

Regular Meeting of the Howell City Council
Monday, December 3, 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, Jan Lobur, Steven Manor, Michael Mulvahill, and Mayor Nick Proctor.

Council Member Absent: Randy Greene.

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, DPW Operations Manager Mike Luce, Assessor Ashley Winstead, Project Technician Matt Davis, WWTP Operations Manager Mike Spitler, IT Director Mike Pitera, Cemetery Supervisor Jason McClanahan, Caron Davis, J. Pearce, Alex Smith, J. Currie, A. Currie, Jim Glenn.

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 19, 2018.” MOTION CARRIED (6-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the executive session of the City Council held November 19, 2018.” MOTION CARRIED (6-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held November 27, 2018. Reviewed current financial reports for the authority and the proposed contract with Howell Public Schools for the operation of the Aquatic Center. The opening day for Holiday in the Park is December 7, 2018 and will include hay rides, pictures with Santa and Reindeer;

the admission fee for the remainder of the season is \$5.00 per car. Other seasonal events planned include Bad Santa Trivia and Santa's Workshop. The Program Guide for 2019 will also have a new look.

- Mayor Proctor reported on the DDA meeting held November 21, 2018. Scheduled a budget meeting for January 23, 2019 immediately following the regular meeting. Small Business Saturday was a great success; congratulated DDA Director Cathleen Edgerly and Main Street Outreach Coordinator Kate Litwin for serving as the Grand Marshalls of the Fantasy of Lights Parade, and DPW Operations Manager Mike Luce for chairing the 2018 Fantasy of Lights Committee.
- Mayor Proctor reported on the Howell Area Fire Authority meeting held November 28, 2018. The new reporting system will go live on January 1, 2019 with a reduced annual cost. The addition to the Main Station received temporary Certificate of Occupancy; they are planning to host an Open House in the Spring.
- Mayor Proctor also reported CIRAB held a meeting to receive the potential cost allocation for upgrades to the WWTP. Their next meeting is scheduled for December 20, 2018.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **POSTPONED – DANGEROUS BUILDING PROCEEDINGS, 401 E. GRAND RIVER**

MOTION by Ellis, SUPPORT by Ambrose, “To postpone Dangerous Building enforcement action on 401 East Grand River until May 31, 2019.” Council questioned the reason for postponing action until May. Staff indicated the property owner was actively trying to reopen the building. An application for Planning Commission review was submitted. Mayor Proctor reviewed the memorandum outlining the past lack of response from the owner noting that previous trends are a good gauge on future actions. Community Development Director Schmitt stated the building has been vacant for some time however the condition rose to the dangerous building level in October when it was vandalized and had to be boarded up by City staff. The recommendation takes into account that architectural work may be needed due to the age and size of the building, and the time frame allows for Planning Commission review, building permit process and construction. *(Member Ellis stepped out of the meeting to take a phone call.)*

MOTION by Manor, SUPPORT by Ambrose, “To amend the motion to use the date of January 28, 2019 in place of May 31, 2019.” *(Action was suspended on the pending motion until Member Ellis returned).*

The meeting continued with items 9 & 10.

9. **APPROVED – GRAND RIVER WATER MAIN PROJECT, ENGINEERING SERVICES PROPOSAL** (taken out of order)

MOTION by Manor, SUPPORT by Mulvahil, “To accept the Engineering Services Proposal from HRC to provide design engineering for the Grand River Water Main Project from Center to Walnut & State to Barnard as proposed for an amount not to exceed \$39,490.” City Manager Charles noted moving forward with this project will allow the City to get ahead of the MDOT repaving project scheduled for 2020. MOTION CARRIED (5-0). (*Member Ellis was absent from the vote.*)

10. APPROVED – SAW GRANT REDISTRIBUTION OF EXPENSES (taken out of order)

MOTION by Manor, SUPPORT by Mulvahill, “To approve increasing the January 19, 2017 HRC Engineering Services Proposal not to exceed amount from \$362,400 to \$464,100 with all expenses eligible for reimbursement through the SAW Grant.” Eligible expenses for this project are funded at 90% by the SAW Grant. MOTION CARRIED (5-0). (*Member Ellis was absent from the vote.*)

7. POSTPONED – DANGEROUS BUILDING PROCEEDINGS, 401 E. GRAND RIVER - CONTINUED

After Member Ellis returned, a vote was taken on the amendment to the motion. AMENDMENT CARRIED (6-0). A vote was taken on the main motion as amended and restated for the record. “To postpone Dangerous Building enforcement action on 401 East Grand River until January 28, 2019.” MOTION CARRIED (6-0).

8. APPROVED – ORDINANCE NO. 920, MARIHUANA FACILITIES OPT OUT

MOTION by Lobur, SUPPORT by Ambrose, “To adopt Ordinance No. 920, an ordinance to prohibit all marihuana related businesses in the City of Howell.” Staff explained that the State of Michigan (LARA) will begin taking applications for Marihuana related businesses in January 2019. The Legislature is also attempting to amend the citizen initiated law during their lame duck session. Member Ellis stated his opposition to overturning the law approved by the voters. Staff reviewed the proposed distribution of the excise tax noting municipalities that opt in will split revenue after the State is reimbursed the cost to administer the law and process licensing (cost unknown), and after \$20 million is allocated to Veterans Affairs to study PTSD. Attorney Perkins indicated the Council could not place an expiration date on the Ordinance; however could repeal the Ordinance at any time. Council could also direct staff to report back on the progress as administration of the law moves forward on a quarterly basis. MOTION CARRIED (5-1). Member Ellis opposed.

MOTION by Ellis, SUPPORT by Lobur, “To direct staff to report on the progress associated with the recreational marihuana law every three months starting in January, 2019.” MOTION CARRIED 6-0).

11. APPROVED – WATER METER CONVERSION PROPOSAL

MOTION by Manor, SUPPORT by Mulvahill, “To approve the purchase of the N_Sight Mobile software and 4 Handheld Trimble Units and 4 Pocket Probe readers from Ferguson Waterworks of Madison Heights MI for an amount not to exceed \$40,134.68.” City Manager Charles reviewed the extensive evaluation process conducted by staff and noted the current hand held meters are failing. Discussion followed on the longevity of the vendor, potential software upgrades, and compatibility with the current touch pad units. MOTION CARRIED (6-0).

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the proposal from Ferguson Waterworks of Madison Heights MI for the Hardware and installation of 181 residential meters located in route 1NA5 for an amount not to exceed \$66,045.91.” City Manager Charles noted this was a pilot project and the meters will be installed by Ferguson after appointments are made with the homeowners. MOTION CARRIED (6-0).

12. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Ambrose, “To approve the payment of bills ending December 3, 2018 in the amount of \$527,531.76 and payroll to cover the period ending December 8, 2018.” MOTION CARRIED (6-0).

13. BOARD/COMMISSION APPOINTMENTS:

A. DDA Board – Kathryn Tuck, term ending January 2, 2022. MOTION by Manor, SUPPORT by Ellis, “To approve the Mayor’s appointment of Kathryn Tuck to the DDA Board, term ending January 2, 2022.” MOTION CARRIED (6-0).

B. Library Board – Liesl Clark, term ending June 30, 2019. MOTION by Ellis, SUPPORT by Manor, “To approve the Mayor’s appointment of Liesl Clark to the Library Board, term ending June 30, 2019.” MOTION CARRIED (6-0).

C. CIRAB – Michael Mulvahill, term ending June 30, 2019. MOTION by Manor, SUPPORT by Ellis, “To approve the Mayor’s appointment of Michael Mulvahill to CIRAB, term ending June 30, 2019.” MOTION CARRIED (5-1). Member Mulvahill opposed.

D. Building Authority – Michael Yost, term ending December 31, 2019. MOTION by Ellis, SUPPORT by Ambrose, “To approve the Mayor’s reappointment of Michael Yost to the Building Authority, term ending December 31, 2019.” MOTION CARRIED (6-0).

E. Brownfield Redevelopment Authority – Marcia Gebarowski & Erv Suida, terms ending November 1, 2021. MOTION by Manor, SUPPORT by Ellis, “To approve the Mayor’s appointment of Marcia Gebarowski & Erv Suida to the Brownfield Redevelopment Authority, terms ending November 1, 2021.” MOTION CARRIED (6-0).

F. Board of Zoning Appeals – Erin Britten, term ending April 30, 2019. MOTION by Ambrose, SUPPORT by Ellis, “To approve the Mayor’s appointment of Erin Britten, term ending April 30, 2019.” MOTION CARRIED (6-0).

14. CITY MANAGER’S REPORT

- Fantasy of Lights & Holiday Decorations. The report on personnel hours to prepare for the Fantasy of Lights Parade and erect holiday decorations was requested by Council. It was noted the report does not include taking down the holiday decorations.
- City Manager Evaluation – Annual Report. The report was provided as part of the City Manager’s annual evaluation process. City Manager Charles will send out the evaluation form to Council to complete for the next meeting. It was noted that the evaluation is for the 2017/2018 fiscal year therefore the new members may not be comfortable grading all sections. At the end of the evaluation process, Council will determine if they will continue to use the fiscal year or move to a calendar year evaluation. Member Mulvahill noted he would like to participate however will not be able to attend the December 17, 2018 meeting. Council concurred to postpone the evaluation until the January 14, 2019 meeting.
- 2019 City Calendar. A vendor offered to fund the 2019 City Calendar however the offer was declined due to a potential conflict of interest on the bidding process. The 2019 City Calendar will be an electronic version on the website only. Council requested that staff keep track of inquiries/concerns received from residents relating to the 2019 calendar.
- The legislature is in Lamé Duck session and there are a series of bills under consideration that would attempt to preempt local control.
- DPW still has trucks out completing the leaf pick up.
- A doodle calendar will be sent out to schedule a Budget Work Session in January.

15. OLD BUSINESS

- None.

16. NEW BUSINESS

- MOTION by Ellis, SUPPORT by Ambrose, “To excuse member Randy Greene from the December 3, 2018 meeting.” MOTION CARRIED (6-0).
- Mayor Proctor reported he attended the Open House for the new Habitat for Humanity home built at 909 North Street.

17. EXECUTIVE SESSION – LABOR NEGOTIATIONS

- 8:10 p.m. MOTION by Ellis, SUPPORT by Ambrose, “To adjourn to Executive Session to discuss Labor Negotiations.” Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (6-0).
- 8:59 p.m. MOTION by Ellis, SUPPORT by Ambrose, “To reconvene the regular meeting.” MOTION CARRIED (6-0).

18. ADJOURN

MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn the regular meeting of the City Council at 9:00 p.m.” MOTION CARRIED (6-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk