

**Regular Meeting of the Howell City Council**  
**Monday, June 25, 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, Michael Mulvahill, Andrew Yost and Mayor Nick Proctor.

Council Members Absent: Steven Manor & 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, Deputy Police Chief Scott Mannor, Community Development Director Tim Schmitt, IT Director Mike Pitera, DPW Operations Manager Mike Luce, Project Technician Matt Davis, Assessor Joey Lentine, Tom Richardson, John & Caron Davis, Angela Fronczak, Joyce Smythe, Vicky Hertrich, Nancy Keith, Susie Hill, Jeff Warder, Lois Richard.

**2. PLEDGE OF ALLEGIANCE**

Mayor Proctor congratulated the Howell Area Chamber of Commerce for another successful Balloon Festival.

**3. APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Yost, “To approve the minutes of the regular meeting of the City Council held June 11, 2018.” MOTION CARRIED (5-0).

MOTION by Ellis, SUPPORT by Yost, “To approve the minutes of the executive session of the City Council held June 11, 2018.” MOTION CARRIED (5-0).

**4. CITIZENS’ COMMENTS**

- Lois Richard, 221 Victoria Park, questioned the status of changes to the civic event policy on charging the Howell Chamber and other groups for City services related to the events. Mayor Proctor stated the City Council revised the policy at the June 11, 2018 meeting to charge back 50% of the cost effective January 1, 2019. Ms. Richard also questioned street sweepers working on

Sunday. City Manager Charles stated the City contracts out street sweeping services; those are not City employees doing the work or being paid overtime.

- Jeff Warder, Livingston County Sheriff's Department, presented Mayor Proctor with the Citation for Good Citizenship Award for pulling a pilot to safety after he had crashed his airplane on January 16, 2017.
- Vicky Hertrich, 603 W. Washington, questioned the status of the recovery house on S. Walnut. City Manager Charles stated the applicant withdrew their special land use application and intends to apply under another section of the ordinance.

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

- Member Lobur reported on the June 20, 2018 Planning Commission meeting. During the call to the public, several citizens spoke on the proposed recovery house on S. Walnut. The Planning Commission approved the site plan for Lake Trust Credit Union at 228 W. Highland, the 2018-2024 CIP plan, the site plan for the new Recycle Livingston facility at 170 Catrell, and the site plan for a storage garage at the Livingston County Sheriff's Department complex.
- Member Ellis reported on the June 19, 2018 Howell Area Parks & Recreation Authority meeting. Discussed plans to potentially downsize events pursuant to the cost sharing revisions to the Civic Event Policy; and discussed the Aquatic Center Agreement which expires January 31<sup>st</sup> noting Howell Schools does not agree to the revised contract terms therefore HAPRA may discontinue operation of the pool effective August 1, 2018. Received a \$43,000 grant from the United Way for the Teen Center, Senior Center and Transportation (LETS). Also reviewed the revision of unrestricted deficit to \$53,000 which should be paid off in 18 months along with the current financial reports.
- Mayor Proctor reported on the June 20, 2018 Howell Area Fire Authority Meeting. The ISO rating was upgraded to a level III for properties within close proximity to a fire hydrant; all others within the Authority boundaries within 5 miles of the Fire Station were upgraded to a level IV effective January 1, 2019. This should result in a reduction in homeowners insurance. The annual Audit is scheduled for August 15 & 16; the ladder truck went back in for minor repairs; the roof leak at the Marion Township Fire Station has been fixed; and the expansion of the main fire station has started and should be completed in the Fall.

**6. COUNCIL CORRESPONDENCE**

- Government Finance Officers Association, June 21, 2018 notice that the 2017 Comprehensive Annual Financial Report (CAFR) qualifies for the GFOA's Certificate of Achievement for Excellence in Financial Reporting. Mayor Proctor congratulated Finance Director Stanislawski and her team for exceptional work.

**7. PRESENTATIONS:**

- A. Mayor's Proclamation, Police Sergeant Jeff Woods. Mayor Proctor read and presented the proclamation to Sergeant Jeff Woods who is retiring on July 1, 2018.

B. Mayor's Proclamation, Police Officer Darren Lockhart. Mayor Proctor read and presented the proclamation to Police Officer Darren Lockhart who is retiring on July 1, 2018.

Chief Basar presented both officers retirement badges and stated the department's grateful appreciation for their service noting they represent over 50 years of institutional knowledge.

C. Oath of Office – Police Officer Aaron Reynolds. Clerk Cartwright gave the oath of office to new Police Officer Aaron Reynolds. Police Chief Basar welcomed him to the Howell Police Department and presented his badge.

8. **DISCUSSED – WEST WASHINGTON PROPERTY MAINTENANCE UPDATE**

Community Development Director Schmitt indicated the house at 522 W. Washington is an owner occupied property that has been passed down through the family. There is currently an active code violation for tall grass. The City is going to issue a ticket, and will continue to issue tickets on a weekly basis until there is compliance. Staff will follow up on the vehicle; the boat on the property is permitted to be in the current location. The biggest problem with this property is they don't mow the grass regularly and leave their garage door open. The recent code violation has led to a broader policy discussion on owner occupied residences that don't look like the neighboring properties. One option is to adopt the International Property Maintenance Code that could be enforced equally on rentals and owner occupied properties. Other communities have adopted this standardized code that is updated periodically (every 3 to 4 years). Code regulations concerning recreational vehicles have always had a broad definition that needs to be updated and is contributing to the problem. Council concurred that the Property Maintenance Code is worth exploring and would appreciate the Planning Commission's review and feedback. Community Development Director Schmitt stated there are currently 14 open code enforcement cases. Common complaints include grass, vehicles, junk and chickens. Another complaint discussed on this property is the number of cats; the City code does not currently limit the number of animals. Council also requested staff bring back options on rental licensing which is currently a complaint based system.

Angela Fronczak, 604 W. Washington, stated there are 5 people living in the house at 522 W. Washington and expressed frustration that there was no city ordinance that addresses the condition of the property indicating it was not fair for other residents that maintain their homes. The car has been inoperable for 3 years, junk is not contained within the garage, the garage is also full of junk and the garage door is always open. Council sympathized with the neighbors and requested some time to consider the adoption of the International Property Maintenance Code.

Nancy Keith, 422 W. Washington, stated the house at 416 W. Washington hasn't looked good in 60 years.

9. **APPROVED – METRO ACT PERMIT APPLICATION, MCLEOD USA TELECOMMUNICATION SERVICES LLC**  
MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Metro Act Permit application submitted by McLeod USA Telecommunications Services, LLC of Little Rock, AR for the installation and maintenance of a Fiber Optic Network within the City of Howell, for a term of five years.” MOTION CARRIED (5-0).
10. **APPROVED – METRO ACT PERMIT EXTENSION, MICHIGAN BELL TELEPHONE COMPANY d/b/a/ AT&T MICHIGAN**  
MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Metro Act Right of Way Permit Extension with Michigan Bell Telephone d/b/a AT&T for a period of December 31, 2018 through December 31, 2023.” MOTION CARRIED (5-0).
11. **APPROVED – RESOLUTION NO. 18-13, BUDGET AMENDMENTS**  
MOTION by Lobur, SUPPORT by Ellis, “To adopt Resolution No. 18-13, Budget Amendments.” MOTION CARRIED (5-0).
12. **APPROVED – TRAFFIC CONTROL ORDER 299**  
MOTION by Yost, SUPPORT by Mulvahill, “To approve Traffic Control Order 299 for the placement of yield signs at the intersection of Summit and Bates to control east bound and west bound traffic on Summit Street.” Chief Basar explained yield signs have been used for many years in this neighborhood; a full traffic study would be required to warrant replacing with stop signs. MOTION CARRIED (5-0).
13. **POSTPONED – L3 MOBILE VISION PURCHASE IN-CAR CAMERA SYSTEM**  
MOTION by Mulvahill, SUPPORT by Ellis, “To approve the order and purchase for the latest generation L-3 Mobile Vision in-car camera system at a cost of \$65,667.27.” City Manager Charles noted the expense for this purchase would be in the 2018/2019 budget. There is a 60 day turnaround time to receive the equipment once the order is placed. Council noted the \$50,000 savings in the 2017/2018 police budget however questioned where the additional \$15,000 would come from since it was not recognized in the budget. MOTION by Ellis, SUPPORT by Mulvahill, “To postpone action on the L3 Mobile Vision In-Car Camera System until the July 9, 2018 meeting. MOTION CARRIED (5-0).
14. **APPROVED – WWTP SCADA & TELEMETRY UPDATES**  
MOTION by Ellis, SUPPORT by Yost, “To approve the proposal from RS Technical Services, Inc. for the installation and programming of SCADA software upgrade and Telemetry at the City Lift Station for an amount not to exceed \$99,366.” MOTION CARRIED (5-0).

**15. AWARDED BIDS/PURCHASES:**

A. SAW Grant Clean & Televisive Program, Corby Energy Services, \$414,062.10. MOTION by Ellis, SUPPORT by Yost, "To award the unit price contract for Division I & II of the Storm and Sanitary Clean and Televisive Program to Corby Energy Services for an amount of \$414,062.10." It was noted 90% of the expense would be reimbursed through the SAW grant. MOTION CARRIED (5-0).

MOTION by Lobur, SUPPORT by Yost, "To accept the unit pricing for Division III of the Storm and Sanitary Clean and Televisive Program as provided by Corby Energy Services with the understanding that any potential projects will come back to Council for approval." DPS Director Suida stated knowing the condition of the City's assets is now required. Repairs are not included as part of the SAW grant. The clean and televisive project will start in September and will take 6 to 8 months to complete. MOTION CARRIED (5-0).

B. Leaf Collection Vacuum, Fredrickson Supply, \$66,117.28. MOTION by Ellis, SUPPORT by Yost, "To approve the purchase of a Titan Leaf Pro Plus from Fredrickson Supply Company for a cost not to exceed \$66,117.28." DPW Operations Manager Luce explained the new vacuum would provide more efficient collection of leaves; they anticipate less manpower and a larger reach with the machine. MOTION CARRIED (5-0).

**16. APPROVED - PAYMENT OF BILLS**

MOTION by Lobur, SUPPORT by Ellis, "To approve the payment of bills ending June 25, 2018 in the amount of \$566,414.56 and payroll to cover the period ending June 23, 2018." Member Lobur questioned HSA deposits. MOTION CARRIED (5-0).

**17. BOARD/COMMISSION APPOINTMENTS – LDFA, MICHAEL YOST & NICK PROCTOR, TERMS ENDING MARCH 30, 2022**

MOTION by Lobur, SUPPORT by Mulvahill, "To approve the reappointment of Nick Proctor to the LDFA for a term ending March 30, 2022." MOTION CARRIED (5-0). MOTION by Ellis, SUPPORT by Mulvahill, "To approve the reappointment of Michael Yost to the LDFA for a term ending March 30, 2022." MOTION CARRIED (4-0-1). Member Yost abstained.

**18. CITY MANAGER'S REPORT**

- Following up from the direction received from the July 18, 2018 Work Session, draft language for the Headlee Override Ballot Proposal will be provided at the July 9, 2018 meeting as well as options for a community education process.
- Commended Police and Public Works for their assistance with the Balloon Festival.
- Will be out of the office on vacation the rest of the week.

**19. OLD BUSINESS**

- Mayor Proctor stated he received compliments on the work of the Police Department at the beach and the drop zone during the Balloon Festival.
- Mayor Proctor requested the status on the McPherson House. Community Development Director Schmitt stated the RFP has been issued and the house should be demolished in July or August. The cost of demolition will be requested of the court as a lien on the property.
- Mayor Proctor questioned if seasonal employees will be painting fire hydrants.
- Mayor Proctor questioned when the divots in his neighbor's yard on Madison would be repaired.

**20. NEW BUSINESS**

- MOTION by Ellis, SUPPORT by Mulvahill "To excuse Member Steven Manor and Member Niblock from the June 25, 2018 Council meeting, reasons stated." MOTION CARRIED (5-0).
- Mayor Proctor congratulated Member Ellis on being elected the new President of the Howell Rotary Club.
- Susie Hill, 822 Spring, expressed concern that the exterior lights at the courthouse and surrounding area are not working (a total of 13 lights) which she has reported numerous times to Livingston County and the City.
- Mayor Proctor requested suggestions for people to approach for assistance in marketing the Headlee Override ballot proposal.
- Member Yost indicated the sidewalk in front of 719 W. Grand River is damaged. The street light at Grand River & Byron was damaged from a car accident. DPS Director Suida indicated DTE has been notified and they may be having trouble getting the decorative poles.

**21. EXECUTIVE SESSION – PENDING LITIGATION**

- 8:53 p.m. MOTION by Ellis, SUPPORT by Lobur, "To adjourn to Executive Session to discuss pending litigation with a roll call vote." Lobur – yes, Yost – yes, Mulvahill – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (5-0).
- 9:25 p.m. MOTION by Ellis, SUPPORT by Yost, "To reconvene the regular meeting." MOTION CARRIED (5-0).

**22. ADJOURN**

MOTION by Ellis, SUPPORT by Mulvahill, "To adjourn the regular meeting of the City Council at 9:25 p.m." MOTION CARRIED (5-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk