

Regular Meeting of the Howell City Council
Monday February 22, 2016
Howell City Council Chambers – Lower Level
611 E. Grand River
Howell, Michigan 48843
517-546-3502

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, Jan Lobur, Steven Manor, Michael Mulvahill, Scott Niblock and Mayor Nick Proctor.

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

Others in Attendance: Police Chief George Basar, Finance Director/Treasurer Catherine Stanislawski, DPS Director Erv Suida, Community Development Director Tim Schmitt, IT Director Mike Pitera, DDA Director Cathleen Edgerly, Kate Litwin, Richard Lim, Recreation Director Paul Rogers, Alex Smith, Caron Davis, Hank Vaupel, Jeff Mansfield, Chase Mansfield, Logan Williams, Brooke Sterling, Chiera Palemer, Jim Schultz.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES:**

MOTION by Ellis, SUPPORT by Hansen, “To approve the minutes of the regular meeting of the City Council held February 8, 2016 as amended.” Mayor Proctor requested a correction to page 4, Old Business, 1st line, change “Otis” to “Otta” City Japan. MOTION CARRIED (7-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the work session of the City Council held February 11, 2016.” MOTION CARRIED (7-0).

4. **CITIZENS’ COMMENTS**

- Hank Vaupel, State Representative 47th District, gave a brief update on current issues before the legislature including the Flint Water System, Detroit Public Schools, development of the State Budget, and the upcoming vote on proposed amendments to PA 269 noting that the original intent of the law was that no public funds be used to promote or defeat the passage of ballot proposals. Representative Vaupel stated that his office is available anytime to try to answer any concerns or questions from his constituents. Discussion followed with Council members regarding funding for community mental health, the proposed reform of TIF revenues and historic preservation districts. City Manager Charles encouraged the legislature to fully fund statutory

revenue sharing noting the decline in constitutional revenue sharing with the reduction in sales tax, and also requested a review of the entire fiscal realities for municipalities. Mayor Proctor also expressed concern with the negative effects of Proposal A on most municipalities. Representative Vaupel stated they are in the early stages of budget development and suggested that a sunset provision might be a good approach for some of the statues which worked well when they were written however times have changed over the years. He also encouraged City representatives and residents to contact his office when bills are introduced that are of concern to them.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Lobur reported on the February 17, 2016 Planning Commission meeting. Expansions are proposed for Kellogg Dental, Town Commons & Chem Trend. Public hearings were held for the wall sign for Leaps & Bounds Therapy in Crossroads Town Center, and the Sober Living Facility at 313 N. Chestnut; both Special Land Uses were approved with restrictions. The site plan was also approved for Aberrant Ales at 209 W. Grand River (west side of Country Squire).
- Member Ellis reported on the February 16, 2016 Howell Area Parks & Recreation Authority Board meeting. Discussion continued on proposed policies relating to employee discounts and cell phones, updates to the personnel manual and health insurance. The Board also opted out of PA 152 for 2016, reviewed potential millage language for the August election, and financial reports.
- Mayor Proctor reported on the February 17, 2016 Howell Area Fire Authority Board meeting. MML conducted a surprise audit of the department and they passed. The Board is also continuing the diversification of funds.
- Member Hansen reported on the Capital Improvement Rate Advisory Board Meeting (CIRAB). They discussed the aging infrastructure at the WWTP and the needed \$6 million upgrades to the system over the next several years as well as how the cost might be covered. The contract for sewer service calls for Marion Township to pay 80% of the upgrades however the anticipated growth has not materialized.
- DDA Board Member Richard Lim reported on the 3rd annual Lunar New Year Festival held February 20, 2016. The Dragon Run had 160 participants, there was a lion dance at opera house, and the 6 course meal was sold out. Mr. Lim recognized the great DDA staff that organized the event and thanked the Council members that attended.

6. COUNCIL CORRESPONDENCE

- Cub Scout Pack 3363, Waiver of Pavilion Rental Fee for Fishing Derby, May 21, 2016. Jim Schultz, Cub Scout 3363 Den Leader, stated they have limited resources for events and indicated the fishing derby is their year-end outdoor event for the scouts and their families. Cub Scout Chase Mansfield told the Council that he liked the fishing derby. MOTION by Niblock, SUPPORT by Ellis, "To approve the waiver of the Rotary Pavilion rental fee for May 21,

2016 from 11:30 to 3:30 p.m. as requested by Cub Scout Pack 3363.”
MOTION CARRIED (7-0).

7. **DISCUSSED – MEDICAL MARIHUANA UPDATE**

Community Development Director Schmitt updated Council on the legalization efforts and stated staff will know in the next couple weeks if enough signatures have been collected for the 2016 ballot. Proposed legislation is currently in committee at the Senate level however staff does not believe that it will pass prior to the expiration of the City’s moratorium therefore an extension will be presented to Council for consideration at the March 14, 2016 meeting.

8. **APPROVED – LETTER OF UNDERSTANDING, HOWELL AREA PARKS & RECREATION AUTHORITY, OPERATION OF CITY PARK, BEACH FRONT & BOAT LAUNCH**

Recreation Director Rogers stated active policing of the boat launch has not been provided since 2011. With the boating complaints received last summer, a revised letter of understanding is being presented as an option to include some oversight at the boat launch. MOTION by Manor, SUPPORT by Lobur, “To approve the Letter of Understanding between the City of Howell & Howell Area Parks & Recreation Authority to operate the City Park Guard Booth, Beach Front & Boat Launch including boat launch staffing for the summer of 2016 for a management fee of \$45,000.” Council requested that the payment be split between 2 fiscal years and noted the additional staffing could decrease the volume of boats and increase revenue. MOTION CARRIED (7-0). Director Rogers requested a meeting between his staff, the City Manager and Police Chief to clarify regulations.

9. **APPROVED – UNSAFE BUILDING PROCEEDINGS, S. MICHIGAN AVENUE PROPERTY, PARCEL #4717-01-100-130 (SILVER BROTHERS LLC)**

MOTION by Mulvahill, SUPPORT by Hansen, “To order the Building Official to proceed with all work necessary to remedy the building code violations at the unaddressed house on South Michigan Avenue, parcel 4717-01-100-130, including demolishing the house if necessary.” Community Development Director Schmitt stated the property owner contacted him today and they recognize the problem. MOTION CARRIED (7-0).

10. **APPROVED – ENGINEERING SERVICES PROPOSAL, 2016/2017 STREET PROJECTS**

MOTION by Ellis, SUPPORT by Hansen, “To accept the engineering proposal from HRC to provide design and construction engineering for the 2016-2017 paving projects as proposed for an amount not to exceed \$26,000.” MOTION CARRIED (7-0).

11. APPROVED – GENERAL SCHEDULE #23, RETENTION OF ELECTION RECORDS

MOTION by Manor, SUPPORT by Ellis, “To adopt the 2016 edition of General Schedule #23, regulating the retention of election records.” MOTION CARRIED (7-0).

12. AWARDED BID/PURCHASE – CITY HALL WALL REPAIR, ENVISION BUILDERS INC., \$154,400

MOTION by Manor, SUPPORT by Hansen, “To award the City Hall East Wall repair contract to Envision Builders Inc. of Wixom Michigan for an amount of \$154,400.” City Manager Charles reviewed the repair approach that involves wrapping steel beams around the east wall to tie it back into the building. MDOT has fixed the road base failure on Grand River which has significantly reduced the vibration. MOTION CARRIED (7-0).

13. APPROVED PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Hansen, “To approve payment of bills ending February 22, 2016 in the amount of \$403,337.48 and payroll to cover the period ending March 5, 2016.” Member Lobur questioned Cruisers, Inc. MOTION CARRIED (7-0).

14. BOARD/COMMISSION APPOINTMENTS – JOINT PLANNING COMMITTEE

Community Development Director Schmitt stated the purpose of the joint committee with Howell Township to review all planning issues involving the property at M-59 & Oak Grove Road. The City has received application for a conditional rezoning request to the MXD Ordinance. Mayor Proctor recommended appointing Jeff Hansen (instead of himself), Jan Lobur and Michael Mulvahill; he will serve as a backup. MOTION by Hansen, SUPPORT by Ellis, “To accept the Mayor’s nomination of Jan Lobur, Michael Mulvahill & Jeff Hansen (with Nick Proctor as the backup) to the Joint Planning Committee of the City of Howell and Howell Township.” MOTION CARRIED (7-0).

15. CITY MANAGER’S REPORT

- Retreat Follow Up. The Retreat Session summary report has been provided by Facilitator Erin Perdu. Council complimented Ms. Perdu and City staff for the excellent job capturing the results of the retreat and stated it was well worth having Erin serve as the facilitator. The final action document will be presented for adoption at the March 14, 2016 meeting.
- City staff toured Northwest Elementary School on Friday and additional water samples were taken Saturday morning; results are expected late tomorrow. Staff believes that the initial tests provided a false positive and were the result of old fixtures that predate 1986. An update will be provided when the results are received.
- Complements to the Main Street & DDA for the Lunar New Year Festival.

16. OLD BUSINESS

- Mayor Proctor reported on recent economic development activities. Discussions were initiated with Ann Arbor Spark, the Howell Chamber of Commerce, and City staff; plans are in motion for the S. Michigan corridor. The Chamber also started a group focused on a broader approach to economic development and a joint meeting of both groups will be conducted to assure everyone is moving in the same direction. He will keep Council updated as the process moves forward.

17. NEW BUSINESS

- Member Ellis will be on vacation in April and requested Council appoint Mayor Proctor as the alternate member to attend the April 19, 2016 Howell Area Parks & Recreation Authority meeting. MOTION by Manor, SUPPORT by Hansen, “To appoint Mayor Proctor as the alternate member to the Howell Area Parks & Recreation Authority Board for the April 19, 2016 meeting.” MOTION CARRIED (7-0).

18. ADJOURN

MOTION by Hansen, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 8:00 p.m.” MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk