

**Regular Meeting of the Howell City Council**  
**Monday, June 12, 2017**  
**Howell City Council Chambers – Lower Level**  
**611 E. Grand River**  
**Howell, Michigan 48843**  
**517-546-3502**

---

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, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Council Members Absent: Jan Lobur, Jeff Hansen and Scott Niblock.

Also Present: City Manager Shea Charles, City Attorney Dennis Perkins, and City Clerk Jane Cartwright.

Others in Attendance: Deputy Police Chief Scott Mannor, DPS Director Erv Suida, Community Development Director Tim Schmitt, DPW Operations Manager Mike Luce, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, Assessor Joey Lentine, Recreation Director Paul Rogers, John & Caron Davis, Alex Smith, Kelly Smith, State Representative Hank Vaupel, Dale Noel, Francene Zysk.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Manor, “To approve the minutes of the regular meeting of the City Council held May 22, 2017.” MOTION CARRIED (4-0).  
MOTION by Ellis, SUPPORT by Manor, “To approve the minutes of the May 22, 2017 Executive Session.” MOTION CARRIED (4-0).

**4. CITIZENS’ COMMENTS**

- Francene Zysk, Coordinator of Project Opioid, expressed her appreciation for the City’s cooperation in assisting in the 5K run fundraiser held last week. Ms. Zysk assured the City Council that the appropriate Civic Event application would be filed in the future.
- Hank Vaupel, 47<sup>th</sup> District State Representative, gave an update on pending issues in Lansing and encouraged constituents to contact his office if they need assistance. Discussion followed with Council members relating to the reform on teacher pensions, revenue sharing, the state of municipal finances, and support of services vs. tax cuts.

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

- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held May 30, 2017. Reviewed the recommended amendments to the Articles of Incorporation (refer to Item 14), reviewed budget amendments and financial reports. Member Ellis also reported they have a new Aquatic Center Director and Festivals Coordinator, their software was changed to Rec Pro effective June 1<sup>st</sup>, and they received grants from Chem Trend’s parent company in the amount of \$162,000, and United Way in the total amount of \$43,000. He will be out of town for the next meeting scheduled for June 20, 2017.
- Mayor Proctor reported on the DDA meeting held May 24, 2017. The Food Truck Rally was held May 20<sup>th</sup>; the Art project was going well; the first Rock the Block event was held June 7<sup>th</sup>; and the Livingston County Courthouse tour for the 100 Friends of Downtown is scheduled for this month.

**6. COUNCIL CORRESPONDENCE**

Julia Blair, Southwest PTO Vice President, thank you letter for waiving the fees at Howell City Park for their end of the year picnic.

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

A. Heather Heath Association Picnic, June 24, 2017. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the civic event application submitted by the Heather Heath Association for their first annual picnic scheduled for June 24, 2017 incorporating staff comments.” MOTION CARRIED (4-0).

B. Argyle Street Block Party, August 5, 2017. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the civic event application submitted by Kelly & Tony Smith for the Argyle Street Block Party scheduled for August 5, 2017 incorporating staff comments.” Kelly Smith, 215 Argyle, thanked the City Council for their support. MOTION CARRIED (4-0).

**8. APPROVED – RESOLUTION NO. 17-14, UTILITY RATE INCREASES**

MOTION by Manor, SUPPORT by Ellis, “To adopt Resolution No. 17-14, Utility Rate Increases.” Member Manor reiterated the history of previous increases to cover system costs now and into the future. The proposed increase is 4.9%; the 2016 increase was 5.5%. Mayor Proctor questioned the additional revenue expected from the increases, and upcoming sewer and water projects. City Manager Charles estimated revenue of \$100,000 for each fund and reviewed the capital improvement projects, some of which may have multi-year implementation. Expenses for sewer and water system improvements are expensive and although are not necessarily causing the increases, the rate design is constructed to allow for these improvements. DPS Director Suida noted approximately 40% of the system is still in need of upgrades. In 2018, an in-depth rate study will be performed as part of the SAW grant. Paul Rogers, former Mayor & Council Member, reviewed past practices of using the capital fund to pay for operating which caused a need for massive water/sewer increases. Finance Director Stanislawski indicated that rates are still comparable with other municipalities, annual increases prevent spikes in

the rates and 4.9% is one of the lowest increases in the last 10 years. Discussion followed on the efficiencies gained at the plants, the dramatic increase in the cost of chemicals and sludge hauling. Member Manor indicated that if there is no increase this year, the difference may have to be made up the following year. The City will continue to look for additional efficiencies however it is important to have healthy sewer and water systems. Mayor Proctor stated he looks at economic competitiveness and there is development all around the City; he has become increasingly concerned with the large increases and would like to see projections on when the rates will stabilize. MOTION CARRIED (4-0).

**9. APPROVED – RESOLUTION NO. 17-15 LIVINGSTON COUNTY HAZARD MITIGATION PLAN**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve Resolution No. 17-15 adopting the Livingston County Hazard Mitigation Plan.” City Manager Charles stated the Livingston County Emergency Manager Coordinator will work with the City to prepare an individual plan in the near future. MOTION CARRIED (4-0).

**10. APPROVED – AGREEMENT TO LEASE CITY OF HOWELL FIRE STATION**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Agreement to Lease City of Howell Fire Station between the City of Howell and the Howell Area Fire Authority for the term of July 1, 2017 through June 30, 2022.” Staff has begun conversations with the Authority to prepare an agreement pursuant to the proposed expansion of the main station. MOTION CARRIED (4-0).

**11. APPROVED – TORNADO SIREN REPLACEMENT**

MOTION by Manor, SUPPORT by Ellis, “To approve the purchase and installation of two Federal Signal 2001 AC/DC warning sirens to be installed at the Howell Waste Water Plant and Fire Station #1 for a cost not to exceed \$43,465.” The expenditure will come from the General Fund; a budget amendment will be necessary. The current sirens are not functioning. MOTION CARRIED (4-0).

**12. APPROVED – ADMINISTRATION OF LUCY ROAD PAVING PROJECT**

MOTION by Ellis, SUPPORT by Manor, “To authorize staff to begin the bidding process for the Lucy Road Paving project with final contract and reimbursement agreements with the Michigan Department of Transportation and the Livingston County Road Commission to be brought back to City Council for approval.” The project is being funded by MDOT and Livingston County; the City will act as fiduciary using the MDOT maintenance contract to administer the project. MOTION CARRIED (4-0).

**13. APPROVED – WELLHEAD PROTECTION GRANT**

MOTION by Ellis, SUPPORT by Mulvahill, “To authorize City Staff to accept the MDEQ Grant for updating the City of Howell Wellhead Protection Plan if successful.” MOTION CARRIED (4-0). MOTION by Ellis, SUPPORT by Mulvahill, “To accept the proposal from AMEC to administer the Wellhead

Protection Grant if awarded for a total amount of \$12,350.” MOTION CARRIED (4-0).

**14. APPROVED – FOURTH AMENDED ARTICLES OF INCORPORATION, HOWELL AREA PARKS & RECREATION AUTHORITY**

Recreation Director Rogers reported Howell Township has joined as a full partner. The most significant change is the restructuring of the funding mechanism on page 5. All other entities have approved the final draft. MOTION by Ellis, SUPPORT by Mulvahill, “To approve the final draft of the Fourth Amended Articles of Incorporation of the Howell Area Parks & Recreation Authority.” MOTION CARRIED (4-0).

**15. DISCUSSED – LOCAL OFFICERS COMPENSATION COMMISSION 2017 REPORT**

MOTION by Ellis, SUPPORT by Mulvahill, “To accept the recommendation of the Local Officers Compensation Commission with the salaries of Mayor and Council remaining the same.” MOTION CARRIED (4-0).

**16. AWARDED BIDS/PURCHASES:**

A. West Street Lift Station Bypass, Titus Welding, \$9,300. MOTION by Manor, SUPPORT by Ellis, “To award Titus Welding Company to add bypass piping in the West Street lift station not to exceed \$9,300.” MOTION CARRIED (4-0).

B. Water Plant Siding Replacement, CEI Michigan, \$40,930. MOTION by Manor, SUPPORT by Mulvahill, “To award the contract for the complete replacement of the south side panels on the Water Treatment Plant to CEI Group LLC of Hamburg Michigan for an amount not to exceed \$40,930.” This is for repairs from wind damage; \$26,832.40 is coming from the insurance claim. MOTION CARRIED (4-0).

**17. APPROVED PAYMENT OF BILLS**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the payment of bills ending June 12, 2017 in the amount of \$441,659.09 and payroll to cover the period ending June 10, 2017.” Mayor Proctor questioned Aalpha Business Products, Cruisers, Inc., and Impressive Imprints. MOTION CARRIED (4-0).

**18. CITY MANAGER’S REPORT**

- Headlee Override Vote Discussion. Met with Mayor Proctor, Mayor Pro Tem Manor and Council Member Ellis to discuss strategy and recommend 2 or 3 work sessions over the summer. The goal is to have a package of information ready in September/October with the ballot language finalized in November. The ballot language is due to the County Clerk February 6, 2018 for a May 8, 2018 election. Staff is seeking a legal opinion on campaign finance regulations.
- Received word today from DNR that they are comfortable with the recreation property exchange from Lucy Road to the North side of Howell Memorial Cemetery.

- Complemented the DDA for a successful Food Truck Tuesday. County administration brought out tables and chairs for the event which was very much appreciated.

**19. OLD BUSINESS**

- Mayor Proctor questioned the status of the railing for Parking Lot #2. DPS Director Suida explained the problem with the railing on the slope. He is working with the contractor to assure the railing is vertically plum.
- Mayor Proctor questioned the status of the upgrades to the railroad crossing on McPherson Park Dr. Community Development Director Schmitt stated CSX is still working on the engineering for the tracks.
- Member Manor questioned the status of Mark’s Coney Island. Mayor Proctor indicated the owner has resolved all the differences with the insurance company and will be starting the demolition. Community Development Director Schmitt stated a violation letter was issued under the property maintenance code.
- Member Manor questioned the status of the dumpster on Center Street. DPS Director Suida indicated if it is not removed by noon tomorrow the City will have it removed and issue a \$250 citation.

**20. NEW BUSINESS**

- MOTION by Ellis, SUPPORT by Mulvahill, “To excuse members Jan Lobur, Scott Niblock, and Jeff Hansen from the June 12, 2017 meeting (reasons stated).” MOTION CARRIED (4-0).

**21. EXECUTIVE SESSION – PROPERTY ACQUISITION**

8:15 p.m. MOTION by Manor, SUPPORT by Ellis, “To adjourn to Executive Session to discuss property acquisition with a roll call vote.” Ellis – yes, Manor – yes, Mulvahill – yes, Proctor – yes. MOTION CARRIED (4-0).

8:41 p.m. MOTION by Ellis, SUPPORT by Manor, “To reconvene the regular meeting.” MOTION CARRIED (4-0).

**22. ADJOURN**

MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn the regular meeting of the City Council at 8:41 p.m.” MOTION CARRIED (4-0).

---

Nick Proctor, Mayor

---

Jane Cartwright, City Clerk