

**Regular Meeting of the Howell City Council**  
**Monday, March 11, 2019**  
**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: 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: Deputy Police Chief Scott Mannor, DPS Director Erv Suida, Community Development Director Tim Schmitt, Finance Director Catherine Stanislawski, WTP Operations Manager Jim Webster, Assessor Ashley Winstead, IT Director Mike Pitera, Project Technician Matt Davis, Alex Smith, Caron Davis, Tom Richardson, Marcia Gebarowski, 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 February 25, 2019.” MOTION CARRIED (7-0).

MOTION by Lobur, SUPPORT by Ellis, “To approve the minutes of the work session of the City Council held March 4, 2019.” MOTION CARRIED (7-0).

**4. CITIZENS’ COMMENTS**

- None.

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

- Mayor Proctor reported on the March 5, 2019 CIRAB meeting. Reviewed and updated the cost allocation for sewer service to Marion Township. A summary will be prepared and presented to City Council and the Marion Township Board for approval. The next meeting is March 18, 2019.
- Mayor Proctor reported on the February 27, 2019 DDA meeting. The Applause Awards are scheduled for April 25, 2019 at Block Brewery. There will not be a March meeting due to the National Main Street conference in Seattle. Reviewed upcoming special events for the Spring/Summer season; the first meeting of the working group held to develop future goals for downtown to

build on the Great American Main Street Award; and potential grant opportunities for pop up huts to provide entrepreneurs with a temporary space to set up shops on a trial basis.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **PUBLIC HEARING – STATE STREET RECONSTRUCTION PROJECT, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Mayor Proctor opened the public hearing at 7:08 p.m. Community Development Director Schmitt stated this was the first of two public hearings required for the CDBG project in the amount \$1,729,129 for complete reconstruction of State Street two adjacent alleys, rehabilitation of water/sewer/storm sewer lines, streetscape enhancement with burial of utility lines, and festival street design. A draft of the environmental assessment has been completed and the plans are out to bid. This project is 90% funded by grant dollars which have been pre-authorized. Member Manor stated he was pleased and excited the City has been able to secure this investment for the community, and thanked Community Development Director Schmitt for all his work on the grant.

The floor was opened for public comment; there was no response. Mayor Proctor closed the public hearing at 7:12 p.m.

8. **APPROVED – AUTHORIZING RESOLUTION NO. 19-04, STATE STREET RECONSTRUCTION PROJECT, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

MOTION by Lobur, SUPPORT by Ellis, “To adopt Resolution No. 19-04, Authorizing Resolution for the Community Development Block Grant Application for the State Street Area Reconstruction project, designating Mayor Nickolas Proctor as Certifying Officer and authorize him to sign all necessary paperwork.” MOTION CARRIED (7-0).

9. **PRESENTATION – LIVINGSTON COUNTY ECONOMIC DEVELOPMENT COUNCIL**

Marcia Gebarowski, Director of Business Development (Ann Arbor Spark), presented the 4<sup>th</sup> quarter 2018 update for the Livingston County Economic Development Council. The relationship with Ann Arbor Spark was formed in 2011 to promote regionalism; two representatives from Ann Arbor Spark work locally in Livingston County under an operating budget of \$384,000. Ms. Gebarowski reviewed accomplishments in the four main areas; business engagement, turnkey project management, talent service & solutions, and community assistance. Eighty percent of Spark’s business development successes are a result of retention projects. Since 2012 they have worked on six projects in the City of Howell with \$77.4 million in new investment and 205 new job commitments.

10. **APPROVED – CIVIC EVENT APPLICATION, 2019 FARMERS MARKET**  
MOTION by Ellis, SUPPORT by Mulvahill, “To approve the Civic Event application submitted by the Howell Area Chamber of Commerce for the 2019 Farmers Market scheduled for every Sunday, May through October, incorporating staff comments and contingent upon receipt of certificate of insurance.” Discussion followed on the logistics for the market with the construction schedule for State Street. MOTION CARRIED (7-0).
  
11. **POSTPONED – DANGEROUS BUILDING PROCEEDINGS, 401 EAST GRAND RIVER**  
MOTION by Ellis, SUPPORT by Ambrose, “To postpone dangerous building enforcement action on 401 East Grand River until the May 6, 2019 City Council meeting.” Community Development Director Schmitt noted staff is ready to proceed with proceedings if the parameters of the BZA approval are not met. Property owners are working with an architect however building permits have not yet been secured; once issued they will have 180 days under the building permit deadline and the Building Official will be under no obligation to extend the permit if reasonable progress has not been made. MOTION CARRIED (6-1). Member Mulvahill opposed.
  
12. **APPROVED – RESOLUTION NO. 19-05, SCHEDULE PUBLIC HEARING FOR DWRF PROJECT PLAN**  
MOTION by Lobur, SUPPORT by Ellis, “To schedule a public hearing for the DWRF Project Plan for April 22, 2019.” DPS Director Suida stated if the submittal is successful, the City will be eligible for funding through 2024. The critical water system improvements in the project plan include Water Main replacement on Grand River, Clinton and National as well as Water Treatment Plant & well improvements totaling \$8.9 million. Funds borrowed under the 2% low interest rate loan program will be broken up into three separate units with debt payments based on the amount drawn. A savings of \$18,000 per year on interest is projected per million borrowed. Rate adjustments totaling \$1.45 per 1,000 gallons over the five year period are estimated. MOTION CARRIED (7-0).
  
13. **APPROVED – PERSONNEL POLICIES MANUAL AMENDMENT, MICHIGAN PAID MEDICAL LEAVE ACT**  
MOTION by Ellis, SUPPORT by Mulvahill, “To approve the amendments to the City of Howell Personnel Policies Manual to incorporate the requirements of Michigan’s Paid Medical Leave Act effective March 29, 2019.” MOTION CARRIED (7-0).
  
14. **APPROVED – AMENDMENT TO FOIA PROCEDURES & GUIDELINES AND PUBLIC SUMMARY**  
MOTION by Lobur, SUPPORT by Ambrose, “To adopt the revised FOIA Procedures & Guidelines and Public Summary incorporating changes pursuant to Public Act 523.” MOTION CARRIED (7-0).

**15. AWARD BIDS/PURCHASES:**

A. WTP Lab Countertop Replacement, FCI Group, \$15,894. MOTION by Ellis, SUPPORT by Mulvahill, "To approve the contract with FCI Group LLC of Linden Michigan for the lab countertop replacement for a cost not to exceed \$15,894." It was noted that Epoxy Resin is the recommended material for the chemicals used in the plant. MOTION CARRIED (7-0).

B. WTP Dehumidifier/Furnace Replacement, Temperature Service, \$91,248. MOTION by Manor, SUPPORT by Ellis, "To approve the contract with Temperature Service, Inc. of Troy Michigan for replacement of the plant dehumidifier and furnace at the Howell Water Treatment Plant for a cost not to exceed \$91,248." MOTION CARRIED (7-0).

**16. APPROVED - PAYMENT OF BILLS**

MOTION by Ellis, SUPPORT by Mulvahill, "To approve the payment of bills ending March 11, 2019 in the amount of \$768,611.14 and payroll to cover the period ending March 16, 2019." Member Ellis questioned Abe's Auto Glass; Member Ambrose questioned ASCAP & State of Michigan (USDA Wildlife Services); Member Lobur questioned First Impression Print. MOTION CARRIED (7-0).

**17. CITY MANAGER'S REPORT**

- Will not be in attendance for the March 25, 2019 City Council meeting.
- Participated in a Brighton Chamber event with Mayor Proctor discussing the fiscal stresses being experienced by Michigan communities.
- DDA staff have completed their survey on parking limits for Parking Lot #4; staff will bring forward a report.
- The proposed 2019/2020 budget is scheduled to be delivered to City Council on April 8<sup>th</sup>. Requested input on date preferences for the budget work sessions and indicated a doodle calendar will be sent out; staff would also like to offer a separate work session on budget basics.
- Communicated a problem with the subcontractor hired to replace materials in the water filters at the water treatment plant. Staff has identified a relatively cost effective solution; potential action may be presented in the future. The subcontractor has been dismissed.

**18. OLD BUSINESS**

- Member Ellis requested an update on the status of Mark's Coney Island. Community Development Director Schmitt indicated they are relatively close to completion.
- Mayor Proctor questioned the status of the moratorium on Group Housing. City Manager Charles indicated staff will be reviewing the initial report completed by Carlisle Wortman and consider options in the next couple weeks.

**19. NEW BUSINESS**

- Member Lobur announced that April is Child Abuse Prevention month and requested the placement of pinwheels on City Hall property. The request will be considered at the March 25, 2019 meeting.
- Mayor Proctor reported the Howell Rotary Club raised over \$1,200 for Big Brothers/Big Sisters.
- Member Manor stated the Livingston County Board of Commissioners are hearing a presentation on the Transportation Master Plan at their meeting tonight and encouraged Council members to express their support for approval of the plan noting it was comprehensive and affordable. Mayor Proctor requested permission to mention Howell City Council in his letter of support to Chairman Parker. Council concurred.

**20. EXECUTIVE SESSION – ATTORNEY CLIENT COMMUNICATION & LABOR NEGOTIATIONS**

- 8:27 p.m. MOTION by Ellis, SUPPORT by Greene, “To adjourn to Executive Session to discuss an attorney client communication and labor negotiations.” Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).
- 9:09 p.m. MOTION by Manor, SUPPORT by Ellis, “To reconvene the regular meeting.” MOTION CARRIED (7-0).
- MOTION by Manor, SUPPORT by Ellis, “To direct the City Manager to execute a 90 day extension to the Purchase Agreement with Branoff Randle Real Estate Partners expiring June 13, 2019.” MOTION CARRIED (7-0).
- MOTION by Manor, SUPPORT by Ellis, “To approve the Tentative Agreement with COAM for the contract term of January 1, 2019 – December 31, 2022.” MOTION CARRIED (7-0).

**21. ADJOURN**

MOTION by Ellis, SUPPORT by Greene, “To adjourn the regular meeting of the City Council at 9:11p.m.” MOTION CARRIED (7-0).

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Nick Proctor, Mayor

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Jane Cartwright, City Clerk