

Regular Meeting of the Howell City Council
Monday, January 14, 2019
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, Michael Mulvahill, Steven Manor, 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, Finance Director Catherine Stanislawski, Deputy Police Chief Scott Mannor, DPW Operations Manager Mike Luce, Assessor Ashley Winstead, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, Caron Davis, Alex Smith, Jim Glenn, Tom Richardson, Kathy Zaenger, Frank Mancusco, Paul Rogers, Hunter Allen, Zoe Rogers, Mike Hall, Cheryl Hall, Patti Griffith, Sandie Cortez, Don Cortez, Joe Parker, Becky Parker, Mike Yost, Peter & Doris Ostronder, Lloyd Geroux, Richard Lim, Kevin Delevainlk, Jim Steaklon, Pat Convery, Frank Zedele, Jim Murrey, Denise Brennan-Nelson, Jeff Rej.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held December 17, 2018.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Ambrose, “To approve the minutes of the executive session of the City Council held December 17, 2018.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- Lloyd Geroux, property owner 403 Fowler, expressed concern with the fence erected by St. Joseph Catholic Church along the Brooks Street public easement, cutting off access to his rear parcel. City Manager Charles indicated the church took over the maintenance of the easement and he was not aware that Mr.

Geroux was experiencing a problem; he requested Mr. Geroux call him tomorrow to discuss the issue.

- Alex Smith, 711 N. Michigan, made a verbal request for the City Council to waive the boat launch fees on May 1, 2019 for the Howell High School Fish Club Tournament. Mayor Proctor referred his request to the January 28, 2019 meeting.
- Joe Parker, representing his 8 tenants at the Heart of Howell building (218, 220 & 224 W. Grand River), requested the time limit be extended from 2 hours to 4 hours for the parking lots on the north side of Grand River. Staff will consult with the DDA and report back.

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

- Member Lobur reported on the Planning Commission meeting held December 19, 2018. Received a report on the status of recreational marijuana in Livingston County noting that six municipalities have opted out of allowing facilities. Approved the site plan and special land use for Heartland Dental, recommended approval of the Micro Alcohol Ordinance (refer to item 10), and received a presentation from the Livingston County Transportation Coalition. Member Manor added that the Coalition was also looking at a fixed route from Howell to Brighton with shuttle bus service between the two cities noting they are working very hard to make it easier for residents to get around in Livingston County.
- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held December 18, 2018. A new Aquatic Center Manager was hired along with one certified life guard; certification for two more life guards is still pending. Their meeting was held at the Aquatic Center and the board assessed the many repairs/improvements that were needed. They are also working on improving relationships with Howell Public Schools.

6. **COUNCIL CORRESPONDENCE**

- City Manager Charles presented the recognition received by the Howell Police Department from State Representatives Hank Vaupel & Ann Bollin, and Senator Lana Theis. City Manager Charles thanked the Chief and his staff for all the work they do.
- Request to Rename Howell City Park. Paul Rogers presented the formal request to rename Howell City Park as Scofield City Park or Scofield Park in honor of Bill, Rick & Joy Scofield in recognition of their many years of dedication to the community. He outlined the involvement of the Scofield family and indicated fundraising efforts have begun to replace the sign and they would like to have a dedication ceremony around Memorial Day weekend. Mayor Proctor stated the idea of renaming the park was being introduced at this meeting however the Council would not be making a decision tonight. Mike Yost, 713 W. Grand River, stated he has been working on the committee to rename the park for a long time and has secured funding for the replacement of the sign. Council discussed the names and wording on the proposed sign design presented as part of the request. Council also questioned the acreage of the park, how the City

acquired the park land, if there were deed restrictions, and if the request included a bequest to the City for future improvements. Staff will do some investigation and report back at the January 28, 2019 meeting.

7. **APPROVED – AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES**
MOTION by Ellis, SUPPORT by Manor, “To approve the 2019 Agreement for Collection of Summer School Property Tax with Howell Public Schools.”
MOTION CARRIED (7-0).
8. **APPOINTED – ASHLEY WINSTEAD, ASSESSOR OF RECORD**
MOTION by Manor, SUPPORT by Mulvahill, “To approve the appointment of Ashley Winstead to the position of Assessor of record for the City of Howell.”
MOTION CARRIED (7-0).
9. **APPROVED – 2019 LUCY ROAD MONITORING & SAMPLING**
MOTION by Manor, SUPPORT by Ellis, “To accept the proposal as submitted by GHD to perform the annual monitoring and sampling for the Lucy Road site in accordance with our NFA report for an amount not to exceed \$27,500.00, of which the City will be responsible for 40% of those costs.” MOTION CARRIED (7-0).
10. **INTRODUCED – ORDINANCE NO. 921, MICRO ALCOHOL PRODUCTION FACILITIES**
Member Lobur introduced Ordinance No. 921, an ordinance to modify the standards for micro alcohol facilities in the City of Howell.
11. **DISCUSSED – PAVILION RENTAL RATES**
City Manager Charles clarified that the pavilion rental rates were increased in 2015 by \$10-\$15 per session. Council questioned the maintenance and cleaning costs associated with the rentals. It was noted that the pavilions were built/donated by the Rotary Club (large pavilion) and May & Scofield (small pavilion) however the City’s cost to maintain and clean the pavilions after rentals needs to be covered. Staff will bring back a recommendation for the January 28, 2019 meeting.
12. **APPROVED - PAYMENT OF BILLS**
MOTION by Ellis, SUPPORT by Mulvahill, “To approve the payment of bills ending January 14, 2019 in the amount of \$1,069,259.59 and payroll to cover the period ending January 19, 2019.” Member Ambrose questioned payment on the Uptown Coffee Façade Grant (City is acting as the administrator for the grant). Member Mulvahill questioned MWEA and Shaner’s Cutting Edge. MOTION CARRIED (7-0).

13. BOARD/COMMISSION APPOINTMENT – BROWNFIELD REDEVELOPMENT AUTHORITY, CLIFF LICHLYTER, TERM ENDING NOVEMBER 1, 2020

MOTION by Manor, SUPPORT by Ellis, “To approve the Mayor’s reappointment of Cliff Lichlyter to the Brownfield Redevelopment Authority, term ending November 1, 2020.” MOTION CARRIED (7-0).

14. CITY MANAGER’S REPORT

- Reschedule Budget Work Session. MOTION by Lobur, SUPPORT by Ellis, “To reschedule the January Budget Work Session from January 21, 2019 to January 31, 2019 at 6:00 p.m.” MOTION CARRIED (7-0).
- Marijuana Regulations Update. The quarterly update was included in the packet.
- Water & Sewer Funding Opportunity. The Sewer Revolving Fund (SRF) and Drinking Water Revolving Fund (DWRP) Programs were used for portions of the multi-year street project. Rates have been lowered on these low interest loans and Staff has a strong sense that debt forgiveness may also be included. The State is pushing hard for communities to take advantage of these programs. More information will be provided in the Friday Update and at the January 28, 2019 meeting.
- Reminder of the Annual Chamber Dinner scheduled for January 24, 2019.

15. OLD BUSINESS

- Member Lobur questioned if staff has received many calls on the elimination of the 2019 calendar. City Manager Charles will include a report in the Friday packet.

16. NEW BUSINESS

- None.

17. EXECUTIVE SESSION – LABOR NEGOTIATIONS & PENDING LITIGATION

- 7:55 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss pending litigation in the matter of Rutherford vs City of Howell and 1220 Byron Road MTT case.” Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).
- 8:23 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To reconvene the regular meeting.” MOTION CARRIED (7-0).
- MOTION by Ellis, SUPPORT by Lobur, “To approve the Release and Settlement Agreement in the case of Rutherford vs. City of Howell and authorize the Mayor to sign the agreement.” MOTION CARRIED (7-0).
- MOTION by Ellis, SUPPORT by Mulvahill, “To approve the settlement agreement in the MTT Docket No. 17-002143, 1220 Byron Road LLC as follows: 4717-26-400-039 TCV \$122,430, TV \$61,215 for 2017 and TCV \$125,000, TV \$62,500 for 2018.” MOTION CARRIED (7-0).

- 8:25 p.m. MOTION by Ellis, SUPPORT BY Mulvahill, “To adjourn to Executive Session to discuss labor negotiations and to conduct the City’s Manager’s Evaluation.” A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).
- 9:37 p.m. MOTION by Ellis, SUPPORT by Ambrose, “To reconvene the regular meeting.” MOTION CARRIED (7-0).

18. ADJOURN

MOTION by Ellis, SUPPORT by Ambrose, “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