

**CHARTER TOWNSHIP OF BRIGHTON
BOARD OF TRUSTEES
4363 BUNO ROAD
BRIGHTON, MI 48114**

**MARCH 21, 2016
REGULAR MEETING
7:00 P.M.
(810) 229.0560**

Supervisor T. Murphy called the meeting to order at 7:00 P.M. The Pledge of Allegiance was said.
Present. T. Murphy, Supervisor; A. Bollin, Clerk; D. Hawk, Treasurer; P. Michel, Trustee; M. Slaton, Trustee;
L. Weaire, Trustee
Absent: C. Doughty, Trustee

CALL TO THE PUBLIC

Barbara Potocki, 8420 Woodland Shore Drive – Has any action been taken since the March 3, 2016 meeting? Since the township advanced sewer capital billings through the debt service charge, we have now met the assessment. Are you still going to send us a bill (debt service charge) which will lead to an overpayment?

Joellen Pisarczyk, 12477 Scenic View Ct. – Resident for 18 years; supports the Livingston Classical Academy (LCA) and its showcase education program; great team leading the effort.

Paul Sullivan, 1321 Kendra Lane – LCA board member; LCA will help property values. LCA is committed to meeting traffic issues.

Cory Merante, 11183 Rolston Rd., Byron – LCA board member and is writing his doctoral dissertation on merits of classical education.

Mike Teaney, 2960 Arborview Dr., Traverse City – Selected as Business Manager of LCA; excellent board and top notch program; relocating.

Mike Palmer, 10382 East Grand River Ave. – What is the status of code enforcement on Main Event sign; two properties not on sewer district need to be added to sewer. Action plan was discussed at September 16, 2003 meeting; the minutes reflect what's going on now; Clerk voted no; stop illegal capital charge.

Sherry Sweeney, 6352 Baker Drive, Howell – LCA Board Member; teacher in public and private schools; pro-LCA at Deerfield Development.

Jim Sarna, 8266 Woodland Shore Drive – Who owns Woodland Shore Drive property? What can be done about it?

Sherry Osterman, 3119 School Lake Drive – Opposes charter school; found negative and biased background information; urged Board to do more research.

John Gibbs, 12322 Will Mill Dr. – Supports LCA; echoes positive comments; school would be a tremendous opportunity and asset to the community.

Stephanie Frederick, 10258 Rushton, South Lyon – Educator for many years; supports LCA based on classical education model.

Jeanette Gee, 5370 Ivy Ct., Howell – In favor of school; wants her grandchildren to attend the school. Methods of education are great/challenging; presents a conservative, positive choice; hopes the Board supports it.

Dick Streetman, 7747 Athlone Dr. – President of LCA Board; has seen best and worst in his career; LCA is an excellent option; exceeds state guidelines; excited to bring school to Michigan and Brighton Township.

Gianina Cazan, 1700 Deanna, Howell – Has four children and currently home schools; has been searching for a charter school; favors this type of education; also joined school board; supports the school.

Luigi and Adriana Milani, 2686 Pine Bluff, Highland Township – Very excited about school; want to enroll their children. Home schooled for seven years and taught at Wayne State University.

AGENDA

A. Bollin moved and P. Michel seconded to **approve the consent agenda upon receipt of clarification of payment to Infrastructure Alternatives Incorporation.**

Ayes: D. Hawk, A. Bollin, P. Michel, T. Murphy, L. Weaire

Nays: M. Slaton

Motion carried.

SECOND READING / PUBLIC HEARING – Proposed Revision/Amendment to General Code of Ordinances, Chapter 15, Extraction, Excavation, Removal and Fill

K. Mathews, Planner, provided overview of changes including revised surety bond language.

Public Hearing opened at 7:27 P.M.

Joellen Pisarczyk, 12477 Scenic View Ct. – Why modifying and why now? Is there a need for it?

Mike Palmer, 10382 East Grand River Ave. – What happens and who does this apply to? Will you need permits to fill gardens or yards with dirt? sand on beach? rocks? Infringing on rights of homeowners.

No written comments.

Public Hearing closed at 7:30 P.M.

T. Murphy explained ordinances are reviewed regularly and yard quantities have been in the ordinance for a long time. Changes to eliminate surety bonds will offer better assurance for the Township.

A. Bollin moved and L. Weaire seconded to **adopt Ordinance No. 267 which includes revisions to the General Code of Ordinances, Chapter 15, Extraction, Excavation, Removal and Fill.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: none

Motion carried.

PUBLIC HEARING – FY’ 2016-17 Budget

Manager Vick presented overview of the process and key points including that the greatest variable is Planning and Zoning fees; this is a healthy budget due to decisions made five years ago to reduce legacy costs and health insurance costs; it includes monies for SELCRA and Economic Development and SPARK but the actual amounts are yet to be determined and will be presented for approval by the Board. Also includes the two identified joint road projects with the Livingston County Road Commission; transfers as outlined in the budget notes; and sewer fund reserves based on the Asset Management Plan.

Public Hearing opened at 7:37 P.M.

Mike Palmer, 10382 East Grand River Ave. – Continues to hear the same talk; biggest priority should be to fix deficit in sewer and refund the monies for illegal capital (\$9.6M); Contingent Liability - \$0; \$70,000 was supposed to be budgeted yet no monies budgeted; payoff the debt from the General Fund; look at major issues in the Township.

Public Hearing closed at 7:42 P.M.

Manager Vick presented background information on the equipment reserve fund and summarized how monies will be transferred for Sewer equipment replacement and reserve funds upon the completion of the audit; this is also referenced in the budget notes.

QUARTERLY SANITARY SEWER FINANCIAL REPORT – Third Quarter, FY’ 2015-2016
Ken Palka, Pfeffer, Hanniford, & Palka presented the Quarterly Report. The report was received and filed.

APPROVAL OF CONCEPTUAL PLANNED UNIT DEVELOPMENT PLAN – Deerfield Preserve

Kelly Mathews, Planner, provided an overview of the project including site layout, number of lots and conceptual plan for both the residential and commercial sites explaining that the Livingston Classical Academy will be cited on the commercial side.

Marshall Blau and Dave Whittaker, Applicants, provided an overview of the project including there will be 72 homes instead of 78 and a school and daycare instead of a shopping center. The project will be 2-phased; the school will go in immediately and the residential will be later. There will be picnic tables and benches in the open spaces. The charter school will stagger pick-up and drop-off times in order to address traffic circulation concerns.

Jacob Rushlow, OHM Engineer, provided an overview of the project including cul-de-sacs, storm water drainage, and traffic study concerns.

Discussion included need for compliant and accurate traffic study, internal circulation, sidewalks within the development, proposed perimeter pathway not included in the adopted Pathway Plan, benches and woodchip path, current sanitary sewer ordinance requirements, pick up and drop off times; the proposed Planned Development Agreement, length of charter school approval, single ownership/entity throughout the duration of the entire project; preliminary and final site plan approval process; concerns for safety and traffic; and expanding the width of Road Right-of-Way (60 ft. to 66 ft.) which is consistent with the ordinance. Also confirmed with the Attorney and Applicant that there was a joint trash collection provision in the master deed and a provision to hook up to water should it become available.

P. Michel moved and A. Bollin seconded to accept the Planning Commission’s recommendation to approve the conceptual Planned Unit Development Plan upon meeting the following conditions: 1) Plan requires full unconditional approval of Brighton Area Fire Authority regarding internal circulation plan completed within the Conceptual Plan Phase; 2a) Complete compliant Traffic Impact Study based on Township Ordinances and Livingston County Road Commission (LCRC) and with the Engineer’s approval; 2b) Internal circulation plan of the school and daycare completed to the satisfaction of OHM which avoids back-up to public roads; 3) Planned Development Agreement regarding sewer must fully conform to Township ordinances and policies; 4) Ownership/control to conform to Township ordinances; and 5) Right-of-way width will be 66 ft. to accommodate utilities.

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire, T. Murphy

Nays: None

Motion carried.

Recessed at 9:15 P.M.

Returned at 9:25 P.M.

SEWER SYSTEM SPECIAL MEETING FOLLOW-UP – Discussion

Manager Vick provided an overview of the special meeting. Discussion included the previous action plan; oversizing of the system to accommodate future growth and how much did that cost; it has already been calculated at 500 REU’s; oversizing was a policy decision – should it be considered an advance from the Township General Fund; the growth was not experienced; 2,500 REU’s = 240 vs. 260 gallons/REU; MDEQ Permit is based on the Design Basis Report; oversizing did attribute to some economies of scale; can a portion of the plant be shut down to gain a greater efficiency (it was explained that this was not an option because of need to have a back-up for emergencies); public meeting; two tier rates; can the township purchase remaining REU’s; January 11, 2016 Utilities Committee Minutes; items in the UC minutes had not been formally presented to the Board because of the public meeting; can the Township invest in infrastructure (i.e. E. Grand River); BTBT joint meeting with Utilities Committee in the future to review administrative policy and role of Utilities Committee; explanation of annual assessment rolls which contain the outstanding assessments only; findings relative to the eight properties on Pine Ranch not hooked-up to system – it was confirmed by

Infrastructure Alternatives that they are not being billed through Utility Billing (there are no grinders, no sewer, and no illegal taps per the Manager but during the inspection on these properties it was discovered that there are two manholes in front of one property – township needs to gain access to private property to further review situation); plan to get more users; revisiting the maps as stated at the March 3rd meeting; posting questions from meeting on the website.

ADOPTION OF RESOLUTION – FY' 2016-17 General Appropriations

A. Bollin moved and D. Hawk seconded **to adopt Resolution No. 16-003, FY' 2016-17 General Appropriations, with noted clerical revisions and noting that the various appendices tables will be added to the adopted budget.**

Ayes: L. Weaire, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: M. Slaton

Motion carried.

ADOPTION OF RESOLUTIONS FOR WAGES/SALARIES – FY' 2016-17

Manager Vick summarized the resolutions and noted that there are no wage increases for elected officials.

SUPERVISOR

D. Hawk moved and A. Bollin seconded **to adopt Resolution No. 16-004 setting the wages and benefits for the Township Supervisor for FY' 2016-17.**

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire

Nays: T. Murphy

Motion carried.

CLERK

P. Michel moved and L. Weaire seconded **to adopt Resolution No. 16-005 setting the wages and benefits for the Township Clerk for FY' 2016-17.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: None

Motion carried.

TREASURER

L. Weaire moved and P. Michel seconded **to adopt Resolution No. 16-006 setting the wages and benefits for the Township Treasurer for FY' 2016-17.**

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire, T. Murphy

Nays: None

Motion carried.

TRUSTEES

T. Murphy moved and D. Hawk seconded **to adopt Resolution No. 16-007 setting the wages and benefits for the Township Trustees for FY' 2016-17.**

Ayes: P. Michel, L. Weaire, D. Hawk, M. Slaton, A. Bollin, T. Murphy

Nays: None

Motion carried.

MANAGER

P. Michel moved and D. Hawk seconded **and to adopt Resolution No. 16-008 setting the wages and benefits for the Township Manager for FY' 2016-17.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: None

Motion carried.

ADOPTION OF RESOLUTION FOR DEFINED CONTRIBUTION PLAN DOCUMENT RESTATEMENT

Manager Vick provided overview and stated there is no deviation from the previous plan. Discussion included

that the document was inconsistent with existing personnel plan participation specifically the Manager who is now included in the MERS Defined Contribution Plan requiring an employee match. No formal action taken; staff will follow-up on request for clarification and ability to make a modification to reflect current situation.

APPROVAL OF REQUEST FOR HOURLY RATE ADJUSTMENT – OHM Advisors

Rhett Gronevelt, OHM, and Manager Vick summarized the request. Discussion included: rate of inflation is 0%; 2011-2014 – OHM had no increases; 2015 – 5.8% increase; 2016 – 3% request.

P. Michel moved and T. Murphy seconded **to approve the contract addendum accepting the 2016 Hourly Rate Schedule (Schedule A – 2016 Hourly Rate Schedule, 2016 Brighton Township Rates) for OHM Advisors effective April 1, 2016.**

Ayes: L. Weaire, D. Hawk, P. Michel, T. Murphy

Nays: M. Slaton, A. Bollin

Motion carried.

ACCEPTANCE OF BID AND AWARD OF CONTRACT – Lawn and Grounds Maintenance RFP #16-01, B & N Lawn and Snow, Inc.

Z. Dyba, Assistant to the Manager, provided overview of bid results and presented the proposed contract. Discussion included whether the vacant properties recently purchased had been included (no); who will be monitoring for quality control (Z. Dyba will monitor maintenance). Attorney Harris confirmed that he had reviewed the contract.

L. Weaire moved and A. Bollin seconded **to approve the bid and award the contract to B & N Lawn and Snow, Inc. for Lawn and Grounds Maintenance based on their proposal dated February 10, 2016 for the two-year period and authorizing the Township Supervisor and Clerk to execute the contract.**

Ayes: L. Weaire, M. Slaton, D. Hawk, A. Bollin, P. Michel, T. Murphy

Nays: None.

Motion carried.

APPROVAL OF PROPOSAL – Landscape Design and Construction Management Services, PEA

K. Mathews, Planner, provided overview of the proposed contract. Contract is for design/build work in the amount of \$12,500. Scope of work includes Township Hall grounds, three lift stations, around three (3) gateway signs and a new concept for ground signage. Discussion included need to complete landscaping on all sides of building; repairs needed on sidewalk and landscape wall at south entrance that are shifting; is this a lump sum fee or hourly not-to-exceed fee; courtyard, backyard and older trees need trimming and attention (the quote did not include these services); proposal excluded sign lighting at township hall but it would likely need adjustment; and staff cannot manage the project so it is proposed that PEA provide the oversight. Consensus was that additional information is needed including clarification on fees, need for specific fees for additional services. No contract awarded.

REQUEST FOR APPROVAL TO CREATE A CONTRACT – Graphic Sciences, Inc., Building Records Document Scanning Services

Z. Dyba, Assistant to the Manager, and K. Mathews, Planner, provided overview of the proposed project which includes digital scanning of the building and planning records (microfilm, microfiche and paper copies); purpose is to protect the deteriorating microfilm, allow for easier access by administration to look up records and provide an electronic back up of the files with a long term goal of enhancing public access; the pricing is an estimate based on visual review of records. Discussion included clarification on what records the project will include and the process for the chain of custody; who will identify the specific records going out of the building and verifying which records are returned; clerk emphasized need to ensure that all records are properly identified prior to release and verified upon return by signed affidavit; need to establish a long term plan and process for digitizing records as they are created; purchase of a large scale scanner capable of producing searchable documents as previously discussed; protocol moving forward to ensure that records are scanned and searchable including submission by applicants. Staff noted that this phase of the project is to get the records digitized. Consensus was that we will formalize a SOP and develop a process for making records accessible, retrievable and in the future searchable; pursue a large scale scanner/copier and work with IT Right to tie in ability to redact to protect data as required by law and including driver's license and social security numbers and to meet red flag rules.

P. Michel moved and T. Murphy seconded to **approve the contract with Graphic Sciences, Inc. for document scanning services of building department records based on the contractual rates between the State of Michigan and Graphic Sciences and authorizing the Township Supervisor and Clerk to execute the Statement of Work Agreements.**

Ayes: P. Michel, A. Bollin, D. Hawk, L. Weaire, T. Murphy

Nays: M. Slaton

Motion carried.

Discussion included confirmation that collaboration on the SOP's and exploring options for internal search and redaction through IT Right will continue.

AUTHORIZATION TO PURCHASE – IT Equipment Replacement, I.T. Right

Manager Vick provided an overview of proposed purchase due to server slow down issues. The replacement purchase includes five desk top computers and a server for the WWTP. Discussion included old computers being rotated; applications and compatibility issues.

A. Bollin moved and D. Hawk seconded to **accept the Manager's recommendation to purchase the BS & A server, WWTP server, five (5) desktop workstations and 6 SSD upgrades through IT Right for a not-to-exceed amount of \$11,000 upon confirmation of compatibility.**

Ayes: P. Michel, A. Bollin, D. Hawk, M. Slaton, L. Weaire, T. Murphy

Nays: None.

Motion carried.

AUTHORIZATION TO PURCHASE – Grinder Pumps and Replacement Parts, Dubois-Cooper

Manager Vick provided an overview.

A. Bollin moved and L. Weaire seconded to **accept the unit pricing submitted by Dubois-Cooper per the proposal dated March 9, 2016 for the purchase of grinder pumps and replacement parts and authorize the Manager to make said purchase in the amount not-to-exceed \$65,000 for FY' 2016-17.**

Ayes: L. Weaire, M. Slaton, D. Hawk, P. Michel, A. Bollin, T. Murphy

Nays: None.

Motion carried.

REPORTS AND CORRESPONDENCE

REPORTS

Brighton Area Fire Authority Regular Meeting Minutes – January 14, 2016

Planning Commission Regular Meeting Minutes – January 11, 2016

Planning Commission/ZBA Special Meeting Minutes – January 14, 2016

Planning Commission Regular Meeting Minutes – February 8, 2016

Election Commission Special Meeting Minutes – October 6, 2015

Utilities Committee Regular Meeting Minutes – May 26, 2015

Utilities Committee Regular Meeting Minutes – January 12, 2015

L. Weaire – BAFA update including draft CIP and August Millage. SEMCOG update included meeting with representative regarding SEMCOG services including pathway grants.

M. Slaton – Planning Commission report included review of Deerfield Preserve, Troy Clogg and Towne & Country Bicycle Shoppe.

D. Hawk – Tax collection complete; settled with County. Discussion included consideration of not sending delinquent SAD's to the County; Manager and Treasurer to review notes and provide a memo outlining options and interest rates.

A. Bollin – LCWA reviewed lead testing standards and current testing schedule with the Engineer and Operator to review current schedule and standards; suggested that new recreation facilities included in site plan approval process be encouraged to allow for collaboration with other entities, specifically SELCRA, in order to leverage facilities for future recreation programming. Also inquired on the status of the Main Event sign complaint and if there were proceeds from the sale of 4230 Link Drive that had not been dispersed. Attorney Harris provided an update and will contact the courts for copy of closing documents.

P. Michel – SELCRA has two communities remaining (Brighton Township and Green Oak Township); upcoming meeting with BAS Superintendent Greg Gray on the proposed joint user agreement.

T. Murphy – Update on future recreation planning and opportunities including actively involved in looking for recreation opportunities; Brighton Area Schools currently working on proposal to two outgoing communities.

DEPARTMENTS

Revenue & Expenditure Report – Third Quarter, FY’ 2015-16

Voter Turnout Report – March 2016

Infrastructure Alternatives, Inc. Monthly Operating Reports - September, October, November, December 2015 and January, 2016 (Discussion included that some of the reports did not include monthly volumes – manager will follow up. Also inquiry as to why the spike in January – manager will follow up and report back).

MANAGER

B. Vick – Clearwater special meeting has been postponed due to where we are at on reaching an agreement. John Harris, Attorney, to provide Manager with a summary and update so that a meeting date can be scheduled with the public.

CALL TO THE PUBLIC

None

ADJOURNMENT

P. Michel moved and L. Weaire seconded to adjourn. Motion carried.

The meeting adjourned at 12:12 A.M., March 22, 2016.

Respectfully submitted,

Ann M. Bollin, CMC, CMMC, Clerk

Thomas E. Murphy, Supervisor