



Brighton City Council Meeting

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON SEPTEMBER 7, 2023

1. Call to order

Mayor Tobbe called the 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, Deputy Chief Craig Flood, DPW Superintendent Brad Schrader, and Attorney Sarah Gabis. There were approximately five people in the audience.

4. Consider approval of the agenda

Motion by Councilmember Gardner, seconded by Councilmember Pettengill to move item 16 from new business to the consent agenda. **The motion carried, 7-0.**

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

5. Consider approval of consent agenda items

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

Consent Agenda Items

- a. **Approval of Minutes: regular meeting of August 17, 2023**
- b. **Acceptance of quarterly investment reports**
- c. **Acceptance of quarterly financial reports**
- d. **Approval of the purchase of a portable power washer from Hotsy Midwest Cleaning Systems in the amount of \$9,274**
- e. **Approval to establish the City of Brighton City Council Chambers as the early voting site for the City of Brighton**
- f. **Consider awarding a three-year contract, with two optional one-year extensions, for HVAC services at the Wastewater Treatment Plant to Miller-Boldt Inc. (moved from New Business)**

Correspondence

6. Call to the public

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

Susan Henry informed the City Council on human trafficking within Livingston County and beyond.

Jane Horal from GoLivCo spoke in favor of the I-96 pedestrian walkway.

Alice Pashay spoke regarding the Senior Center and fees associated with membership and activities.

7. Staff updates

Clerk Brown stated that the City of Brighton tent will be at the Brighton Farmers Market this coming weekend with

new treats.

Director Goch provided updates on the Downtown Streetscape Project and the Pine Creek pressure issues.

8. Updates from Councilmember liaisons to various boards and commissions

Councilmember Pettengill thanked all who volunteered to work during the Streetwarming Party. Great job to all who volunteered and came out to celebrate the partial opening of Main Street. Councilmember Pettengill noted there was a lot of concern and talk about Decision Pending and the request that it comes back or near its place on Main Street.

City Manager Gomolka thanked Councilmember Gardner and Pettengill for supporting the merchants and helping out at the Streetwarming Party.

Councilmember Albert asked for an update on Linbom.

Community Development Manager Caruso stated that Consumers Energy has been out to disconnect service and a demolition permit is forthcoming.

Councilmember Emaus thanked those who attended the Streetwarming Party and especially the Community Engagement Committee, who organized the event. Several merchants mentioned the increase in sales.

Councilmember Gardner and the BACC will meet on September 11, 2023, to discuss the placement of various art including Decision Pending. Regarding the calls to public, Councilmember Gardner asked if Deputy Chief Flood had any statistics and numbers for the rate of human trafficking in the City of Brighton and recalls that the Brighton Area Schools funds the Senior Center and that very few city residents took advantage of the Senior Center. Manager Gomolka will bring back more information on membership costs and fees.

Mayor Pro Tem Bohn recalls the Senior Center discussion and similar to SELCRA, the City of Brighton was the last municipality contributing. Mayor Pro Tem Bohn asks that more information about the fee structure for the Senior Center be presented for future discussion.

Mayor Tobbe praised the dedication of the City of Brighton employees and community members on the Streetwarming Event; the innovative and inspiring work is to be commended.

Appointments

9. Approval of an appointment to the Zoning Board of Appeals

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to approve the appointment of Noreen Mollon to the Zoning Board of Appeals. **The motion carried, 7-0.**

Discussion

10. MDOT I-96 Interchange – pedestrian pathway and mast arm discussion

Motion by Councilmember Albert, seconded by Councilmember Emaus to approve black painted mast arms on both sides for the new I-96 interchange. **The motion carried, 5-2. Mayor Tobbe and Mayor Pro Tem Bohn voted no.**

Motion by Councilmember Gipson, seconded by Councilmember Emaus to table the pedestrian pathway discussion. **The motion carried, 7-0.**

11. Consider entering into closed session to consult with its attorney regarding trial or settlement strategy in connection with pending litigation, being Rohrkemper v 1023 Holding LLC, et al, Livingston County Circuit Court Case No. 23-31810-CH, because an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body pursuant to MCL 15.268(1)(e) of the Open Meetings Act

Motion by Councilmember Gardner, seconded by Councilmember Gipson to enter into closed session at 8:15 p.m. to consult with its attorney regarding trial or settlement strategy in connection with pending litigation, being Rohrkemper v 1023 Holding LLC, et al, Livingston County Circuit Court Case No. 23-31810-CH, because an open

meeting would have a detrimental financial effect on the litigating or settlement position of the public body pursuant to MCL 15.268(1)(e) of the Open Meetings Act. **The motion carried by roll call vote, 7-0.**

Motion by Mayor Pro Tem Bohn, seconded by Councilmember Gipson to come out of closed session at 8:28 p.m. **The motion carried, 7-0.**

Motion by Councilmember Gipson, seconded by Councilmember Emaus to direct the City Attorney to proceed as discussed in closed session. **The motion carried, 7-0.**

12. Consider Entering into Closed Session to Receive a Written Attorney-Client Privileged Communication Pursuant to MCL 15.268(1)(h) of the Open Meetings Act

Motion by Councilmember Gardner, seconded by Councilmember Albert to enter into closed session at 8:29 p.m. to receive a written attorney-client privileged communication pursuant to MCL 15.268(1)(h) 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 8:42 p.m. **The motion carried, 7-0.**

New Business

13. Consider approval of traffic equipment purchase and installation by Severence Electric Company for a cost of \$191,729.

Motion by Councilmember Emaus, seconded by Councilmember Pettengill to approve of traffic equipment purchase and installation by Severence Electric Company for a cost of \$191,179. **The motion carried, 7-0.**

14. Consider approval to award the Washington and Appian Way Asphalt Repair contract to Allied Construction for an amount not to exceed \$76,000

Motion by Councilmember Emaus, seconded by Councilmember Gipson to award the Washington and Appian Way asphalt repair contract to Allied Construction for an amount not to exceed \$76,000. **The motion carried, 7-0.**

15. Consider approval to award the contract for roof replacement to SAS Home Services in an amount not to exceed \$58,400

Motion by Councilmember Albert, seconded by Councilmember Gardner to award the contract for roof replacement to SAS Home Services in an amount not to exceed \$58,400. **The motion carried, 7-0.**

~~16. Consider awarding a three-year contract, with two optional one-year extensions, for HVAC services at the Wastewater Treatment Plant to Miller Boldt Inc. (Moved to the Consent Agenda)~~

17. Consider entering into closed session to consider the purchase or lease of real property pursuant to MCL 15.268 (1)(d) of the Open Meetings Act

Motion by Councilmember Gardner, seconded by Councilmember Gipson to enter into closed session at 8:57 p.m. to consider the purchase or lease of real property pursuant to MCL 15.268 (1)(d) of the Open Meetings Act. **The motion carried by roll call vote, 7-0.**

Motion by Councilmember Emaus, seconded by Councilmember Gardner to come out of closed session at 10:06 p.m. **The motion carried, 7-0.**

Other Business

18. Call to the public

Mayor Tobbe opened the call to the public at 10:07 p.m. Hearing and seeing no comment, the call to the public was closed.

19. Adjournment

Motion by Councilmember Gipson, seconded by Councilmember Albert to adjourn the meeting at 10:07 p.m. **The motion carried (7-0).**

Tara Brown, City Clerk