

**Regular Meeting of the Howell City Council**  
**Monday, January 23, 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, 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, Community Development Director Tim Schmitt, Assessor Joey Lentine, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, DDA Director Cathleen Edgerly, Caron Davis, Nancy Faught, Karyn Sticker, Russ Beaubien, James Owens, J. Pearce.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Hansen, “To approve the minutes of the regular meeting of the City Council held January 9, 2017.” MOTION CARRIED (6-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the executive session of the City Council held January 9, 2017.” MOTION CARRIED (6-0).

4. **CITIZENS’ COMMENTS**

- Mayor Proctor presented the two styles of wood plaques made by James Owens, a Howell High School senior in the Industrial Arts Program. The plaques were designed and manufactured by Mr. Owens after Mayor Proctor approached Principal Jason Schrock on the idea of making a City Crest to hang in the Council Chambers. James reviewed the process to create the design using their software program as well as options to manufacture the finished product using wood or metal. James indicated he received an A on the City of Howell project. On behalf of the City of Howell, Mayor Proctor thanked James for his work on the City Crest and offered a letter of recommendation.

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

- Member Lobur reported on the January 18, 2017 Planning Commission meeting. Received official notification on the Howell Township Master Plan adoption; approved the site plan extension for the McPherson Mansion Carriage House at 915 N. Michigan; reviewed a draft of the 2016 annual Planning Department report; received an update on Howell Estates, 12 units are set to be demolished. Member Lobur commended Community Development Director Schmitt for his work on the process for the City of Howell to be designated a Redevelopment Ready Community. The process should be completed this summer.
- Member Ellis reported on the January 17, 2017 Howell Area Parks & Recreation Authority meeting. Elected officers for the 2017 year; Chair – Sean Dunleavy, Vice Chair – Diana Lowe, Secretary – Tammy Beal, and Treasurer Bob Ellis. The Board also reviewed employee benefits (no changes); opted out of PA 152 for 2017; reviewed a draft of the lease agreement with Howell Land Development LLC for the new Teen Center; approved a change in recreation software from Active Net to Rec Pro which is projected to save \$15-20,000 per year; received a grant from Champion Chevrolet to replace the flooring at the Teen Center; approved the 2016 Audit Agreement; and reviewed the 2016 financial report showing \$92,000 of the deficient was eliminated however a negative fund balance of \$23,000 is remaining. Member Ellis also reported on the Open House of the new Teen Center “The Hive” on Friday.
- Mayor Proctor reported on the January 18, 2017 Howell Area Fire Authority meeting. Received a report on the accident involving Engine 23; Boss Engineering completed the engineering work on the proposed expansion of the main station; opted out of PA 152 for 2017; received a refund of \$14,000 from the MML Workers Compensation Fund; and reached an agreement with Cleary University on reduced tuition fees to obtain Bachelors or MBA degrees for all fire and police personnel.

**6. COUNCIL CORRESPONDENCE**

- None.

**7. APPROVED – CIVIC EVENT APPLICATION, HOWELL LIBRARY**

MOTION by Hansen, SUPPORT by Ellis, “To approve the Civic Event application submitted by the Howell Carnegie District Library for 101 Things that Happened on the Mackinac Bridge scheduled for June 14, 2017 incorporating staff comments and contingent upon receipt of certificate of insurance.” MOTION CARRIED (6-0).

**8. APPROVED – RESOLUTION NO. 17-02, ABERRANT ALES MICRO BREWER/SMALL WINE MAKER LIQUOR LICENSE**

MOTION by Lobur, SUPPORT by Ellis, “To adopt Resolution No. 17-02 recommending approval to the Michigan Liquor Control Commission for the Micro Brewer and Small Wine Maker Licenses for Aberrant Ales at 219 W. Grand River.” MOTION CARRIED (6-0).

9. **APPROVED – RESOLUTION NO. 17-03, BUDGET AMENDMENTS**  
MOTION by Ellis, SUPPORT by Hansen, “To adopt Resolution No. 17-03, Budget Amendments.” MOTION CARRIED (6-0).
10. **APPROVED – SLUDGE PRESS SOLUTION FOR WWTP**  
DPS Director Suida reviewed the key factors in the recommendation to move forward with Option 3, install a temporary dewatering facility using the sludge (belt) press supplied by Pepsi, outlined in the January 17, 2017 memorandum from WWTP Operations Manager Spitler. Staff was notified by Pepsi that they plan to increase their wastewater discharge up to their BOD limits to replace their on-site treatment plant, and discussions continue with the Livingston County Drain Commissioner on the possible Septage Receiving Station. This solution handles the wastewater storage shortage, and eliminates other problems associated with hauling and land application. The engineering cost to develop the schematic design would be funded at 90% through the SAW grant. City Manager Charles reviewed the up- front cost estimated at \$225,000 (paid from the sewer fund) using the Pepsi sludge press and the City acting as the general contractor for the project. Each step or bid award will come back to Council for approval. Preliminary conversions with MDEQ designate this as a temporary solution for 2-5 years. MOTION by Hansen SUPPORT by Lobur “To direct staff to proceed with development of a WWTP temporary dewatering facility and require subsequent sub-contracts to be brought back to City Council for approval.” MOTION CARRIED (6-0).
11. **APPROVED – SAW GRANT ENGINEERING:**  
Karyn Sticker from HRC and Russ Beaubien from Spicer presented an overview and process of the SAW Grant project. The grant application was completed in December 2013 and the City of Howell was included in the 4<sup>th</sup> round of grant awards. The grant is for preparation of Asset Management Plans for the wastewater and stormwater systems including the WWTP along with design engineering for WWTP improvements and the stormwater management plan. All work needs to be completed by November 2019. The grant also covers updating the GIS database, complete mobile scanning of the City, update to the inventory list of infrastructure, condition assessment, asset risk evaluation, investment prioritization and future planning to determine an operation and maintenance program. Spicer will complete the comprehensive Stormwater Management Plan to include mapping, reporting requirements for the MS4 application, water quality testing, maintenance plans for best management practices, and education/outreach materials. Cost breakdown for each function of the grant includes City staff time. The project total is \$1,657,244 with SAW grant funding of \$1,409,600 and City match of \$247,644. It was noted this work is required under the NPDES MS4 permit. The Asset Management Plan allows the City to move from a reactive maintenance state to predictive maintenance and minimize the risk associated with failure of critical components.
- A. Engineering Services Proposal, Asset Management Plans. MOTION by Ellis, SUPPORT by Manor, “To award the proposal from HRC for engineering services

for the City of Howell SAW Grant for an amount of \$362,400.” Portions of the work will come from the sewer fund as well as major & local streets. DPS Director Suida noted these same mandates are expected for the water system permitting process; staff may come back to request additional work for the water system noting it will be more efficient to perform both functions at the same time. MOTION CARRIED (6-0).

B. Professional Services Agreement, Stormwater Management Plan. MOTION by Ellis, SUPPORT by Manor, “To award the proposal from Spicer Group for engineering services for the City of Howell SAW Grant SWMP portion for an amount of \$157,000.” MOTION CARRIED (6-0).

C. Professional Services Agreement, Mobile LiDAR Mapping. MOTION by Manor, SUPPORT by Ellis, “To award the proposal from Spicer Group for Mobile LiDAR mapping services as described within the SAW grant and the proposal from Spicer for Phases I & II for a not to exceed amount of \$40,300.” MOTION CARRIED (6-0).

**12. APPROVED – ICE GRANT ENGINEERING PROPOSAL, STATE STREET UTILITY UPGRADES**

MOTION by Ellis, SUPPORT by Hansen, “To award the proposal from HRC for the design and bidding of the State Street Utility Upgrade Project for an amount not to exceed \$74,500.” Community Development Director Schmitt indicated staff is working off the criteria established last year; full plans should not be needed at the time of application. Staff is asking for full approval of the engineering proposal however will only spend approximately \$38,000 up front (50%) until the grant is approved. City Manager Charles also stated that DTE is willing to cost share on burying utility lines in the alley; a meeting is scheduled for February 10<sup>th</sup> to discuss further. The majority of the engineering cost will be funded by the Water/Sewer funds. Discussion followed on potential design of State Street (one way vs two way) and additional street scape options. The results of the Grand River traffic study will provide additional information to consider when designing the street. MOTION CARRIED (6-0).

**13. APPROVED – HRC 2017 HOURLY RATE SCHEDULE**

MOTION by Ellis, SUPPORT by Manor, “To approve the 2017 HRC rate schedule as presented.” MOTION CARRIED (6-0).

**14. DISCUSSED – SEMCOG TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT**

Community Development Director Schmitt reviewed the three possible projects as outlined in his memorandum dated January 18, 2017. The concern with all three projects is the requirement for outside agency approval, either MDOT or CSX. MDOT will not consider alterations to Grand River without the completion of the traffic study, therefore the grant application would be premature. Member Manor stated he was comfortable deferring the TAP application until next year when the

results of the traffic study are available. MOTION by Manor, SUPPORT by Hansen, “That Council direct staff to defer work on the three potential TAP grant projects until such time as the required information is received.” MOTION CARRIED (6-0).

**15. DISCUSSED – 909 NORTH STREET CONSENT JUDGEMENT**

Community Development Director Schmitt indicated representatives from Habitat for Humanity have acquired the lot at 909 North Street and have a client to build for. They have requested changes to the Consent Judgement governing construction on the lot; staff is seeking Council concurrence on the proposal prior to amending the consent judgement. Council requested Habitat for Humanity draft the requested amendment to the consent judgement for their approval. MOTION by Manor, SUPPORT by Hansen, “To direct staff to facilitate the amendment to the consent judgement for the property at 909 North Street.” MOTION CARRIED (6-0).

**16. APPROVED – DATA CENTER DESIGN PROPOSAL**

MOTION by Ellis, SUPPORT by Lobur, “To approve the Data Center Design Proposal with Gracon Services Inc. for \$5,500.” This project will be cost shared with the City of Brighton & Recreation Authority; after the design is complete, the cost appropriation will be developed. MOTION CARRIED (6-0).

**17. APPROVED – ELECTION COORDINATING COMMITTEE AGREEMENT**

MOTION by Lobur, SUPPORT by Mulvahill, “For the City of Howell to Opt In to conduct special elections for Howell Public Schools and LESA for a four year period and authorize the City Clerk to sign the Election Coordinating Committee’s 2017 Reports.” MOTION CARRIED (6-0).

**18. APPROVED – 2017 SEMCOG MEMBERSHIP**

MOTION by Ellis, SUPPORT by Hansen, “To approve the 2017 SEMCOG membership dues in the amount of \$1,179.” Discussion followed on advantages of membership. MOTION CARRIED (6-0).

**19. APPROVED PAYMENT OF BILLS**

MOTION by Hansen, SUPPORT by Ellis, “To approve payment of bills ending January 23, 2017 in the amount of \$563,226.54 and payroll to cover the period ending February 4, 2017.” MOTION CARRIED (6-0).

**20. BOARD/COMMISSION APPOINTMENTS:**

A. Brownfield Redevelopment Authority – Steve Manor, Dianne McCormick & Jim Graff, terms ending 11/01/2019. MOTION by Hansen, SUPPORT by Lobur, “To approve the re-appointment of Steve Manor, Dianne McCormick & Jim Graff to the Brownfield Redevelopment Authority for terms ending 11/01/2019.” MOTION CARRIED (6-0).

B. Planning Commission – Jan Lobur, term ending 4/30/2018. MOTION by Ellis, SUPPORT by Hansen, “To approve the re-appointment of Jan Lobur to the Planning Commission for a term ending 04/30/2018. MOTION CARRIED (6-0).

C. Planning Commission – Maryanne Vukonich, term ending 04/30/2020. MOTION by Hansen, SUPPORT by Mulvahill, “To approve the re-appointment of Maryanne Vukonich to the Planning Commission for a term ending 04/30/2020.” MOTION CARRIED (6-0).

**21. CITY MANAGER’S REPORT**

- The MML Capital Conference is scheduled for March 22, 2017. Please contact City Clerk Cartwright if you would like to attend.
- The Redevelopment Ready Communities process should be completed in the next 6 to 9 months.
- The required notice was sent to the Livingston County Board of Commissioners on the establishment of the Commercial Rehabilitation Act District. The Finance Committee will be considering the resolution of support at their next meeting. Staff will attend.
- The HIVE grand opening was held January 20, 2016.
- The Highland Howell purchase agreement was signed late last week; they continue to work through their due diligence process.
- Will be participating in the MML press conference tomorrow on the state of municipal financing.

**22. OLD BUSINESS**

- None.

**23. NEW BUSINESS**

- MOTION by Hansen, SUPPORT by Mulvahill, “To excuse member Scott Niblock from the January 23, 2017 meeting due to business travel.” MOTION CARRIED (6-0).
- Mayor Proctor reported the DDA Board is hosting their strategy session followed by their regular board meeting January 25, 2017.
- City Manager Charles reminded Council of the Budget Work Session scheduled for 6:00 p.m. tomorrow.
- Mayor Proctor noted the annual Citizen of the Year dinner hosted by the Howell Chamber of Commerce will be held January 26, 2017.

**24. ADJOURN**

MOTION by Lobur, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 8:42 p.m.” MOTION CARRIED (6-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk