

**Regular Meeting of the Howell City Council**  
**Monday, May 23, 2016**  
**Howell City Council Chambers – Lower Level**  
**611 E. Grand River**  
**Howell, Michigan 48843**  
**517-546-3502**

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1. The regular meeting of the Howell City Council was called to order by Mayor Nick Proctor at 7:00 p.m.

Council Members Present: Robert Ellis, Jeff Hansen, Scott Niblock, Jan Lobur, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Council Members Absent: None

Also Present: City Manager Shea Charles, City Attorney Dennis Perkins, and City Clerk Jane Cartwright.

Others in Attendance: Police Chief George Basar, DPS Director Erv Suida, WWTP Operations Manager Michael Spidler, Community Development Director Tim Schmitt, IT Director Mike Pitera, John and Caron Davis, Kevin McCarthy, Charlotte Hammac, Robert Duran, Jim Kiner.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held May 9, 2016.” Mayor Proctor questioned if Cathleen Edgerly was present. Staff will confirm. MOTION CARRIED (7-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the executive session held May 9, 2016.” MOTION CARRIED (7-0).

4. **CITIZENS’ COMMENTS**

- Charlotte Hammac & Robert Duran, 927 Dearborn, stated a neighbor was pumping water onto their property flooding the basement and causing structural damage; they also expressed concern over \$280 worth of parking violations which led to Robert Duran being arrested, peddlers selling steaks being asked to leave the City, marijuana growers in the neighborhood, and being forced to get rid of chickens due to the objection of an adjacent neighbor. Robert Duran requested the City Council do something that helps the citizens. Mayor Proctor indicated staff would look into the issues presented and get back to them.

**5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS**

- Member Ellis reported on the May 17, 2016 Howell Area Parks & Recreation Authority meeting. Approved the Memorandum of Understanding with Cleary University to develop a community center contingent on passage of the proposed millage.
- Mayor Proctor reported on the annual TIFA meeting held May 18, 2016. Staff gave a briefing on improvements to McPherson Park Dr. and the upcoming TIFA plan extension.
- Mayor Proctor reported on the annual Building Authority meeting held May 18, 2016. Staff reviewed the ongoing repairs to City Hall.
- Mayor Proctor reported on the May 18, 2016 Howell Area Fire Authority meeting. Approved the amendment to the Michigan Mutual Aid Agreement, reported the MMRMA committee appointment of Chief Pless, and heard an update on the proposed storage building.
- Mayor Proctor reported on the May 18, 2016 Planning Commission meeting. Held 3 public hearings and recommended approval of the rezoning from MXD to B2 for 102-202 W. Highland Road; granted approval for the storage building for the main Fire Station at 1211 W. Grand River, and staff will be reviewing the language concerning signs in the S. Michigan Form Based Code District.

**6. COUNCIL CORRESPONDENCE**

None.

**7. DISCUSSED – PARKING LOT #2:**

A. Design Options. City Manager Charles indicated very poor soil conditions were discovered therefore the cost to reconstruct Parking Lot #2 is beyond the authorized amount of the bond issue. Two estimates were presented: estimate 1 includes a full reconstruction with storm water management in the form of rain gardens and the burying of utility lines for a total cost with engineering of \$1.1 million; estimate 2 does not include burying of the utility lines and reduces the base work and storm water management (no rain gardens) for a total cost with engineering of \$567,500. If there is new development in the area, estimate 1 would be a better solution for greater parking capacity. Minimum base work to support the paving process is included in both estimates. There are already storm water issues with the site. The rain garden solution provides initial water storage; infiltrates slower, filters the water and also holds snow in the winter. A third option would be to leave parking lot #2 as is and pave the property from the Center Street acquisition to provide additional parking capacity. Discussion followed on the benefits of improved parking to attract development, the need to address the storm water problem, and a difference of roughly \$40,000 per year in debt service between the 2 options. MOTION by Ellis, SUPPORT by Manor, “To approve the full reconstruction (option 1) for the Parking Lot #2 project.” During the 45 day period required by the notice of intent, design work will continue and a fall construction is still possible.

Discussion continued on the importance of educating downtown business owners and tenants on the proposed project as well as concern with increasing expenditures. City Manager Charles indicated the City could issue the notice of intent and postpone the final design decision until the next meeting. Adoption of the resolution doesn't require the City to sell the bonds, just starts the 45 day referendum period. MOTION by Manor, SUPPORT by Hansen, "To postpone action on the design solution for Parking Lot #2 until the June 13, 2016 meeting." MOTION CARRIED (7-0).

- B. Notice of Intent Resolution No. 16-10, Capital Improvement Bonds. MOTION by Hansen, SUPPORT by Ellis, "To adopt the Notice of Intent Resolution No. 16-10, 2016 Capital Improvement Bonds." This resolution starts the process to increase the capital improvement bond issue by \$500,000 giving Council the flexibility if the full reconstruction solution is selected. MOTION CARRIED (7-0).
8. **APPROVED – CONSTRUCTION ENGINEERING PROPOSAL, PARKING LOT #4 & ALLEY**  
MOTION by Manor, SUPPORT by Hansen, "To award the Construction Engineering Services Proposal for Parking Lot #4 and Alley Reconstruction to HRC at a cost not to exceed \$172,021." MOTION CARRIED (7-0).
9. **APPROVED – ENGINEERING SERVICES PROPOSAL, WWTP FACILITY GENERATOR**  
MOTION by Ellis, SUPPORT by Mulvahill, "To award the Engineering Services Proposal for the rehabilitation of the WWTP generator and switchgear to HRC on an hourly basis and in accordance within our existing professional services contract for a not to exceed price of \$36,034." MOTION CARRIED (7-0).
10. **APPROVED – ENGINEERING SERVICES PROPOSAL, CITY HALL GENERATOR**  
MOTION by Hansen, SUPPORT by Lobur, "To award the Engineering Services Proposal for the City Hall generator and automatic switchgear upgrades to HRC on an hourly basis and in accordance within our existing professional services contract for a not to exceed price of \$22,995." MOTION CARRIED (7-0).
11. **APPROVED – ACCESS AGREEMENT FOR ECO SYSTEMS, WWTP**  
MOTION by Hansen, SUPPORT by Lobur, "To approve and authorize the City Manager to sign the Access Agreement between the City of Howell and Ecosystems Technologies LLC of Clarkston Michigan to test the S3 on-site system prototype as outlined in the agreement pending them becoming in good standing with the Department of Licensing and Regulatory Affairs". DPS Director Suida stated this was an opportunity to make a needed improvement in an area that is lacking, and it provides cool environmental benefits. James Kiner, ECO Systems & Technologies LLC reviewed the design, build and installation of the rotating Biological Contactor (RBC) at Howell's WWTP for testing of the S3

Prototype. The system is expandable from residential to large municipal use and reduces energy costs since it is a smaller collection system and does not use a pumping system. They have been working with Williams & Works who recommended the City of Howell as a possible site. DPS Director Suida indicated the process does not commit the City for anything in the future; the testing is required to establish the performance criteria needed for their certification. The process will pull 600,000 gallons per day from the plant, treat it and put it back in the plant providing cleaner water. DEQ is supportive and representatives from both their agency as well as the EPA will be monitoring the testing. Mr. Kiner reported that the past due reports were filed with the Department of Licensing and Regulatory Affairs today which should put them in good standing with the state. MOTION CARRIED (7-0).

12. **APPROVED – AMENDMENT TO DTE STREET LIGHT CONVERSION TO LED**

MOTION by Hansen, SUPPORT by Ellis, “To approve the Purchase Agreement between the City of Howell and DTE Energy for the conversion of 218 mercury vapor lights at a cost of \$63,110.” Council originally approved the net cost after the rebate instead of the upfront cost. MOTION CARRIED (7-0).

13. **APPROVED – CLEAR RATE CONTRACT RENEWAL**

MOTION by Lobur, SUPPORT by Ellis, “To approve the City of Howell renewal of the Clear Rate Communications agreement continuing as our phone service carrier for a 3 year period.” MOTION CARRIED (7-0).

14. **APPROVED – RESOLUTION NO. 16-11, TEDF GRANT, STATE/LOCAL AGREEMENT, MCPHERSON PARK DR.**

MOTION by Ellis, SUPPORT by Lobur, “To adopt Resolution No. 16-11, approving the State/Local Agreement with the Michigan Department of Transportation, Contract 16-5255, for the reconstruction of a portion of McPherson Park Drive under a Transportation Economic Development Fund Grant, and authorize Mayor Proctor to sign the contract.” MOTION CARRIED (7-0).

15. **DISCUSSED – RESOLUTION NO. 16-12, MEDC INFRASTRUCTURE CAPACITY ENHANCEMENT GRANT**

Community Development Director Schmitt presented the grant opportunity for low to moderate income communities with ready to go projects between \$500,000 and \$1 million with a 10% match. The water main upgrade along Grand River from Barnard to Chestnut estimated at \$2.2 million has been considered however the City would be responsible for \$1.1 million due to the grant limitations. Council discussed the scoring process, grant deadline and possible sources for funding the match. The infrastructure upgrade would improve system performance; the current water mains are behind Grand River and undersized. Council concurred to decline the grant at this time due to the \$1.1 million match that would be required.

**16. SCHEDULED – PUBLIC HEARING FOR DOWNTOWN FAÇADE REHABILITATION PROJECT**

MOTION by Lobur, SUPPORT by Ellis, “To set a public hearing for June 13, 2016 at 7:00 p.m. for the City of Howell downtown façade rehabilitation project, being funded with Community Development Block Grant dollars.” MOTION CARRIED (7-0).

**17. DISCUSSED – HAPRA REQUEST TO INSTALL MULTI-USE BALL FIELD, PAGE FIELD COMPLEX**

City Manager Charles noted that Recreation Director Rogers was not able to attend tonight; a decision could be deferred until the next meeting. Council questioned parking requirements and notification to residents adjacent to Page Field. City Manager Charles noted that the site currently houses 3 soccer fields and the proposal is to replace the soccer fields with 1 ball field which is expected to reduce the activity and demand for parking. Action was deferred until the June 13, 2016 meeting.

**18. APPROVED PAYMENT OF BILLS**

MOTION by Lobur, SUPPORT by Ellis, “To approve payment of bills ending May 23, 2016 in the amount of \$348,488.66 and payroll to cover the period ending May 28, 2016.” Member Ellis questioned Brink. MOTION CARRIED (7-0).

**19. BOARD/COMMISSION APPOINTMENTS:**

A. Library Board, Katie LaCommare, term ending 6/30/2020. MOTION by Manor, SUPPORT by Ellis, “To approve the reappointment of Katie LaCommare to the Library Board for a term ending 6/30/2020.” MOTION CARRIED (7-0).

B. Board of Zoning Appeals, Jeannette Ambrose, term ending 4/30/2019. MOTION by Lobur, SUPPORT by Ellis, “To appoint Jeannette Ambrose to the Board of Zoning Appeals for a term ending 6/30/2020.” MOTION CARRIED (7-0).

C. TIFA, Scott Patton, term ending 6/30/2020. MOTION by Manor, SUPPORT by Ellis, “To reappoint Scott Patton to the TIFA Board for a term ending 6/30/2020.” MOTION CARRIED (7-0).

**20. CITY MANAGER’S REPORT**

- On June 7, 2016 at 9:00 a.m., the CIRAB Board will be touring the WWTP; staff is opening up the tour to all Marion Township Board & City Council members. Member Hansen requested participation from the Council.
- MOTION by Manor, SUPPORT by Hansen, “To schedule a work session for Monday June 6, 2016 at 7:00 p.m. for the purpose of discussion of future budgets. MOTION CARRIED (7-0).

- City Hall repairs are progressing; the construction crew has not run into any significant issues. The existing florescent lights in the building will be converted to LED.
- Member Manor questioned the status of the City's Code Enforcement Officer. Community Development Director Schmitt indicated John is now working up to 30 hours per week. Staff will be bringing forward a couple more dangerous buildings for Council to act on. Please report any code enforcement problems to staff.
- Member Niblock requested the City Hall grounds be treated for dandelions.
- Member Manor stated that the beautification committee will be planting flowers on State Street tomorrow.
- Kevin McCarthy, 110 E. Grand River, thanked Council and staff for addressing infrastructure improvements in downtown noting parking lots, alleys and burying utility lines are a great place to invest. He appreciates the dialog on options for Parking Lot #2 and also requested improvements and lighting to the lot behind the DDA building to add parking for downtown employees.

**21. OLD BUSINESS**

- Mayor Proctor thanked Dr. Kellogg and the Kellogg Foundation for sponsoring the flowers downtown.

**22. NEW BUSINESS**

- Mayor Proctor read an e-mail from DDA Director Edgerly indicating that the DDA was recognized at the National Main Street Conference for being one of the top 10 downtowns however did not win the award. The message thanked everyone involved in the DDA for all their contributions.

**23. ADJOURN**

MOTION by Hansen, SUPPORT by Mulvahill, "To adjourn the regular meeting of the City Council at 8:53 p.m." MOTION CARRIED (7-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk