

Regular Meeting of the Howell City Council
Monday, August 8, 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, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Council Members Absent: Jan Lobur, Robert Ellis, Scott Niblock.

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, Finance Director/Treasurer Catherine Stanislawski, Community Development Director Timothy Schmitt, IT Director Mike Pitera, DPW Superintendent Marcel Goch, WWTP Operations Manager Michael Spitler, DDA Director Cathleen Edgerly, DDA President Brian Walker, DDA Outreach Coordinator Kate Litwin, Jerry Douglass, John & Caron Davis, Craig Strong, Matt Brady, Lisa Diccico, Kathi Worrall, J. Pearce, Susie Hill.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Hansen, SUPPORT by Mulvahill, “To approve the minutes of the regular meeting of the City Council held July 25, 2016.” MOTION CARRIED (4-0).

4. **CITIZENS’ COMMENTS**

- Matt Brady, Denver CO (formally of Howell), stated his support for the proposed Livingston County Transportation Authority and suggested that the City explore a larger area for the authority with the County Board of Commissioners.

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

- Member Hansen reported on the CIRAB meeting held this afternoon. The Board approved the annual sewer rate increase adopted by the City Council. CIRAB also passed a resolution acknowledging that the proposed improvements to the WWTP in the amount of \$5.4 million need to be done however the current contract between Marion Township and the City does not address how to allocate the costs. The resolution further recommends that

officials from both boards continue to work toward an agreement on the percentage of cost paid by each municipality.

- DDA Director Edgerly reported the final Rock the Block series was held August 3, 2016 noting that the program achieved the mission of attracting hundreds of people downtown during the week. The Howell Art project kicks off this Wednesday with the Art Walk. President Brian Walker announced that Howell Main Street has achieved non-profit status therefore all donations to Main Street will now be tax deductible. Mayor Proctor reported that DDA Director Edgerly has been invited to attend the MML Convention and participate in a panel discussion on attracting volunteers.

6. **COUNCIL CORRESPONDENCE**

A. Rotary Club, Request to Waive Pavilion Rental Fees. MOTION by Manor, SUPPORT by Mulvahill, "To grant permission for Howell Rotary to use the Rotary Pavilion on August 22, 2016 and waive the rental/park admission fees." Member Manor stated that the Rotary Club built the pavilion many years ago and donated it to the City. MOTION CARRIED (4-0).

7. **PUBLIC HEARING – MEDC FACADE GRANT**

Mayor Proctor opened the public hearing at 7:15 p.m. Community Development Director Schmitt stated the City received the official confirmation of approval from the State Historic Preservation Office and MEDC requested the City hold a second public hearing to confirm there were no additional comments. The public hearing closes out part 2 of the application for exterior renovations to Uptown Coffee, First National Bank and Cobb Hall Insurance. Mayor Proctor closed the public hearing at 7:16 p.m.

8. **APPROVED – ORDINANCE NO. 906, AMENDMENT TO CHAPTER 1060, SOLID WASTE COLLECTION & DISPOSAL**

MOTION by Manor, SUPPORT by Mulvahill, "To adopt Ordinance No. 906, Amendments to Chapter 1060 Solid Waste Collection & Disposal." Susie Hill, 822 Spring, questioned the purpose of the revisions. City Manager Charles indicated the amendments clean up outdated sections and provide conformity with the new Advanced Disposal contract. MOTION CARRIED (4-0).

9. **APPROVED – AMENDMENTS TO NOISE CONTROL & DISORDERLY CONDUCT**

A. Ordinance No. 907. MOTION by Hansen, SUPPORT by Mulvahill, "To adopt Ordinance No. 907, revisions to Section 652.06 Noise Control." Lisa Diccio, 1223 Butler, questioned how the new regulations will be policed noting she has heard that residents can submit videos of violations. Mayor Proctor stated the Livingston County Sheriff still has jurisdiction over the lake however complaints can be referred to the Howell Police Department. Dan Jennings, 1109 N. Michigan, expressed concern with differing opinions on noise volumes. Police Chief Basar indicated there would be no videos or overarching approaches used; residents can file complaints that are a nuisance and can act as witnesses.

Attorney Perkins stated that the City is only changing one section of the ordinance that's been in place for 40 years by adding motorcycle, watercraft and boats to the requirements preventing excessive noises from engine exhausts. MOTION CARRIED (4-0).

B. Ordinance No. 908. MOTION by Manor, SUPPORT by Mulvahill, "To adopt Ordinance No. 908, revisions to Section 662.01 Disorderly Conduct." This amendment adds public lakes and public waterways to the definition of public place relating to disorderly conduct. MOTION CARRIED (4-0).

C. Resolution No. 16-19. MOTION by Mulvahill, SUPPORT by Hansen, "To adopt Resolution No. 16-19, revisions to Boat Launch Administrative Rules." MOTION CARRIED (4-0).

10. APPROVED – TAXICAB LICENSE, HOWELL CAB LLC

MOTION by Hansen, SUPPORT by Mulvahill, "To approve the Taxicab License for Howell Cab LLC as presented for a period of July 1, 2016 through June 30, 2017 subject to submission of a new vehicle inspection in 6 months." MOTION CARRIED (4-0).

11. APPROVED – LUCY ROAD ENVIRONMENTAL MONITORING

MOTION by Manor, SUPPORT by Mulvahill, "To accept the proposal as submitted by GHD to perform the annual monitoring and sampling for the Lucy Road site in accordance with our NFA report for an amount not to exceed \$23,295, of which the City will be responsible for 40% of those costs." Susie Hill, 822 Spring, questioned if the property would be sold. MOTION CARRIED (4-0).

12. APPROVED – CONTRACT FOR BUILDING SERVICES, CARLISLE/WORTMAN

MOTION by Hansen, SUPPORT by Mulvahill, "To approve the Agreement for Consulting Services with the Code Enforcement Services Division of Carlisle/Wortman Associates, Inc. for Building Official Services and authorize the Mayor to sign the contract." City Manager Charles indicated the contract incorporates a change in scope to accommodate the higher level of building activity. Craig Strong will still be the Building Official however the inspector will be in the office three 4 hour days per week which will help to address code enforcement issues faster. MOTION CARRIED (4-0).

13. APPROVED – INITIAL BIKE ROUTE PLAN

MOTION by Mulvahill, SUPPORT by Hansen, "To approve the initial bike route markings for the community as outlined in the attached map dated August 3, 2016." Council questioned if there were plans to join the east/west routes by a north/south connection. Community Development Director Schmitt indicated the current focus was getting people from each quadrant to the downtown area noting the difficulty to provide safe locations to cross Grand River & Michigan Avenue.

National Street was suggested as a possible north/south crossing. It was also noted that SEMCOG was a possible source for grant funding for bike crossings if you could show connections to larger networks. Discussion followed on the safety of the Isbell Street Bridge. Susie Hill, 822 Spring, questioned if bikes were permitted to ride in the street. MOTION CARRIED (4-0).

14. APPROVED – DESIGNATION OF MERS OFFICER DELEGATE & ALTERNATE DELEGATE FOR ANNUAL MEETING

MOTION by Hansen, SUPPORT by Mulvahill, “To appoint Jane Cartwright as officer delegate and Shea Charles as the alternate to the annual meeting of the Municipal Employees Retirement System.” MOTION CARRIED (4-0).

15. INTRODUCED – ORDINANCE NO. 909, PLANNING COMMISSION MEMBERSHIP

Mayor Proctor presented the proposed change in structure, from 9 members to 7, and elimination of the requirement that the City Manager sit on the Planning Commission. State statute allows between 5 and 11 members and the City Attorney recommended the change to remove the City Manager noting the Community Development Director reports to the City Manager, and the City Manager reports to the City Council. Member Mulvahill introduced Ordinance No. 909, Planning Commission Membership.

16. AWARD BIDS/PURCHASES:

A. 121 N. Center Street Demolition, Regal Demolition. MOTION by Manor, SUPPORT by Mulvahill, “To award the demolition contract for the house at 121 N. Center Street to Regal Demolition for an amount not to exceed \$32,000.” The bid does include asbestos removal. MOTION CARRIED (4-0).

B. Replacement of Unit #17, LaFontaine Ford, \$27,587.25. MOTION by Manor, SUPPORT by Hansen, “To approve the purchase of a 2016 Ford Transit 150 Cargo Van from LaFontaine Ford of Lansing Michigan for an amount not to exceed \$27,587.25.” MOTION CARRIED (4-0).

C. Water Service Line, Muns Directional Boring, \$6,925. MOTION by Mulvahill, SUPPORT by Hansen, “To approve Muns Directional Boring, Inc. to bore a two inch water service line for a cost not to exceed \$6,925.” MOTION CARRIED (4-0).

17. APPROVED PAYMENT OF BILLS

MOTION by Hansen, SUPPORT by Manor, “To approve payment of bills ending August 8, 2016 in the amount of \$489,097.58 and payroll to cover the period ending August 6, 2016.” Mayor Proctor questioned payment to Green Oak Township. MOTION CARRIED (4-0).

18. BOARD/COMMISSION APPOINTMENTS:

A. Construction Board of Appeals, John Hamlin, Mike Kennedy, Paul Streng & Kurt Weiland, terms ending June 23, 2018. MOTION by Hansen, SUPPORT by Mulvahill, "To approve the reappointment of John Hamlin, Mike Kennedy, Paul Streng & Kurt Weiland to the Construction Board of Appeals for terms ending June 23, 2018." MOTION CARRIED (4-0).

19. CITY MANAGER'S REPORT

- Congratulated City Clerk Cartwright for a successful primary election noting although the turnout was low, new processes and equipment were tested to prepare for the November 8th General Election.
- Bid documents for Parking Lot #2 are planned to be released August 19th pending confirmation from utilities that they can meet the timeline. Bids will be due September 7th with the bid award scheduled for the September 12, 2016 meeting. The final plans include a modified version of the rain gardens. The project completion date is expected to be November 15th.
- Staff has run into some problems with DTE for the Parking Lot #4 and alley project. The parking lot will be open for Melon Festival however the poles may still be present and top coat of asphalt may not be completed. Council commended DPS Director Suida and his staff for the communication strategy used to keep the businesses informed during construction.

20. OLD BUSINESS

- City Attorney Perkins apologized for not having the NLC Sewer line warranty agreement ready for this meeting. It will be ready for consideration at the August 22, 2016 meeting.

21. NEW BUSINESS

- MOTION by Mulvahill, SUPPORT by Hansen, "To excuse members Bob Ellis, Jan Lobur and Scott Niblock from the August 8, 2016 meeting due to vacation." MOTION CARRIED (4-0).

22. ADJOURN

MOTION by Hansen, SUPPORT by Manor, "To adjourn the regular meeting of the City Council at 8:09 p.m." MOTION CARRIED (4-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk