

Regular Meeting of the Howell City Council
Monday January 13, 2020
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, Finance Director Catherine Stanislawski, Deputy Police Chief Scott Mannor, DPW Superintendent Matt Davis, DPW Operations Manager Mike Luce, WWTP Operations Manager Mike Spitler, IT Director Mike Pitera, Assessor Ashley Winstead, Alex Smith, Roger Dresden, Nancy Dresden, Matt Dresden, Caron Davis, Tom Richardson, Dan Brockway, Ann Heins, Doug Heins, Jill Rickelmann, Zachary Ty, Mary Nadeau, Susie Hill, Jane Thierfeldt, Barton Maas, Lynn Gates, Celeste Jeziorski, Mike Jeziorski, Nate Dunham, Chad Parker.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Lobur, SUPPORT by Ambrose, “To approve the minutes of the regular meeting of the City Council held December 19, 2019.” MOTION CARRIED (7-0).

4. CITIZENS’ COMMENTS

- Zachery Ty, 201 E. Grand River, expressed concern that there is no designated parking for residents living above Cleary’s and requested reserved parking for those residents. He also noted a safety hazard and public nuisance concerning loud vehicles racing downtown in the middle of the night. Mayor Proctor noted the municipal lot behind Cleary’s is for public parking and improvements were paid with public funds making it difficult to reserve spaces for private use. Interim City Manager Suida offered to provide parking suggestions. The Police Department will look into the racing problem.

5. **REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS**
 - Member Ellis reported on the Howell Area Parks & Recreation Authority meeting held December 17, 2019. Finances were reviewed and the authority expects to finish the year with a \$30,000 surplus. The Board approved moving forward with the truck purchase previously deferred, and conducted the annual evaluation of the Executive Director.

6. **COUNCIL CORRESPONDENCE:**
 - Howell Public Schools, Request for Waiver of Park Fees for Senior Class Picnic. MOTION by Ellis, SUPPORT by Lobur, “To waive the park & pavilion rental fees for May 20, 2020 from 8:00 am until 2:00 pm as requested by Howell High School for their Senior Class Picnic.” MOTION CARRIED (7-0).

7. **PRESENTATION/APPROVED – RESOLUTION 20-01 HONORING THE 100th ANNIVERSARY OF SCULLY-MONROE INSURANCE AGENCY**

MOTION by Ellis, SUPPORT by Mulvahill, “To adopt Resolution 20-01 Honoring the 100th Anniversary of Scully-Monroe Insurance Agency.” MOTION CARRIED (7-0). Mayor Proctor presented the resolution to Roger, Nancy and Matt Dresden accepting on behalf of Scully-Monroe Agency.

8. **PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT FAÇADE PROJECT CLOSE-OUT**

Mayor Proctor opened the public hearing at 7:11 pm.

Community Development Director Schmitt stated construction has been completed on the façade improvement to First National Bank & Uptown Coffee and the City is in the process of closing out the grant for this very successful project. Council Member Manor stated he really appreciates the dollars that came from the state and federal government; the completed work to First National Bank & Uptown Coffee are phenomenal and deserve a lot of praise. He also noted the possibility of receiving additional grant dollars in the future if building owners are invested in improving their property which in turn improves the downtown. Member Greene noted he was involved in the project through his position at First National Bank and praised Community Development Director Schmitt for all his work on the project, especially the large amount of required paperwork and managing changes throughout the project. The work on the two buildings at the main corner of downtown would not have been possible without the grant dollars. Roger Dresden, 803 E. Grand River, stated he knows of a building that could use grant dollars on S. Walnut.

Mayor Proctor closed the public hearing at 7:14 pm.

9. **APPROVED – CIVIC EVENT APPLICATIONS:**
 - A. Ride to Remember, May 16, 2020. MOTION by Manor, SUPPORT by Ellis, “To approve the civic event application submitted by Rolling Thunder Chapter 5

for Ride to Remember scheduled for May 16, 2020 contingent upon receipt of certificate of insurance.” MOTION CARRIED (7-0).

B. MLK March for Peace, January 20, 2020. MOTION by Ellis, SUPPORT by Lobur, “To approve the civic event application submitted by Cleary University for the MLK March for Peace scheduled for January 20, 2020.” MOTION CARRIED (7-0).

10. DISCUSSED – PROPOSAL FOR SURVEY WORK, FUTURE POST OFFICE PROPERTY

MOTION by Manor, SUPPORT by Ellis, “To accept the surveying proposal from Hubbell, Roth, and Clark for the property at 1211 W. Grand River Avenue for a cost not to exceed \$4,264.40.” Doug Heins, 212 Prospect, submitted a FOIA request to the City Clerk, referenced the Master Plan for W. Grand River and stated if the property is sold to the government, the city loses all zoning control over the property and homes in the area will lose value. The U.S. Postal Service is proposing to create a warehouse and distribution center for Amazon which is not compatible for that area; the property is a wetland and environmental assessment should be completed before spending money on a survey. Lynn Gates 316 Browning, previously questioned the expansion of the fire station and was told that nothing was ever going to happen to that property. Mike Jeziorski, 418 Browning, stated he was always told the property was a wetland; has enjoyed the beauty of the animals and serenity of the historic city for 20 years and this use will be disruptive. Barton Maas, 412 Browning, indicated the water on the property will have to go somewhere, expressing concern that it will probably end up in his backyard or basement and his property values will drop. Nate Dunham, 322 Browning, stated the area was something short of a lake; his backyard is already half underwater and questioned where all the water would go if the property was developed. Chad Parker, 406 Browning, stated he lives in an awesome neighborhood with a lot of kids and wildlife in the area; he is not in favor of a building going up there. Susie Hill, 822 Spring, indicated Prospect is already becoming a go through street, and questioned other property that was considered. Mary Nadeau, 310 Browning, questioned who was paying for the survey, noting she would like to see the U.S. Postal Service pay for the survey. Ann Heins, 212 Prospect, referenced the location of the Brighton post office, and indicated State & Federal government takes pride in preserving wetlands. Interim City Manager Suida indicated the purpose of the survey is to establish property lines to see if the proposed facility will fit there. The property is not a regulated wetland however noted it is very wet. Doug Heins, 212 Prospect, stated that soil boring trucks were on the property last week.

Member Manor withdrew his motion. The City will investigate activity on the property, how the water issue will be addressed and requirements for wetland designation, as well as potential outdoor lighting needs for a proposed facility of this type. Interim City Manager Suida reviewed the process so far noting a public hearing was held in July as requested and required by the U.S. Postal Service if they

are to relocate. Some of the comments made at the public hearing were the preference for the Howell Post Office to remain in the City.

11. APPROVED – AGREEMENT FOR COLLECTION OF SUMMER SCHOOL PROPERTY TAXES

MOTION by Lobur, SUPPORT by Ellis, “To approve the 2020 Agreement for Collection of Summer School Property Tax with Howell Public Schools.” Discussion followed on the cost to perform the service. Finance Director Stanislawski stated charges are consistent for the whole county and the city is already issuing a tax bill. MOTION CARRIED (7-0).

12. APPROVED – APPOINTMENT OF DEPUTY CITY TREASURER & AUTHORIZED CHECK SIGNERS

MOTION by Manor, SUPPORT by Ambrose, “To approve the appointment of Kelly Patterson as Deputy City Treasurer.” MOTION CARRIED (7-0). MOTION by Manor, SUPPORT by Ambrose, “To approve the list of authorized check signers as presented.” MOTION CARRIED (7-0).

13. APPROVED – FULL TIME ADMINISTRATIVE ASSISTANT POSITION

MOTION by Ellis, SUPPORT by Mulvahill, “To authorize staff to replace the part time Administrative Support position with a full time Administrative Assistant to Community Development and City Clerk departments.” City Clerk Cartwright reviewed the analysis, cost breakdown, and advantages of the personnel changes with minimal impact to the General Fund. MOTION CARRIED (7-0).

14. APPROVED - PAYMENT OF BILLS

MOTION by Lobur, SUPPORT by Mulvahill, “To approve the payment of bills ending January 13, 2020 in the amount of \$1,251,594.72 and payroll to cover the period ending January 18, 2020.” Member Mulvahill questioned Genesee County Consortium and TLS Construction. Member Ambrose questioned the refunds of BZA fees & Bisbee Infrared Services. Mayor Proctor questioned a difference in conference fees. MOTION CARRIED (7-0).

15. CITY MANAGER’S REPORT:

- The Annual Chamber Dinner is scheduled for January 23, 2020.
- The City experienced a Sanitary Sewer Overflow this past weekend as a result of the winter rain storm.
- Diamond Chrome Plating has been using an alternative to TCE since December 23, 2019. Michigan Environment Great Lakes & Energy (EGLE) will continue to monitor the process through their air quality permit.

16. OLD BUSINESS

- MOTION by Lobur, SUPPORT by Greene, “To excuse Member Robert Ellis from the December 19, 2019 City Council meeting, reason stated.” MOTION CARRIED (5-1-1). Member Ellis abstained; Mayor Proctor opposed.

- Member Ambrose referenced the January 22, 2020 BZA meeting and confirmed that notices were provided to those who attended the Planning Commission meeting regarding the Padnos Iron & Metal Facility.

17. **NEW BUSINESS**

- None.

18. **EXECUTIVE SESSION – PENDING LITIGATION**

- 8:09 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To adjourn to Executive Session to discuss pending litigation in the matter of Cornerstone RG, LLC v City of Howell MTT case.” Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0).
- 8:42 p.m. MOTION by Ellis, SUPPORT by Mulvahill, “To reconvene the regular meeting.” MOTION CARRIED (7-0).
- MOTION by Mulvahill, SUPPORT by Ellis, “To accept an easement from Cornerstone RG, LLC, to its property described under Tax Code No. 4717-01-100-130 which shall otherwise be connected to the City’s property described under Tax Code No. 4717-01-100-126, with the intent to create access to the City’s property described under Tax Code No. 4717-01-100-125. The specific location and description of the easements will be determined at a later date.” MOTION CARRIED (7-0).
- MOTION by Mulvahill, SUPPORT by Ellis, “To grant an easement over that part of City property, as set out in Tax Code No. 4717-01-100-126, sufficient to allow access by Cornerstone RG, LLC to its property, assigned Tax Code No. 1717-01-100-130. The specific location and description of the easement will be determined at a later date and once drafted, the Mayor and Clerk are authorized to execute the easement.” MOTION CARRIED (7-0).
- MOTION by Mulvahill, SUPPORT by Lobur, “To vacate a current easement in favor of the City back to Cornerstone RG, LLC, the same to be vacated upon the granting of an alternate easement to the City by Cornerstone RG, LLC. The specific location and description of the easements will be furnished to the parties and once drafted, the Mayor and Clerk are authorized to execute the vacation of said easement.” MOTION CARRIED (7-0).
- MOTION by Mulvahill, SUPPORT by Lobur, “To accept the settlement of the Cornerstone RG, LLC v City of Howell tax tribunal matter, contingent upon the approval of the prior three motions being adopted by the plaintiff, by setting the value for the real property for tax year 2019 TCV in the amount of \$310,000, and SEV/TV in the amount of \$155,000, and allow the City Attorney to execute the Consent Judgment on behalf of the City.” MOTION CARRIED (7-0).

19. **ADJOURN**

MOTION by Mulvahill, SUPPORT by Ellis, “To adjourn the regular meeting of the City Council at 8:46 p.m.” MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk