

Regular Meeting of the Howell City Council
Thursday, January 31, 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, DPW Operations Manager Mike Luce, Assessor Ashley Winstead, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, Cemetery Supervisor Jason McClanahan, Alex Smith, Kathy Zaenger, Paul Rogers, Hunter Allen, Mike Hall, Cheryl Hall, Jim Steaklon, Brent Earl, Doug Swatosh, Fadi Kajy.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the regular meeting of the City Council held January 14, 2019.” MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the executive session of the City Council held January 14, 2019.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- City Manager Charles reported on the CIRAB meeting held January 31, 2019. Held a positive conversation revisiting issues dealing with rate structure, concerns with flow characteristics and potential updates on the WWTP. Another meeting is scheduled for February 5, 2019.
- Member Manor reported on the recent Brownfield Redevelopment meeting. The Board was introduced to the concept of a complete rehabilitation of the Pearl Building. Jeff Doyle reviewed their proposed investment to rebuild the facility including adding back the 3rd floor of the building destroyed by fire in

1937. The project is proposed as an Obsolete Rehabilitation under the Brownfield Act to offset the cost of significant investment.

- Member Manor reported the Transportation Master Plan study is near completion in terms of their report and the coalition will hold the final public input open house on February 19, 2019. Member Manor reviewed the essential elements of the plan and urged Council members and the public to attend.
- Member Manor also reported on the SEMCOG Executive Committee meeting. They discussed the economic development strategy, and construction of the new international Gordie Howe Bridge scheduled for completion in 2024; approved an amendment to the transportation plan to include engineering for reconstruction of Mound Road.
- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held January 15, 2019. Reelected officers to the same positions; discussed the Aquatic Center Management Agreement approved by Howell Public Schools retroactive to July 1, 2018; reviewed end of the year financial reports; and the formation status of their charitable foundation.
- Member Lobur reported on the Planning Commission meeting held January 16, 2019. The Redevelopment Ready Community status has now been certified and the official announcement will be made at the February 20, 11, 2019 meeting. Reviewed the building progress at Howell Estates; denied the Special Land Use for 401 E. Grand River (refer to item 9); and reviewed the preliminary plan for a 10 unit mixed development at 904 E. Clinton to include a \$5,000 donation to the Doc May Park on Park Street. Since this is a PUD, it will come to City Council for final approval.
- Mayor Proctor reported on the Howell Area Fire Authority meeting held January 16, 2019. Approved the resolution opting out of PA 152 for the 2019 plan year and heard a report from the fundraising efforts of 9 year old Lucas Vetter to purchase a LUCAS Chest Compression System for the department; \$4,800 has been raised to date. Mayor Proctor also attended the 2018 Fire Authority Awards in the new training facility.
- Mayor Proctor reported on the Livingston County EDC meeting held January 22, 2019. Heard a presentation from Lowry Solutions on their intern program, reviewed the proposed revision to the mission statement and discussed strategic projects.
- Mayor Proctor also reported on the DDA meeting held January 23, 2019. The final project meeting pursuant to the Great American Main Street Award will be held February 11, 2019, 10:00 am at Frontal Lobe. Discussed the Rental Subsidy program with Lake Trust, new legislative changes requiring DDAs to host 2 informational public meetings per year, and the Applause Awards scheduled for April 25, 2019 at Block Brewery. Also held a preliminary Budget meeting for 2019/2020.

6. COUNCIL CORRESPONDENCE

- Request for Waiver of Boat Launch Fees, Howell High School Bass Fishing Tournament. MOTION by Ellis, SUPPORT by Mulvahill, "To approve the

waiver of boat launch fees on May 1, 2019 for the Howell High School Bass Fishing Tournament.” MOTION CARRIED (7-0).

7. **APPROVED – REQUEST TO RENAME HOWELL CITY PARK**

Paul Rogers referenced the new options on possible sign renderings; the committee is requesting the name of Scofield Park. Mike Hall, 3657 Kipling Circle, reviewed the progression of consistent commitment from the Scofield family starting in 1935 and noted the committee is looking to recognize this deserving family for their impact on the Howell community.

Mayor Proctor stated he has talked to a handful of residents in town who found no objection to renaming a park after the Scofield family however expressed concern with renaming the main City Park. Member Lobur indicated she has talked to many residents regarding the renaming of the City Park and has given it a lot of thought. Ms. Lobur read a prepared statement expressing her reservations on the permanent decision to rename the City’s 30-acre gem and questioned if the committee had given any thought to another park for the family memorial. Member Greene questioned if there may be other deserving families however talked to some of the committee members to learn more about the Scofield family and noted the request has met the criteria of the Naming Policy. He would like to have the City of Howell in the name.

Mayor Proctor stated there is a precedence to rename parks in the City and suggested Council first decide if they were in favor of renaming the City Park in honor of the Scofield’s.

MOTION by Ellis, SUPPORT by Greene, “To designate the Howell City Park in honor of the Scofield family with the final name to be determined at a later date.” A roll call vote was taken. Lobur – no, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (6-1). Discussion followed on the options for wording on the new sign. Staff will work with the committee to refine the sign design and bring back a recommendation at the next meeting. Mr. Rogers thanked the Council stating he truly appreciated the approval and recognizes that it was difficult decision.

8. **DISCUSSED – CITY PARK PAVILION RENTAL RATES**

Council reviewed the research gathered by Finance Director Stanislowski on other pavilion rental rates in the area as well as the cost provided by staff to facilitate the rentals. From the information presented the revenues cover the expenses and the rental fees are higher than other rates in the area. DPS Director Suida stated the costs presented do not include maintenance/improvements to pavilions or replacement of equipment (picnic tables, grills, etc.). MOTION by Manor, SUPPORT by Greene, “To keep the pavilion rental rates the same for the next 12 months and direct the Recreation Authority to examine the possibility of a security deposit system”. MOTION CARRIED (7-0).

9. **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 the March 11, 2019 City Council meeting.” Attorney Doug Swatosh, representing the property owner, apologized for missing the Planning Commission meeting indicating there was a mix up on dates and requested they be allowed to continue the appeal process with the Board of Zoning Appeals. MOTION CARRIED (7-0).
10. **APPROVED – CIVIC EVENT APPLICATION, RIDE TO REMEMBER, MAY 18, 2019**
MOTION by Ellis, SUPPORT by Lobur, “To approve the Civic Event application submitted by Rolling Thunder Chapter 5 for Ride to Remember scheduled for May 18, 2019 incorporating staff comments and contingent upon receipt of certificate of insurance.” MOTION CARRIED (7-0).
11. **APPROVED – WATER & SEWER SYSTEMS, PROPOSALS FOR ENGINEERING SERVICES**
A. DWRP Project Plan. MOTION by Ellis, SUPPORT by Lobur, “To approve the proposal as submitted by Hubbell, Roth & Clark to complete the required Project Plan for DWRP funding for an amount not to exceed \$40,930.” Discussion followed on the need for the improvements, and the shift in dynamics from the MDEQ on the low interest infrastructure loan programs. DPS Director Suida noted the projects are included in the short term capital improvement plan. MOTION CARRIED (7-0).

B. SRF Project Plan. MOTION by Manor, SUPPORT by Ellis, “To approve the proposal as submitted by Hubbell, Roth & Clark to complete the required Project Plan for SRF funding for an amount not to exceed \$30,000.” MOTION CARRIED (7-0).
12. **APPROVED – ORDINANCE NO. 921, MICRO ALCOHOL PRODUCTION FACILITIES**
MOTION by Lobur, SUPPORT by Mulvahill, “To adopt Ordinance No. 921, an ordinance to modify the definitions for micro alcohol production facilities in the City of Howell.” MOTION CARRIED (7-0).
13. **APPROVED – RESOLUTION NO. 19-01, BUDGET AMENDMENTS**
MOTION by Manor, SUPPORT by Ellis, “To adopt Resolution No. 19-01, Budget Amendments. MOTION CARRIED (7-0).
14. **APPROVED – 2019 SEMCOG MEMBERSHIP**
MOTION by Manor, SUPPORT by Ellis, “To approve the 2019 SEMCOG membership dues in the amount of \$1,223.” MOTION CARRIED (7-0).

15. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Lobur, “To approve the payment of bills ending January 28, 2019 in the amount of \$401,940.20 and payroll to cover the period ending February 2, 2019.” Mayor Proctor questioned RediCare. Member Mulvahill questioned Gracon, ESRI, Fifer Investigations, First Advantage, and Howell Soft Cloth Car Wash. MOTION CARRIED (7-0).

16. CITY MANAGER’S REPORT

- Reschedule Budget Work Session. MOTION by Ellis, SUPPORT by Ambrose, “To reschedule the January Budget Work Session from January 31, 2019 to February 4, 2019 at 6:00 p.m.” MOTION CARRIED (7-0).
- Commended DPW and Police for handling the recent snow storm, WWTP staff for manning the Dam Site Lift Station round the clock when 2 pumps went out, as well as all other City staff for braving the heat dial downs pursuant to the Consumer Energy crisis. City Manager Charles stated he is constantly amazed by the dedication of every City employee.
- An emergency authorization may be needed to replace the pumps at the Dam Site Lift Station.
- Mayor Proctor stated the City of Howell has the best municipal staff in the State.

17. OLD BUSINESS

- Member Mulvahill questioned the status of park land dedication on a portion of Howell Memorial Cemetery, improvements to the old post office building, construction on the old flower shop on S. Walnut, and requested the welcome sign on W. Grand River be straightened in the Spring.
- Mayor Proctor questioned the status of the fence on Fowler Street and the request for increased parking limits discussed at the last meeting.

18. NEW BUSINESS

- Member Ambrose commented on the training for new officials she attended noting the legalities of posting on social media in relation to the open meetings act.

19. EXECUTIVE SESSION – PENDING LITIGATION, ATTORNEY CLIENT COMMUNICATION, LABOR NEGOTIATIONS & CITY MANAGER’S EVALUATION

- 8:41 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss pending litigation in the matter of Kroger MTT case, Heart of Howell MTT case, Attorney Client Communication, Labor Negotiations, and City Manager’s evaluation.” Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).
- 10:35 p.m. MOTION by Mulvahill, SUPPORT by Ellis, “To reconvene the regular meeting.” MOTION CARRIED (7-0).
- MOTION by Ellis, SUPPORT by Mulvahill, “To agree to the new valuation for Kroger, MTT Docket 18-001799 parcel 4717-25-102-010 for tax year 2018 as

follows: TCV \$1,716,000, SEV/TV \$858,000; and approve as to form a no interest clause, payment of refund within 60 days of the date of judgement and Kroger's promise not to appeal the 2019 taxes for the real property and the vertical improvements on the real property for parcel 4717-25-102-010." MOTION CARRIED (7-0).

- MOTION by Lobur, SUPPORT by Ellis, "To approve the settlement recommendation for MTT Docket No. 18-002059, Heart of Howell as follows for 2018: 4717-96-000-008, TCV \$740,400, SEV/TV \$370,200; 4717-96-000-089, TCV \$75,000, SEV/TV \$37,500." MOTION CARRIED (7-0).
- Motion by Greene, SUPPORT by Mulvahill, "To approve the Sixth Amendment to Purchase Agreement with Branoff Randle Real Estate Partners, LLC extending the agreement for 45 days expiring March 15, 2019." MOTION CARRIED (7-0).
- MOTION by Manor, SUPPORT by Ellis, "To approve the Tentative Agreement with POAM for the contract term of January 1, 2019 – December 31, 2022." MOTION CARRIED (7-0).
- MOTION by Mulvahill, SUPPORT by Lobur, "To approve the Tentative Agreement with TPOAM Group A for the contract term of January 1, 2019 – December 31, 2022." MOTION CARRIED (7-0).
- MOTION by Manor, SUPPORT by Ellis, "To approve the Tentative Agreement with TPOAM DPW for the contract term of January 1, 2019 – December 31, 2019 pending ratification by the employee group." MOTION CARRIED (7-0).
- MOTION by Manor, SUPPORT by Ellis, "To defer continuation of the City Manager's annual evaluation until the February 11, 2019 meeting due to the lateness of the meeting". MOTION CARRIED (7-0).

18. ADJOURN

MOTION by Ellis, SUPPORT by Greene, "To adjourn the regular meeting of the City Council at 10:43 p.m." MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk