

**Regular Meeting of the Howell City Council  
Monday, July 9, 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, Community Development Director Tim Schmitt, IT Director Mike Pitera, DPW Operations Manager Mike Luce, Assessor Joey Lentine, John & Caron Davis, Jacob Currie, A. Currie.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVED MINUTES**

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the work session of the City Council held June 18, 2018.” MOTION CARRIED (5-0).

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held June 25, 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 25, 2018.” MOTION CARRIED (5-0).

**4. CITIZENS’ COMMENTS**

- None.

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

- None.

**6. COUNCIL CORRESPONDENCE**

- None.

7. **APPROVED – L3 MOBILE VISION IN-CAR CAMERA SYSTEM**

Action was postponed at the June 25, 2018 meeting; it was noted that the price has been reduced to reflect the elimination of an additional year of warranty service. MOTION by Mulvahill, SUPPORT by Ellis, “To approve the purchase of the L-3 Mobile Vision in-car camera system at a cost of \$63,707.27.” Discussion followed on funding of the purchase. City Manager Charles indicated the new cameras were accounted for as part of the projected activity in the 2017/2018 budget however were not incorporated in the budget amendments which reflected a \$50,000 savings in the police department budget. Due to the timing of the purchase, it will be shifted to the 2018/2019 fiscal year. The balance of the purchase will come from fund balance; budget projections still reflect a 20% fund balance. These cameras are critical to police operations and Attorney Perkins noted they were essential to civil and criminal cases. MOTION CARRIED (5-0).

8. **APPROVED – MML WORKERS COMPENSATION BOARD OF TRUSTEES**

MOTION by Lobur, SUPPORT by Yost, “To authorize votes to be cast for the 2018 official ballot to serve as Trustees of the Michigan Municipal Workers Compensation Fund as presented.” MOTION CARRIED (5-0).

9. **DISCUSSED – HEADLEE OVERRIDE BALLOT LANGUAGE**

City Manager Charles presented the initial draft of the Headlee override ballot language and referenced examples from the City of Brighton, Ferndale, and East Grand Rapids. Incorporation of the DDA capture language is not required according to Miller Canfield. Council requested the language be more specific to reflect the purpose and use of the additional funds (as used in the City of Brighton). They were in agreement on the length of 5 years however questioned if potential roll backs apply to the current millage rate after the 5 year period expires. Staff will bring back revised language at the July 23, 2018 meeting.

10. **APPROVED - PAYMENT OF BILLS**

MOTION by Yost, SUPPORT by Mulvahill, “To approve the payment of bills ending July 9, 2018 in the amount of \$386,310.97 and payroll to cover the period ending July 7, 2018.” Member Ellis questioned Alpha Business Products. MOTION CARRIED (5-0).

11. **CITY MANAGER’S REPORT**

- Staff will be bringing forward the property maintenance ordinance to the Planning Commission at their August 15<sup>th</sup> meeting noting the July meeting has been canceled. There have been some improvements to the subject property.
- The July 23, 2018 City Council meeting will have a heavy agenda.

12. **OLD BUSINESS**

- Member Ellis questioned the status of Mark’s Coney Island. Community Development Director Schmitt stated the electrical contractor is nearly finished

and the front window was replaced; staff has noticed significant progress in the last couple of weeks.

**13. NEW BUSINESS**

- MOTION by Ellis, SUPPORT by Mulvahill, “To excuse Member Scott Niblock & Steven Manor from the July 9, 2018 Council meeting, reasons stated.” MOTION CARRIED (5-0).
- Member Lobur referenced comments she received at the Farmers Market on the lack of bathrooms downtown; numerous people were in line for the temporary bathrooms; she also noted the bathrooms at the beach are not open until noon.
- Mayor Proctor questioned procedures on professional services contracts once they are at the end of their term. City Manager Charles indicated the engineering contract was approved for 5 years pursuant to a RFQ process; there are automatic renewals on the contracts for City Attorney and Planning Consultant. Mayor Proctor stated he would like to have Council review the contracts. City Manager Charles noted a lot of the Planning Consultant tasks have been brought back in house with a full time Community Development Director; the majority of the invoices from Carlisle Wortman are for the Building Official services and Site Plan Reviews on projects where escrow fees are collected.

**14. EXECUTIVE SESSION – PENDING LITIGATION**

- 7:31 p.m. MOTION by Ellis, SUPPORT by Lobur, “To adjourn to Executive Session to discuss pending litigation with a roll call vote.” Yost – yes, Mulvahill – yes, Ellis – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (5-0).
- 8:04 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To reconvene the regular meeting.” MOTION CARRIED (5-0).
- MOTION by Ellis, SUPPORT by Lobur, “To approve the settlement with Anfang Properties, MTT Docket No. 17-001687, for tax years 2017 & 2018; as stipulated; True Cash Value \$650,000, SEV/Taxable Value \$325,000, and authorize the City Attorney to sign the entry for Consent Judgment.” MOTION CARRIED (5-0).

**15. ADJOURN**

MOTION by Ellis, SUPPORT by Yost, “To adjourn the regular meeting of the City Council at 8:06 p.m.” MOTION CARRIED (5-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk