

Regular Meeting of the Howell City Council
Monday, April 25, 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: Jeff Hansen, Jan Lobur, Michael Mulvahill, Scott Niblock and Mayor Nick Proctor.

Council Members Absent: Robert Ellis, Steven Manor.

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 Stanislowski, DPS Director Erv Suida, DPW Superintendent Marcel Goch, Community Development Director Tim Schmitt, IT Director Mike Pitera, DDA Director Cathleen Edgerly, John & Caron Davis, Tom Richardson, Kevin Cook, Kate Litwin, J. Pearce, Brittney Hoszkiw.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES:**

MOTION by Mulvahill, SUPPORT by Hansen, “To approve the minutes of the regular meeting of the City Council held April 11, 2016.” MOTION CARRIED (5-0).

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the minutes of the special meeting of the City Council held April 11, 2016.” MOTION CARRIED (5-0).

MOTION by Hansen, SUPPORT by Mulvahill, “To approve the minutes of the executive session held April 11, 2016.” MOTION CARRIED (5-0).

MOTION by Hansen, SUPPORT by Mulvahill, “To approve the minutes of the work session of the City Council held April 14, 2016.” MOTION CARRIED (5-0).

4. **CITIZENS’ COMMENTS**

- None.

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

- Member Lobur reported on the April 20, 2016 Planning Commission meeting. Approved an amendment to the Town Commons PUD agreement for construction of a new apartment house building and 3 carriage house style buildings; and the site plan for expansion of Kellogg Dental and a special land use for the wall sign. Postponed consideration of the conditional rezoning for Crossroads Town Center from B2 to MXD; the proposed zoning change will come before the Planning Commission in the near future.
- Mayor Proctor reported on the April 19, 2016 Howell Area Parks & Recreation Authority Board meeting. Approved the audit report for the 6 months ending December 31, 2015; the deficit elimination plan; the ballot language for proposed millage election; and the first quarter budget amendments.
- Mayor Proctor reported on the Howell Area Fire Authority Board meeting. The 2016/2017 budget has been approved by all member municipalities. The

board also reviewed the plans for a new accessory building and received an update on the proposed addition/expansion to the main station.

- Mayor Proctor introduced Brittney Hoszkiw from Michigan Main Street and also a City resident. She reported on the criteria used to rank Main Street communities and announced that Howell is a finalist in the top 10 downtowns thanking the Council for their participation. Projects like the Heart of Howell, low vacancy rate, number of new businesses & new jobs, amount of private investment, and community engagement were factors used to select the top 10 Main Street communities. Director Cathleen Edgerly reported on the Applause Awards and introduced their new Summer Intern Kevin Cook who has been volunteering since November.

6. **COUNCIL CORRESPONDENCE:**

- None.

7. **APPROVED – CIVIC EVENT APPLICATION, ROCK THE BLOCK**

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the Civic Event application submitted by the Downtown Development Authority for Rock the Block scheduled for June 1, July 6, and August 3, 2016 incorporating staff comments, and authorize amplified music under Section 652.06(c)(5) ending at 9:00 p.m.” MOTION CARRIED (5-0).

8. **APPROVED – RESOLUTION NO. 16-06 SUPPORTING CREATION OF A LIVINGSTON COUNTY TRANSPORTATION AUTHORITY**

MOTION by Hansen, SUPPORT by Lobur, “To adopt Resolution No. 16-06, “Supporting Creation of a Livingston County Transportation Authority.” Mayor Pro Tem Manor attended the County finance committee meeting and gave the same presentation to encourage support for the proposed authority. MOTION CARRIED (5-0).

9. **APPROVED – RESOLUTION NO. 16-07 BUDGET AMENDMENTS**

MOTION by Hansen, SUPPORT by Lobur, “To adopt Resolution No. 16-07 Budget Amendments.” MOTION CARRIED (5-0).

10. **SCHEDULED – 2016/2017 BUDGET PUBLIC HEARING**

MOTION by Mulvahill, SUPPORT by Lobur, “To set a public hearing to consider the 2016-2017 City of Howell Budget at 7:00 p.m., Monday May 9, 2016 at Howell City Hall.” MOTION CARRIED (5-0).

11. **APPROVED – DOWNTOWN BICYCLE PLAN**

MOTION by Hansen, SUPPORT by Mulvahill, “To direct staff to install 10 pavement marking signs, similar to those presented to the City Council, at a cost of \$2,000 to be paid for from the Major Street Fund.” Discussion followed regarding placement of the pavement markings. Community Development Director Schmitt indicated they are placed outside of the heavy pedestrian areas to give the cyclist warning before entering the dismount areas; the State Street sign may be moved mid block and additional signs may be added. This will be an incremental process with education along the way. MOTION CARRIED (5-0).

12. **APPROVED – AMENDMENT TO MERS DEFINED BENEFIT PLAN ADOPTION AGREEMENT**

MOTION by Hansen, SUPPORT by Mulvahill, “To approve the Defined Benefit Plan Adoption Agreement excluding taxable car allowances from MERS compensation for all divisions.” City Manager Charles explained car allowances were not intended to be included in wages reported for retirement benefits. MOTION CARRIED (5-0).

13. **DISCUSSED – STREET LIGHTING FOR D-19/I-96 PARK & RIDE**

Pursuant to Attorney Perkin’s letter dated April 21, 2016, MDOT owns the D-19 Park & Ride property and they have declined to participate in the lighting project.

Marion Township cannot enter into an agreement with the City to provide lighting when the property is not under their jurisdiction. Marion Township must have an Urban Cooperation Act Agreement with MDOT before the project can move forward. Council inquired if problems have occurred in the past to justify why lighting would be important to the area.

14. DISCUSSED – COUNCIL CHAMBERS PRESENTATION EQUIPMENT

IT Director Pitera reviewed the quotations based on the ideas and equipment presented by two different vendors. Sound Engineering has proposed 43 inch displays mounted on both sides of the columns for viewing from the dais and audience areas with computer connections inside the columns. Data Image Systems has proposed using an interactive whiteboard with projector. Member Lobur noted the advantages for the Planning Commission meetings. City Manager Charles noted \$9,000 has been allocated in the current budget for the equipment. Staff feels that Sound Engineering's approach with the column displays is a better long term solution. Member Niblock questioned if the displays could be mounted to the ceiling so they could be folded up out of the way when not in use. Staff will explore additional options and bring back a recommendation.

15. AWARD BID/PURCHASE – PARKING LOT #1 FENCE MAINTENANCE, STRIP 'ER DOWN DUSTLESS BLASTING \$7,428.42

MOTION by Hansen, SUPPORT by Mulvahill, "To approve Strip 'Er Down Dustless Blasting to perform sandblasting and painting of the metal fence in Parking Lot #1 for a price not to exceed \$7,428.42." MOTION CARRIED (5-0).

16. APPROVED PAYMENT OF BILLS

MOTION by Lobur, SUPPORT by Hansen, "To approve payment of bills ending April 25, 2016 in the amount of \$316,199.19 and payroll to cover the period ending April 30, 2016." Mayor Proctor questioned Fowlerville Schools quarterly DTE pole rental for fiber connections. MOTION CARRIED (5-0).

17. BOARD/COMMISSION APPOINTMENTS:

A. Planning Commission – Paul Streng & Robert Spaulding, terms ending 4/30/2019. MOTION by Hansen, SUPPORT by Lobur, "To reappoint Paul Streng & Robert Spaulding to the Planning Commission for terms expiring 4/30/2019." MOTION CARRIED (5-0).

B. Planning Commission – Jan Lobur, term ending 4/30/2017. MOTION by Hansen, SUPPORT by Mulvahill, "To reappoint Jan Lobur to the Planning Commission for a term expiring 4/30/2017." MOTION CARRIED (5-0).

C. Board of Zoning Appeals – Sean Munsey & David Holmes, terms ending 4/30/2019. MOTION by Lobur, SUPPORT by Mulvahill, "To reappoint Sean Munsey & David Holmes to the Board of Zoning Appeals for terms expiring 4/30/2019." MOTION CARRIED (5-0).

18. CITY MANAGER'S REPORT

- New Assessor Joey Lentine will start May 9, 2016.
- The bid opening for Parking Lot #4 and Alley is scheduled for May 3rd. Staff is working on the easements and is hoping to award the bid at the May 9, 2016 meeting with completion of the project prior to Melon Festival. Design for Parking Lot #2 is still in process; this project is expected to start after Melon Festival.
- As referenced in the 2016/2017 Budget Hearing memo, the City is subject to an unanticipated millage rollback due to low CPI, large uncapping of property values, and elimination of personal property tax. MML & the Legislature are looking into a possible tweak to correct this problem on a go forward basis. This is another example of the degradation of funding for local governments.

19. OLD BUSINESS

- None.

20. NEW BUSINESS

- MOTION by Hansen, SUPPORT by Niblock, “To excuse Members Ellis & Manor from the April 25, 2016 meeting due to vacation.” MOTION CARRIED (5-0).

21. EXECUTIVE SESSION – PENDING LITIGATION

- 7:50 p.m. MOTION by Hansen, SUPPORT by Niblock, “To adjourn to executive session to discuss pending litigation with a roll call vote.” Hansen – yes, Mulvahill – yes, Niblock – yes, Lobur – yes, Proctor - yes. MOTION CARRIED (5-0).
- 8:03 p.m. MOTION by Hansen, SUPPORT by Niblock, “To reconvene the regular meeting.” MOTION CARRIED (5-0).
- MOTION by Hansen, SUPPORT by Mulvahill, “To approve the settlement in MTT case No. 15-002312, Avenue Mason LLC as follows: 4717-02-200-011, assessed value \$968,000, taxable value \$484,000; 4717-01-101-009, assessed value \$99,000, taxable value \$49,500; 4717-01-101-010, assessed value \$33,000, taxable value \$16,500; and authorize the City Attorney to sign the stipulation for Consent Judgment.” MOTION CARRIED (5-0).

22. ADJOURN

MOTION by Hansen, SUPPORT by Niblock, “To adjourn the regular meeting of the City Council at 8:05 p.m.” MOTION CARRIED (5-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk