continued efforts in the Brighton Hills Cemetery and the achievement of 2023 Michigan Historic Preservation Network Community Award.

9. Staff updates

Manager Gomolka thanked all residents and concerned community members for calling the city offices regarding the Downtown Streetscape project, the city staff appreciates the opportunity to accurately inform residents of the progress and scope.

Director Goch stated the tornado alarms are slated to be replaced as soon as the contractor gets the equipment in and a big thank you to the residents who called the city about the alarms malfunctioning. Mr. Goch also provided an update on the Streetscape project and the plans for staging to possibly move to the CSX lot off Main Street.

10. Updates from Councilmember liaisons to various boards and commissions

Councilmember Gardner put out a reminder of the upcoming Brighton Arts and Culture Commission event August 8, 2023, called Lilly's Purple Plastic Purse at the AMP beginning at 11:30 a.m.

Councilmember Emaus stated the DDA met to begin discussion to consider a 90-day contract extension for Denise Murray to continue planning events and coordinate with merchants for the duration of the Downtown Streetscape Project.

Councilmember Albert listed the many opportunities that the city helped initiate to help downtown merchants throughout the Downtown Streetscape project. He further stated that the DDA and City of Brighton have continued to do everything possible to help merchants navigate and vet all options to increase business.

Councilmember Pettengill asked if the St. Paul pocket park revitalization will be an open call to artists or if an artist has already been chosen. Human Resources Manager Miller stated after the wall is prepared for painting there will be a *call to artists* for the wall painting.

Public Hearing

11. Conduct a public hearing, second reading, and consider adoption of Ordinance 602: amendments and reorganization of Chapter 66 – Signs, of the City of Brighton Code of Ordinances

Community Development Manager Caruso provided a brief description of the ordinance, highlighting the Supreme Court ruling and how it will affect residents and those who choose to display signs especially during election season.

Mayor Tobbe opened the public hearing at 7:51 p.m. Hearing and seeing no comment, the public hearing was closed.

Council discussed the impacts of the ordinance with the City Attorney and City Staff.

Motion by Councilmember Gipson, seconded by Councilmember Pettengill to approve the adoption of Ordinance 602: amendments and reorganization of Chapter 66 – Signs, of the City of Brighton Code of Ordinances. **The motion carried by roll call vote, 5-2. Mayor Pro Tem Bohn and Councilmember Emaus voted no.**

New Business

12. Discussion and conduct a first reading for proposed ordinance 604: amendments to Chapter 46 and Chapter 70 of the City of Brighton Code of Ordinances regarding open burn and consider setting a public hearing for August 17, 2023

Community Development Manager Caruso provided a brief overview of the proposed ordinance noting that this ordinance if approved would clean up conflicting language in the existing Code of Ordinances. City Council discussed the scenarios in which a homeowner could have a fire and could not. The ordinance complies with the recommendations from the Brighton Area Fire Authority.

Motion by Councilmember Gipson, seconded by Councilmember Gardner to conduct a second reading and public hearing for proposed ordinance 604: amendments to Chapter 46 and 70 of the City of Brighton Code of Ordinances regarding open burn. **The motion carried, 7-0.**

12 a. Approval of Appointments to the Downtown Development Authority

Motion by Councilmember Emaus, seconded by Councilmember Gipson to approve the reappointment of Ashley Israel and appointment of Todd Buckley to the Downtown Development Authority. **The motion carried, 7-0.**

12 b. Approval of Appointments to the Planning Commission

Motion by Councilmember Gipson, seconded by Councilmember Emaus to approve the reappointment of Chuck Hundley to the Planning Commission. **The motion carried, 7-0.**

Discussion

13. Legal Counsel

It was announced that Attorney Gabis has moved from Foster Swift to Bodman Law. City Council discussed the benefits of continuity if they remained with Attorney Gabis and made the determination terminate services with Foster Swift if an agreement can be reached between Bodman Law and the City that meets the expectations outlined in the proposed motion.

Motion by Councilmember Gipson, seconded by Councilmember Emaus to ask Mayor Tobbe to work with staff to solicit an engagement letter and proposal from Bodman Law, reviewing same to ensure it is of an equivalent legal content to the current engagement letter and proposal with Foster Swift, appointing Attorney Gabis as attorney of record, vesting Mayor Tobbe with the authority to execute said engagement letter provided the fee schedule remains the same, and to conduct a review of the performance of Attorney Gabis and Bodman approximately 60 days after the execution of the engagement letter and proposal to ensure the quality of legal services are the same then as they are now and to terminate representation by Foster Swift as the City Attorney commencing upon the employment termination of Attorney Gabis with Foster Swift pending approval of an engagement letter with Bodman executed by the Mayor based on the recommendation by the subcommittee consisting of Mayor Tobbe, Councilmembers Emaus and Gipson. **The motion carried, 7-0**

Closed Session

14. Consider entering into closed session for strategy session connected with the negotiation of a collective bargaining agreement pursuant to MCL 15.268 (c) of the Open Meetings Act

Motion by Councilmember Gipson, seconded by Councilmember Pettengill to enter into closed session at 9:08 p.m. for strategy session connected with the negotiation of a collective bargaining agreement pursuant to MCL 15.268 (c) of the Open Meetings Act. **The motion carried by roll call vote, 7-0.**

Motion by Councilmember Gipson, seconded by Councilmember Pettengill to come out of closed session at 9:42 p.m. **The motion carried, 7-0.**

Motion by Councilmember Emaus, seconded by Councilmember Gardner to approve and authorize the City Manager and City Attorney to execute the patrol and command contracts as discussed in closed session. **The motion carried, 7-0.**

Other Business

15. Call to the public

Mayor Tobbe opened the call to the public at 9:43 p.m. Hearing and seeing no comment, the call to the public was closed.

16. Adjournment

Motion by Councilmember Emaus, seconded by Councilmember Gipson to adjourn the meeting at 9:44 p.m. **The motion carried (7-0).**

Tara Brown, City Clerk