

**Regular Meeting of the Howell City Council**  
**Monday, June 11, 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, Steven Manor, Michael Mulvahill, Andrew Yost and Mayor Nick Proctor.

Council Members Absent: Jan Lobur, 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, Project Technician Matt Davis, Assessor Joey Lentine, Recreation Director Tim Church, Main Street Outreach Coordinator Kate Litwin, Tom Richardson, Kim Esper, Michelle Tokan, Nicole Kaminski, John & Caron Davis, Ann Heins, Doug Heins, Mary Cole, Tom Austin, Angela Fronczak, Joyce Smythe, Ashley Prew, Vicky Hertrich, A. Currie.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Yost, “To approve the minutes of the regular meeting of the City Council held May 21, 2018.” MOTION CARRIED (5-0).

MOTION by Ellis, SUPPORT by Yost, “To approve the minutes of the executive session of the City Council held May 21, 2018.” MOTION CARRIED (5-0).

**4. CITIZENS’ COMMENTS**

- Joyce Smythe 516 W. Washington, expressed concern about the condition of her neighborhood, especially the property at 522 W. Washington, noting the weeds and junk. She requested action, not promises, to take care of the problem.
- Angela Fronczak, 604 W. Washington, also expressed concern about the condition of the property at 522 W. Washington. They moved in after she purchased her first home and they have 16 to 18 cats, appear to be hoarders, the

garage is a fire hazard, and there is a car that has been sitting for three years. She wants to know what the City is doing about it, and stated it was an embarrassment to the community.

- Nancy Keith, 422 W. Washington, also complained about the house at 416 W. Washington noting the yard is just weeds. It was a foreclosed property; there is a new owner however it is still vacant and they are not working on it.
- Brian Trimmer, 421 W. Sibley, stated the residents are trying to make it a nice neighborhood and indicated the standards on owner occupied properties should be the same as rentals.
- Vicky Hertrich, 603 W. Washington, questioned the status of the recovery house on Walnut. City Manager Charles indicated the applicant withdrew the application this afternoon.

Council requested staff bring back amendments to the property maintenance code for owner occupied properties as well as the blight ordinance at the next meeting.

- Doug Heins, 212 Prospect, complimented the Council members that voted against the special assessment district and indicated the residents and City officials are partners and need to engage in dialogue to discuss funding for the City. He also questioned various aspects of the City budget, related to revenue sharing, debt service, 5 or 10 year financial forecast, specific plan for proposed capital improvement expenditures, and status of the Highland Howell property noting that the City was not going to get a blank check from the public.

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

- Member Ellis reported on the May 22, 2018 Howell Area Parks & Recreation Meeting. Reviewed the audit for the period ending December 31, 2017 and Deficit Elimination Plan. Also discussed amendments to the Aquatic Center contract with Howell Schools, status of various summer programs, and the potential civic event cost sharing policy being considered that would require changes in the Melon Festival & Legend of Sleepy Howell.
- Mayor Proctor reported on the May 23, 2018 DDA meeting. Reviewed the key performance objectives for the Director, downtown flower pots, Food Truck Rally, Food Truck Tuesday, and Rock the Block.

6. **COUNCIL CORRESPONDENCE**

- Thank you note from Bernice Coles for memorial to Maurice Coles at the Boat Launch.

7. **APPROVED – RESOLUTION NO. 18-12, M STREET BAKING LLC AMENDED LOCAL GOVERNMENT APPROVAL, REDEVELOPMENT LIQUOR LICENSE**

MOTION by Ellis, SUPPORT by Yost, “To adopt Resolution No. 18-12 recommending approval of the Redevelopment Liquor License with Sunday Sales (AM & PM) and Catering Permit for M Street Baking, LLC under MCL 436.1521a(1)(b).” MOTION CARRIED (5-0).

8. **APPROVED – CIVIC EVENT POLICY, COST SHARING AMENDMENTS**  
MOTION by Yost, SUPPORT by Ellis, “To approve the cost sharing amendments to the Civic Event Policy as presented.” Ashley Prew, on behalf of the Howell Area Chamber of Commerce Board, stated it was always their goal to work with the City on a unified approach noting the mutual benefits and competitive advantage of events, and the Chamber has no intention of skirting their responsibility. They have also never petitioned for tax relief pursuant to their non-profit status because of this partnership. The proposed cost sharing amendments to the civic event policy will force the Chamber to re-analyze their budget and the Fantasy of Lights will be unable to continue in the near future. She requested that cost sharing for the Balloon Festival and Fantasy of Lights be eliminated, reduced or phased in on a gradual basis. Member Ellis indicated the Recreation Authority came to the same conclusion. Tim Church, Recreation Director, stated they have been putting on large events for the public for free noting the profits are very small, and they too would have to reevaluate what the events would look like in the future. He also requested a gradual increase to allow time to adjust. Kate Litwin, on behalf of Main Street, thanked the Council for all their support, stated they understood the challenges, and they look forward to working with the City to reduce spending and look for other ways to offset the cost. She also requested a stepped approach to the policy to allow time to look for efficiencies and cost reductions. Mayor Proctor stated this was not an easy decision and the proposed amendments will only provide modest relief to the General Fund. Council does appreciate the events in town noting they do have economic impact, provide intangibles and good will, however the question is should the residents continue to fund the events in full. Member Yost also stated it was a tough decision as he volunteers for downtown events however his responsibility on the City Council is to the tax payers. Member Mulvahill indicated he considered a graduated plan that allows everyone to budget accordingly however he is in favor of the amendments as presented. Member Manor acknowledged the benefits of the events to the City however Council has heard from a lot of residents that support the decision. This was not taken lightly and is purely financially driven. MOTION CARRIED (5-0).
9. **APPROVED – WATER & SANITARY SEWER SYSTEM CAPITAL FEE STUDY**  
MOTION by Ellis, SUPPORT by Yost, “To adopt the Water & Sanitary System Capital Fee Study from Utility Financial Solutions and direct staff to draft an ordinance to codify the recommendations of the study, while maintaining the current fee moratorium until the ordinance is in place.” MOTION CARRIED (5-0).
10. **APPROVED – SUPPORT EMERGENCY OPERATIONS PLAN**  
MOTION by Manor, SUPPORT by Ellis, “To approve the City of Howell Support Emergency Operations Plan which has been developed to provide guidance for use in an emergency or disaster that occurs within the City of Howell.” City Manager Charles stated the plan codifies what has been in place with Livingston County and

serves as the City's individual plan in preparation for the increase in population. MOTION CARRIED (5-0).

**11. APPROVED – APPLICATION FOR ADDITIONAL MERS SERVICE CREDIT**

MOTION by Yost, SUPPORT by Ellis, "To approve the request of Darren Lockhart to purchase one year, eleven months of additional MERS service credit at a cost of \$43,360 with the estimated cost of the additional service credit to be paid in full by the employee." Member Ellis questioned if this action would increase the pension liability. City Manager Charles indicated that according to MERS, this funds the additional service credit. MOTION CARRIED (4-1). Member Ellis opposed.

**12. APPROVED - PAYMENT OF BILLS**

MOTION by Ellis, SUPPORT by Yost, "To approve the payment of bills ending June 11, 2018 in the amount of \$796,472.37 and payroll to cover the period ending June 9, 2018." Member Ellis questioned Livingston County Treasurer (shared services facilities maintenance). Mayor Proctor questioned Lowe's, Home Depot, Office Depot, and the cameras for the Skate Park. MOTION CARRIED (5-0).

**12. BOARD/COMMISSION APPOINTMENTS:**

A. LOCC – Kathleen Goetsch, term ending October 1, 2022. MOTION by Manor, SUPPORT by Mulvahill, "To approve the reappointment of Kathleen Goetsch to the LOCC for a term ending October 1, 2022." MOTION CARRIED (5-0).

B. Economic Development – Kathleen Goetsch, term ending June 30, 2024. MOTION by Ellis, SUPPORT by Mulvahill, "To reappoint Kathleen Goetsch to the Economic Development Commission for a term ending June 30, 2024." MOTION CARRIED (5-0).

C. Board of Zoning Appeals – Randall Mattson, term ending April 30, 2021. MOTION by Yost, SUPPORT by Ellis, "To reappoint Randall Mattson to the Board of Zoning Appeals for a term ending April 30, 2021." MOTION CARRIED (5-0).

**14. CITY MANAGER'S REPORT**

- An outline for the Work Session was presented. The location was changed to the 2<sup>nd</sup> floor conference room at City Hall due to other activities and space limitations at the Chamber for June 18, 2018. Council concurred with the change in location.
- DPS Director Suida provided the breakdown of the leaf program costs for the last 3 years. The program also complies with the Storm Water Phase II Federal requirements and there would be an additional cost from Advanced Disposal for increased volume if all leaves were bagged. Doug Heins, 212 Prospect, stated the Council was using the threat of leaf program elimination for punishment to the public. Mayor Proctor stated Council was taking an honest look of all services.

- The special use application to operate a Recovery House at 304 S. Walnut has been withdrawn by the applicant.

**15. OLD BUSINESS**

- Mayor Proctor questioned the status of the State Street Grant. Community Development Director Schmitt stated he was still waiting for a response from the State.

**16. NEW BUSINESS**

- MOTION by Ellis, SUPPORT by Yost, “To excuse Member Lobur & Member Niblock from the June 11, 2018 Council meeting, reasons stated.” MOTION CARRIED (5-0).
- Member Manor indicated the preliminary budget under consideration by the State includes additional unallocated road money.

**17. EXECUTIVE SESSION – PENDING LITIGATION & ATTORNEY CLIENT COMMUNICATION**

- 8:35 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss pending litigation and attorney client communication with a roll call vote.” Manor – yes, Yost – yes, Mulvahill – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (5-0).
- 9:15 p.m. MOTION by Ellis, SUPPORT by Yost, “To reconvene the regular meeting.” MOTION CARRIED (5-0).

**18. ADJOURN**

MOTION by Ellis, SUPPORT by Yost, “To adjourn the regular meeting of the City Council at 9:16 p.m.” MOTION CARRIED (5-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk