

Regular Meeting of the Howell City Council
Monday, October 8, 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: Jeannette Ambrose, Robert Ellis, Randy Greene, Jan Lobur, Steven Manor, Michael Mulvahill, and Mayor Nick Proctor.

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, Community Development Director Tim Schmitt, DPW Operations Manager Mike Luce, IT Director Mike Pitera, Project Technician Matt Davis, Assessor II Ashley Winstead, Main Street Outreach Coordinator Kate Litwin, Robert Spaulding, Clark Gill, Susie Hill, Jason Moore, Tony Weems.

2. PLEDGE OF ALLEGIANCE

Mayor Proctor welcomed Randy Greene to City Council.

3. APPROVED MINUTES

MOTION by Mulvahill, SUPPORT by Ellis, “To approve the minutes of the regular meeting of the City Council held September 24, 2018.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the executive session of the City Council held September 24, 2018.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Ellis reported on the Howell Area Recreation Authority meeting held September 25, 2018. Approved a 60 day extension to the Aquatic Center Agreement with Howell Public Schools, and reported they are close to finalizing a new agreement. Approved revision to the deficit elimination plan and expect to pay off the deficit and end the current fiscal year with a surplus.

The proposed 501c3 foundation to allow for charitable donations is being reviewed by legal counsel. The Melon Festival experienced a \$30,000 profit and they plan to continue the event in 2019. A meeting will be scheduled to review the level of city services provided.

- Mayor Proctor reported on the DDA meeting held September 26, 2018. Discussed Capital Improvement plans and peanut row issues. Kate Litwin reported on the recent Food Truck Rally with approximately 800-1,000 people participating and expressed appreciation for all the volunteers and those that attended all the events this summer. DDA Director Cathleen Edgerly & Main Street Outreach Coordinator Kate Litwin have been selected as the Grand Marshalls for the Fantasy of Lights Parade. The October 24, 2018 DDA meeting has been canceled due to staff attendance at the International Downtown Conference in San Antonio. Registration for the National Main Street Conference in March opens November 1st. Council members interested in attending will receive a deeply discounted registration rate. A “Great Cupcake” event is planned for November 5, 2018. It was also noted that the Main Street survey on future development services has been sent out and they would appreciate participation. Consultant services for the survey are being provided as a result of the Great American Main Street Award.
- Mayor Proctor reported that the Fire Authority Open House scheduled for October 14th has been cancelled due to the construction at the Main Station.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **PRESENTATION – HOWELL PUBLIC SCHOOLS SINKING FUND BALLOT PROPOSAL**

Rick Terres, Howell Public Schools Assistant Superintendent for Business, thanked the City Council for allowing the presentation regarding the upcoming ballot proposal. Mr. Terres reviewed the purpose of a sinking fund, the 10 year Capital Needs Assessment Plan totaling \$25,050,000 for building improvements/repairs, and security upgrades, and debt millage comparisons for school districts in Livingston County. The proposal is a .5 mill request for 10 years with no expected tax increase due to a .5 mill reduction in the debt millage. More information is available at www.howellschools.com/securingourfuture.

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

A. Duane Zemper Memorial Statue Dedication, November 4, 2018. Mayor Proctor noted he completed the application on behalf of the Library & Howell Rotary Club and they are expecting approximately 200 people to attend the event. Mayor Proctor expressed the importance of having at least the parking lane on Grand River closed for the safety of attendees. Discussion followed on the most economical approach to restricting traffic on the street and providing for safety. MOTION by Ellis, SUPPORT by Lobur, “To approve the civic event application submitted by the Howell Carnegie District Library for the Duane Zemper Memorial Statue

Dedication scheduled for November 4, 2018 contingent upon approval from MDOT for the partial closure of Grand River.” MOTION CARRIED (7-0).

B. Aberrant Ales Anniversary, November 10, 2018. MOTION by Mulvahill, SUPPORT by Lobur, “To approve the civic event application submitted by Aberrant Ales Brewing Company for the Anniversary Celebration scheduled for November 10, 2018 contingent upon reimbursement of all costs associated with City Services for the event, Fire Department approval of the final site plan for the tent & fenced in area, Michigan Liquor Control approval of the temporary liquor license, compliance with appropriate Health Department standards, receipt of certificate of insurance, and incorporating staff comments.” Clark Gill, CEO of Aberrant Brewing was present and stated the event would be similar to Rock the Block including entertainment from 3:00 pm – 10:00 pm (facing Grand River). This will be a ticketed event with a single entrance to the tent with security at all times and they have approached the Presbyterian Church to use their parking lot. MOTION CARRIED (7-0).

9. **APPROVED – ORDINANCE NO. 918, PROPERTY MAINTENANCE CODE UPDATE**

MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Ordinance No. 918, a City initiated Ordinance to amend the City’s property maintenance code update to adopt the International Property Maintenance Code.” MOTION CARRIED (7-0).

10. **APPROVED – ORDINANCE NO. 919, ALTERNATIVE NICOTINE PRODUCTS**

MOTION by Ellis SUPPORT by Mulvahill, “To adopt Ordinance No. 919, amending Chapter 656 to include prohibition of the use of Alternative Nicotine Products by minors within the City of Howell.” MOTION CARRIED (7-0).

11. **APPROVED – UNSAFE BUILDING PROCEEDINGS, 677 DETROIT**

MOTION by Manor, SUPPORT by Ellis, “To direct the City Attorney to file necessary Court action to compel compliance with the Building Official’s Notice of Unsafe Building for the property at 677 Detroit.” Community Development Director Schmitt noted the city has been consistently mowing the property for 8 years and this action will allow an interior inspection of the house. MOTION CARRIED (7-0).

12. **APPROVED – UNSAFE BUILDING PROCEEDINGS, 256/258 MASON**

MOTION by Ellis, SUPPORT by Manor, “To direct the City Attorney to file necessary Court action to compel compliance with the Building Official’s Notice of Unsafe Building for the property at 256/258 Mason Road.” Community Development Director Schmitt reviewed the complaints received on the property; several doors and windows are open, the roof is failing, and there is evidence of animals living in the house. Safety issues involving the open access was also discussed. MOTION CARRIED (7-0).

13. APPROVED – 2019 CITY COUNCIL MEETING SCHEDULE

MOTION by Ellis, SUPPORT by Ambrose, “To approve the 2019 City Council Meeting schedule for the 2nd and 4th Monday of each month with the exception of May being the 1st and 3rd Monday and December meetings scheduled for December 9th & 19th.” MOTION CARRIED (7-0).

14. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the payment of bills ending October 8, 2018 in the amount of \$465,908.26 and payroll to cover the period ending October 13, 2018.” Mayor Proctor questioned Boss Engineering and Michigan.com. MOTION CARRIED (7-0).

15. CITY MANAGER’S REPORT

- Nothing to report.

16. OLD BUSINESS

- Susie Hill, 822 Spring, questioned the status of the neglected property on National Street. City Manager Charles reported the owner died 2.5 years ago and they have been notified by the estate that no one will be taking possession. The property will go up for tax sale in March 2019.
- Member Lobur questioned the activity at the old post office on S. Walnut. Community Development Director Schmitt reported the new owners had to demo the basement due to water damage, and also found substantial issues with the brick. They are only authorized for the demo work and brick repair at this time and are working on plans to secure a building permit.
- Member Mulvahill questioned the status of the vehicle purchases discussed at the September 24, 2018 meeting. DPS Director Suida indicated staff met with Brighton Ford and are allowing them an opportunity to provide pricing. Mayor Proctor stated he would like to wait until after the November election to consider the purchases.
- Mayor Proctor stated it was four weeks until the critical vote on the Headlee Override which would restore the 20 mill tax levy. He would like to schedule a meeting in mid-November or December to discuss the results.

17. NEW BUSINESS

- Jason Moore, 157 Pulford, stated he has talked to Police Officers that patrol his neighborhood regarding the use of Pulford Street as a bypass; they have tremendous issues with speeding in excess of 45 mph and semi-trucks at 25 mph. He requested options to slow traffic and rectify the situation suggesting speeds humps or speed tables. Mayor Proctor encouraged him to make an appointment with the Chief or Deputy Chief to discuss and would like staff to report back to Council. DPS Director Suida stated plows cannot tolerate speed bumps however he would deploy counters to collect data on speeds and traffic counts.

18. EXECUTIVE SESSION – PENDING LITIGATION

- 8:11 p.m. MOTION by Mulvahill, SUPPORT by Ellis, “To adjourn to Executive Session to discuss pending litigation in the Rutherford case and Pearl Tax Tribunal case with a roll call vote.” Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).
- 9:05 p.m. MOTION by Ellis, SUPPORT by Manor, “To reconvene the regular meeting.” MOTION CARRIED (7-0).

19. ADJOURN

MOTION by Ellis, SUPPORT by Ambrose, “To adjourn the regular meeting of the City Council at 9:05 p.m.” MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk