



Brighton City Council Meeting

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

August 13, 2024 – 6:30 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: [regular meeting of July 23, 2024](#)
- b. Approval of the [2024 Crop Walk civic event application](#)
- c. Acceptance of [quarterly financial reports](#)
- d. Acceptance of [quarterly investment reports](#)
- e. Approval of [TCO 189](#)
- f. Award the [contract for the purchase and installation of a new HVAC system at the DPW building to Gil-Rich Cooling and Heating, Inc. for \\$9,500](#)

Correspondence

6. Call to the public
7. Staff updates
8. Updates from Councilmember liaisons to various boards and commissions

Discussion

9. [Flags at Fairview and Brighton Hills Cemeteries](#)
10. Community Center Renovation Committee

New Business

11. [Consider approval of MDOT Contract 24-5268 for construction improvements in conjunction with MDOT construction on highway I-96 at Grand River](#)
12. [Consider approval of the installation of three trash compactors in the downtown parking lots at a cost not to exceed \\$22,061](#)

Other Business

13. Call to the public
14. Adjournment



Brighton City Council Meeting

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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JULY 23, 2024

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, Gardner, Gipson, Pettengill, and Schmenk.

Staff Present: City Manager Gretchen Gomolka, City Clerk Tara Brown, DPS Director Marcel Goch, Community Development Manager Mike Caruso, Attorney Sarah Gabis (via Zoom), and Chief Brent Pirochta

4. Consider approval of the agenda

Motion by Councilmember Albert, seconded by Councilmember Pettengill to approve the agenda as presented. **The motion carried, 7-0.**

5. Consider approval of consent agenda items

Motion by Councilmember Schmenk, seconded by Councilmember Gipson to approve the consent agenda as presented. **The motion carried, 7-0.**

Consent Agenda Items

- a. **Approval of minutes: regular meeting of July 9, 2024**
- b. **Approval of the 2024 LACASA Glow Gathering civic event application**

Correspondence

6. Call to the public

Mayor Tobbe opened the call to the public at 6:32 p.m. Hearing and seeing no comment, the call to the public was closed.

7. Staff updates

Clerk Brown stated the first day of Early Voting for the August Primary begins on July 27, 2024, for voters who wish to vote early and cast their ballot into the tabulator. For voters who wish to vote on Election Day and have questions about their registration or where to vote should contact the City Clerk.

Director Goch spoke about ongoing road projects throughout the city. East Street construction is going well and is off to a great start with concrete curbs and road base being laid as weather permits. The Reclamite treatment to the Northwest Neighborhood was applied and the final sweeping will be done by the end of the week. This treatment is an effort to preserve new roads and provided additional structure to the flexible asphalt. CSX has been contacted several times regarding the railroad tracks at Walnut and Fourth Street; however, we have not received a confirmed repair date.

City Manager Gomolka reported the City of Brighton has received confirmation that the Downtown Streetscape Project has been chosen as a finalist for the MML Community Excellence Award along with three other communities. The Community Excellence Award is the MMLs most prestigious award. The CrowdStrike computer outage on July 19, 2024, did affect the city as it did most computer users in the world, but our IT team was able to

swiftly repair the issue. Business resumed as normal with minimal down time.

8. Updates from Councilmember liaisons to various boards and commissions

Mayor Tobbe thanked all IT professionals worldwide for their efforts to quickly implement the necessary fix for the CrowdStrike outage. Mayor Tobbe also thanked the Taste of Brighton board for a very successful Taste of Brighton event in the city.

Mayor Pro Tem Bohn stated the Planning Commission met on July 15, 2024, to discuss a site plan at 125 Beaver Street, a representative from the Huron River Watershed Council presented and offered assistance as the Planning Commission revises the Master Plan, and the commission reviewed and considered input on the Master Plan from City Council, specifically lot coverage, setbacks, density, and height.

Councilmember Pettengill complimented the Taste of Brighton board on the recent Taste of Brighton event. The “food” flags were a helpful addition. Councilmember Pettengill also noted the Brighton Arts and Culture Commission has issued a call to artist for a mural at the St. Paul Pocket Park. Interested artists should visit the City of Brighton’s website for specific details and application procedure.

Councilmember Schmenk stated the Zoning Board of Appeals met on July 11, 2024, to consider two variances. The first variance was granted to 2 Dandelions for an additional sign and the other was for a variance on signage for a new carwash on Grand River that was ultimately denied as presented.

Councilmember Gardner noted the Huron River Watershed Council met on July 18, 2024, for lessons related to chemistry and waterflow. The next meeting will be held at the headquarters in Ann Arbor on October 17, 2024.

Councilmember Gardner also provided an update on the Brighton Area Fire Authority that there will be a ballot proposal on the November ballot to ask voters for an increased millage to allow each of the five fire stations to have fulltime staff.

Councilmember Gipson stated the Downtown Development Authority met on July 16, 2024. The authority is currently operating without much of a fund balance, however; there are plans for a strategic planning meeting in the near future.

9. Mayoral Proclamation: Eagle Scout Benjamin Ketchel-Buschell

10. Mayoral Proclamation: Eagle Scout Dorian Pettengill

New Business

11. Consider approval of appointments to various boards and commissions, Planning Commission

Motion by Councilmember Pettengill, seconded by Councilmember Gardner to approve the reappointment of Matt Smith to the Planning Commission. **The motion carried, 7-0.**

12. Consider approval of the Destination Stars Hollow: A Gilmore Celebration civic event application

Motion by Councilmember Gipson, seconded by Councilmember Pettengill to approve the Destination Stars Hollow Gilmore Celebration Civic Event provided that the event further indemnifies the city for any and all claims related to intellectual property infringement. **The motion carried, 7-0.**

13. Consider approval to award the contract for the 2024 roof replacements to RGS Construction, LLC in an amount not to exceed \$53,983

Motion by Councilmember Pettengill, seconded by Councilmember Gardner to award the contract for the 2024 roof replacements to RGS Construction, LLC in an amount not to exceed \$53,983. **The motion carried, 7-0.**

14. Consider approval to purchase a John Deere Gator utility vehicle in an amount not to exceed \$28,940.97

Motion by Councilmember Gardner, seconded by Councilmember Schmenk to approve the purchase of a 2025 John Deere Gator utility vehicle in an amount not to exceed \$28,940.97. **The motion carried, 7-0.**

**15. Conduct a first reading and set a public hearing of August 27, 2024, for proposed Ordinance 607:
Amendments to the City of Brighton Code of Ordinances**

Motion by Councilmember Schmenk, seconded by Councilmember Gipson to set a public hearing of August 27, 2024, for proposed Ordinance 607: Amendments to the City of Brighton Code of Ordinances. **The motion carried, 7-0.**

Other Business

16. Call to the public

Mayor Tobbe opened the call to the public at 7:33 p.m. Hearing and seeing no comment, the call the public was closed.

17. Adjournment

Motion by Councilmember Pettengill, seconded by Councilmember Albert to adjourn the meeting at 7:33 p.m. **The motion carried, 7-0.**

Tara Brown, City Clerk



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

August 13, 2024

SUBJECT: CONSIDER APPROVAL OF THE 2024 CROP WALK CIVIC EVENT APPLICATION

ADMINISTRATIVE SUMMARY

Church World Service submitted their application for the 2024 Crop Walk event to be held on Sunday, October 20, 2024, from 2 pm to 4 pm.

This 5K walk starts and ends at the First United Methodist Church at 400 East Grand River. The participants walk on the sidewalks and the Tridge. There are no road closures required, and no city assistance is needed. They anticipate having approximately 100 walkers. This is a small event and has occurred annually for many years .

The Civic Event Committee, which includes representatives from the Brighton Area Fire Authority and Brighton City Police, reviewed the application. The only issue was their request to place arrow stickers along the walk route. The city does not allow stickers of any type on sidewalks or streets, so they will be advised they will have to use a different method to advise walkers of the route.

BUDGET INFORMATION

There are no costs incurred by the City of Brighton for this event.

RECOMMENDATION

Approve the 2024 Crop Walk Civic Event Application.

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

Reviewed &

Approved by: Gretchen Gomolka, City Manager

Attachment: Civic Event Application



City of Brighton

Civic Event Application

Insurance certificate and signed indemnification agreement will be forthcoming.

See note re: taped arrow signs

Civic Event Application Form

Application Date: 6/27/24

Name of Organization: Church World Service - CRDP Walk

Name of Applicant: Mary Kushner

Address: 4199 Brian Drive

Contact Information:

Cell Phone 810-599-5195 Home Phone 810-220-2820

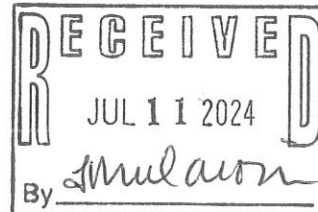
Email Address mkushner23@gmail.com

Event Title: Brighton Area CRDP Walk

Event Location: Begins @ First United Methodist Church
400 E. Grand River - thru downtown Brighton

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

Date	Day of Week	Beginning Time	Ending Time
<u>Oct. 20, 2024</u>	<u>Sunday</u>	<u>2:00 pm</u>	<u>4:00 pm</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____





City of Brighton

Civic Event Application

Set up Time/Date	Tear down Time / Day*	Rain Date (if applicable)
<u>11:00 am 10/20</u>	<u>11:30 pm / 10/20</u>	<u>NA</u>

* Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the teardown of all materials with their on-site vendors, sponsors, etc. is complete by the teardown 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: 13-4080201

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

Church World Service raises money to
support hunger programs locally and
globally. CRDP stands for Communities
Responding to Overcome Poverty.

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):

A 5K (3.2 mile) walk beginning at First
United Methodist Church (400 E. Grand River),
Walkers follow a marked course through downtown
Brighton with a rest stop at St. George's Lutheran
Church on Main St. and ending at the start
location. All cars are parked at First United
Methodist Church parking lot.

Is this event expected to occur next annually? Y N



City of Brighton

Civic Event Application

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):

third Sunday in October

OR

Next year's specific date(s):

Date(s)	Day(s) of Week	Date(s)	Day(s) of Week
<u>Oct. 19, 2025</u>	<u>Sunday</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

Hunger programs globally sponsored by
Church World Service.
25% of funds raised go to 3 local hunger
organizations; Bountiful Harvest, Torch Food
Truck and Love, Inc.



City of Brighton

Civic Event Application

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

Starting Point:

First United Methodist Church - 400 E. Grand River

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

Ending Point:

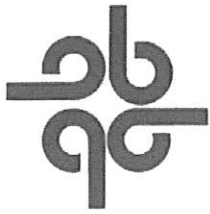
First United Methodist Church

Number of Entries:

50 - 100 walkers

Traffic Control Plan:

Patrols @ corners on Grand River to help walkers cross. Walkers obey all traffic lights - this is not a race!



City of Brighton

Civic Event Application

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

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

Will there be an admission fee? Y N

If yes, how much will you charge?

Walkers collect pledges from their own
sponsors.

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?

NA

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



City of Brighton

Civic Event Application

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

Organization/Community Group	\$ Amount
<u>Love Inc.</u>	<u>9% of funds raised</u>
<u>Bountiful Harvest</u>	<u>8% of funds raised</u>
<u>Torch Food Truck</u>	<u>8% of funds raised</u>
_____	_____

What is the expected attendance for this event? 50 - 100 (depends on weather)

Do you plan to supply additional restroom facilities? Y N

At 2 churches

Number of volunteers 10

Number of staff members 2

How will volunteers and staff members be identified?

By t-shirts and crop vests.



City of Brighton

Civic Event Application

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

Provides Funding for local agencies which
assist with poverty issues.

Electrical services required (please be as accurate as possible): NA - none

Other utilities required (please be as accurate as possible): NA - none



City of Brighton

Civic Event Application

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

Do you plan to utilize the City's Millpond Amphitheater area? Y N

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

Please review the "Millpond Amphitheater" on Page 21, which details what areas and equipment are included in the Amphitheater. Please provide the detailed aspects (i.e. vendors, musical performances, days, times etc.) and their locations on the "Amphitheater Drawing" on Page 22.

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

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

Methodist Church parking lot

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

Walk begins at parking area and ends
at parking area.



City of Brighton

Civic Event Application

Signage Requested (please detail sign locations on the attached map and provide sign renderings):

Number of signs 15-

Arrows are not allowed to be taped nor are stickers allowed to be used.

Types of signs (please attach sign renderings/images):

Arrows at corners (taped to sidewalk)
pointing the direction for walkers to follow.

Detailed locations of signs:

At corners where walkers need to
turn or cross street.

Date signs posted: 10/20/24 Date signs removed: 10/20/24

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" on Pages 23 through 25.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

August 13, 2024

SUBJECT: QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDING JUNE 30, 2024

ADMINISTRATIVE SUMMARY

- This report is for the fourth quarter of the fiscal year and while we are still going through our annual audit, we have a pretty good idea of what the final numbers will look like. Numbers are coming in very favorably compared to the amended budget.
- We will continue to monitor the budget and make City Council aware of any significant budget variances if they should arrive prior to next quarters report.

Prepared by: Elizabeth Gaines, Finance Director

Reviewed &

Approved by: Gretchen Gomolka, City Manager

FINANCIAL REPORT FOR CITY OF BRIGHTON - GENERAL FUND
PERIOD ENDING 6/30/2024

Favorable compared to Budget
Materially In line with Budget
Monitoring
Unfavorable compared Budget

	2023-24 ORIGINAL BUDGET	2023-24 AMENDED BUDGET	YTD BALANCE 6/30/2024	OVER/ (UNDER) AMENDED BUDGET	NOTES
REVENUE					
PROPERTY TAXES	7,389,607.00	7,739,607.00	7,802,336.15	62,729.15	Tax collections have exceeded the budgeted amount.
TAX PENALTIES, INTEREST & FEES	267,800.00	267,800.00	306,040.74	38,240.74	We exceeded the budgeted amount for tax administrative fee (1% fee on all taxes added to tax bills).
LICENSES & PERMITS	455,250.00	725,250.00	730,933.13	5,683.13	We received the building permit fee for Meijer remodeling project, with addition to the various other permit fees received throughout the year this account exceeded the budgeted amount.
STATE SHARED REVENUE	1,025,000.00	1,025,000.00	1,029,883.41	4,883.41	This includes the PPT reimbursement, which we receive in October and May, and the State Shared revenue which we will receive by-monthly starting in October. We will still record one State Shared revenue payment in this account which will not be received until the end of August. This account has exceeded the budgeted amount.
INVESTMENT EARNINGS	30,000.00	330,000.00	415,214.62	85,214.62	Due to high interest rates we have exceeded the budgeted amount.
RENTS & ROYALTIES	72,850.00	72,850.00	85,440.00	12,590.00	The majority of this line item represents charges to Major and Local streets for employees working on street projects. This line also includes building rental fees (AMP and community center), which has exceeded the budgeted amount.
OTHER REVENUE	65,500.00	65,500.00	132,626.63	67,126.63	Includes reimbursement for civic events, dividend payment from our purchasing card and reimbursements to the City for retiree health savings account pre-funding.
OTHER FINANCING SOURCES	265,000.00	95,000.00	99,503.46	4,503.46	This represents appropriation from DDA and Utility Funds.
SERVICE CHARGES	802,700.00	802,700.00	810,185.09	7,485.09	This is primarily refuse collection user fees.
FINES & FORFEITS	24,000.00	24,000.00	34,638.25	10,638.25	Primarily police related fines which come in sporadically throughout the year.
LOCAL UNIT CONTRIBUTION	92,000.00	92,000.00	102,552.18	10,552.18	This account is for the liaison officer payments.
STATE GRANTS	1,500.00	1,500.00	6,053.02	4,553.02	This is the Act 302 payments, which are received in October and May.
TOTAL REVENUES	10,491,207.00	11,241,207.00	11,555,406.68	314,199.68	

Favorable compared to Budget
 Materially in line with Budget
 Monitoring
 Unfavorable compared Budget

	2023-24 ORIGINAL BUDGET	2023-24 AMENDED BUDGET	YTD BALANCE 6/30/2024	OVER/ (UNDER) AMENDED BUDGET	NOTES
EXPENDITURES					
CITY COUNCIL	31,497.00	31,497.00	23,755.80	(7,741.20)	Primary expense is Per Diems, savings are in budgeted per diems and conferences.
CITY MANAGER	263,822.00	273,822.00	263,485.69	(10,336.31)	Includes City Manager, a portion of both Assistant to the City Manager positions, contractual services for SPARK employee (July-October only) as well as an allocated portion of the budgeted additional payment to MERS.
COMMUNICATIONS	36,479.00	43,479.00	13,359.14	(30,119.86)	This budget is limited to community promotions expenses. It was budgeted to include a portion of the Assistant to the City Manager position, but it was later decided to not allocate the position to this department.
LEGAL SERVICES	254,353.00	254,353.00	188,305.49	(66,047.51)	General and Labor attorney retainers and other expenses.
CITY CLERK	234,818.00	234,818.00	209,689.18	(25,128.82)	Election costs and per diems, a portion of both Assistant to the City Manager positions, general operating expenses as well as an allocated portion of the budgeted additional payment to MERS.
HUMAN RESOURCES	241,842.00	241,842.00	209,006.34	(32,835.66)	General operations, a portion of both Assistant to the City Manager positions, as well as an allocated portion of the budgeted additional payment to MERS.
FINANCE	825,622.00	825,622.00	803,524.52	(22,097.48)	General operations as well as an allocated portion of the budgeted additional payment to MERS.
INFORMATION SYSTEMS	235,878.00	235,878.00	186,785.81	(49,092.19)	General operations to run IT, primarily software related expenses.
POLICE	3,678,190.00	3,678,190.00	3,442,263.41	(235,926.59)	General operations as well as an allocated portion of the budgeted additional payment to MERS.
PUBLIC WORKS	2,710,450.00	2,730,523.90	2,639,338.18	(91,185.72)	General operations covering all city buildings and public spaces.
COMMUNITY DEVELOPMENT	519,761.00	519,761.00	478,605.60	(41,155.40)	General operations as well as an allocated portion of the budgeted additional payment to MERS.
POST EMPLOYMENT BENEFITS	518,452.00	548,452.00	532,201.68	(16,250.32)	Healthcare for retirees.
TRANSFERS-OUT AGENCIES	161,200.00	161,200.00	147,878.60	(13,321.40)	425 Agreement payment to Genoa Township based on the Taxable Value for the parcels in the agreement, appropriation to SPARK, and the Historical Society.
TRANSFERS-OUT OTHER FUNDS	1,926,047.00	1,346,047.00	1,346,010.22	(36.78)	Appropriations to other funds are made as expenditures in those funds occur.
TOTAL EXPENDITURES	11,638,411.00	11,125,484.90	10,484,209.66	(641,275.24)	

There are still some invoices and cash receipts relating to the year ended June 30, 2024 that will come in. We are undergoing our audit and will determine the final results for the year in the coming months. The preliminary projections show overall revenues and expenditures are coming in favorable to the amended budget. Note the budgeted use of fund balance is due to the transfer of fund balance to the new capital reserve fund and the boiler repair at the community center. Note the budgeted use of fund balance is primarily due to an additional \$571,786 (\$600,000 total including utilities fund portion) payment into MERS and budgeted \$680,000 transfer to DDA, which was an as needed transfer for use of contingency for streetscape project, which was not needed and will not be transferred.

NET OF REVENUES & EXPENDITURES (1,147,204.00) 115,722.10 1,071,197.02



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL AUGUST 13, 2024

SUBJECT: QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING JUNE 30, 2024

ADMINISTRATIVE SUMMARY

- The City's total investment/bank balance has increased by \$167,150 or 0.6% over last quarter to \$26,135,982.
- This increase is due to receiving a sizable building permit and a reduction of spending due to the completion of projects throughout the year.
- The City's average rate of return on investments had a slight increase from 4.17% to 4.179% over the last quarter. This rate of return and growth follows national trends in interest rates.
- The City's earnings remain somewhat lower than the benchmark 3-month Treasury Bill Rate and the Fed Funds Rate. This is due to the city's need for liquidity and protecting funds in low interest, higher insurance coverage bank accounts. The City continues to properly diversify funds in order to obtain the most FDIC insurance coverage at possible. We achieve this through lower interest bearing investments that spread our money across several different banks. This relieves the burden of the City tracking 40 or more different financial institutions in order to obtain FDIC insurance coverage.
- The City's deposits/investments with Flagstar Bank, The State Bank, Independent Bank, and Michigan Class total 23%, 6.3%, 40.8%, and 15.5%, respectively, of the City's overall portfolio. The high ratio of deposits held in Flagstar and Independent Bank is because these are fully insured accounts earning moderate interest.
- We continue to work within the primary objectives of the City's Investment Policy, which, in priority are: safety, liquidity, and return on investment.

Prepared by: Elizabeth Gaines, Finance Director

Reviewed and approved by: Gretchen Gomolka, City Manager

MEMORANDUM

To: City Council
From: Laura Hoshaw, Treasurer 
Subject: Quarterly Investment Report
Date: July 17, 2024

We are earning interest rates ranging from 0% to 5.39% on our money market, savings, and checking accounts held at various financial institutions. We have two accounts that are earning 0% interest at Old National Bank. One is a small balance account, which allows our Police officers no fee money orders for out of county court warrants. The other is a tax account that gives our citizens another location to pay their property taxes. These funds are liquid in nature and are available to use on demand. We currently have six CDs ranging from \$251,180 to \$299,982. They range from 6 months to 18 months in length with interest rates from 5% to 5.40%. We also added two CDARS (Certificate of Deposit Account Registry Service) at CIBC Bank. CDARS allows investments in CDs held by many different FDIC insured banking institutions so it can achieve full FDIC coverage for the total sum. One account is for \$1,018,370 at 4.85% for 1 year and the other is for \$1,016,079 for 2 years. Municipalities are required to use Michigan banks for investment purposes.

What many had hoped would be a rosy spring home buying season ended as a thorny challenge for many prospective home buyers already demoralized by a frustrating market. Yet, even as sales stalled amid elevated mortgage rates and home prices, one silver lining emerged—more resale inventory entered the market, which has begun to put some downward pressure on the pace of home price growth. Other good news for home shoppers is the decline in the median price for a new home, now below the median resale home price, even as builders continue offering incentives to lure buyers. Nonetheless, experts say the housing market will only see renewed momentum once mortgage rates drop enough to ease buyer affordability obstacles and incentivize homeowners locked in at low rates to move.

A vast swath of the U.S. economy is showing signs of weakness as unemployment rises to its highest point in more than two years. Consumer demand seems to have tapered off so far this summer, according to surveys of American businesses that sell any kind of service to make a profit, from restaurants to dental clinics. That weakness is also evident in the latest spending figures—a far cry from last year's lucrative summertime spending spree when Americans shelled out for films and high-profile concerts. The U.S. consumer is indeed under pressure, grappling with still high inflation, the highest interest rates in more than two decades, depleted pandemic savings, and a growing load of debt.

The Committee decided to maintain the target range for the federal funds rate at 5 ¼ % to 5 ½%. Recent indicators suggest that economic activity has continued to expand at a solid pace. Job gains have remained strong, and the unemployment rate has remained low. Inflation has eased over the past year but remains elevated. In recent months, there has been modest further progress toward the Committee's 2% inflation objective. The economic outlook is uncertain, and the Committee remains highly attentive to inflation risks.

CITY OF BRIGHTON
 QUARTERLY INVESTMENT REPORT
 AS OF JUNE 30, 2024

Investment Accounts	Account Balance	Maturity Date	Current % Interest Rate	Average R.O.R.
OLD NATIONAL BANK-Checking	41,462	Immediate	0.00%	0.00%
OLD NATIONAL BANK-Juvenile	11,741	Immediate	0.00%	0.00%
Total Old National Bank	53,203			
BANK OF ANN ARBOR	58,650	Immediate	0.90%	0.00%
Total Bank of Ann Arbor	58,650			
FIRST NATIONAL BANK OF AMERICA	1,025	Immediate	0.25%	0.00%
Total First National Bank of America	1,025			
HORIZON BANK-MM	2,725	Immediate	1.26%	0.00%
Total Horizon Bank	2,725			
FLAGSTAR BANK-Refundable Deposit	787,764	Immediate	4.15%	0.13%
FLAGSTAR BANK-Combined Savings	217,843	Immediate	4.15%	0.03%
FLAGSTAR BANK-A/P Checking	4,993,905	Immediate	3.80%	0.73%
Total Flagstar Bank	5,999,512			
CHIEF FINANCIAL CREDIT UNION-Platinum Sav	65	Immediate	0.05%	0.00%
Total Chief Financial Credit Union	65			
THE STATE BANK-Savings Account	1,654,291	Immediate	4.00%	0.25%
Total The State Bank	1,654,291			
INDEPENDENT BANK UTILITY LB CHECKING	10,666,875	Immediate	3.75%	1.53%
Total Independent Bank	10,666,875			
MICHIGAN CLASS	4,041,346	Immediate	5.39%	0.83%
Total Michigan Class	4,041,346			
CD-COMERICA BANK	262,552	02/25/25	5.05%	0.05%
CD-CIBC BANK	258,531	11/21/24	5.40%	0.05%
CDARS-CIBC	1,018,370	02/13/25	4.85%	0.19%
CDARS-CIBC	1,016,079	02/12/26	4.25%	0.17%
CD-HORIZON BANK	267,509	08/07/24	5.18%	0.05%
CD-FIRST NATIONAL BANK OF AMERICA	251,180	02/14/25	5.15%	0.05%
CD-BANK OF ANN ARBOR	299,982	11/21/24	5.10%	0.06%
CD-CHIEF FINANCIAL CREDIT UNION	284,086	08/13/24	5.00%	0.05%
Total Certificate of Deposits	3,658,289		5.00%	
TOTAL	26,135,982			4.18%
Three Month Treasury Bill Rate*				5.51%
Average Fed Funds Rate**				5.33%
City's Avg. R.O.R. over/(under) the 3-month T-Bill Rate				-1.33%
City's Avg. R.O.R. over/(under) the Avg. Fed Funds Rate				-1.15%



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

DATE: AUGUST 13, 2024

SUBJECT: CONSIDER APPROVAL OF TCO 189 FOR TWO STOP SIGNS BE PLACED AT THE INTERSECTION OF N. EAST STREET AND BEAVER STREET

BACKGROUND

Over the past several weeks, staff at City Hall, the Department of Public Services (DPS), and the Police Department have received communications with concerns and questions regarding the intersection of N. East Street and Beaver Street. The main concern is that Beaver Street does not have stop signs at East Street.

After discussions with Manager Gomolka and DPS Director Goch, it was determined that N. East Street is a high-traffic roadway that will see increased use during the construction project at I-96 and W. Grand River Ave.

ADMINISTRATIVE SUMMARY

- After a review of the area, staff believes adding two stop signs at the intersection of N. East Street and Beaver Street would enhance vehicle traffic safety.
- The addition of the stop signs on Beaver Street at the intersection at East Street will create a four-way stop.
- Signs will be purchased and installed by DPS staff.
- Once installed, the new stop signs will be flagged.
- If approved, information will be communicated to the public via social media platforms, city website, and the city app.

RECOMMENDATION

Approval of TCO 189 to purchase and install two stop signs on Beaver Street at the intersection of N. East Street making the intersection a four-way stop.

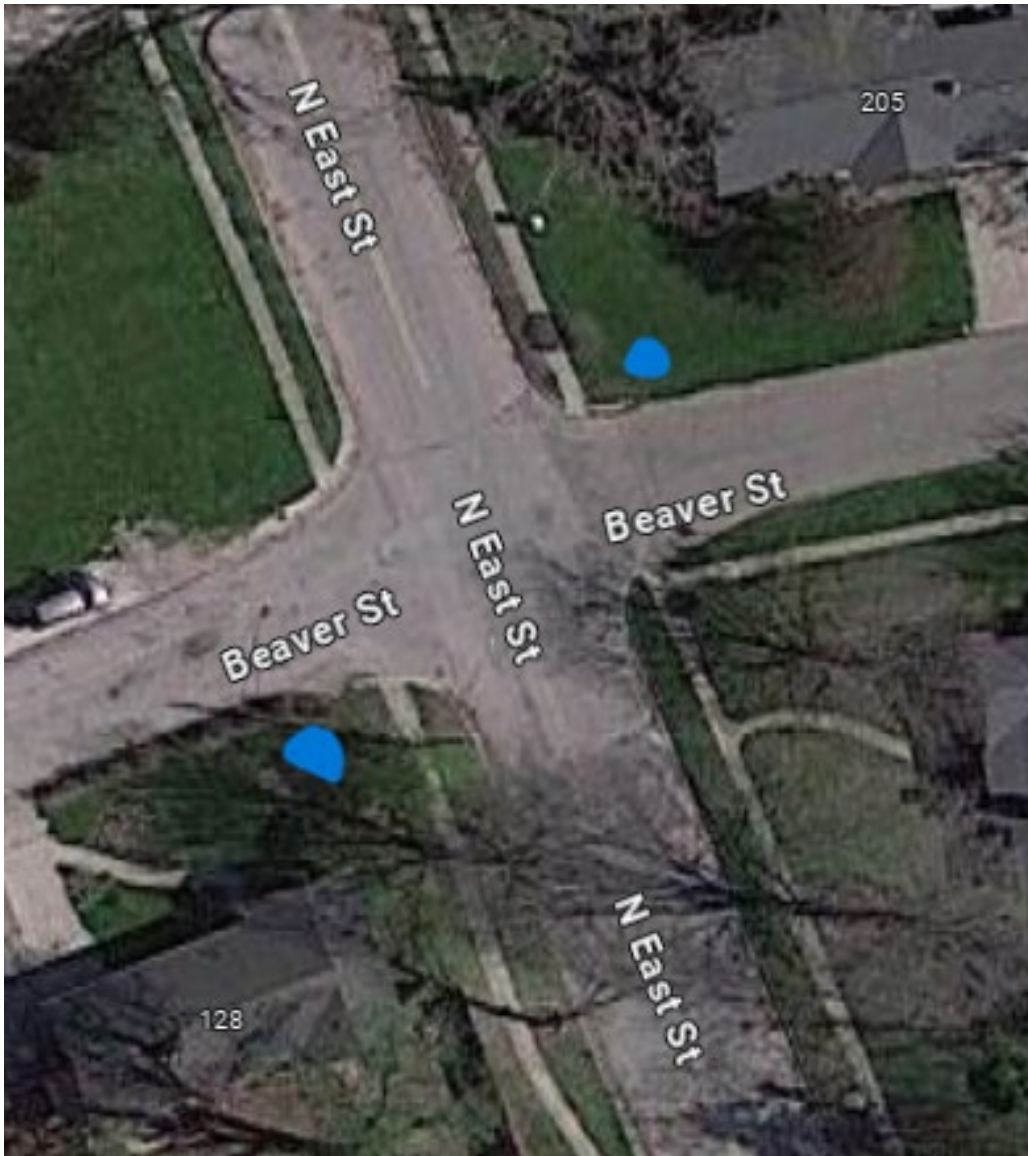
Prepared by: Brent Pirochta, Chief of Police

Reviewed by: Marcel Goch, Director of Public Services
Elizabeth Gaines, Finance Director

Elizabeth Ga, Finance Director (Required for all financial related agenda items)

- Within Budget
- Budget Amendment Necessary and In Proper Form
- Other _____

Reviewed & Approved by: Gretchen Gomolka, City Manager



The blue dots are the location of the two new stop signs to be installed.

TEMP. T.C.O. FILED _____
CONTROLS INSTALLED _____
APPROVED BY COUNCIL _____
RESCINDED _____

CITY OF BRIGHTON

TRAFFIC CONTROL ORDER NO. 189

In accordance with the Brighton City Code, as amended, and Ordinance #348, Section 86-26 though 86-28, we have made an investigation of traffic conditions on:

The stop signs at the intersection of N East St and Beaver St.

and as a result of said investigation do hereby direct that:

Two stop signs be placed on Beaver St. One sign to be placed at the northeast corner of the intersection and the second sign be placed at the southwest corner of the intersection. The intersection will become a four-way stop.

This order shall not expire until rescinded by the City Council. If this is a temporary traffic control order that has been placed by the Traffic Engineer, this order shall expire 90 days from the date of filing with the City Clerk.

Traffic Engineer (City Manager)

Date of Filing with City Clerk
(if temporary)

Received for filing (date) by

Tara Brown, City Clerk

Approved by the City Council on: _____

I hereby certify that the foregoing is a true copy prepared from the record on file in my office, as attested to by the Seal of the City Clerk of the City of Brighton, embossed hereto.

Signed _____
Tara Brown, City Clerk

Date: _____



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

AUGUST 13, 2024

SUBJECT: CONSIDER AWARDING AT CONTRACT FOR THE PURCHASE AND INSTALLATION OF A NEW HVAC SYSTEM AT THE DPW BUILDING TO GIL-RICH COOLING AND HEATING, INC. FOR A COST OF \$9,500

BACKGROUND

The DPW office building and garage were completed in 2001. The current HVAC system is the original one installed at that time. It is 23 years old and has had significant repairs made to it in the last few years.

ADMINISTRATIVE SUMMARY

Staff obtained quotes to replace the DPW HVAC system from four different reputable HVAC companies in the area, one of which was Allied Building Service, who is the current HVAC maintenance contractor for all city locations. The city's maintenance contract with Allied allows us to obtain quotes for projects that are outside the scope of our contract.

Gil-Rich Cooling and Heating provided the lowest cost. Please see the table below.

VENDOR	PRICE
Gil-Rich Cooling and Heating	\$9,500
Allied Building Service	\$12,775
Kearns Mechanical, LLC	\$13,375
American Heating and Cooling	\$13,760

The City used Gil-Rich Cooling and Heating for a part of the DPW Garage Conversion Project done last fall and staff was very satisfied with the work that was done.

BUDGET INFORMATION

City Council approved \$15,000 for the replacement of the DPW HVAC system in the Fiscal year 2024-2025 CIP budget.

RECOMMENDATION

Approve the purchase and installation of a new HVAC system at the DPW Building from Gil-Rich Cooling and Heating, Inc. for a cost of \$9,500.

Prepared by: Brad Shrader, DPW Superintendent

Reviewed by: Marcel Goch, DPS Director

Elizabeth Gaines, Finance Director

Within Budget

Budget Amendment Necessary and In Proper Form

Other _____

Reviewed &
Approved by: Gretchen Gomolka, City Manager



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

August 13, 2024

SUBJECT: FLAGS AT FAIRVIEW AND BRIGHTON HILLS CEMETERIES

U.S. Code chapter 1 – The Flag

§6. Time and occasions for display

- (a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.

ADMINISTRATIVE SUMMARY

Brighton Hills Cemetery has three flags. The flag nearest to Williamsen Drive is powered by electricity, while the other two are illuminated by solar lights. Farview Cemetery has one flag that also operates with solar power. Over the years, the Clerk's office has received several calls from residents, community organizations, and other interested parties about the cemetery flags not being properly lit at night. Upon investigation, it was discovered that the solar-powered lights did not maintain enough power to illuminate the flags during all hours of darkness, which is especially noticeable during the winter months. The city's electrician has provided a cost estimate of \$24,389.54 to run electricity to each of the now solar-powered flags. The bulk of the estimate is the cost of wire needed to span the distance from the electrical box to the flags.

City staff would like to discuss options and alternative solutions.

Prepared by: Tara Brown, City Clerk

Reviewed &

Approved by: Gretchen Gomolka, City Manager



**Electricity
at
Cemetery
Garage**

**Veterans Flag
with
electricity**

**Electric
Box**

Bray Electric

9817 Lovejoy Rd
Byron, MI 48418

Estimate

Date	Estimate #
6/26/2024	371

Name / Address
City of Brighton 200 N First St Brighton, Mi 48116 Livingston

Project

Description	Qty	Rate	Total
VET CEMETERY FLAG POLE LIGHTS			
WIRE	3,600	1.562	5,623.20
MIGHTY POSTS	3	61.60	184.80
LIGHTS	3	171.60	514.80
WIRE NUTS	1	55.00	55.00
CONDUIT	120	10.934	1,312.08
CONDUIT 90	6	22.58333	135.50
CONDUIT COUP	50	0.484	24.20
LABOR	1	2,160.00	2,160.00
Total			\$10,009.58

Bray Electric

9817 Lovejoy Rd
Byron, MI 48418

Estimate

Date	Estimate #
6/26/2024	372

Name / Address
City of Brighton 200 N First St Brighton, Mi 48116 Livingston

Project

Description	Qty	Rate	Total
MAIN CEMETERY FLAG POLE			
LIGHTS	1	171.60	171.60
MIGHTY POSTS	1	61.60	61.60
CONDUIT	200	10.934	2,186.80
CONDUIT 90	4	22.58	90.32
CONDUIT COUP	60	0.484	29.04
WIRE	2,000	3.20	6,400.00
BREAKER	1	39.60	39.60
LABOR		5,400.00	5,400.00
		Total	\$14,378.96



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

August 13, 2024

SUBJECT: CONSIDER APPROVAL OF MDOT CONTRACT 24-5268 FOR CONSTRUCTION IMPROVEMENTS IN CONJUNCTION WITH MDOT CONSTRUCTION ON HIGHWAY I-96 AT GRAND RIVER

BACKGROUND

Over the past year the City of Brighton has been working with MDOT, and after several public meetings and a public open house, the City Council made the following approvals totaling \$365,000:

- 9/7/23 City Council Meeting – Approved an upgrade the traffic lights from span wire to black painted mast arms on both sides of the new interchange at an estimated cost of \$350,000
- 10/19/23 City Council Meeting – Approved to participate in the cost of the installation of a pedestrian/bicycle pathway through the interchange at an estimated cost of \$10,000
- 1/9/24 City Council Meeting – Approved wording of “Welcome to Brighton” on both sides of the I-96 interchange bridge at an estimated cost of \$5,000

ADMINISTRATIVE SUMMARY

MDOT has refined their estimates for these items resulting in a significantly reduced estimate for all three totaling \$186,000.

The city will have to pay a \$40,000 deposit and will be billed thereafter as work is completed.

BUDGET INFORMATION

Staff accounted for these projects starting this year with \$75,000 in the budget with the remainder to be budgeted in 2024/2025 when the bulk of the charges will come through as work is completed. Should charges come in earlier than expected there is sufficient fund balance to cover the timing difference, and a budget amendment would be brought forth to City Council.

RECOMMENDATION

Approve contract 24-5268 with MDOT for the construction improvements in conjunction with MDOT construction on Highway I-96 at Grand River.

Prepared by: Gretchen Gomolka, City Manager

Reviewed by: City Attorney (Required for all agreements, ordinances, etc.)

- Acceptable Form and Ready to Execute
- Other pending review

Elizabeth Gaines, Finance Director

- Within Budget
- Budget Amendment Necessary and In Proper Form
- Other _____

SPECIAL TRUNKLINE
NON-ACT-51
ADDED WORK

DA	
Control Section	IM 47065; M 47065
Job Number	210679CON; 210679PE
Fed Project #	24A0679
Contract	24-5268

THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF BRIGHTON, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements in conjunction with the DEPARTMENT'S construction on Highway I-96, within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the DEPARTMENT is planning interchange reconstruction at Highway I-96 and Grand River Avenue; and

WHEREAS, the CITY has requested that the DEPARTMENT perform additional work for and on behalf of the CITY in connection with the Highway I-96 construction, which additional work is hereinafter referred to as the "PROJECT" and is located and described as follows:

Signal installation work within the interchange of Highway I-96 and Grand River Avenue, including work required for the placement of mast arm signals in excess of the work required to install standard strain wire signals, galvanized coating, pedestal painting, sidewalk and pathway construction work outside DEPARTMENT limited access right-of-way (LA ROW) and aesthetic texturing on Structure S10-3 of 47065 which carries Highway I-96 over Grand River Avenue; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$186,000; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written Contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties shall undertake and complete the construction of the PROJECT in accordance with this Contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of the construction of the PROJECT including the costs of: (1) preliminary engineering (PE), plans and specifications, (2) physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT, (3) construction engineering (CE), (4) and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY will approve the design intent of the PROJECT and shall accept full responsibility for the constructed PROJECT functioning as a part of the CITY'S facilities. The CITY is solely responsible for any input which it provides as it relates to the design of the PROJECT functioning as part of the CITY'S facilities.

4. The DEPARTMENT will administer all phases of the PROJECT and will cause to be performed all the PROJECT work.

Any items of PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

5. The PROJECT COST shall be charged to the CITY 100 percent and paid in the manner and at the times hereinafter set forth. Such cost is estimated to be as follows:

PROJECT COST - \$186,000

The PE costs will be apportioned in the same ratio as the actual construction award and the CE costs will be apportioned in the same ratio as the actual direct construction costs.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY not including payments made for a working capital deposit. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Payment is due within 30 days of receipt of invoice. Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

The CITY will deposit with the DEPARTMENT the following amount which will be used by the DEPARTMENT as working capital and applied toward the end of the project for the contracted work and cost incurred by the DEPARTMENT in connection with the PROJECT:

DEPOSIT - \$40,000

The total deposit will be billed to the CITY by the DEPARTMENT and shall be paid by the CITY within 30 days after receipt of invoice.

7. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified herein. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, the DEPARTMENT is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the CITY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

8. Upon completion of the PROJECT and the sidewalk and pathway constructed within LA ROW, the CITY shall accept the facilities constructed as built to specifications within the construction contract documents. It is understood that the CITY shall own the facilities and shall operate and maintain the facilities in accordance with all applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act (ADA), 42 USC 12131 et seq., and its associated regulations and standards, and DEPARTMENT Road and Bridge Standard Plans and the Standard Specifications for Construction at no cost to the DEPARTMENT.

Upon completion of construction, the traffic signal portion of the PROJECT shall be operated and maintained by the CITY and the DEPARTMENT in accordance with standard practice.

The freeway signing and shield markings installed as part of the trunkline project on Grand River within the interchange will be operated and maintained by the DEPARTMENT.

9. Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this Contract are done to assist the CITY. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the CITY of its ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the CITY of its exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this Contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401 et seq., as amended, which is incidental to the completion of the PROJECT.

The DEPARTMENT, by executing this Contract, and rendering services pursuant to this Contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such highway for the purposes of MCL 691.1402 et seq., as amended rests with the CITY.

10. In connection with the performance of PROJECT work under this Contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this Contract. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

11. This Contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said Contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this Contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF BRIGHTON

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
for Department Director MDOT

By _____
Title:



APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

APPENDIX B
TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the “contractor”), agrees as follows:

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

August 13, 2024

SUBJECT: CONSIDER APPROVAL OF THE INSTALLATION OF THREE TRASH COMPACTORS IN DOWNTOWN PARKING LOTS AT A COST NOT TO EXCEED \$22,061

BACKGROUND

The City of Brighton owns and maintains trash dumpster enclosures in some of our public parking lots. While the city maintains the structures, business owners who utilize the dumpsters contract and pay for their own trash removal service.

In 2010, the city contracted with Waste Management (WM) to install trash and cardboard compactors on Millpond Lane for use by the businesses along that street. The city holds the contract with WM; however, the businesses pay for the service. Having compactors downtown has proven to be very successful in controlling the large amount of trash that is generated by restaurants, retail businesses, and offices.

ADMINISTRATIVE SUMMARY

In order to better control refuse service and reduce waste removal vehicle traffic in the downtown area, staff is proposing to install compactors in the Hyne Street, North Street, and East Block parking lots. Having one service provider will reduce the wear and tear to downtown streets and help with reducing traffic.

We received a quote from WM for the installation of the compactors and one from our electrician for any electrical work needed to run these compactors. Please see the pricing proposal below.

Location	Electrical Cost	Compactor Installation Cost	Total Cost	With 15% Contingency
Hyne Street	\$5,868.76	\$800	\$6,668.76	\$7,549.07
East Block	\$2,244.30	\$800	\$3,044.30	\$3,380.95
North Street	\$8,982.90	\$800	\$9,782.90	\$11,130.34
		TOTALS	\$19,495.96	\$22,061.00

BUDGET INFORMATION

City Council approved \$57,500 in the 2023/2024 CIP Budget. Staff requested, and City Council approved using \$12,100 of these funds to cover the overage for the DPW Driveway chip and fog seal project. There is \$44,900 remaining, which is sufficient for the installation of the three compactors, including our customary 15 percent contingency.

RECOMMENDATION

Approve the installation of three trash compactors in downtown parking lots at a cost not to exceed \$22,061.

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

Reviewed by: Marcel Goch, DPS Director

Elizabeth Gaines, Finance Director

- Within Budget
- Budget Amendment Necessary and In Proper Form
- Other _____

Reviewed &

Approved by: Gretchen Gomolka, City Manager