

Regular Meeting of the Howell City Council
Monday, September 12, 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, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Council Member Absent: Scott Niblock.

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, DPW Superintendent Marcel Goch, IT Director Mike Pitera, Assessor Joey Lentine, Recreation Director Paul Rogers, Tom Richardson, Jeanne Clum, Beth Roland, Nicole Matthews Creech, Adena Friend, Alex Smith, Seth Ferrett.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Manor, SUPPORT by Hansen, “To approve the minutes of the regular meeting of the City Council held August 22, 2016.” MOTION CARRIED (6-0).

4. **CITIZENS’ COMMENTS**

- Jean Clum, Livingston County United Way, thanked the City Council for their support and use of Howell City Park for the 2016 Day of Caring.

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

- Mayor Proctor reported on the DDA meeting held August 24, 2016. The final Rock the Block was held and the combined profit for all three events was \$5,000 (the Board recognized and thanked the City Council for their support of the event); plans are underway for small business Saturday, Lunar New Year and the holiday season store front decorating contest; there has been a lot of movement in the downtown and 3 grand openings were held; Mark Harlow is the new Vice President replacing Heather Ruby (refer to Item 6). Jean Clum, Howell DDA Board Secretary, recapped the 2015/2016 annual report distributed to the City Council highlighting the \$4.3 million in Public &

Private investment, 19 new businesses, 46 new jobs, 4,271 volunteer hours, and \$60,000 in fundraising efforts. Other accomplishments included the installation of Howell's first bike rack, Main Street's new non-profit status, and recognition for being one of the top 10 downtowns in the country. Ms. Clum thanked the Howell City Council for their contributions and shared vision. Mayor Proctor also commended DDA Director Edgerly for her efforts. Council questioned the make-up of the new Non-Profit Board. Jean Clum indicated the DDA Executive Committee is the acting Non-Profit Board however they are looking for community involvement and taking applications for permanent board members.

6. **COUNCIL CORRESPONDENCE**

A. Heather Ruby, Resignation from DDA Board. MOTION by Lobur, SUPPORT by Ellis, "To accept the resignation of Heather Ruby from the DDA Board and thank her for her service." MOTION CARRIED (6-0).

7. **APPROVED – CIVIC EVENT APPLICATIONS:**

A. Free Dental Day, September 24, 2016. MOTION by Lobur, SUPPORT by Ellis, "To approve the civic event application submitted by Kellogg Dental for Free Dental Day scheduled for September 24, 2016 incorporating staff comments." Beth Roland & Adena Friend were present and thanked the City Council for their support; this will be the 7th annual free dental day and they expect to see over 100 people. Member Lobur noted Kellogg Dental also provides food and gifts for patients. Dr. Kellogg was commended as a generous donator of time and resources to the community. MOTION CARRIED (6-0).

B. Celebrate U, September 24, 2016. MOTION by Ellis, SUPPORT by Hansen, "To approve the civic event application submitted by the Livingston Diversity Council for Celebrate U scheduled for September 24, 2016." Nicole Matthews Creech reviewed the events scheduled for the 2nd annual Celebrate U which provides diverse experiences to the community. MOTION CARRIED (6-0).

C. Homecoming Parade, September 30, 2016. MOTION by Ellis, SUPPORT by Hansen, "To approve the civic event application submitted by Howell High School for the 2016 Homecoming Parade scheduled for September 30, 2016 incorporating staff comments, and contingent upon receipt of signed indemnification agreement and certificate of insurance." MOTION CARRIED (6-0). MOTION by Ellis, SUPPORT by Mulvahill, "To approve the request to place ribbons on light posts in downtown along the Howell High School Homecoming parade route starting September 23, 2016 and removed by October 7, 2016." MOTION CARRIED (6-0).

8. **APPROVED – CSX CONTRACT FOR MCPHERSON PARK DR. CROSSING**

MOTION by Manor, SUPPORT by Ellis, "To approve the contract with CSX Transportation for the reconstruction of the McPherson Park Drive railroad

crossing for an estimated cost of \$134,646 and authorize the City Manager to sign the contract.” City Manager Charles indicated the contract represents an estimate of cost and although the City is required to deposit the entire amount, anything over and above the actual cost of improvements will be reimbursed to the City; 80% is grant dollars. The project includes improvements to the sidewalk and trail. MOTION CARRIED (6-0).

9. APPROVED – SUMP PUMP CONTROL PANELS FOR CITY HALL

MOTION by Ellis, SUPPORT by Hansen, “To contract with Crampton Electric for the purchase and installation of two sump pump controllers and related auto dialer equipment for a price not to exceed \$8,650.” MOTION CARRIED (6-0).

10. AWARDED BID/PURCHASE – PARKING LOT #2 RECONSTRUCTION

A. Update on Bid Award. City Manager Charles reported the City only received one bid from Springline Excavating in the amount of \$989,935 which is \$200,000 over the engineer’s estimate. Although multiple firms pulled plans to bid, they did not have the capacity to complete the project within the tight timeline between September 20 & November 15, 2016; 2 contractors have indicated they would have interest in a spring bid process. Staff met with representatives from Springline and HRC to review the bid and negotiate options. Contributing factors included HRC under estimated by \$50,000 (asphalt was estimated as a road project instead of a parking lot); the project involves 5 different sub contractors and only 40% of the actual work will be performed by Springline. City Manager Charles reviewed his September 12, 2016 memorandum along with the September 12, 2016 letter from Springline Excavating presenting cost reductions from their bid submitted on September 7, 2016. The net effect in project changes and price adjustments lowers the bid from \$989,935 to \$927,016. Reductions include a standard trench footing for the dumpster enclosure, precast unit for the weir structure and crushed concrete for the aggregate base. Staff also recommends removing the parking bay on Clinton Street noting the difficulty in relocating DTE lines causing underground to convert to overhead, and extending the project completion until Thanksgiving noting the asphalt pricing may decrease. The overall project cost will still be \$200,000 over the bonding capacity, with the overage coming from fund balance. Discussion followed on staff concerns with the capacity of smaller firms to complete new projects in the near future with the new road funding package. Nancy Faught, HRC, confirmed that 2017 & 2018 will be even busier with infrastructure projects and also reviewed their process for developing project estimates. DPS Director Suida indicated Parking Lot #2 was in poor condition however not dangerous; DPW could continue to patch in the short term. MOTION by Lobur, “To delay the reconstruction of Parking Lot #2 until the spring.” MOTION DIED DUE TO LACK OF SUPPORT. MOTION by Ellis, SUPPORT by Hansen, “To award the Parking Lot #2 reconstruction project to Springline Excavating for an amount not to exceed \$927,016 which incorporates all changes articulated in the September 12, 2016 memorandum by staff.” Member Lobur stated she was not comfortable with only one bid. Mayor Proctor

also expressed concern with spending fund balance in the 1st quarter of the fiscal year. MOTION CARRIED (5-1). Member Lobur opposed.

B. Construction Engineering Proposal. MOTION by Ellis, SUPPORT by Hansen, “To award HRC of Howell, Michigan the Construction Engineering Services proposal for Parking Lot #2 at a cost not to exceed \$118,009.” MOTION CARRIED (6-0).

C. DTE Lighting Agreement. MOTION by Hansen, SUPPORT by Manor, “To authorize staff to execute the purchase agreement with Detroit Edison Company to install and maintain 6, 60 watt LED decorative lighting fixtures in Parking Lot #2 for a capital cost of \$12,056.75 and an annual estimated cost of \$1,850.10.” MOTION CARRIED (6-0).

11. APPROVED – RESOLUTION NO. 16-20, CONTINUATION OF THE HOWELL AREA PARKS & RECREATION AUTHORITY

Action was postponed at the August 22, 2016 meeting. MOTION by Ellis, SUPPORT by Hansen, “To adopt Resolution No. 16-20, Continuation of the Howell Area Parks & Recreation Authority.” Recreation Director Rogers noted that Genoa, Marion, and Howell Townships have approved the same resolution. Oceola Township will consider the resolution in October. MOTION CARRIED (6-0).

12. APPROVED PAYMENT OF BILLS

MOTION by Hansen, SUPPORT by Ellis, “To approve payment of bills ending September 12, 2016 in the amount of \$859,647.34 and payroll to cover the periods ending September 3 & 17, 2016.” Mayor Proctor questioned John Steward Associates, M & M Pavement Markings, and Carlisle Wortman. Member Lobur questioned Marks Tree Trimming and Shaner’s Cutting Edge. MOTION CARRIED (6-0).

13. CITY MANAGER’S REPORT

- Parking Lot #4 is paved; the dumpster enclosure will be completed Wednesday and it is scheduled to be open on Friday of this week.
- Will be speaking at Good Morning Livingston tomorrow morning and attending the MML Annual Conference for the balance of the week.

14. OLD BUSINESS

- Member Ellis questioned the status of changing the E. Grand River trash collection day to Tuesday. DPS Director Suida indicated he is still working with Advanced Disposal to make some changes, some of which are due to the success of the recycling program.
- Mayor Proctor recognized the new bike pavement markings and noted there is still an old sign on the east side of State Street prohibiting bikes.

15. NEW BUSINESS

- Member Manor requested staff develop a grant application for a pedestrian crossing on E. Grand River near Barnard Street. He also reviewed the recent tour to Clawson he attended with the SEMCOG executive committee to see the newly installed pedestrian crossings on 14 Mile Road paid for by grant dollars.
- Member Mulvahill questioned the lack of recycling for the downtown residents. DPS Director Suida stated it was always an option to use the blue recycle containers located within the dumpster enclosures; they are successful behind Clearys.
- MOTION by Hansen, SUPPORT by Manor, “To excuse member Scott Niblock from the September 12, 2016 meeting due to business travel.” MOTION CARRIED (6-0).
- Attorney Perkins informed Council of the memorial service for Louis VanCuyt at the Courthouse Veterans Memorial, Wednesday September 14, 2016 at 1:00 p.m.

16. ADJOURN

MOTION by Lobur, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 8:35 p.m.” MOTION CARRIED (6-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk