

Regular Meeting of the Howell City Council
Monday, August 13, 2018
Howell City Council Chambers – Lower Level
611 E. Grand River
Howell, Michigan 48843
517-546-3502

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 and Mayor Nick Proctor.

Council Members Absent: Michael Mulvahill, Scott Niblock and Andrew Yost.

Also Present: City Manager Shea Charles, City Attorney Dennis Perkins, and Deputy City Clerk Deanna Robson.

Others in Attendance: Police Chief George Basar, Deputy Chief Scott Mannor, Sergeant Mike Dunn, Police Officer Lou Bigliardi, Finance Director Catherine Stanislawski, Community Development Director Timothy Schmitt, DPW Operations Manager Mike Luce, Project Technician Matt Davis, Assessor Joey Lentine, Assessor Ashley Backus, DDA Director Cathleen Edgerly, Main Street Outreach Coordinator Kate Litwin, John and Caron Davis, Tom Richardson, Greg Miller, Karen Currie, Jacob Currie, Nicole Kamienski, Gina Aguzzi and Richard Olrich.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the special meeting of the City Council held July 23, 2018.” MOTION CARRIED (4-0).

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held July 23, 2018.” MOTION CARRIED (4-0).

MOTION by Ellis, SUPPORT by Manor, “To approve the minutes of the executive session of the City Council held July 23, 2018.” MOTION CARRIED (4-0).

4. PRESENTATION – OATH OF OFFICE, POLICE OFFICER LOUIS BIGLIARDI

Police Chief George Basar introduced Police Officer Louis Bigliardi. Deputy City Clerk Deanna Robson administered the oath of office. Chief Basar presented

Officer Bigliardi with his police badge and, along with Mayor Proctor, congratulated him on joining the team.

5. CITIZENS' COMMENTS

- None.

6. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Mayor Proctor reported on the July 29th DDA Meeting: accepted resignations from Adam Merkel and Kevin Adamo; the pop-up park was a great success; August 1st Rock the Block was successful and raised funds for Howell Main Street Inc.; August 15th is the Howell Art Project; and Food Truck Tuesdays are going well.

7. COUNCIL CORRESPONDENCE

- A. Rotary Club, Request for Waiver of Pavilion Rental & Park Entrance Fees, September 24, 2018. MOTION by Ellis, SUPPORT by Manor, “To approve the request from the Howell Rotary Club to waive the Rotary Pavilion rental fee for their weekly meeting scheduled for September 24, 2018 from 11:00 a.m. – 2:00 p.m.” MOTION CARRIED (4-0).
- B. LAC NEA Grant Application. MOTION by Lobur, SUPPORT by Ellis, “To approve the submittal to the National Endowment for the Arts “Our Town: Place-Based Project” grant program by the Howell Downtown Development Authority and the Livingston Arts Council with the understanding that all of the funding will be provided by the Livingston Arts Council.” MOTION CARRIED (4-0).
- C. Resignation, Council Member Scott Niblock, August 26, 2018. MOTION by Manor, SUPPORT by Lobur, “To accept the resignation of Council Member Scott Niblock with regret and express appreciation for his 13 years of service to the City, effective August 26, 2018.” Mayor Proctor and Mayor Pro Tem Manor added that they have appreciated working with Member Niblock and recognize that he always acted with the City’s best interest in mind. MOTION CARRIED (4-0).

8. APPROVED – CIVIC EVENT APPLICATIONS:

- A. Howell High School Homecoming Parade, September 21, 2018. MOTION by Ellis, SUPPORT by Lobur, “To approve the civic event application submitted by Howell High School for the 2018 Homecoming Parade scheduled for September 21, 2018, contingent upon receipt of certificate of insurance.” MOTION CARRIED (4-0).
- B. Legend of Sleepy Howell & Headless Horseman, October 27, 2018. MOTION by Lobur, SUPPORT by Ellis, “To approve the civic event application submitted by the Howell Area Parks & Recreation Authority for the Legend of Sleepy Howell & Headless Horseman scheduled for October 27, 2018,

contingent upon receipt of certificate of insurance and MDOT approval for the closure of Grand River Avenue.” Nicole Kamienski, Howell Area Parks & Recreation Authority, noted that the 10k run was eliminated from the event this year. MOTION CARRIED (4-0).

9. **APPROVED – COMMERCIAL RECREATIONAL ESTABLISHMENT LICENSE, LUCKY’S SKILL GAMES**

MOTION by Ellis, SUPPORT by Lobur, “To approve a Commercial Recreational Establishment license for Lucky’s Skill Games at 920 East Grand River Avenue, Suite A, to operate a skill based game room on the premises, subject to all of the requirements of Chapter 806 of the City Code of Ordinances.” Community Development Director Schmitt noted that staff has no major concerns and the use is permitted in the zoning district, but, consistent with many other communities, City code includes a few specific business uses that require Council approval. He confirmed that there are standards in the ordinance should the business owner decide to allow minor participants in the future; the location meets current parking requirements, and staff would hope that the business owner could work out an agreement with neighboring businesses should additional parking needs arise. Greg Miller, 2730 S. Hacker Rd., Brighton, stated that the business will operate from 11 a.m. until 8 or 9 p.m.; this type of video-based gaming has existed for 15-20 years in the State of Michigan; no alcohol will be permitted; and the business model is targeted toward adults with non-cash merchandise for prizes. MOTION CARRIED (4-0).

10. **APPROVED – STATE STREET DESIGN PROPOSALS**

A. HRC – Engineering. MOTION by Manor, SUPPORT by Ellis, “To accept the design proposal from Hubbell, Roth, and Clark to complete the design for the State Street reconstruction project, in an amount not to exceed \$70,000.” City Manager Charles confirmed that design work has been substantially completed, future design costs will count toward the City’s required matching funds, and the grant is potentially 90% funded. Community Development Director Schmitt verified that there is a small amount of risk that the funds may not be allocated after the design work has been completed, however, the Michigan Economic Development Corporation (MEDC) sent the City a Letter of Interest; has provided support to staff; and has indicated that completed design projects are preferred in selecting infrastructure projects to fund. City Manager Charles noted that it is anticipated that the costs will be split among multiple funds including general, sewer and water funds. Member Manor noted that if the design proposal from Grissim, Metz, Andriese Associates is approved, the expenditure will count toward the required matching funds, also adding that the City has some reserve funds that can be allocated to this project. MOTION CARRIED (4-0).

B. Grissim, Metz, Andriese – Landscape. MOTION by Ellis, SUPPORT by Manor, “To accept the design proposal from Grissim, Metz, Andriese

Associates to complete the design for the State Street reconstruction project, in an amount not to exceed \$4,000.” MOTION CARRIED (4-0).

11. APPROVED – ELIMINATION OF OPTION TO PURCHASE MERS SERVICE CREDIT

MOTION by Ellis, SUPPORT by Lobur, “To eliminate future service credit purchases from the Michigan Employee’s Retirement System.” City Manager Charles confirmed that there are no outstanding employee requests. MOTION CARRIED (4-0).

12. ADOPTED – ORDINANCE NO. 916, AMENDMENT TO CHAPTER 1044, SEWER & WATER TAP FEES

MOTION by Lobur, SUPPORT by Ellis, “To adopt Ordinance 916, an ordinance to modify the City’s water and sewer tap in rates.” City Manager Charles stated that the water and sewer capital connection charges were formulated based on the Utility Financial Solutions study. Community Development Director Schmitt informed Council that the fees are based on exponential growth of flow, are still significantly lower than surrounding communities for single family residential properties and continue to be competitive for new developers. City Manager Charles stated that it is an evolving rate structure relying more on usage fees than on tap fees, and tap fees have not increased in 16-17 years. He added that there has been a decrease in water usage REUs due to water saving devices. MOTION CARRIED (4-0). Community Development Director Schmitt confirmed that there are no outstanding requests and there will be no retroactive charges.

13. ADOPTED – ORDINANCE NO. 917, AMENDMENT TO CHAPTER 430, PARKING VIOLATIONS BUREAU

MOTION by Manor, SUPPORT by Lobur, “To adopt Ordinance No. 917, Amendment to Chapter 430, Parking Violations Bureau.” MOTION CARRIED (4-0).

14. APPROVED – VOTING DELEGATE FOR MML ANNUAL MEETING

MOTION by Ellis, SUPPORT by Lobur, “To appoint Mayor Nick Proctor as the voting delegate to represent the City of Howell at the September 21, 2018 MML Annual Meeting.” MOTION CARRIED (4-0).

15. APPROVED – SALARY ADJUSTMENTS

A. MOTION by Lobur, SUPPORT by Ellis, “To approve an hourly pay rate of \$33.91 for the City Assessor Josephine Lentine effective August 6, 2018.” Ms. Lentine is mentoring the newly hired Assessor, will receive no benefits, and will only be working 8-18 hours per week. MOTION CARRIED (4-0).

B. MOTION by Ellis, SUPPORT by Manor, “To approve an annual salary of \$78,369 for the City Clerk/HR Director effective July 1, 2018.” City Manager

Charles confirmed that the City Clerk/HR Director received her Human Resources certification in 2017. MOTION CARRIED (4-0).

16. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Manor, “To approve the payment of bills ending August 13, 2018 in the amount of \$872,552.78 and payroll to cover the period ending August 18, 2018.” MOTION CARRIED (4-0).

17. BOARD/COMMISSION APPOINTMENT – BUILDING AUTHORITY, ROBERT SPAULDING, TERM ENDING 12/31/2020

MOTION by Ellis, SUPPORT by Lobur, “To reappoint Robert Spaulding to the Building Authority for a term ending December 31, 2020.” MOTION CARRIED (4-0).

18. CITY MANAGER’S REPORT

A. Headlee Override Preparation

City Manager Charles commented on the tentative public education outline; milestone and target dates; four public education dates prior to the November 6th General election; outreach to service clubs and Homeowner’s Associations; updates to the City website; and a social media campaign intended for factual responses to inquiries, in compliance with applicable laws.

Updated Council regarding a meeting in August in Marshall regarding personal property tax and other current issues.

Melon Festival is this weekend.

Council concurred to advertise for the open Council seat, and City Manager Charles noted that the position must be filled within 30 days of the effective date of Member Niblock’s resignation.

19. OLD BUSINESS

- Mayor Proctor encouraged support of Howell Main Street.
- Mayor Proctor questioned the status of bike friendly Howell. Member Manor noted that extensive information is listed on the SEMCOG website; and local residents have an opportunity to provide information for the Livingston County study on their website.
- Mayor Proctor stated that in the next Budget Work Session Council needs to be prepared with options for serious budget cuts to sustain the City should the November Headlee override vote fail. Cost reducing options could include: no road improvements; a universal percentage cut in services; using 10% of available funds for modest road improvements; rebidding contracts; and special assessments.

20. NEW BUSINESS

- MOTION by Ellis, SUPPORT by Lobur “To excuse Member Niblock from the August 13, 2018 Council meeting, reason stated.” MOTION CARRIED (4-0).
- MOTION by Ellis, SUPPORT by Lobur, “To excuse Member Mulvahill from the August 13, 2018 Council meeting, reason stated.” MOTION CARRIED (4-0).
- MOTION by Ellis, SUPPORT by Lobur, “To excuse Member Yost from the August 13, 2018 Council meeting, reason stated.” MOTION CARRIED (4-0).
- Member Lobur inquired about a water connection at the dog park. Member Manor responded that Livingston County is willing to help run a water line as part of the 911 Center upgrade project. The cost will be included in memberships.
- Council discussed the personal property tax reimbursement and the fluctuation of the amount received from the State. Even with the funds, the City is operating at a structural deficit. Council consensus was to discuss potential projects to fund at the next Budget Work Session.

21. EXECUTIVE SESSION – PENDING LITIGATION

- 8:03 p.m. MOTION by Ellis, SUPPORT by Lobur, “To adjourn to Executive Session to discuss pending litigation with a roll call vote.” Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (4-0).
- 8:55 p.m. MOTION by Ellis, SUPPORT by Lobur, “To reconvene the regular meeting.” MOTION CARRIED (4-0).

22. ADJOURN

MOTION by Ellis, SUPPORT by Manor, “To adjourn the regular meeting of the City Council at 8:56 p.m.” MOTION CARRIED (4-0).

 Nick Proctor, Mayor

 Deanna Robson, Deputy City Clerk