

Regular Meeting of the Howell City Council
Monday, November 19, 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, Community Development Director Tim Schmitt, Finance Director Catherine Stanislawski, DPS Director Erv Suida, Deputy Police Chief Scott Mannor, DPW Operations Manager Mike Luce, Assessor Ashley Winstead, Project Technician Matt Davis, WWTP Operations Manager Mike Spitler, IT Director Mike Pitera, WTP Operations Manager Jim Webster, Cemetery Supervisor Jason McClanahan, Recreation Director Tim Church, Tom Richardson, Caron Davis, Mary Cole, J. Pearce.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ellis, SUPPORT by Ambrose, “To approve the minutes of the regular meeting of the City Council held November 5, 2018.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Ambrose, “To approve the minutes of the work session of the City Council held November 12, 2018.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Lobur reported on the November 14, 2018 Planning Commission meeting. Discussed potential revisions to the sign ordinance due to the recent Supreme Court decision (Reed vs. Gilbert). Approved a Special Land Use for 121 S. Walnut (Old Post Brewing Company) for a Micro Brewery & outdoor patio. Reviewed the plans for a 4,150 sq. ft. dental office in Cross Roads Town Center and scheduled a public hearing for December 19, 2018. Approved the land division for 1026 E. Grand River and 160 Catrell.

- Member Ellis reported on the November 16, 2018 special meeting of the Howell Area Parks & Recreation Authority. Approved a two month extension of the agreement with Howell Public Schools for operation of the pool and discussed the recruitment of new life guards and a potential on-site manager.
- Member Manor reported on the Livingston Transportation Coalition meeting. The latest consultant's presentation was reviewed and the Coalition is seeking more input on the transportation plan. A presentation has been scheduled for the December 19th Planning Commission meeting and the City Council has been invited to attend. Other survey opportunities are available on the LETS website.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **APPROVED – HOWELL AREA PARKS & RECREATION 2019 BUDGET**
MOTION by Ellis, SUPPORT by Ambrose, "To approve the 2019 Budget of the Howell Area Parks & Recreation Authority." Recreation Director Church reported on the Deficit Elimination Plan. The proposed budget for fund 216 does include reimbursement to the City for Melon Festival & Legend of Sleepy Howell civic event services. He also reported soccer is the most popular program, and the HIVE is averaging 40 to 50 teens per day. MOTION CARRIED (7-0).

8. **APPROVED – METRO ACT PERMIT, MISIGNAL**

MOTION by Ellis, SUPPORT by Manor, "To approve the permit submitted by MiSignal, Inc. of Lansing MI for the installation and maintenance of a Fiber Optic Network within the City of Howell for a term of 5 years." City Manager Charles indicated the City receives revenue of \$25,000-27,000 per year for all telecommunications right of way activities operated under State of Michigan Metro Act permits. If utilities are currently buried, new lines follow the same path; they are required to adhere to City regulations on location. MOTION CARRIED (7-0).

9. **APPROVED – MICHIGAN MUNICIPAL LEAGUE 2019 MEMBERSHIP**

MOTION by Ellis, SUPPORT by Manor, "To approve payment of the Michigan Municipal League invoice in the amount of \$4,912 for the 2019 membership renewal." MOTION CARRIED (7-0).

10. **APPROVED – CONTRACT FOR MOTOROLA RADIOS**

MOTION by Lobur, SUPPORT by Ellis, "To approve the two-year contract for radios from Bearcom of Wixom MI for a monthly cost of \$35.00 per radio for an estimated cost of \$4,200 per year." DPS Director Suida indicated the contract provides for a reduction in monthly fees as well as more reliable service. MOTION CARRIED (7-0).

11. INTRODUCED – ORDINANCE NO. 920, MARIHUANA FACILITIES OPT OUT

Member Lobur introduced Ordinance No. 920, an ordinance to prohibit all marihuana related businesses in the City of Howell. Member Ellis noted his concern with prohibiting activities approved by voters under a statewide ballot proposal. Member Manor noted this was a temporary solution until the State works through the regulation and implementation process. City Manager Charles stated other communities surrounding the City are opting out and staff recommends preserving the City's options by opting out at this time; this is not a permanent decision and can be rescinded at any time. Community Development Director Schmitt indicated if the State does not develop implementation rules by December 6, 2019, local jurisdictions will have control over regulations. There is currently no process for businesses to apply to open marihuana facilities.

12. AWARD BIDS/PURCHASES:

A. Water Treatment Plant Filter Rehabilitation, L.D. Docsa Associates, \$296,400. MOTION by Ellis, SUPPORT by Mulvahill, "To contract with L.D. Docsa Associates of Kalamazoo, Michigan for completion of the filter rehabilitation project at the Howell Water Treatment Plant for a cost not to exceed \$296,400." Keith McCormick from HRC indicated these projects are fairly rare; the engineers estimate was based on their last bid process five years ago. The two bids were within 10-12% and the overall price is reasonable. This project is funded by the Water fund that budgets for capital improvements each year. MOTION CARRIED (7-0).

B. 2019 City Calendar. Council discussed the original bid for 5,000 calendars at \$4,998 plus the expense of mailing. The City will save \$1,200 by not mailing the 2019 calendars and \$350.00 by reducing the quantity. The annual calendar serves a public relations purpose and provides for citizen engagement. Also suggested was a business sponsor or advertising to fund the calendar. Mayor Proctor stated the City was still operating under a structural deficit and looking for ways to reduce expenses. MOTION by Ellis, SUPPORT by Greene, "To approve the purchase of 2,500 City Calendars in the amount of \$4,647.66 with distribution from City Hall." A roll call vote was taken. Lobur – no, Greene – yes, Mulvahill – no, Ambrose – yes, Ellis – yes, Manor – no, Proctor – no. MOTION FAILED (4-3). Discussion continued on finding a sponsor to fund the calendar. Council concurred with the idea that if staff could secure an external funding source, they would consider approval at the next meeting. Also discussed was an electronic method for residents to access the calendar information.

13. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Mulvahill, "To approve the payment of bills ending November 19, 2018 in the amount of \$378,622.56 and payroll to cover the period ending November 24, 2018." Member Lobur questioned vehicle repairs. MOTION CARRIED (7-0).

14. CITY MANAGER'S REPORT

- Vehicle Purchases – Staff indicated Units 44, 47 & 7 have already been extended beyond their useful life (approximately 3 years) and replacements have been prefunded in the Equipment Pool Fund. The local dealerships have been approached and they cannot match the state pricing. Mayor Proctor stated his concerns based on the results of the election. Council has outlined a solid framework to craft the 2019/2020 budget with targeted service reductions. The current fiscal year is still operating under a structural deficit and although the vehicles have been pre-funded, departments funded by the General Fund are still charged back for their use. Council also discussed other pending impactors on the budget that are still unknown and the optics of new vehicles however presented justifications for the vehicle replacements such as reliability of new equipment, increased maintenance costs on older vehicles (out of service vehicles cause a disruption in services), replacements were budgeted, life cycles of equipment has been tracked and optimized, all vehicles are used year round, and the potential of price increases next year. Used vehicles will be auctioned for a return of approximately \$20,000. Purchasing used equipment or leasing options were also suggested however it was noted that the state discounts only apply to new vehicle purchases.

MOTION by Greene, SUPPORT by Ellis, “To approve the purchase of a 2019 Ford F250 equipped with wide out plow in the amount of \$34,636.72; a 2019 Ford F250 equipped with MVP Plow in the amount of \$33,886.72; and a 2019 Ford F450 equipped with Venturo Crane and Service Body in the amount of \$68,245.72 from LaFontaine Ford.” MOTION CARRIED (6-1). Mayor Proctor opposed.

- DPW had 3 trucks out both Saturday & Sunday for leaf collection and hopes to have them all picked up by the end of the day Wednesday.
- Fantasy of Lights is scheduled for this Friday.
- Member Manor requested an accounting of staff hours worked in preparation for Fantasy of Lights and holiday decorations.

15. OLD BUSINESS

- Mayor Proctor inquired about the status of the east wall at City Hall. City Manager Charles stated measurements were taken 9 months ago and the bracing is working; the wall has not moved.
- Mayor Proctor requested that staff send out correspondence to event sponsors regarding the 50% cost reimbursement for civic events in 2019 and also include the general cost of city services for 2018 events.
- Mayor Proctor questioned the adoption of the 2017/2018 budget with a deficit. It was explained the budget included a transfer from general fund reserves to present a balanced budget. It was also noted the adopted budget included projected additional revenue sharing that will not be received.

16. NEW BUSINESS

- Mayor Proctor gave a reminder that the Fantasy of Lights Parade was Friday.

17. EXECUTIVE SESSION – LABOR NEGOTIATIONS & ATTORNEY CLIENT COMMUNICATION

- 8:29 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss Labor Negotiations and Attorney Client Communications with a roll call vote.” Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).
- 9:38 p.m. MOTION by Greene, SUPPORT by Ellis, “To reconvene the regular meeting.” MOTION CARRIED (7-0).
- MOTION by Ellis, SUPPORT by Mujlvahill, “To approve the Amendment to Purchase Agreement with Branoff Randle Real Estate Partners, LLC extending the agreement for 30 days and authorize the City Manager to extend the agreement for an additional 30 days at his discretion.” MOTION CARRIED (7-0).

18. ADJOURN

MOTION by Ellis, SUPPORT by Manor, “To adjourn the regular meeting of the City Council at 9:38 p.m.” MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk