

**Regular Meeting of the Howell City Council**  
**Monday, January 9, 2017**  
**Howell City Council Chambers – Lower Level**  
**611 E. Grand River**  
**Howell, Michigan 48843**  
**517-546-3502**

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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 Stanislawski, DPS Director Erv Suida, Community Development Director Tim Schmitt, Assessor Joey Lentine, IT Director Mike Pitera, Recreation Director Paul Rogers, John & Caron Davis, Alex Smith, Bob Dymond, John Porth, Kevin Jappaya, Tom Richardson, Stan Brish, Bob Hanvey, Rebecca Niblock.

2. **PLEDGE OF ALLEGIANCE**

Mayor Proctor welcomed Lauren from the South Lyon High School AP Government class.

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Hansen, “To approve the minutes of the work session of the City Council held December 15, 2016.” MOTION CARRIED (7-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the regular meeting of the City Council held December 19, 2016.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the executive session of the City Council held December 19, 2016.” MOTION CARRIED (7-0).

4. **CITIZENS’ COMMENTS**

- None.

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

- Member Ellis reported on the Howell Area Parks & Recreation Authority Board meeting held December 20, 2016. Reviewed the budget and financial

statements; presented proclamations honoring outgoing Board members Todd Smith & Lois Kanniainen (new members are Diana Lowe representing Genoa Township & Jean Graham representing Howell Township); and received an update on the new Teen Center opening this month. The new accordion doors at the Bennett Center are being installed.

- Mayor Proctor stated he was unable to attend the December Howell Area Fire Authority meeting.

**6. COUNCIL CORRESPONDENCE**

- None.

**7. PUBLIC HEARING – COMMERCIAL REHABILITATION ACT DISTRICT, SOUTH MICHIGAN**

Mayor Proctor opened the public hearing at 7:05 p.m. Community Development Director Schmitt gave an overview of the proposed Commercial Rehabilitation Act District for the S. Michigan corridor to help spur development and support future projects within the form based code district. Dick Carlisle, Carlisle/Wortman Associates, reviewed the benefits to incentivize improvements to commercial properties at least 15 years old as well as vacant property used commercially in the last 15 years. The existing taxation or pre-rehabilitation taxable value on the property is retained. There is an application process with public hearing requirements. City Council has discretion on the length of the tax exemption certificate, from one to ten years. The Commercial Rehabilitation Act will expire December 31, 2020; no new applications can be approved after the Act expires. Discussion followed on properties included in the proposed district.

Mayor Proctor closed the public hearing at 7:15 p.m.

**8. APPROVED – RESOLUTION 17-01, ESTABLISHMENT OF COMMERCIAL REHABILITATION DISTRICT, SOUTH MICHIGAN AVENUE CORRIDOR**

MOTION by Hansen, SUPPORT by Lobur, “To establish a Commercial Rehabilitation Act District for the South Michigan Avenue corridor, as shown on the documents presented.” City Manager Charles noted the resolution must be sent to the Livingston County Board of Commissioners and they have 28 days to reject the district. MOTION CARRIED (7-0).

**9. APPROVED – LUCY ROAD PARK REPLACEMENT PROPERTY**

Community Development Director Schmitt reviewed the history of the Lucy Road Park, which was closed due to contamination in the late 1980’s. Since the original park was partially developed with grant dollars from the Land & Water Conservation Fund, the parkland must be replaced to allow the City to be eligible again for DNR grants. Dick Carlisle, Carlisle/Wortman Associates, stated the replacement land must be equal or greater in value or quality and the location must be very useable. Staff is looking for consensus on using the vacant northern portion of Howell Memorial Cemetery as the replacement property. A formal submittal

- process to MDNR is required and must include surveys and appraisals of properties; the estimated cost is around \$10,000. MOTION by Manor, SUPPORT by Ellis, “That Council authorize Carlisle Wortman & Staff to proceed with a formal submittal to MDNR and begin the process of park land replacement.” It was noted that the platted and expansion cemetery areas provide plenty of capacity well into the future; the HAPRA Recreation Master Plan will also need to be updated. MOTION CARRIED (7-0).
10. **APPROVED – HIGHLAND HOWELL PROPERTY PURCHASE AGREEMENT, BRANOFF RANDLE REAL ESTATE PARTNERS LLC**  
MOTION by Ellis, SUPPORT by Hansen, “To approve the purchase agreement as to form between the City of Howell and Branoff Randle Real Estate Partners LLC.” MOTION CARRIED (7-0).
11. **APPROVED – AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES**  
MOTION by Manor, SUPPORT by Lobur, “To approve the 2017 Agreement for Collection of Summer School Property Tax with Howell Public Schools.” MOTION CARRIED (7-0).
12. **APPROVED – NAMING RIGHTS POLICY**  
MOTION by Lobur, SUPPORT by Ellis, “To adopt the Parks, Recreational Areas, Facilities, & Fixtures Naming Policy.” MOTION CARRIED (7-0).
13. **APPROVED – GRAND RIVER TRAFFIC STUDY PROPOSAL**  
MOTION by Manor, SUPPORT by Ellis, “To accept the proposal from Hubbell, Roth, and Clark to perform a traffic study for Grand River Avenue in downtown Howell for a cost not to exceed \$32,607.50”. City Manager Charles stated that traffic calming on Grand River has been talked about for years and MDOT requires a traffic study prior to consideration of alterations to a state highway. The study proposed by HRC is very detailed and expected to be valid for 18 to 24 months. Discussion followed on the importance of incorporating the vision for the downtown, the timing and expense to complete the study, and options for public input. City Manager Charles noted the City cannot obtain the feedback or support from MDOT without the study. Staff would like to be in position for future road upgrades and grant opportunities. MOTION CARRIED (7-0).
14. **APPROVED PAYMENT OF BILLS**  
MOTION by Ellis, SUPPORT by Hansen, “To approve payment of bills ending January 9, 2017 in the amount of \$876,977.30 and payroll to cover the period ending January 21, 2017.” Member Mulvahill questioned Advanced Underground Inspection, 2016 Sewer Refunding Bond, and Pat Shields (snow hauling). MOTION CARRIED (7-0).

**15. CITY MANAGER'S REPORT**

- Budget Work Session. MOTION by Manor, SUPPORT by Ellis, "To schedule a budget work session for January 24, 2017 at 6:00 p.m." MOTION CARRIED (7-0).
- The TIF Library Bill was signed by Governor Snyder this afternoon. Representative Vaupel voted against the bill.
- The annual Chamber Citizen of the Year Dinner is scheduled for January 26, 2017.
- Sludge Hauling was scheduled at the WWTP, however the weather was not conducive to move forward. Staff will be presenting some alternatives at the January 23, 2017 meeting.
- The TAP grant period is now open; the submittal deadline is January 31, 2017.
- The Capital Improvement Bond sale has been scheduled for mid-February.
- Samples of new Council chairs have been provided; they are a little bit wider than the current chairs.
- The ICE Grant program is back; staff is looking to bring forward a potential application for State Street for consideration at the January 23, 2017 meeting.

**16. OLD BUSINESS**

- Mayor Proctor questioned the status of the Water Line Insurance program.

**17. NEW BUSINESS**

- Mayor Proctor announced he has been invited by State Representative Vaupel to be a guest at the State of the State address.

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

8:06 p.m. MOTION by Ellis, SUPPORT by Lobur, "To adjourn to executive session to discuss pending litigation." A roll call vote was taken. Manor – yes, Lobur – yes, Hansen – yes, Mulvahill – yes, Niblock – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).

8:30 p.m. MOTION by Hansen, SUPPORT by Niblock, "To reconvene the regular meeting." MOTION CARRIED (7-0). MOTION by Manor, SUPPORT by Niblock, "To settle the Howell Estates Owner, LLC v City of Howell Tax Tribunal matter, File No. 16-002878 as follows: 1) That the City Attorney execute the Stipulation agreeing to a reduction of fair market value for all parcels affected in the amount of \$6,250,000 and a reduction in taxable value for all parcels affected in the amount of \$3,125,000 for tax year 2016; 2) The Mayor and Clerk will execute a Letter of Understanding, as part of the settlement of the Tax Tribunal matter, agreeing that the fair market value for tax year 2017 shall be in the amount of \$6,306,250 and that the taxable value for tax year 2017 shall be in the amount of \$3,153,125; further, the CPI index/inflation rate shall be 1.009." A roll call vote was taken. Lobur – yes, Hansen – yes, Mulvahill – yes, Niblock – yes, Ellis – yes, Manor – yes, Proctor – no. MOTION CARRIED (6-1).

8:34 p.m. MOTION by Hansen, SUPPORT by Ellis, “To adjourn to executive session to continue the City Manager’s annual review.” A roll call vote was taken. Hansen – yes, Mulvahill – yes, Niblock – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).

8:51 p.m. MOTION by Hansen, SUPPORT by Ellis, “To reconvene the regular meeting.” MOTION CARRIED (7-0). MOTION by Niblock, SUPPORT by Hansen, “To adopt the 2015/2016 City Manager’s evaluation summary dated January 9, 2017.” MOTION CARRIED (7-0).

**19. ADJOURN**

MOTION by Hansen, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 8:53 p.m.” MOTION CARRIED (7-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk