

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

**JANUARY 16, 2017
REGULAR MEETING
7:00 P.M.
(810) 229.0560**

Supervisor P. Michel called the meeting to order at 7:03 P.M. The Pledge of Allegiance was said.

Present: P. Michel, Supervisor; A. Bollin, Clerk; R. Drouillard, Treasurer; S. Combs, Trustee; M. Slaton, Trustee; S. Theis, Trustee
Absent: L. Weaire, Trustee

Supervisor Michel recognized Thomas Murphy, Cathy Doughty, and Deborah Hawk for their service as Brighton Township Board of Trustee members.

CALL TO THE PUBLIC

Jim Sarna, Woodland Shore Drive – Distributed handout. Referenced Open Meetings Act; requested corrections to 12-19-16 BTBT minutes regarding Woodland Lake Bridge; Utilities Committee meeting and recommendations on sewer rates and loans should be included. Where does the litigation money come from? K. Palka stated the O&M rates should go up because of litigation.

Mike Palmer, East Grand River Avenue – Distributed handouts; recognizing former Supervisor after his past name calling is wrong; objects to Encore Village development; all policies should be available on the Township website; BTBT can't muzzle First Amendment rights.

Bob Potocki, Woodland Shore Drive – Distributed handout previously given to Planning Commission. Requested help in the past, referenced neighbors deaths, bridge is a public safety issue. Tried to get item on the agenda.

Robert Brookins, Windsted Lane – Referenced WHMI article about sewer litigation; General Fund money should not pay for sewer litigation. Non-users do not want to pay for this.

Barb Potocki, Woodland Shore Drive – Pays taxes to entities (i.e. schools) with no benefit. Township made decision to overbuild plant; I shouldn't have to pay for the unused 60%. Gave remaining minutes to Mike Palmer.

Mike Palmer, East Grand River Avenue – Insurance company denied claim; sewer is a Township asset; no petitions under PA 188; residents are not responsible for 60% of unused sewer.

Supervisor Michel requested a moment of silence for Bernie Corrigan, former member of the Board of Trustees, business man, and local donor to community.

AGENDA

A. Bollin moved and S. Theis seconded to **approve the consent agenda adding I.1. Closed Executive Session – Attorney Client Communication date 01-16-17 from Jim Keifer regarding the Incompatible Offices Act and SELCRA and a conditional postponement of the First Reading of the G.1. Conditional Rezoning of Encore Village following the discussion.**

Motion carried.

Clerk Bollin expressed concerns as to whether the application was complete and requested clarification on the timing and submission of the Market Study and Traffic Impact Study for review by the Township Planning Commission. Planner stated the PC ultimately did act to move it forward in the review process. Discussion included the process of the Conditional Rezoning application process, Planning Commission comments and review, outstanding items, and updated traffic study from the Road Commission. K. Mathews, Township Planner, explained the purpose of the First Reading and what the process looks like moving forward at the Board level. Trustee Slaton, Liaison to the Planning Commission, indicated the Planning Commission would

have liked to have seen the Market Study prior to this item going to the Board of Trustees. The Market Study has been available on the Township website. Discussion also included setbacks, density, and traffic as outstanding items.

R. Drouillard moved and S. Combs seconded **to listen to a presentation by the Developers of Encore Village and then to send their application for Conditional Rezoning back to the Brighton Township Planning Commission.**

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, P. Michel

Nays: M. Slaton

Motion carried.

FIRST READING – Conditional Rezoning, Encore Village

Attorney, A. Green, requested that the Board provide guidance on what their application is lacking and felt that they had fulfilled all the requirements at this point in the process; requested guidance on the specific matters that the Board would like the Planning Commission to further review. Brent Levanway, Boss Engineering, introduced the Encore Development Team including, Alan Green, Counsel; Mike Furnari, Development Team; Mark Abernatha, Architect; Jeff King, King and MacGregor Environmental Inc.; Julie Carl, Traffic Engineering, and presented an overview of the Encore project including the acreage, location contains Pickerel Lake, 555 units, multi-story senior building includes senior independent apartments, memory care, and assisted living, ranch style living geared toward empty nesters for lease, these are not age restricted. He touched on wetlands and preservation. M. Abernatha, Architect, talked briefly on the building designs, hip roofs, and mix of materials for diversity. Floor plans will have two (2) different styles; open living, downscaled from a large home. Placements of units are on the lake or have view sheds to the lake; two (2) clubhouses; and space for activities on the water will be available. Discussion ensued on the conceptual site plan, Conditional Zoning Agreement terms, number of variances, conditional zoning process, special use – was a public hearing necessary, density, and lease terms. A. Green clarified the Conditional Zoning Agreement parameters, conditional zoning understanding and the process for the developer. Township Attorney Harris confirmed this agreement meets all Township Ordinances and the stage of the process to define the potential use of the property. Discussion continued on variances being granted by way of conditional rezoning, and a brief traffic study explanation. Consensus of the BTBT is for the Conditional Rezoning of Encore Village to go back to the Planning Commission and for Board members to submit their outstanding questions for review by the Planning Commission through the Clerk; Clerk will forward to the Planner to communicate the questions/concerns to the developer and Planning Commission.

APPOINTMENT – Planning Commission Liaison to the ZBA

Clerk Bollin presented an overview of the Zoning Ordinance requirement to have a PC liaison to the ZBA.

M. Slaton moved and R. Drouillard seconded **to accept the recommendation of the Planning Commission and appoint Jeff Stinedurf as the Planning Commission liaison to the Zoning Board of Appeals for a term expiring December 31, 2017.**

Motion carried.

APPROVAL OF AUTHORIZED PREPAIDS

Clerk Bollin presented this as a house-keeping item and provided background. She stated that list needs to be updated and having an authorized prepaids list is a recommendation by the Township Auditor.

A. Bollin moved and S. Combs seconded **to approve the list of authorized pre-paids as presented and to authorize the Clerk and Treasurer to make payments between Board meetings.**

Motion carried.

APPROVAL OF HARDSHIP DEFERRAL – Sanitary Sewer Special Assessment, Parcel No. 4712-19-201-061
Manager Vick provided a summary of the process including the lien that will be filed and stated this is for the 2016 sewer assessment. Discussion included that the Township will be repaid following the sale of the property.

A. Bollin moved and S. Combs seconded **to approve the sewer assessment hardship deferral request for property parcel 4712-19-201-061 in the amount of \$766.32.**

Ayes: M. Slaton, A. Bollin, R. Drouillard, S. Combs, S. Theis, P. Michel

Nays: None.

Motion carried.

APPROVAL OF CONTRACTS/AGREEMENTS TO COLLECT SCHOOL TAXES

Treasurer Drouillard presented an overview of the Agreements noting they are consistent with past years' agreements and the Attorney has reviewed and approved them.

P. Michel moved and A. Bollin seconded **to authorize the Clerk and Supervisor to sign agreements for 2017 summer tax collection with the following school districts: Livingston Educational Service Agency, Howell Public Schools, Hartland Consolidated Schools, and Brighton Area Schools.**

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, P. Michel

Nays: M. Slaton

Motion carried.

ADOPTION OF RESOLUTIONS – OWL, Nuisance Geese and Mute Swan Control on Woodland Lake

Manager Vick provided background on the request by the Homeowners Organization of Woodland Lake (OWL). Anita Grapentien, President of OWL, was present and clarified the purpose of the request. This included the requirement of the Resolution by the Department of Natural Resources, the pollution of overpopulation becomes a health concern, and a DNR officer determines the outcome of each situation. The DNR handles the aggressive swans, the geese are handled by a private company. A. Grapentien went into detail of past aggressive swans on Woodland Lake.

A. Bollin moved and R. Drouillard **to adopt Resolutions No. 17-001 and No. 17-002, Resolutions Requesting Assistance from the MI Department of Natural Resources in the Removal of Nuisance Geese and Mute Swan as permitted by the MI Department of Natural Resources.**

Ayes: M. Slaton, A. Bollin, R. Drouillard, S. Combs, S. Theis, P. Michel

Nays: None.

Motion carried.

REPORTS AND CORRESPONDENCE

REPORTS

M. Slaton – Shepherd of the Lakes building expansion approved with contingencies. PC appointed new officers.

A. Bollin – Election Consolidation meeting; Update on election equipment.

R. Drouillard – UC update. New officers elected.

P. Michel – New SELCRA Director. BAFA Firestats.

Utilities Committee Meeting Minutes – November 28, 2016

Planning Commission Meeting Minutes – November 14, 2016

Planning Commission Meeting Minutes – October 24, 2016

DEPARTMENTS

Brighton Area Fire Authority Firestat Reports – November 2016

MANAGER – Upcoming Administrative Appeals Committee meeting on 01-23-2017 at 5 PM. Upcoming Board of Trustees Work Budget Session on 01-23-2017 at 7 PM.

CORRESPONDENCE - None

CALL TO THE PUBLIC

Barb Potocki, Woodland Shore Dr. – Utilities Committee proposal was rejected. Responded to previous Call to the Public resident, not everyone uses the sidewalks or bridge but everyone pays. Woodland Lake Bridge SAD interest was charged to residents no contractor for six (6) years, do you do this to other SAD projects?

CLOSED EXECUTIVE SESSION –

A. Bollin moved and S. Theis seconded to go into closed executive session to review written communication from Attorney Jim Keifer dated January 16, 2017 regarding Incompatibility of Offices specifically SELCRA.

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, M. Slaton, P. Michel

Nays: None.

Motion carried.

**The Board went into closed executive session at 9:15 P.M.
The Board returned to open session at 9:50 P.M.**

ADJOURNMENT

A. Bollin moved and S. Theis seconded **to adjourn**. Motion carried.

The meeting adjourned at 9:50 P.M.

Respectfully submitted,



Ann M. Bollin, CMC, CMMC, Clerk

Patrick Michel, Supervisor