

**Regular Meeting of the Howell City Council**  
**Monday, April 10, 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, Michael Mullvahill, Jan Lobur, Scott Niblock, and Mayor Nick Proctor.

Council Member Absent: Steven Manor

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, Parks & Cemetery Supervisor Devin LaRowe, Assessor Joey Lentine, DDA Director Cathleen Edgerly, DDA Outreach Coordinator Kate Litwin, DDA Board Member Mary Helfmann, John & Caron Davis, Andrew Yost, Mike Luce, Tony Rutzel, Pat Convery, Sherry Randall, Michelle Tokan, Kim LaRowe, Karen Wright.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held March 27, 2017.” MOTION CARRIED (6-0).

4. **CITIZENS’ COMMENTS**

- None.

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

- Member Ellis reported the Howell Area Parks & Recreation Authority received a grant of \$158,000 from Chem-Trend’s parent company paid over a three year period to enhance youth services. Member Ellis indicated he will not be able to attend the April 18, 2017 meeting since he will be out of town. Mayor Proctor acknowledged the generous donation from Chem-Trend.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **PRESENTATION – MAYOR’S PROCLAMATION, DEVIN LAROWE**  
Mayor Proctor read and presented the proclamation to Parks & Cemetery Supervisor Devin LaRowe depicting his 26 years of service to the City of Howell.
  
8. **APPROVED – CIVIC EVENT APPLICATIONS**
  - A. Food Truck Rally, May 20 & September 30, 2017. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the civic event application submitted by Howell Main Street for Food Truck Rally scheduled for May 20 and September 30, 2017 incorporating staff comments and contingent upon receipt of certificate of insurance.” MOTION CARRIED (6-0).
  
  - B. Balloon Festival Media Night, June 14, 2017. MOTION by Hansen, SUPPORT by Ellis, “To approve the civic event application submitted by the Howell Area Chamber of Commerce for Balloonfest Media Night scheduled for June 14, 2017.” Pat Convery, President of the Howell Area Chamber of Commerce encouraged Mayor & City Council to attend. MOTION CARRIED (6-0).
  
  - C. Michigan Challenge Balloon Festival, June 23-25, 2017. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the civic event application submitted by the Howell Area Chamber of Commerce for Balloonfest scheduled for June 23 – 25, 2017 including the use of Howell City Park for morning and evening targets, and incorporating staff comments.” MOTION CARRIED (7-0). MOTION by Mulvahill, SUPPORT by Ellis, “To approve the permit for fireworks display as presented by the Howell Area Chamber of Commerce.” MOTION CARRIED (6-0).
  
9. **INTRODUCED – ORDINANCE NO. 911, 2017 CODIFICATION**  
Member Hansen introduced Ordinance No. 911, 2017 Codification.
  
10. **APPROVED – LOCAL GOVERNMENT BODY RESOLUTION NO. 17-08 RECOGNIZING COMMUNITY THEATRE OF HOWELL AS A NONPROFIT ORGANIZATION**  
MOTION by Ellis, SUPPORT by Lobur, “To adopt Resolution No. 17-08, Local Governing Body Resolution for charitable Gaming License, recognizing Community Theatre of Howell as a nonprofit organization operating in the City of Howell.” MOTION CARRIED (6-0).
  
11. **APPROVED – RESOLUTION NO. 17-09, AUTHORIZATION TO SIGN GRANT AGREEMENT FOR THE PURCHASE OF NEW VOTING SYSTEM**  
MOTION by Lobur, SUPPORT by Hansen, “To adopt Resolution No. 17-09 authorizing the Howell City Clerk to sign the grant agreement with the Michigan Department of State for the purchase of new voting equipment utilizing Federal HAVA and State appropriated funding.” MOTION CARRIED (6-0).

12. **APPROVED – RESOLUTION NO. 17-10, 2017 ARBOR DAY**  
MOTION by Hansen, SUPPORT by Lobur, “To adopt Resolution No. 17-10 in observance of Arbor Day.” MOTION CARRIED (6-0).
13. **APPROVED – RESOLUTION NO. 17-11, CDBG FUNDING FOR THE DOWNTOWN FACADE REHABILITATION PROJECT**  
MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Resolution No. 17-11 authorizing the City to formally apply for the Community Development Block Grant funding for the Downtown Façade Rehabilitation Project and authorize the Mayor to sign all necessary documents.” MOTION CARRIED (6-0).
14. **DISCUSSED – SITE PLAN & BUILDING FEES FOR ADDITION TO MAIN FIRE STATION**  
Mayor Proctor referenced the April 4, 2017 request from Fire Chief Andy Pless requesting the proposed building and site plan fees be invoiced as true cost instead of charging the normal fees. Community Development Director Schmitt stated at the site plan stage there are two charges; a flat rate review fee which is not refundable, and a site plan escrow fee collected for consultant reviews of which unused funds are refunded when the project is complete. Chief Pless stated the Main Fire Station is a public building owned by the City and they are requesting to pay the actual cost for permits instead of the basic set fee. City Manager Charles clarified that site plan and building fees have not been waived for other public projects in the City. Attorney Perkins stated the fees as set out by Ordinance #905 adopted July 25, 2016. There is no true cost formula and unless the ordinance is changed, Council does not have the authority to approve the request. Attorney Perkins cautioned the City on setting precedence on something not allowed by the ordinance. Community Development Director Schmitt also confirmed all building fees are charged according to the ordinance, even improvements to City buildings, for example the new roof for the Police Department portion of City Hall. He also noted state law does not allow the City to make a profit on building fees. The multiplier is an independent calculation derived per the International Code Council pursuant to the Michigan Building Code. Discussion followed on the implications of not following the ordinance, a possible disparity between smaller and larger projects and associated complexity, and the potential avenues for flexibility. Staff offered to bring back additional detail on the breakdown of building fees. Consensus of Council was not to approve the Fire Authority’s request. Council also requested a thorough review of the building fee ordinance. Chief Pless stated he was just trying to save the taxpayers money.
15. **APPROVED – WWTP HEADWORKS ANALYSIS**  
MOTION by Ellis, SUPPORT by Hansen, “To accept the proposal from Jerald Thaler, Fishbeck, Thompson, Carr & Huber, Inc., to develop the SAL and MAHL programs for the WWTP in an amount not to exceed \$9,500.” DPS Director Suida indicated the current uniform allocation does not allow the City to reallocate the unused BOD’s to other users. Using the Special Alternative Limits (SAL) is a benefit to the industry since it redistributes the load and charges based on the

distributions. The work project used by Jerald Thaler has been accepted by the MDEQ and is considered a specialized service. MOTION CARRIED (6-0).

**16. APPROVED PAYMENT OF BILLS**

MOTION by Hansen, SUPPORT by Lobur, "To approve payment of bills ending April 10, 2017 in the amount of \$340,955.57 and payroll to cover the period ending April 15, 2017." MOTION CARRIED (6-0).

**17. BOARD/COMMISSION APPOINTMENTS:**

A. LDFA – Todd Lekander, term ending 03/30/2020. MOTION by Hansen, SUPPORT by Lobur, "To reappoint Todd Lekander to LDFA for a term ending March 30, 2020." MOTION CARRIED (6-0).

B. LDFA – Kathy Goetsch, term ending 03/30/2021. MOTION by Ellis, SUPPORT by Mulvahill, "To reappoint Kathy Goetsch to LDFA for a term ending March 30, 2021." MOTION CARRIED (6-0).

**18. CITY MANAGER'S REPORT**

- 2017/2018 Budget Presentation. A quick overview of the proposed 2017/2018 budget was presented by City Manager Charles. The 2016/2017 fiscal year is expected to end with a General Fund fund balance of just over \$2 million equaling 30.8% over expenditures. The additional fund balance was realized from PPT reimbursement, increased building permit fees, the timing of debt issuance on parking lot projects, and the vacant police officer position. Significant projects for the year were also reviewed noting the shift in street funding. Looking forward, the City continues to gain economic strength however the Headlee Amendment & Proposal A continue to impact revenue growth; current revenues are equal to the early 2000's. Unless there are significant changes in revenues or expenses, the 2017/2018 budget is the last year the City can maintain current service levels. The proposed budget reduces General Fund fund balance by \$441,257 equaling 22% of expenditures. The CPI for 2016 was very low at .9%. The proposed millage rate is 15.5636, a reduction of 1.5% from the current rate of 15.8136. State law does not allow Cities to experience revenue growth during strong economic times; values have recovered however revenue is down. Proposed capital projects and assorted expenditures were also reviewed. The first full year of the SAW grant with the 10% match (\$109,000) was incorporated in the budget however no street projects were included or the matching funds for the ICE grant. Staff is targeting the initial budget work session for Tuesday, April 18, 2017 at 6:00 p.m. in the Council Chambers. Specific questions should be emailed to staff prior to the meeting to allow information to be prepared for discussion. Mayor Proctor stated City Council has significant decisions to make.
- DPS staff has done a great job staying on top of water issues from the 5 inches of rain received in 14 days.

**19. OLD BUSINESS**

- Mayor Proctor questioned the status of the boat dock. DPS Director Suida indicated the new dock at the public boat launch is scheduled to be installed next week.

**20. NEW BUSINESS**

- MOTION by Hansen, SUPPORT by Ellis, “To excuse member Steven Manor from the April 10, 2017 meeting (reason stated).” MOTION CARRIED (6-0).
- DDA Member Mary Helfmann announced the 2017 Applause Awards scheduled for Tuesday April 25, 2017, 6:00 p.m. at Block Brewing.

**21. ADJOURN**

MOTION by Ellis, SUPPORT by Hansen, “To adjourn the regular meeting of the City Council at 8:14 p.m.” MOTION CARRIED (6-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk