

## MINUTES

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

APRIL 5, 2010  
 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; L. Theis, Treasurer; C. Doughty, Trustee; J. Kovitz, Trustee; J. Rogers, Trustee; M. Slaton, Trustee

## CALL TO THE PUBLIC

No response.

## CONSENT AGENDA

A. Bollin moved and L. Theis seconded **to approve the consent agenda as amended, adding Item H.1, CLOSED EXECUTIVE SESSION – Discussion of Litigation, specifically Simply Fresh Market/ Gelardi Produce.**

Motion carried.

FIRST READING – Ashley Land Development and Natural Aggregates Rezoning (RCE, Residential Country Estates, to NR (Natural Resources)

J. Kovitz moved and J. Rogers seconded **to schedule the second reading / public hearing on the proposed rezoning of Ashley Land Development and Natural Aggregates from RCE (Residential Country Estates) to NR (Natural Resources) based upon the recommendations of the Brighton Township Planning Commission and the Livingston County Planning Commission and to request staff to revise the agenda note to reflect the history and reason for the rezoning is based on the attorney's recommendation.**

Ayes: Rogers, Bollin, Theis, Slaton, Doughty, Kovitz, Murphy

Motion carried.

FIRST READING – Zoning Ordinance Text Changes specifically adding Article 11, Overlay District and minor changes, Sections 20-08 and 20-09

Manager provided overview of proposed Overlay District ordinance; discussion included desire to provide more specific direction to applicants, concerns that having too much flexibility may result in inconsistencies in approving site plans and decision making. Also discussed adopted corridor plan, E Grand River coalition, previous input and discussion with public, property owners and joint meeting(s) with Planning Commission and Board of Trustees. Consensus is that the Manager, Clerk, Planner, Supervisor and Attorney will meet to review suggested changes as discussed and background.

FIRST READING – Zoning Ordinance Text Changes to various sections changing language involving Building Official

Discussion included need to not just do a search and replace text change to the Ordinance but to review it in context of the current day-to-day operations; consensus was to direct the manager to review and revise the Ordinance as discussed.

AWARD OF CONTRACT – Lawn Services for 2010 and 2011

A. Bollin moved and M. Slaton seconded **to accept the manager's recommendation and award the FY 2010 and 2011 Lawn Services contract to B & N Lawn & Snow, Inc. per their proposal dated March 19, 2010 upon clarification and upon making the associated revisions to the contract as discussed and authorizing the Supervisor and Clerk to sign the contract.**

Ayes: Kovitz, Doughty, Slaton, Theis, Bollin, Rogers, Murphy

Motion carried.

AWARD OF CONTRACT – Sanitary Sewer Lead Installation & Repair Contract (Pump Station, Gravity and Grinder Pump), C & E Construction Co., Inc.

J. Rogers moved and C. Doughty seconded to **award the contract for installation of grinder pumps and various sewer related repairs to C & E Construction Co., Inc. per their proposal dated November 9, 2009 and follow up letter dated January 6, 2010 upon clarification by the attorney and making the associated revisions as discussed and authorizing the Supervisor to sign the contract.**

Ayes: Doughty, Bollin, Theis, Kovitz, Slaton, Rogers, Murphy  
Motion carried.

APPROVAL OF AGREEMENTS TO COLLECT SCHOOL TAXES – Huron Valley Schools, Livingston Educational Service Agency, Howell Public Schools, Hartland Consolidated Schools, Brighton Area Schools and Oakland Community College

L. Theis noted that the Agreement with Huron Valley schools was included for reference; it is valid through 2010.

C. Doughty moved and J. Kovitz seconded to **approve the Agreements with Howell Public Schools, Hartland Consolidated Schools, and Brighton Area Schools to collect school taxes and to accept the Resolution from Oakland Community College for the collection of taxes and to authorize the Supervisor and Clerk to sign the Agreements.**

Ayes: Theis, Slaton, Bollin, Rogers, Kovitz, Murphy, Doughty  
Motion carried.

APPROVAL OF AGREEMENT – Leonard Culbert (Family Auto Inc.)

J. Rogers moved and C. Doughty seconded to **approve the Agreement between the Charter Township of Brighton and Leonard and Barbara Culbert doing business as Family Auto Inc, recognizing said activity as a Home Occupation not a permitted zoning use under the Zoning Ordinance and to authorize the Supervisor and Clerk to sign the Agreement.**

Ayes: Theis, Bollin, Rogers, Kovitz, Doughty, Slaton, Murphy  
Motion carried.

ADOPTION OF RESOLUTION TO RECOGNIZE AS A NON-PROFIT – Michigan Breast Cancer Coalition Fund

J. Kovitz moved and M. Slaton seconded to **adopt Resolution No. 10-015 recognizing the Michigan Breast Cancer Coalition as a non-profit organization and authorize the Supervisor and Clerk to sign the Resolution on behalf of Brighton Township.**

Ayes: Bollin, Rogers, Kovitz, Doughty, Slaton, Theis, Murphy  
Motion carried.

DISCUSSION – Proposed Ordinance Amendment, General Ordinance Chapter 21

Attorney and manager led discussion on proposed Ordinance changes and need to adopt pursuant to Agreement with City of Brighton; attorney requested direction on required hook-ups: consensus is to require in case of failed well system. Also discussed need to establish commodity charge to meet future maintenance and repair obligations pursuant to the inter-local Agreement with the City of Brighton; Clerk to research status of previously proposed changes and forward to attorney/manager.

## REPORTS AND CORRESPONDENCE

### REPORTS

#### COMMITTEE LIAISONS AND BOARD MEMBERS

Zoning Board of Appeals Minutes – October 28, 2009

Livingston Community Water Authority Minutes – February 3, 2010

Livingston Community Water Authority Minutes – February 16, 2010

Brighton Area Fire Authority Minutes – February 11, 2010

C. Doughty/J. Kovitz – SELCRA update; director search and Articles of Incorporation and By-law revisions

T. Murphy – Michigan State Police update; Howell Parks and Recreation/SELCRA joint meeting

## DEPARTMENTS

No reports.

## MANAGER

No report.

## CORRESPONDENCE

No correspondence.

## CALL TO THE PUBLIC

No response.

CLOSED EXECUTIVE SESSION – Discussion of Litigation Update, Simply Fresh Market / Gelardi Produce.

A. Bollin moved and J. Rogers seconded **to go into Closed Executive Session for Discussion of Litigation, specifically Simply Fresh Market / Gelardi Produce.**

Ayes: Bollin, Theis, Slaton, Doughty. Kovitz, Rogers, Murphy

Motion carried.

The board went into closed executive session at 8:22 P.M.

The board returned to open session at 9:00 P.M.

## ADJOURNMENT

C. Doughty moved and J. Kovitz seconded **to adjourn.** Motion carried.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

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Ann M. Bollin, Clerk

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Thomas E. Murphy, Supervisor