

Regular Meeting of the Howell City Council
Monday, December 5, 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, Scott Niblock, Steven Manor, 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 Stanislowski, Community Development Director Tim Schmitt, DPW Superintendent Marcel Goch, Assessor Joey Lentine, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, Clark Gill, Pat McGow, Tom Richardson, J. Pearce, John & Caron Davis.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the regular meeting of the City Council held November 21, 2016.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the executive session of the City Council held November 21, 2016.” MOTION CARRIED (7-0).

4. **CITIZENS’ COMMENTS**

- None.

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

- None.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **PUBLIC HEARING – OBSOLETE PROPERTY REHABILITATION ACT DISTRICT EXPANSION**

Mayor Proctor opened the public hearing at 7:01 p.m. There was no response.

Mayor Proctor closed the public hearing at 7:02 p.m.

8. **APPROVED – RESOLUTION NO. 16-27, OPRA DISTRICT EXPANSION**
MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Resolution No. 16-27, a resolution to expand the boundaries of the City of Howell’s Obsolete Property Rehabilitation Act District No. 1 to include all properties bounded by South Barnard, East/West Sibley, South Walnut, the alley behind the 200 block of West Grand River Avenue, South/North Center, West/East Clinton, North State Street, and East Grand River Avenue.” Discussion followed on the purpose and process of Brownfield & OPRA districts, and the revenues captured by the DDA. All property owners within the district were notified. MOTION CARRIED (7-0).

9. **APPROVED – RESOLUTION NO. 16-28, AUTHORIZING ISSUANCE OF CAPITAL IMPROVEMENT BONDS**
MOTION by Manor, SUPPORT by Ellis, “To adopt Resolution No. 16-28, Authorizing Issuance of 2017 Capital Improvement Bonds (Limited Tax General Obligation).” Attorney Pat McGow, Miller Canfield, was in attendance, and indicated this is the final step to authorize sale of the bonds scheduled for early 2017 to reimburse the City for reconstruction of Parking Lots 2 & 4. Attorney McGow stated there has been an uptick in interest rates since July and the interest rate for an A rating is currently around 4%; since the City of Howell is rated AA-, the interest rate should be a little lower. Three separate Notice of Intent resolutions were adopted for a total amount not to exceed \$2.3 million; bonds will be sold for the actual cost of the parking lot projects which is approximately \$2.1 million. MOTION CARRIED (7-0).

10. **SCHEDULED PUBLIC HEARING – APPLICATION FOR OPRA TAX ABATEMENT, ABERRANT ALES, 219 W. GRAND RIVER**
MOTION by Ellis, SUPPORT by Mulvahill, “To set a public hearing for December 19, 2016 to consider the Obsolete Property Rehabilitation Act application for 219 West Grand River Avenue.” Clark Gill was in attendance and gave an overview of the project which includes rehabilitation of the west portion of the Country Squire building to create a standard brew pub including kitchen and dining facilities. MOTION CARRIED (7-0).

11. **APPROVED – HOWELL CARNEGIE DISTRICT LIBRARY FENCE EASEMENT**
MOTION by Lobur, SUPPORT by Ellis, “To approve the easement agreement with Howell Carnegie District Library to install a fence in the public right-of-way to the north of their building in the Clinton Street right-of-way.” The Library plans to install the fence between utility lines therefore they will be responsible for all maintenance or replacement of the fence if damaged by utility access. The height of the proposed fence will be 42 inches in compliance with the Building Code. MOTION CARRIED (7-0).

12. DISCUSSED – NAMING POLICY

Community Development Director Schmitt received a request several months ago to place a memorial bench or plaque in the downtown. Since it was a last minute request prior to a funeral, the City was not able to act on it with no approved policy in place. A draft policy was discussed by Council in 2014 however was never adopted. It was noted that a prohibition on Corporate naming has not been included however City Council will have the final approval on major naming decisions. Council concurred to have staff finalize the Naming Policy for consideration at a future meeting.

13. APPROVED – PROFESSIONAL SERVICES AGREEMENT, DPW BUILDING RENOVATION PROJECT

MOTION by Ellis, SUPPORT by Hansen, “To approve Lindhout Associates of Brighton to perform architectural services for the DPW Building Renovation project at a cost not to exceed \$9,348.” DPS Director Suida stated the original Master Plan or needs assessment was completed in 2002 however was downsized in 2004 and structured to be implemented in phases. The lobby area was completed in the prior fiscal year and the Maintenance Department was moved to the adjacent building, formerly the fire substation. The plan includes ADA public bathrooms, more office space and conference area. The proposed agreement will provide for the completion of construction plans to use for the bidding process. Once completed, the project will come back to City Council for final approval. MOTION CARRIED (7-0).

14. AWARDED BID/PURCHASE – MICROSOFT OFFICE UPGRADE, SEHI COMPUTERS, \$14,313

MOTION by Hansen, SUPPORT by Mulvahill, “To approve the purchase of 53 licenses of Microsoft Office 2016 from Sehi Computers for the amount of \$14,313.” IT Director Pitera indicated that purchasing the licenses as a standalone product is more cost effective than a subscription. The City is currently operating on the 2007 version and support is no longer available. MOTION CARRIED (7-0).

15. APPROVED PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Lobur, “To approve payment of bills ending December 5, 2016 in the amount of \$756,371.10 and payroll to cover the period ending December 10, 2016.” Member Mulvahill questioned Alchin’s Disposal, Bisbee Infrared Services, GBS Inc., Miss Dig System, and Springline Excavating. Mayor Proctor questioned the refund of performance bond to Adam Merkel Restaurants. MOTION CARRIED (7-0).

16. CITY MANAGER’S REPORT

- Budget Work Session. MOTION by Hansen, SUPPORT by Ellis, “To schedule the December Budget Work Session for 6:00 p.m. December 15, 2016.” MOTION CARRIED (7-0). Mayor Proctor stated his intent was to

bring back the goals and objectives developed for the 2016/2017 budget year as a template to start the 2017/2018 budget process. Council concurred.

- Thanked Council for attending the joint DDA/Council meeting; a follow up session will be scheduled next summer.
- The Lame Duck session is upon us; the leadership in the legislature is pushing for OPEB legislation (changes to retiree health insurance) which includes converting to a health savings account for new hires (which the City has already done). There is also proposed legislation that would enable Libraries to opt out of the DDA TIF capture. Discussion followed on contractual obligations for retiree health.
- Commended DPS Director Suida and staff as well as HRC for completion of Parking Lot #2 noting the project required a very quick turnaround.
- Presented the City Manager's Report for the 2015/2016 FY .

17. OLD BUSINESS

- None.

18. NEW BUSINESS

- Member Manor stated this was the last week for the leaf pick up service.
- Member Manor also expressed concern with the closing of Southeast School. Mayor Proctor stated he has received e-mails from parents and also has concerns which he has discussed with Superintendent Erin MacGregor including students leaving the district under School of Choice. He will be attending the Howell School Board meeting December 12th where a vote is expected to be taken. Council members also expressed concern with closing an elementary school located in the City where children can walk to school however understood the fiscal realities.
- Member Manor stated the Livingston Transportation Coalition was holding a meeting January 17th from 8:00 a.m. until noon and he encouraged attendance.
- Member Manor also announced that the SEMCOG TAPS grant is open for applications. City Manager Charles indicated staff has been working on potential projects including a possible pedestrian bridge on Isbell.
- Member Manor stated December 5th is the anniversary of the end of prohibition.
- Member Niblock also expressed concern with the closing of Southeast School and questioned the implications for the City. City Manager Charles indicated the district will retain ownership and the building will be minimally used so it could reopen if needed in the future. He will forward a map received from the district showing the current student population that attend Southeast School.
- Member Mulvahill inquired about the sewer repair on Grand River last week and questioned if road patching will be completed prior to winter.

19. EXECUTIVE SESSION – PENDING LITIGATION & CITY MANAGER'S ANNUAL REVIEW

- 8:29 p.m. MOTION by Mulvahill, SUPPORT by Ellis, "To adjourn to executive session to discuss pending litigation with a roll call vote."

Mulvahill – yes, Niblock – yes, Ellis – yes, Manor – yes, Lobur – yes, Hansen – yes, Proctor - yes. MOTION CARRIED (7-0).

8:38 p.m. MOTION by Mulvahill, SUPPORT by Hansen, “To reconvene the regular meeting.” MOTION CARRIED (7-0). MOTION by Hansen, SUPPORT by Ellis, “To approve, ~~nunc pro tunc~~ **nunc pro tunc**, the settlement in MTT case No. 15-001786, 645 Associates, LLC as follows: tax years 2015 & 2016, a combined true cash value of \$3,700,000 for all parcels affected, an assessed value of \$1,850,000 for all parcels affected, and a taxable value of \$1,850,000 for all parcels affected, and authorize the City Attorney to sign the stipulation for Consent Judgment; parcels affected are 4717-02-202-056 through 4717-02-202-057, 471702-202-092, 4717-02-202-021 through 4717-02-202-023, 4717-02-203-001 through 4717-02-203-004, 4717-02-203-026 through 4717-02-203-030.” MOTION CARRIED (7-0).

- 8:42 p.m. MOTION by Mulvahill, SUPPORT by Hansen, “To adjourn to executive session to conduct the City Manager’s Annual Review.” A roll call vote was taken. Niblock – yes, Ellis – yes, Manor – yes, Lobur – yes, Hansen – yes, Mulvahill – yes, Proctor – yes. MOTION CARRIED (7-0).

9:10 p.m. MOTION by Hansen, SUPPORT by Ellis, “To reconvene the regular meeting.” MOTION CARRIED (7-0).

20. ADJOURN

MOTION by Hansen, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 9:10 p.m.” MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk