

Regular Meeting of the Howell City Council
Monday, May 20, 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, and Mayor Nick Proctor.

Council Member Absent: Steven Manor

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, WWTP Operations Manager Mike Spitler, IT Director Mike Pitera, Project Technician Matt Davis, Cemetery Supervisor Jason McClanahan, WTP Operations Manager Jim Webster, John & Caron Davis, Tom Richardson, Steve Morgan, John Ditri, Alex Smith, Sami Greene, Scott & Soraya Kaiser, Andrew Kitchum, Tracy Stromer, Robert Rodriguez, Nikki Kamienski, Kristin Hoyes.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ambrose, SUPPORT by Mulvahill, “To approve the minutes of the regular meeting of the City Council held May 6, 2019.” MOTION CARRIED (6-0).

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the minutes of the executive session held May 6, 2019.” MOTION CARRIED (6-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Proctor reported on the Planning Commission meeting held May 15, 2019. Recommended approval of the PUD Agreement and final site plan for Town Commons; multiple comments were received from citizens regarding

lack of communication with the developer which should be resolved prior to final approval by City Council. Held a public hearing and approved a SLU for digital signage at McDonalds Restaurant, 2205 W. Grand River. The Commission also approved the 2019-2025 Capital Improvement Plan, and the site plan extension for 309 E. Grand River; and denied the lot split for 1360 Lakeside.

- Mayor Proctor reported on the Howell Area Fire Authority meeting held May 15, 2019. Adopted the resolution to approve the naming of the new training room in honor of former Fire Chief James D. Reed which was presented at the May 19, 2019 Open House.

6. **COUNCIL CORRESPONDENCE**

- None.

7. **PRESENTATION – VOYAGER ELEMENTARY RECYCLING**

Ms. Kristin Hoyes, Second Grade Teacher from Voyager Elementary, and her students presented their research on the environmental hazards produced by the large amounts of trash in the United States, requested recycling in the community and outlined the benefits of reducing the huge amounts of trash thrown away each day.

DPS Director Suida gave a brief presentation on the current programs the City of Howell offers to promote the 3 R's, Reduce-Reuse-Recycle, in the community. He reviewed the curbside single source recycling offered twice per month for all City residents, the support provided to Recycle Livingston for the past 30 years, downtown compactors for cardboard recycling, Simple Recycling curbside collection for clothes/shoes/household items, and participation with the Livingston County Solid Waste Department. DPS Director Suida also referenced the recycling market saturation noting it currently costs more to recycle than landfill which makes the reduce and reuse aspects even more important. He also expressed concern with contamination of recyclable products; the most common cause being pizza boxes and plastic bags mixed in the load, and encouraged the students to help educate users on the proper way to recycle to avoid potential contamination.

Mayor and Council thanked the students for their work and the information provided.

8. **APPROVED – CIVIC EVENT APPLICATIONS:**

A. Pink Party, June 13, 2019. MOTION by Ellis, SUPPORT by Lobur, "To approve the Civic Event application submitted by Diana Biermann for the Pink Party scheduled for June 13, 2019 incorporating staff comments, and contingent upon receipt of insurance, and to authorize the hanging of pink bows on the light posts after 6:00 p.m. on Memorial Day with removal of the bows immediately following the event." MOTION CARRIED (6-0).

B. Melon Festival, August 15-18, 2019. MOTION by Ellis, SUPPORT by Mulvahill, "To approve the Civic Event application submitted by the Howell Area Parks & Recreation Authority for the 59th Annual Melon Festival scheduled for August 15-18, 2019 and to authorize amplified music under Section 652.06(c)(5) from 5:00 pm to 12:00 am in the festival tent only, incorporating staff comments and contingent upon receipt of insurance, written approval from First Presbyterian Church for the early closure of S. Center Street, submission of Mobile Food Vendor applications and inspection prior to opening, and MDOT approval for the closure of Grand River." MOTION CARRIED (6-0).

9. **APPROVED – MML EXECUTIVE SEARCH SERVICES**

Kathie Grinzinger, MML Lead Executive Recruiter, presented an overview of their executive search services and stressed that selecting the next City Manager is the most important thing the City could do for their future. MML has been in the search business for 20 years and has created a best practices process that is continually evaluated. Search facilitators are hand-picked by the League and she has 35 years of experience working in many aspects of local government. The services include building a profile of the community based on Council and staff input, and could also include input from community stakeholders as an option. Their search includes a national outreach, they concentrate on character attributes, and develop a matrix for screening and interview strategy/questions. All applications are received, reviewed and rated by MML in confidence using an extensive screening process; they will also assist in the conditional offer of employment and extensive background investigation for a base fee of \$17,000. Another optional service is providing for a meet and greet forum with candidates. The process normally takes 120 days. Discussion followed on optional services. Ms. Grinzinger indicated the meet and greet forum would probably be the most beneficial option for Council to consider and it could be added at a later date. MOTION by Mulvahill, SUPPORT by Greene, "To approve the Executive Search Proposal from Michigan Municipal League for the base amount of \$17,000." MOTION CARRIED (6-0).

10. **APPROVED – APPOINTMENT OF INTERIM CITY MANAGER**

MOTION by Ellis, SUPPORT by Mulvahill, "To approve the Memorandum of Understanding for the appointment of Ervin J. Suida as the Interim Howell City Manager for the period of June 15, 2019 through December 31, 2019 incorporating all terms and conditions contained therein." Council discussed the level of additional salary and if an intern could be used to assist with the added duties. Mayor Proctor noted his confidence with staff and indicated this was an opportunity for everyone to step up including the City Council. MOTION CARRIED (6-0).

11. **DISCUSSED – UNSAFE BUILDING PROCEEDINGS, 401 E. GRAND RIVER**

MOTION by Ellis, SUPPORT by Ambrose, "To cancel the Unsafe Building Proceedings hearing for 401 E. Grand River Avenue." Council discussed their lack of confidence in the owners to complete the project based on their past practice and questioned if postponing the hearing instead of cancelling the hearing might be a

better solution. Community Development Director Schmitt noted the unsafe building conditions no longer exist given the repairs already completed. The construction schedule should only be 6 to 8 weeks depending on weather conditions. MOTION CARRIED (6-0).

12. **DISCUSSED – UNSAFE BUILDING PROCEEDINGS, 511 E. SIBLEY**
MOTION by Ellis, SUPPORT by Mulvahill, “To direct the City Attorney to file necessary Court action to compel compliance with the Building Official’s Notice of Unsafe Building dated April 4, 2019, for the property at 511 E. Sibley.” MOTION CARRIED (6-0).
13. **DISCUSSED – DOWNTOWN TRASH CONTAINERS**
DPS Director Suida reviewed the history of discussions with the DDA and research with other communities relating to the idea of reducing and relocating the trash receptacles downtown. The City currently utilizes Advanced Disposal as a paid service to empty downtown containers twice per week. By reducing the number of trash containers from 47 to 10, and placing them at locations to serve pedestrians, City staff already working in the downtown can service them on a daily basis. This process is expected to increase aesthetics and reduce maintenance costs, as well as make it easier to regulate and monitor the service. Staff will meet and discuss the proposed changes with the downtown businesses that generate a large amount of waste. Council concurred with the process.
14. **APPROVED – RESOLUTION NO. 19-13, NOTICE OF INTENT, SEWAGE DISPOSAL SYSTEM REVENUE BONDS, SERIES 2019 (SRF PROJECT)**
MOTION by Ambrose, SUPPORT by Ellis, “To adopt Notice of Intent Resolution No. 19-13, Sewage Disposal System Revenue Bonds, Series 2019 (State Revolving Fund Project) for an amount not to exceed \$16.5 million.” MOTION CARRIED (6-0).
15. **APPROVED – RESOLUTION NO. 19-14, EXTEND OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE NO. 3-16-0044, ABERRANT ALES**
MOTION by Mulvahill, SUPPORT by Greene, “To adopt Resolution No. 19-14 to modify the previously approved Obsolete Property Rehabilitation Act application from CDG Holding LLC, extending the timeframe for the abatement to twelve years for the property at 219 W. Grand River (parcel ID#4717-36-307-070).” City Manager Charles indicated the business owner is aware of the action. MOTION CARRIED (6-0).
16. **APPROVED – ORDINANCE NO. 923, CLINTON PLACE PUD**
MOTION by Lobur, SUPPORT by Mulvahill, “To adopt Ordinance No. 923 to rezone the property at 904 E. Clinton Street from B2 General Business to Planned Unit Development (PUD), the Planned Unit Development Agreement dated April 1, 2019, and the Final Site Plan for Clinton Place dated April 5, 2019, to allow the construction of a 10 unit, age limited, residential development on the site.” Steve

Morgan, representing the applicant, stated he has never worked with a more helpful group of City staff in his life. There was no bureaucracy to deal with; staff was firm to adhere to the City guidelines however did everything they could to help the applicant and the public through the process which was refreshing. MOTION CARRIED (6-0).

17. **APPROVED – ORDINANCE NO. 924, DONATION BINS**
MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Ordinance No. 924, an ordinance to establish standards for donation bins in the City of Howell.” MOTION CARRIED (6-0).
18. **APPROVED – PROPOSAL FOR CONSTRUCTION ENGINEERING, DAM SITE LIFT STATION**
MOTION by Ellis, SUPPORT by Mulvahill, “To approve HRC’s Dam Site Pump Station Proposal for Construction Engineering Services not to exceed \$30,000.” This proposal covers the second phase of engineering required for the construction process. MOTION CARRIED (6-0).
19. **APPROVED – PROPOSAL FOR SIDEWALK REPAIRS/MAINTENANCE**
MOTION by Ellis, SUPPORT by Mulvahill, “To authorize City staff to contract with Precision Concrete Cutting of Holland Michigan to perform trip hazard removals for a cost of \$55 per fix, not to exceed \$15,000 for fiscal year 2018/2019.” MOTION CARRIED (6-0).

MOTION by Lobur, SUPPORT by Ellis, “To authorize City staff to contract with Precision Concrete Cutting of Holland Michigan to perform trip hazard removals for a cost of \$55 per fix, not to exceed \$15,000 for fiscal year 2019/2020.” MOTION CARRIED (6-0).
20. **APPROVED – SALARY ADJUSTMENT, CITY ASSESSOR**
MOTION by Ellis, SUPPORT by Ambrose, “To approve a three percent increase in salary for Assessor Ashley Winstead from \$63,468 to \$65,638 effective May 26, 2019.” MOTION CARRIED (6-0).
21. **APPROVED - PAYMENT OF BILLS**
MOTION by Ellis, SUPPORT by Ambrose, “To approve the payment of bills ending May 20, 2019 in the amount of \$394,401.31 and payroll to cover the period ending May 25, 2019.” Member Ellis questioned Incident Management Team. Member Lobur questioned Gracon Services. MOTION CARRIED (6-0).
22. **BOARD/COMMISSION APPOINTMENTS:**
Board of Zoning Appeals, Sean Munsey, Erin Britten and David Holmes, terms ending April 30, 2022. MOTION by Lobur, SUPPORT by Ellis, “To approve the appointment of Sean Munsey, Erin Britten and David Holmes to the BZA, terms ending April 30, 2022.” MOTION CARRIED (6-0).

Mayor Proctor stated this was City Manager Charles' last meeting. He has been fortunate to work with a lot of people and has always believed in using listening skills to become educated. He has been a member of City Council since 2013 and he has very strong admiration and respect for City Manager Charles; he has always been very patient and the education he has provided has been invaluable. Mayor Proctor requested that City Council and those in attendance join him in expressing their gratitude.

23. CITY MANAGER'S REPORT

- Congratulated the DDA/Main Street staff with the coordination from City staff, for the successful downtown events; Art Project, Food Truck Rally, sidewalk art and murals.
- The State Street project is well underway. TLS Construction is putting their best efforts forward on this project.
- The PPT Tier 3 payment arrived today in the amount of \$337,329.14. It is currently in the General Fund and can be allocated according to Council's discretion.
- Thanked the Mayor for his kind words and stated it has been an absolute pleasure working with the community and City staff.

24. OLD BUSINESS

- None.

25. NEW BUSINESS

- MOTION by Ellis, SUPPORT by Mulvahill, "To excuse member Steven Manor from the May 20, 2019 meeting, reason stated." MOTION CARRIED (6-0).

26. ADJOURN

MOTION by Ellis, SUPPORT by Mulvahill, "To adjourn the regular meeting of the City Council at 8:53 p.m." MOTION CARRIED (6-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk