

Regular Meeting of the Howell City Council
Monday August 26, 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: 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 Superintendent Matt Davis, DPW Operations Manager Mike Luce, Assessor Ashley Winstead, Caron Davis, Tom Richardson, Susie Hill, Marcia Gebarowski, Charles Miller, Julie Miller, Bud Scott, Doreen Scott, Jill Rickelmann, Jeff Doyle, Eric Helzer.

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 August 12, 2019.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- None.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Manor distributed information on the SEMCOG campaign “One Water” to promote clean water including bags to pick up dog waste so it doesn’t break down and go into storm water system, and fat trapper bags for collection of grease instead of dumping it down the drain.
- Member Lobur reported on the August 21, 2019 Planning Commission meeting. Received a report from Community Development Director Schmitt on the status of Mark’s Coney Island, the gas station at 401 E. Grand River, and statistics on development projects heard by the Planning Commission & building permits issued. The Commission received an update on the Livingston County Master Plan; approved a special land use application to erect a wall sign at Centerpointe Church of the Nazarene; approved the site plan & special land use application

for 910 S. Michigan (multi-tenant commercial development); and approved the 2020 Planning Commission meeting schedule. The Commission also held a public hearing and recommended approval of the proposed City initiated Transitional Housing ordinance amendment. Discussion followed on the potential parking for the multi-tenant development at 910 S. Michigan and the volume of traffic on S. Michigan. Council suggested a left turn signal on the corner of Mason & Michigan may need to be added to facilitate the traffic volumes in the area. Interim City Manager Suida noted MDOT would require a traffic study and he also suggested incorporating the section from Mason to Grand River.

- Mayor Proctor reported on the Howell Area Fire Authority meeting held August 21, 2019. Discussed and approved the annual 4029 report setting the 2020 tax rate; the annual audit will be performed in September; and the Fire Station Open House will be held October 13, 2019 from 1:00 – 4:00 pm.
- Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held August 20, 2019. Reviewed the financials; the draft 2020 budget will be presented in September; Legend of Sleepy Howell is scheduled for October 19, 2019 and due to the Grand River construction, the event will be located on State & Clinton between Michigan & Barnard. He also reported that Melon Festival went well and next year will be the 60th anniversary of the event; the swim program is 98% full; the soccer program is at capacity with a waiting list and noted there is a shortage of fields.

6. **COUNCIL CORRESPONDENCE:**

A. Reginal Hasenbusch, Request to Remove Trees at 732 E. Washington. MOTION by Ellis, SUPPORT by Lobur, “To authorize staff to post the trees at 732 E. Washington for removal and provide the resident the opportunity to invest in new trees through the Neighborhood Tree Planting Program.” MOTION CARRIED (7-0).

7. **PUBLIC HEARING – BROWNFIELD REDEVELOPMENT PLAN, THE PEARL BUILDING**

Mayor Proctor opened the public hearing at 7:24 p.m.

Community Development Director Schmitt reported the public hearing is statutorily required prior to final local approval by City Council. The Pearl Building redevelopment project has been under review for a couple years and they are now ready to move forward with construction. The Reimbursement Agreement outlines the process on how the developer will recover costs for eligible expenses, and the Interlocal Agreement is required by the State of Michigan when two authorities can capture the same tax dollars; the DDA Board will be required to approve this agreement forgoing their tax capture in favor of the Howell Brownfield Redevelopment Authority to move forward with the project. The notice of public hearing was provided to all taxing authorities, published in the local newspaper, and provided to MEDC and MDEQ. Jeff Doyle, property owner, stated he and his wife purchased the property in 2015; it was built in the 1920’s, and suffered a fire

in 1935. They plan to completely demo the inside, construct a new second floor and partial third story to live in, with additional apartments on the second floor and commercial space on the first floor. Construction is planned to begin early next year with completion in early 2021. Eric Helzer, Advanced Redevelopment Solutions, provided a breakdown on the tax capture and reimbursement noting that 40% of the capture is local taxes. Marcia Gebarowski, Ann Arbor Spark and Howell Brownfield Redevelopment Authority member, indicated the project is leveraging additional state funding programs, and stated that Howell is forward thinking by using this process and the development will help to revitalize the entire block. The project will also be an example to Livingston County on how these types of Brownfield projects are completed.

Mayor Proctor opened the floor for public comment. Susie Hill, 822 Spring, questioned the architectural style of the building.

Mayor Proctor closed the public hearing at 7:36 pm.

8. **APPROVED – PEARL BUILDING REDEVELOPMENT PROJECT:**
 - A. Resolution No. 19-20 Approving the Brownfield Plan. MOTION by Manor, SUPPORT by Ellis, “To adopt Resolution No. 19-20, a resolution to approve a Brownfield Plan for The Pearl Building Redevelopment Project.” MOTION CARRIED (7-0).
 - B. Brownfield Reimbursement Agreement. MOTION by Manor, SUPPORT by Ellis, “To approve the Brownfield Reimbursement Agreement for the Pearl Building Redevelopment Project at 309 East Grand River and 214 East Sibley Street, dated July 29, 2019.” MOTION CARRIED (7-0).
9. **APPROVED – CIVIC EVENT APPLICATION, HOMECOMING PARADE, OCTOBER 4, 2019**

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the civic event application submitted by Howell Schools for the Homecoming Parade scheduled for October 4, 2019 contingent upon receipt of certificate of insurance and MDOT approval for the closure of Grand River Avenue.” MOTION CARRIED (7-0).
10. **DISCUSSED – UNSAFE BUILDING, 715 N. COURT**

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 July 24, 2019, for the property at 715 North Court, 90 days from today to allow the homeowner to complete foundation and exterior renovations, and apply for the building permit for interior renovations.” Community Development Director Schmitt stated staff received plans Friday afternoon to begin renovations to the property. The Building Permit is ready to be issued if City Council grants additional time to begin structural repairs and exterior renovations. Chuck Miller, property owner, indicated his goal was to bring the condition of the property into compliance and fit within the neighborhood. A new

roof was installed in 2016 and he met with multiple contractors last summer. A structural evaluation was completed and he received the engineered plans for the necessary repairs on August 22, 2019. Mr. Miller has also hired general contractor Tony James of Ibach Enterprises to complete the renovations. Council expressed concern and reluctance with the project being completed in a timely manner noting it has been in disrepair for 20 years, however also discussed the historical nature of the house built in the 1870's and would rather see it repaired. The majority of Council agreed with the 90 day delay in Court action to allow the homeowner to complete the structural and exterior repairs, and apply for the building permit to complete interior renovations. MOTION CARRIED (6-1). Member Mulvahill opposed.

11. **DISCUSSED – UNSAFE BUILDING, 504 N. COURT**

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 July 31, 2019, for the property at 504 North Court.” Bud Scott, 6500 Oak Grove Road, indicated his wife acquired the property 13 years ago; the roof was repaired, the exterior was painted and flooring work was completed. When the recession hit, repairs were stopped. A structural engineer completed an analysis in October 2018 and indicated everything is repairable. The house is heated and has electricity however the water is shut off. They also cut the grass and plow the snow. Mr. Scott stated that no contractors have been hired yet however the structural engineer is working on a plan; he requested an extension of 120 days to complete the exterior repairs noting they have the funds needed for the project. Attorney Perkins reviewed the Circuit Court procedures and indicated nothing would be done through the court proceedings until next year. Council discussed the condition of the structure built in 1920, and the time frame for completion, as well as past history of property owners not following through on building projects. Caron Davis, 907 Meadowlark Lane, commented that these were new property owners and the Council should not base their decision on past situations. MOTION by Manor, SUPPORT Ellis, “To postpone action for 60 days on the motion to file Court action on 504 N. Court.” A roll call vote was taken. Greene – yes, Mulvahill – no, Ambrose – yes, Ellis – yes, **Manor – yes**, Lobur – yes, Proctor – no. MOTION CARRIED (5-2).

12. **APPROVED – POLICE OFFICER POSITION**

MOTION by Ellis, SUPPORT by Ambrose, “To authorize staff to begin an early hiring process for a police officer position.” Mayor Proctor noted management needs flexibility due to the lengthy hiring process to minimize gaps in staffing. The approval would use existing funding within the existing authorized budget.” MOTION CARRIED (7-0).

13. **APPROVED - PAYMENT OF BILLS**

MOTION by Lobur, SUPPORT by Ellis, “To approve the payment of bills ending August 26, 2019 in the amount of \$800,285.12 and payroll to cover the period

ending August 31, 2019.” Member Ambrose questioned Northern States Washing & Maintenance and Spartan Barricading. MOTION CARRIED (7-0).

14. CITY MANAGER’S REPORT:

- Schedule Budget Work Session. MOTION by Manor, SUPPORT by Greene, “To schedule a budget work session for September 23, 2019 at 5:00 p.m.” MOTION CARRIED (6-1). Member Mulvahill opposed noting he cannot attend.
- The trip hazard on N. Michigan reported at the August 12, 2019 meeting has been taken care of.
- Staff is working on the issue of pallet storage at Scratch Bakery and will have a report in the Friday packet.
- The State Street project is going well and still on track for a mid-September completion.
- The City’s application for State Revolving Fund has been qualified for 30% debt forgiveness.

15. OLD BUSINESS

- Member Ambrose expressed concern with the on line scheduling system for the water meter replacement program. The process was not working and she received a second notice after calling and scheduling the appointment. Interim City Manager Suida explained that the contractor distributed the 2nd notice door hangers without the City’s knowledge and that process has been corrected.
- Mayor Proctor requested an update on the downtown trash receptacles. Interim City Manager Suida indicated staff has been monitoring and routinely emptying the trash receptacles noting the process seems to be working well.
- Mayor Proctor questioned if Council would have an update on the Highland Howell property soon. City Attorney Perkins stated he will have an update in the next 2 weeks.
- Susie Hill, 822 Spring, mentioned the actions taken on the vacant Court Street houses and questioned why the same process isn’t being done on the National Street properties. Community Development Director Schmitt reported 232 N. National is being rehabilitated after many years, and staff is working on active code enforcement violations at 238 N. National.

16. NEW BUSINESS

- Member Ellis questioned the condition of the flags at Diamonds. Mayor Proctor stated they were replaced today.
- Member Manor referenced the issue of parking violations on the streets with swales, particularly during special events. Visitors violate the parking ordinance and residents that have been ticketed for the same violation get upset. He would like to preserve the swales and suggested the City properly sign the streets in the swale designated areas to assist with enforcement efforts. Member Manor requested staff review and provide a report at the next meeting. Interim City Manager Suida noted the potential cost of specialty signs and requested a delay until the September 23rd meeting. Council concurred.

- Member Ambrose questioned if staff could notify Council if a building had historic significance when unsafe building actions are proposed. She suggested using the Seven Walking Tours of Howell book as a resource. Community Development Director Schmitt indicated the City did complete a ground level survey in the 1980's as part of the Historic District discussion, and also noted that anything over 50 years old is considered historic.

17. **ADJOURN**

MOTION by Lobur, SUPPORT by Mulvahill, "To adjourn the regular meeting of the City Council at 9:13 p.m." MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk