

**Regular Meeting of the Howell City Council**  
**Monday, April 9, 2018**  
**Howell City Council Chambers – Lower Level**  
**611 E. Grand River**  
**Howell, Michigan 48843**  
**517-546-3502**

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**1. CALL TO ORDER**

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, Jan Lobur, Steven Manor, Michael Mulvahill, Andrew Yost 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, DPS Director Erv Suida, Finance Director/Treasurer Catherine Stanislawski, Community Development Director Tim Schmitt, IT Director Mike Pitera, DPW Operations Manager Mike Luce, Assessor Joey Lentine, WWTP Operations Manager Mike Spitler, Project Technician Matt Davis, Fire Chief Andy Pless, DDA Director Cathleen Edgerly, Main Street Outreach Coordinator Kate Litwin, John & Caron Davis, Alex Smith, A. Currie, Jacob Schlittler, Geof Greeneisen.

**2. PLEDGE OF ALLEGIANCE**

Mayor Proctor announced that the Howell DDA/Main Street was named the winner of the Great American Main Street Award. Mayor Proctor thanked the numerous volunteers, City staff, and the members of the four Main Street committees and stated he was very proud of the City of Howell, especially DDA Director Cathleen Edgerly and Main Street Outreach Coordinator Kate Litwin. A joint meeting of City Council, DDA Board & Main Street members has been scheduled for April 11, 2018 to discuss how the City moves forward to manage the success and keep the momentum going.

**3. APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the regular meeting of the City Council held March 19, 2018.” MOTION CARRIED (6-0).

MOTION by Ellis, SUPPORT by Yost, “To approve the minutes of the executive session held March 19, 2018.” MOTION CARRIED (6-0).

**4. CITIZENS' COMMENTS**

- None.

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

- Member Ellis reported on the Howell Area Recreation Authority meeting held March 20, 2018. Approved the lease for the Bennett Recreation Center, reviewed financial reports, discussed the registrations for youth soccer (452), and announced that Kevin Troshak was selected from a field of 13 applicants for the position of Youth Services Manager. The Authority also held their Strategic Planning Retreat on April 7, 2018.
- Mayor Proctor reported on the Howell Area Fire Authority meeting held March 24, 2018. Livingston County Special Response Team received a donation of \$10,000, Jeff Robson was named Firefighter of the year, and the board reviewed the proposed 2018/2019 budget (refer to Item 8).
- Mayor Proctor reported on the Planning Commission meeting held March 21, 2018. Approved the site plan and special land use for the Evangelista Assisted Living Facility with conditions, and denied lot splits on Lakeside Dr. & N. Tompkins that did not meet the minimum requirements for the R-1 District.
- Member Manor reported on the SEMCOG General Assembly meeting held March 22, 2018. Adopted the SEMCOG budget as well as a work plan and Water Resources Policy Plan for the Southeast Michigan Region. Held the elections of officers and Member Manor was re-elected city representative for Livingston County.

**6. COUNCIL CORRESPONDENCE**

- Howell High School Class of 2018, Request for Waiver of Park Fees, May 23, 2018. MOTION by Lobur, SUPPORT by Ellis, “To waive the park rental fees for May 23, 2018, 8:00 am to 2:00 pm, as requested by Howell High School Class of 2018 for the Senior Picnic.” MOTION CARRIED (6-0).
- Livingston County United Way, Request for Waiver of Park Fees for Day of Caring, August 15, 2018. MOTION by Ellis, SUPPORT by Mulvahill, “To waive the park rental fees for August 15, 2018, as requested by the Livingston County United Way for the Day of Caring.” MOTION CARRIED (6-0).
- Arbor Day Foundation, 2017 Tree City USA. Mayor Proctor stated the City of Howell has been a tree city for 30 years and received a recognition plaque. The 2018 Arbor Day celebration is scheduled for Friday April 27, 2018 at West Street Park.

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

- A. Corpus Christi Procession, June 2, 2018. MOTION by Ellis, SUPPORT by Lobur, “To approve the Civic Event application submitted by St. Joseph Roman Catholic Church for the Corpus Christi Procession scheduled for June 2, 2018 incorporating staff comments, and authorize amplified music under Section 652.06(c)(5) ending at 7:30 p.m.” MOTION CARRIED (6-0).

- B. Food Truck Rally, May 19 & September 29, 2018. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Civic Event application submitted by Main Street Inc., for the Food Truck Rally scheduled for May 19 & September 29, 2018 incorporating staff comments.” MOTION CARRIED (6-0).
- C. Food Truck Tuesdays. MOTION by Ellis, SUPPORT by Yost, “To approve the Civic Event application submitted by Main Street Inc., for Food Truck Tuesdays scheduled for June 5, July 10, August 7 & September 4, 2018 incorporating staff comments.” MOTION CARRIED (6-0).
- D. Rock the Block. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Civic Event application submitted by Main Street Inc., for Rock the Block scheduled for June 6, July 11 and August 1, 2018 incorporating staff comments, and authorize amplified music under Section 652.06(c)(5) ending at 9:00 p.m.” MOTION CARRIED (6-0).
- E. Run for Their Lives 5C Walk, September 15, 2018. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Civic Event application submitted by Pregnancy Helpline for Run for Their Lives 5C Walk scheduled for September 15, 2018 incorporating staff comments and contingent upon receipt of certificate of insurance.” MOTION CARRIED (6-0).
8. **APPROVED – HOWELL AREA FIRE AUTHORITY 2018/2019 BUDGET**  
MOTION by Manor, SUPPORT by Mulvahill, “To approve the 2018/2019 Howell Area Fire Authority Budget.” MOTION CARRIED (6-0).
9. **APPROVED – RESOLUTION NO. 18-06, PUBLIC HEARING FOR ESTABLISHMENT OF ACT 33 PUBLIC SAFETY SPECIAL ASSESSMENT DISTRICT**  
MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Resolution No. 18-06 Initial Special Assessment Resolution setting a public hearing for Monday April 23, 2018 at Howell City Hall for the consideration of establishing a Special Assessment District for the purpose of implementing a public safety special assessment.” The public safety special assessment district is citywide and all property owners within the city will receive the public hearing notice mailed no later than April 11, 2018. Member Manor reviewed the effects of Proposal A and the Headlee Amendment as well as the reduction of State Revenue Sharing requiring an increase in revenue to maintain the current level of service. The proposed assessment is equivalent to 3 mills. A web page has been created with detailed information on the Public Safety Assessment [www.cityofhowell.org/psa](http://www.cityofhowell.org/psa). Residents are encouraged to review the information. MOTION CARRIED (6-0).
10. **DISCUSSED – PURCHASE AGREEMENT, NORTH MICHIGAN AVE. PROPERTIES**  
City Manager Charles indicated at the March 19, 2018 meeting, City Council reviewed the preliminary purchase agreement and provided some feedback. Staff

met with the potential purchaser to review four specific items; the due diligence period (shortened to one year); parking requirements; design appropriate for downtown; better understanding of the mixed design with involvement by Cleary University who would lease the property for student housing. Staff is seeking additional feedback on moving forward with the final purchase agreement in the amount of \$250,000. The 2008 Master Plan for the northwest quadrant area was provided to give an idea of previous visions for the property. Council held a lengthy discussion expressing concern with the student housing use downtown and associated requirements for parking, demands on public safety, low amount of earnest money, and purchase price significantly less than assessed value of the property. Council also suggested involving downtown stakeholders to review the potential plans. City Manager Charles indicated the current market doesn't support an independent project and it was noted the city has maintained ownership for 8 to 10 years. If the purchase agreement is finalized, the Planning Commission would conduct a full site plan review with PUD approval required by City Council. The facility would be designed and built as a market based solution if Cleary enrollment doesn't continue to support the need for student housing. Council requested data from Cleary on retention rates of 4 year students. Council concurred to continue the preliminary discussions with their stated concerns noted. Mayor Proctor indicated there may be a brief discussion on this issue at the joint meeting with DDA & Main Street this week.

**11. DISCUSSED – COMMUNITY CENTER CONCEPT PAPER**

City Manager Charles reviewed previous discussions between Howell Public Schools, the City of Howell, Howell Area Recreation Authority and Oceola Township regarding a regional community center. The Howell School Board is also discussing this concept at their meeting tonight. The Recreation Act now allows a municipality and a school district to form an authority. Staff is seeking Council feedback on this concept to gauge if there is interest in continuing conversations. If both the School Board and City Council have consensus to move forward, a working group of ten people or less will be formed to pursue the idea. There is also interest and positive feedback from the surrounding townships. City Manager Charles indicated this type of concept was the idea originally envisioned for the Recreation Authority. Council was supportive and gave consensus to move forward.

**12. APPROVED – ORDINANCE NO. 913, 2017/2018 ZONING CODE UPDATE**

MOTION by Manor, SUPPORT by Ellis, "To adopt Ordinance No. 913, A City initiated Zoning Ordinance update with the removal of Section 31." MOTION CARRIED (6-0).

**13. APPROVED – ORDINANCE NO. 915, 2018 CODIFICATION**

MOTION by Ellis, SUPPORT by Yost, "To adopt Ordinance No. 915, 2018 Codification." MOTION CARRIED (6-0).

**14. APPROVED – ENGINEERING SERVICES PROPOSAL, 2018 ROAD PROGRAM**

MOTION by Ellis, SUPPORT by Manor, “To accept the engineering proposal from HRC to provide design and construction engineering for the 2018/2019 paving projects as proposed for an amount not to exceed \$195,000.” DPS Director Suida indicated reconstruction on both north and south National is being postponed until a proper alignment can be completed; the project may also be eligible for a safety grant. MOTION CARRIED (6-0).

**15. AWARDED BID/PURCHASE – WWTP SLUICE GATE REPAIRS, TITUS WELDING, \$65,500**

MOTION by Ellis, SUPPORT by Mulvahill, “To award the replacement of the Rodney Hunt 304 Stainless Sluice Gates to Titus Welding Company for an amount not to exceed \$65,500.” MOTION CARRIED (6-0).

**16. APPROVED - PAYMENT OF BILLS**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the payment of bills ending April 9, 2018 in the amount of \$720,589.14 and payroll to cover the period ending April 14, 2018.” Member Mulvahill questioned Pepsi (bond refund), and the Corrigan Oil credit. MOTION CARRIED (6-0).

**17. CITY MANAGER’S REPORT**

- Schedule April 16, 2018 Budget Work Session. MOTION by Ellis, SUPPORT by Yost, “To schedule a special meeting April 16, 2018 at 6:00 pm to discuss attorney/client communication with a work session to start immediately after the special meeting to discuss the 2018/2019 proposed budget.” MOTION CARRIED (6-0).
- The Joint DDA/City Council & Main Street meeting is scheduled for 5:00 p.m. Wednesday, April 11, 2018.

**18. OLD BUSINESS**

- Mayor Proctor suggested the announcement of the Great American Main Street Award be placed on the City’s website and Cable Assess Channel.
- Mayor Proctor questioned various sewer repairs.

**19. NEW BUSINESS**

- MOTION by Ellis, SUPPORT by Mulvahill, “To excuse Member Niblock from the April 9, 2018 meeting, reason stated.” MOTION CARRIED (6-0).
- Mayor Proctor encouraged Council Members to get engaged in the activities of DDA/Main Street as the City moves forward from the success of the Great American Main Street Award.

**20. EXECUTIVE SESSION – PENDING LITIGATION**

- 8:27 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss pending litigation with a roll call vote.” Yost – yes, Mulvahill – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (6-0).
- 8:50 p.m. MOTION by Ellis, SUPPORT by Manor, “To reconvene the regular meeting.” MOTION CARRIED (6-0).

**21. ADJOURN**

MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn the regular meeting of the City Council at 8:51 p.m.” MOTION CARRIED (6-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk