

Regular Meeting of the Howell City Council
Monday, July 11, 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, Scott Niblock, Jan Lobur, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Also Present: City Manager Shea Charles, City Attorney Dennis Perkins, and Deputy City Clerk Deanna Robson.

Others in Attendance: Deputy Police Chief Scott Mannor, DPS Director Erv Suida, Finance Director/Treasurer Catherine Stanislawski, Community Development Director Timothy Schmitt, Assessor Joey Lentine, IT Director Mike Pitera, DPW Superintendent Marcel Goch, WWTP Operations Manager Michael Spitler, Parks & Recreation Director Paul Rogers, Tom Richardson, Michael Jastifier, Jonathan Younkman and Mark Perry.

2. **PLEDGE OF ALLEGIANCE**

Mayor Proctor noted that Council will schedule a special meeting in August to discuss strategic planning.

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Hansen, “To approve the minutes of the regular meeting of the City Council held June 27, 2016.” MOTION CARRIED (7-0).

4. **CITIZENS’ COMMENTS**

None.

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

Mayor Proctor reported that the DDA Board Retreat is scheduled for Thursday, July 14th at City Hall; stated that Rock the Block has been a great success and attendance has increased from June to July; thanked Members Hansen, Manor and Mulvahill for their participation in Rock the Block; and noted the 100 Friends of Howell annual fundraising initiative.

6. **COUNCIL CORRESPONDENCE**

None.

8. **SCHEDULED PUBLIC HEARING, APPLICATION FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE, CHEM-TREND** (taken out of order)

MOTION by Hansen, SUPPORT by Ellis, "To schedule a public hearing for July 25, 2016 at 7:00 p.m. to consider an application for Industrial Facilities Tax Exemption Certificate for Chem-Trend Limited Partnership." MOTION CARRIED (7-0).

Michael Jastifier, Freudenberg, expressed appreciation on behalf of Chem-Trend. Mark Perry, Perry & Co., stated that he is available to answer any technical questions and will be at the July 25, 2016 regular Council meeting. Jonathan Younkman, Ann Arbor Spark, noted his support of the Chem-Trend application.

9. **INTRODUCED – ORDINANCE NO. 904, AMENDMENT FOR FORM BASED CODE, SIGNAGE REQUIREMENTS**

Member Lobur introduced Ordinance No. 904, to establish sign standards in the SMD, South Michigan Avenue District, of the Zoning Ordinance.

10. **INTRODUCED – ORDINANCE NO. 905, PLANNING & BUILDING FEES UPDATE**

Member Hansen introduced Ordinance No. 905, to modify the Planning and Building fees for the City of Howell. Member Manor asked for clarification on how the proposed changes would address permits that do not get completed within reasonable amounts of time. Community Development Director Timothy Schmitt responded that the proposed new ordinance states that the bond may be revoked if the work is not done while the permit is valid, and the proposed changes are intended to encourage applicants to complete their projects. He added that as the State of Michigan moves to the next building code cycle, the City may reissue long-standing permits under the new code.

11. **INTRODUCED – RESOLUTION NO. 16-16, CBD COMPACTOR FEES**

Member Ellis introduced Resolution No. 16-16, CBD Compactor Rates. DPS Director Erv Suida stated that the rates are essentially remaining the same, the intent of the resolution is just to adjust the fee criteria.

12. **INTRODUCED – RESOLUTION NO. 16-17, UTILITY RATE ADJUSTMENTS**

Member Hansen introduced Resolution No. 16-17, Utility Rate Increase. Mayor Proctor noted his concern that rates have been raised every year since he joined Council in 2013. Member Manor concurred but also reminded Council that in the past the City was significantly under-funded and chose to prorate instead of implementing a 35% rate increase, adding that the City is still well below the recommended funding level. Council directed staff to provide a written history for the next regular Council meeting regarding utility rates, implemented rate increases, improvements needed, funding levels, etc. Member Hansen commented

that regular increases are recommended and built into the system, adding that six million dollars in equipment upgrades are needed.

13. APPROVED – EXTEND LISTING AGREEMENT, HIGHLAND HOWELL PROPERTY

MOTION by Lobur, SUPPORT by Mulvahill, “To approve a one-year listing agreement extension for the marketing and sale of the Highland Howell property with the Thomas A. Duke Company and authorize the Mayor to sign the agreement.” Member Mulvahill requested confirmation that staff is satisfied with the work being done. Community Development Director Schmitt confirmed and City Manager Charles added that staff expected the property to take two to three years to sell and there are no other large parcels of raw land being developed in the county, other than the recently proposed Mayberry Homes development in Hartland Township. MOTION CARRIED (7-0).

14. APPROVED – LETTER OF INTENT FOR LEASE EXTENSION, FIRST MERIT BANK

MOTION by Manor, SUPPORT by Hansen, “To approve the Letter of Intent between City of Howell and First Merit Bank to extend the current lease for five years at the current rental rate of \$8,440.50 per month and to direct the City Attorney to develop a lease agreement amendment for final approval by City Council.” Member Ellis questioned the feasibility of a rate increase and City Manager Charles confirmed that the lease rate is in line with current market conditions. First Merit Bank is currently listed as the lessee, but the contract will be changed to reflect Huntington Bank in the future. MOTION CARRIED (7-0).

15. APPROVED – REVISION OF CLOTHING ALLOWANCE PROVISIONS:

A. Amendment to MERS Defined Benefit Plan Adoption Agreement, Exclude Taxable Clothing Allowances. MOTION by Hansen, SUPPORT by Ellis, “To approve the Defined Benefit Plan Adoption Agreement excluding taxable clothing allowances from MERS compensation for all divisions.” City Manager Charles confirmed that clothing allowances were converted to taxable wages during the most recent union negotiations. MOTION CARRIED (7-0).

B. Revision to 2013 Personnel Policies Manual. MOTION by Lobur, SUPPORT by Hansen, “To adopt revisions to the 2013 Personnel Policies Manual relating to the payment of shoe and winter clothing allowances.” MOTION CARRIED (7-0).

C. Establish New Rate. MOTION by Mulvahill, SUPPORT by Hansen, “To set the annual shoe and winter clothing allowance for covered employees at \$300.00.” MOTION CARRIED (7-0).

16. AWARDED BIDS/PURCHASES:

A. Water Sales System replacement, Oscar W. Larson Company, \$11,450. MOTION by Manor, SUPPORT by Mulvahill, "To approve the purchase and installation of a new Fuel Master (Water Sales) System from The Oscar W. Larson Company of Clarkston Michigan, for an amount not to exceed \$11,450.00." MOTION CARRIED (7-0).

7. PRESENTATION – HOWELL AREA PARKS & RECREATION AUTHORITY MILLAGE PROPOSAL (taken out of order)

Howell Area Parks & Recreation Authority Director Paul Rogers thanked Council and presented the 2016 Recreation Ballot information. He stated that there have been systemic problems with budgeting for parks and recreation, and the only way to move forward as an authority is to find a stable source of funding. He added that recreation programs need to be affordable and are the entry level into sports programs for most children. HAPRA Director Rogers noted that the Authority currently leases many facilities from Howell Public Schools, with a significant cost as well as a lack of cohesiveness in locations due to the use of the same facilities for sports programs within the school system. He presented building options and provided examples of flexible programs and building layouts; stated that the Board would like to locate the new facility within five miles of downtown Howell; noted that the millage would replace funds currently provided by local municipalities; reviewed the project timeline; and added that the Board intends to construct a new facility within the first year of the millage passing. The presentation has been posted on the HAPRA website at www.howellrecreation.org and questions can be directed to HAPRADIR@gmail.com.

Mayor Proctor inquired about a marketing plan for this initiative and Director Rogers responded that the presentation is the marketing plan due to budget restrictions. Mayor Proctor expressed concern that if the millage passes, the multi-jurisdictional Board could decide on a location outside of the City and vacate the Bennett Center, as it has already vacated the Barnard Center. Director Rogers replied that the Authority still intends to use the Bennett Center as a Senior or Teen Center, but the facility needs some upgrades. Discussion followed regarding the size of the proposed facility.

16. AWARDED BIDS/PURCHASES: (continued)

B. Lawnet Vehicle Purchase, \$22,000. MOTION by Ellis, SUPPORT by Hansen, "To approve the purchase of a 2016 vehicle from a local dealership for a price not to exceed \$22,000.00." DPS Director Suida noted that a current model year must be chosen in order to utilize State pricing. Discussion followed regarding the age of the current vehicle, and rotation of vehicles for Lawnet and Code Enforcement use. MOTION CARRIED (7-0).

17. APPROVED PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Lobur, “To approve payment of bills ending July 11, 2016 in the amount of \$480,597.15 and payroll to cover the period ending July 9, 2016.” Member Mulvahill inquired about water testing at Thompson Lake, questioned BIS annual maintenance fees, and also inquired about Granicus. Mayor Proctor questioned property taxes at 121 N. Center Street, and also inquired about the light bar on the Miss Dig truck. MOTION CARRIED (7-0).

18. CITY MANAGER’S REPORT

- City Manager Charles stated that the City Hall project has been completed and City Hall is back in full use, with clean up to be finished in the stairwell.
- DPS Director Suida provided updates regarding Parking Lot #4: the project is on schedule; the new water main has been installed; and the storm main line portion will begin this week. He added that he has not received any negative feedback, the contractor has been outstanding, and staff met with some business owners earlier that day. Mayor Proctor commended staff on the e-mail communication regarding the project.
- City Manager Charles informed Council that violations were issued to some boat operators on Thompson Lake over the July 4th weekend.
- DPS Director Suida informed Council that the Miss Dig truck was hit by another vehicle, and will probably be totaled as a result.
- Member Manor inquired about the recent Consumer’s Energy gas line work and staff responded that the impact is contained to a small area.
- Mayor Proctor asked about the valve break by Peanut Row at State Street; DPS Director Suida answered that the repair should be included in the planned paving in the first week in August, along with the repair on Fowler Street due to an insurance issue.

19. OLD BUSINESS

- Council concurred to re-initiate the Citizens’ Academy community outreach program. Staff will review the program to see if the duration of the training may be truncated.
- Mayor Proctor inquired about the results of the MDOT speed study on M-59. Staff will request an update.

20. NEW BUSINESS

- Member Hansen requested clean-up on the bike trail at the M-59 corridor and along Industrial Drive.
- Member Manor commented that the new bike rack downtown is a big success and inquired about painting additional chevrons on bike routes in the City. DPS Director Suida responded that the template has been purchased and staff is researching the types of lanes and how they should be painted.
- Member Mulvahill remarked that the attendant at the Thompson Lake boat launch is very pleasant and helpful; Mayor Proctor stated that the Livingston

County Sheriff's boat has been present more frequently; and Member Lobur noted that the concession area has been very clean.

21. ADJOURN

MOTION by Hansen, **SUPPORT** by Mulvahill, "To adjourn the regular meeting of the City Council at 8:15 p.m." **MOTION CARRIED (7-0).**

Nick Proctor, Mayor

Deanna Robson, Deputy City Clerk