

Regular Meeting of the Howell City Council
Monday July 8, 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, Steven Manor, and Mayor Nick Proctor.

Council Member Absent: Michael Mulvahill.

Also Present: Interim City Manager Erv Suida, 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, WTP Operations Manager Jim Webster, IT Director Mike Pitera, WWTP Operations Manager Mike Spitler, Acting DPW Superintendent Matt Davis, David Straub, Jim Glenn, Caron Davis, Tom Richardson.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ellis SUPPORT by Lobur, “To approve the minutes of the work session of the City Council held June 24, 2019.” MOTION CARRIED (6-0).

MOTION by Ellis, SUPPORT by Ambrose, “To approve the minutes of the regular meeting of the City Council held June 24, 2019.” MOTION CARRIED (6-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Manor referenced his written report provided on the County Transportation Plan and the progress on implementation. He encouraged Council members to speak to the County Commissioners to both thank them on the ongoing progress and to strongly urge them to fully implement all of the plan’s recommendations.
- Member Manor referenced his written report provided on the Brownfield Redevelopment Authority meeting held today. This was the second meeting to

discuss the Pearl Redevelopment Project located at 309 E. Grand River & 214 E. Sibley. The project is estimated at \$2,250,000 and the proposed Brownfield Plan would allow the developer to capture the tax increment created by the development for 24 years to pay back eligible expenses in the amount of \$500,000. The current City tax revenue from the property would be frozen at the current amount of \$8,700. At the next Brownfield meeting, held later in July, the board hopes to be in a position to recommend approval of the plan to City Council after holding a public hearing.

- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held June 25, 2019. Reviewed the financial reports for the Authority and Aquatic Center; hired a new Special Events Coordinator and a Marketing Intern; and will be selling the inoperable bus for \$3,000 and continue to use Charter Buses for trip transportation.

6. **COUNCIL CORRESPONDENCE**

- Mayor Proctor referenced the email correspondence from an Oceola Township resident regarding the high boat traffic on Thompson Lake over the holiday weekend. Discussion followed regarding information received by Interim City Manager Suida from the Recreation Authority and Police Department on parking/lake activity and potential options to limit boat access. Council indicated when a new City Manager is in place, they would like to continue discussion on this issue. In the meantime, Council suggested working with the Sheriff's Department on Marine Patrol presence for the next nice weekend. Interim City Manager Suida will respond to the Oceola Township resident.

7. **APPROVED – TOWN COMMONS MAJOR PUD AMENDMENT**

MOTION by Ellis, SUPPORT by Lobur, "To approve the major modification to the Planned Unit Development Agreement and Final Site Plan (plan date: March 14, 2019) application (#19-06) from Mayberry Homes for the vacant property to the north and west of the existing Town Commons development, parcel ID number 4717-26-200-003, to allow construction of Phase two of the development and all necessary infrastructure, subject to the following 7 conditions:

1. The construction shall meet all current, applicable ordinance standards.
2. Each sub-phase shall submit for construction plan review prior to construction and shall meet all applicable standards at the time of the construction.
3. Modification of the plans to meet all applicable ordinance requirements as noted in the Staff and Consultant reviews.
4. Finalization of the Planned Unit Development Agreement for Phase 2.
5. All design standards, requirements, and conditions of approval from the original Town Commons PUD approval shall remain in effect. Where conflicting standards exist, the specific standard outlined in the Phase 2 Development Agreement shall control.
6. Addition of traffic calming measures in Phase 2 to prevent cut through traffic from Henderson Road to M-59.
7. Design and installation of a tot lot in Pere Marquette Park as part of Phase 2A."

David Straub, representing Mayberry Homes, reviewed the approved phasing PUD plan and outlined the proposed improvements for Phase 2 which include bigger homes on larger lots, and the replacement of multifamily townhomes with 75 detached single family homes. The road to the west has also been removed due to wetlands, the park has been relocated to a more central location with mid-block connections, increased open space and pedestrian trails. Mayberry has met with the Town Commons Homeowners Association (HOA) to address their concerns with traffic, separation of exterior colors, and incorporation of a Tot Lot at Pere Marquette Park. They have also committed to ensure an open line of communication with HOA board members. Mayberry is hoping to break ground on 7 of the 23 homes sites in Phase 2A yet this year. Construction of Phases 2B & 2C will be based on community demand. Discussion followed on potential plantings within the utility easement, moving garages from the rear yard location to street access, and the HOA which covers the entire development. MOTION CARRIED (6-0).

8. INTRODUCED – ORDINANCE AMENDMENTS:

A. Ordinance No. 925, Amend Chapter 1610, Fire Prevention Code. Member Ellis introduced Ordinance No. 925 amending Chapter 1610, Fire Prevention Code.

B. Ordinance No. 926, Amend Chapter 1612, Damages/Permits/Fees. Member Lobur introduced Ordinance No. 926 amending Chapter 1612, Damages, Permits & Fees. Council questioned the permit fees for Sprinkler Systems on page 3 and requested the correction on line 33 (\$0.50 per head instead of heads). Attorney Perkins stated the Sprinkler System permit fees were part of the original ordinance. The proposed changes are based on the 2018 International Fire Code.

C. Ordinance No. 927, Amend Chapter 1614, Fireworks. Member Ambrose introduced Ordinance No. 927 amending Chapter 1614, Fireworks. Amendments to this ordinance follow state law which is required for local control.

9. APPROVED – WATER METER CHANGE OUT, NORTH OF GRAND RIVER & EAST OF MICHIGAN

MOTION by Ellis, SUPPORT by Ambrose, “To approve the unit price proposal from Ferguson Waterworks for the hardware and installation of 379 meters in Ward 1 for an amount not to exceed \$130,383.79.” MOTION CARRIED (6-0).

10. APPROVED – RESOLUTION NO. 19-18, UTILITY RATE INCREASES

MOTION by Ellis, SUPPORT by Ambrose, “To adopt Resolution No. 19-18, Utility Rate Increases.” MOTION CARRIED (6-0).

11. APPROVED – RESOLUTION NO. 19-19, DONATION BIN FEE

MOTION by Lobur, SUPPORT by Ellis, “To adopt Resolution No. 19-19, Fees for Collection Bin Permits in the City of Howell setting the fee at \$100 per collection bin.” Community Development Director Schmitt clarified that every bin will be

- required to have its own application and approval. Owners of the collection bins that he has spoken to seem to be in favor of the ordinance to eliminate the extra units that just show up. Both the property owner where the collection bin is located and the bin owner will be notified of violations. MOTION CARRIED (6-0).
12. **APPROVED – MML WORKERS COMPENSATION FUND BOARD OF TRUSTEES**
MOTION by Manor, SUPPORT by Ellis, “To authorize votes to be cast for the 2019 Official Ballot to serve as trustees of the Michigan Municipal League Workers Compensation Fund as presented.” MOTION CARRIED (6-0).”
13. **APPROVED – SALARY ADJUSTMENT, FINANCE DIRECTOR /TREASURER**
MOTION by Lobur, SUPPORT by Ellis, “To approve a 3 percent increase in salary for Finance Director/Treasurer Catherine Stanislawski from \$80,328 to \$83,117 effective July 8, 2019.” MOTION CARRIED (6-0).
14. **APPROVED - PAYMENT OF BILLS**
MOTION by Ellis, SUPPORT by Manor, “To approve the payment of bills ending July 8, 2019 in the amount of \$1,588,921.85 and payroll to cover the period ending July 6, 2019.” Member Ambrose questioned Universal Creative Concepts; Mayor Proctor questioned water usage and escrow refunds. MOTION CARRIED (6-0).
15. **CITY MANAGER’S REPORT:**
- Lead & Copper Rule Testing Update. Outlined the new rules and process for collecting water samples of 5 homes under Tier 1. The City is complying with all requirements of the updated Lead & Copper Rules.
 - Staff met to discuss the allocation of PPT revenue and recommends waiting until September after the annual audit has been completed. The Friday packet will include a list of projects that have been delayed.
 - Pricing for Page Field lighting has been received and staff is also looking at other projects.
 - Staff will be reaching out to the American Legion to discuss the development of a formal agreement on the Memorial Day Parade.
 - Community Development Director Schmitt has spoken to the owner of Marks Coney Island and the owner thinks they will be ready for final inspection by the end of July; the last inspection was conducted on February 14, 2019.
 - The building permit for 401 E. Grand River was supposed to be picked up last week according to the contractor, but was not. Staff will follow up.
 - Thanked the DPW and Police staff for their work on Balloon Festival. Police Chief Basar & Deputy Chief Mannor along with their staff were present all weekend to make sure the event ran smoothly.
 - Member Manor indicated Regal Recycling has been sold. Community Development Director Schmitt stated he has had ongoing discussions with the new owner and has toured their Lansing facility. They are familiar with Brownfield sites and are working on a long term plan, shifting from car

recycling to be an overall metal recycling facility. The new owners purchased the recycling facility only, not the salvage lot. Mayor Proctor referenced his meeting with Ann Arbor Spark and the new owner and stated they are aware of problems with truck traffic.

- Mayor Proctor commended Interim City Manager Suida on his follow up pursuant to Council concerns included in the Friday Packet and his detailed report provided tonight.
- Mayor Proctor commended the community outreach performed by the Police Department at the Balloon Festival noting their assistance with a lost child and stated it was a good example of community policing. He also commended DPW staff for their efforts to facilitate the event.

16. OLD BUSINESS

- Mayor Proctor referenced a few fire hydrants still in need of painting (North Street, Byron near M-59, S. Michigan). Council also questioned the painting of cross walks and bike route markers.

17. NEW BUSINESS

- MOTION by Ellis, SUPPORT by Ambrose, “To excuse Council Member Michael Mulvahill from the meeting.” MOTION CARRIED (6-0).
- Mayor Proctor reported on a meeting with Matthew Mair, Coalition on Bigger Trucks, which is a national effort to restrict large trucks. He requested the Mayor send correspondence to state legislators asking for regulations to reduce the size and weight of trucks, highlighting problems in the City. Council had no objection to the communication.
- Member Manor questioned identifying a process to write a RFP for a potential City/Private development proposal for City property on N. Michigan. Community Development Director Schmitt noted this was one of the ways communities can dispose of property including incorporation of the City’s vision. He suggested consulting with the Planning Commission and using the RRC vehicle noting the entire block is listed as one of the priority sites. A potential project may move forward when presented to the right group. Mayor Proctor indicated when having informal discussions with local developers, downtown parking capacity has been an issue. Discussion followed.

18. ADJOURN

MOTION by Ellis, SUPPORT by Ambrose, “To adjourn the regular meeting of the City Council at 8:26 p.m.” MOTION CARRIED (6-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk