

Regular Meeting of the Howell City Council
Monday May 24, 2021
Electronic Meeting – Live Zoom Webinar
611 E. Grand River Ave.
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 Participating: Jeannette Ambrose, Robert Ellis, Nick Hertrich, Randy Greene, Steve Manor, Mayor Pro Tem Jan Lobur and Mayor Nick Proctor.

Also Participating: City Manager Erv Suida, City Clerk Angela Guillen, City Attorney Dennis Perkins, and Communications Specialist Danica Katnik.

Others Participating: Deputy Police Chief Mike Dunn, Finance Director Catherine Stanislawski, WWTP Operations Manager Mike Spitler, DPW Project Technician Matt Davis, HR Generalist Jamie Helman, Assessor Ashley Winstead, DDA Director Kate Litwin, IT Director Mike Pitera, WTP Operations Manager Jim Webster, Deputy Treasurer Kelly Patterson, Lindsay Spitler, Officer Banfield, D. Fogo, Kathy Proctor, Dan Brockway, Caron Davis, Bobby, Tom, Stephanie Miklos, Alex Clos, MK, Ray Kraft, Sue, Hans Hertrich, Jill Rickelmann, Luke Wilson, Ray Craft, Andy, Jim Glenn and WHMI.

2. PLEDGE OF ALLEGIANCE

Mayor Proctor stated the Howell City Council is meeting electronically as a result of the COVID-19 virus and to protect the health, safety and welfare of citizens and staff from such virus, as allowed by Howell City Council Resolution 21-07 under MCL 15.263a. All members were participating from the City of Howell.

3. APPROVE MINUTES

MOTION by Ambrose, SUPPORT by Greene, “To approve the minutes of the regular meeting of the City Council held May 10, 2021.” A roll call vote was taken. Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes. MOTION CARRIED (7-0).

MOTION by Lobur, SUPPORT by Hertrich, “To approve the executive minutes of the regular meeting of the City Council held May 10, 2021.” A roll call vote was taken. Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).

4. CITIZENS COMMENTS – All Topics

- There were no comments.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Ellis noted two meetings he attended one regarding the budget for the next fiscal year. He explained there were pending applications from Catholic Charities and Pride Alliance that were denied avoiding setting a precedence and only allow events the City is a co-sponsor of. This will ensure content is related to our mission, vision and values. There will be no approval regarding the library grounds. They announced a scholarship received for 2021; updates to sick leave policy due to Covid-19; board of trustees evaluation and annual evaluation of the library director; During the second May 19, 2021 meeting they approved 3.1 million general fund budget for the next fiscal year and because of Headlee roll backs the general fund revenue dropped by about \$100,000.00. There were other funds related to specific projects that are supported by donations and a bond mileage that is being paid off.
- Member Lobur noted the Planning Commission met on May 19, 2021. Richard Carlisle from Carlisle Wortman introduced Paul Montegno who is assisting the City until the Community Development Director vacancy can be fulfilled. There was a special land use approved for 120 W. Highland Road regarding a massage therapy business and that was the conclusion of the meeting.
- Member Ambrose stated HAPRA met May 18, 2021 and they approved a resolution to hire Jennifer Church as a fitness instructor; discussed employee discounts and membership policy; bank statements were satisfactory although numbers were down due to Covid-19; hired a youth services supervisor; applications for the beach are coming slowly; silver sneakers program is up and running; high school pool up and running; Ocoala Community Center parking lot is paved; signage up soon; dirt pile in the back to be removed in the next month and the next meeting is Tuesday, June 15, 2021 at 7pm.
- Mayor Proctor discussed the Howell Area Fire Authority Budget approval; he commended the Fire Authority for the quick, timely and effective response to the Diamond Chrome fire.

6. COUNCIL CORRESPONDENCE – SCOFIELD PARK PAVILLION USE

MOTION by Greene, SUPPORT by Ellis, “To allow Cub Scout Pack 365 to hold their annual end of year picnic on June 5, 2021 waiving the usage and entry fees for the Cub Scout Picnic Event. A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).

7. RETIREMENT ANNOUNCEMENT – SERGEANT FOGO/OFFICER BANFIELD

Deputy Chief Dunn discussed the longevity, accolades, and commitment of service of Sergeant Fogo and Officer Banfield. He recognized their years of service and

wished them well in their retirement and future endeavors. Council Members, Attorney Perkins, and City Manager Suida thanked and wished the retirees well.

8. DISCUSSION/APPROVAL - CITY MANAGER CONTRACT AGREEMENT

MOTION by Ellis, SUPPORT by Lobur, “To approve the City Manager Employment Agreement between the City of Howell and Ervin J. Suida and authorize the Mayor and City Clerk to sign the agreement.” A roll call vote was taken. Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0).

9. DISCUSSION/APPROVAL – ORDINANCE NO. 944 BUDGET STABILIZATION FUND

MOTION by Ambrose, SUPPORT by Hertrich, “To approve Ordinance No. 944, an ordinance to create a budget stabilization fund for the City of Howell. Member Manor discussed the limited spending for this ordinance. A roll call vote was taken. Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).

10. DISCUSSION/APPROVAL – SOCIAL DISTRICT RESOLUTION NO. 21-13

MOTION by Ellis, SUPPORT by Ambrose, “To approve Resolution 21-13 designating a social district containing a commons area and adoption of a Management Plan to allow certain on premises liquor licenses and expanded use of shared areas for consumption of alcohol pursuant to PA 124 of 2020.” Council Members addressed DDA Director Kate Litwin regarding applicants for the social district for participation; clarification on non-alcoholic businesses in the boundary; yearly re-evaluation; funding for signs, year-round participation and restaurants investing in the district. Kate noted the boundaries on the social district map; Special Event Provision only during special events and drinks being in the common area. She further noted the ordinance can be revoked at any time. City Manager Suida explained garbage cans will be monitored with limited hours and days. He further stated Police Chief Mannor approved and provided an educational communication plan. A roll call vote was taken. Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Proctor – yes. MOTION CARRIED (7-0).

11. DISCUSSION/APPROVAL – VACANT PARCEL PROPERTY SALE, VICTORIA PARK

MOTION by Ellis, SUPPORT by Lobur, “To approve the Purchase agreement, contingent upon an extension of the original agreement dated March 22, 2021 to June 15, 2021, the purchase of the other four (4) adjoining lots and the letter from the HOA waiving past dues.” Attorney Perkins stated that the closing on this property has already taken place and this is strictly for the title company. Member Ellis inquired where the funds will go in the budget. A roll call vote was taken.

Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes. MOTION CARRIED (7-0).

12. BOARD/COMMISSION APPOINTMENTS:

A. Board of Zoning Appeals Re-appointment – Jacob Schlittler and Kenneth Keith, terms ending April 30, 2024. MOTION by Hertrich, SUPPORT by Ellis, “To re-appoint Jacob Schlittler and Kenneth Keith, to the BZA Board, term ending April 30, 2024. A roll call vote was taken. Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).

B. Board of Zoning Appeals Appointment – Adam Smiddy, term ending April 30, 2022. MOTION by Ellis, SUPPORT by Hertrich, “To appoint Adam Smiddy to the Board of Zoning Appeals, terms ending April 30, 2022. A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).

C. Howell District Library Appointment – Anthony Kandt, term ending June 30, 2025. MOTION by Lobur, SUPPORT by Ellis, “To appoint Anthony Kandt to the Howell District Library Board, term ending June 30, 2025. A roll call vote was taken. Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0).

13. DISCUSSION/AWARD – SIDEWALK TRIP HAZARD REMOVALS FOR FISCAL YEAR 2020/2021 & 2021/2022

MOTION by Ambrose, SUPPORT by Ellis, “To approve and authorize City Staff to contract with Precision Concrete Cutting of Holland Michigan to perform trip hazard removals for a cost of \$59 per fix , not to exceed \$15,000.00 for fiscal year 2020-2021 and \$15,000.00 for fiscal year 2021-2022.” Council Members inquired about broken sidewalk panels; replacements and determinations for repairing these. A roll call vote was taken. Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).

14. DISCUSSION/APPROVAL – CITY HALL CHILLER REPLACEMENT

MOTION by Ellis, SUPPORT by Hertrich, “To approve and authorize William E. Walter to replace the chiller unit at City Hall, for an amount not to exceed \$84,125.00.” A roll call vote was taken. Hertrich – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Proctor – yes. MOTION CARRIED (7-0).

15. DISCUSSION/APPROVAL – BOUNDARY SURVEY OF FIRE STATION PARCEL

MOTION by Lobur, SUPPORT by Ellis, “To approve and accept the Boundary proposal from Hubbell, Roth, and Clark for the property at 1211 W. Grand River Avenue for a cost not to exceed \$6,250.00.” Resident Stephanie Miklos inquired about future business at this location. A roll call vote was taken. Ambrose – yes,

Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes.
MOTION CARRIED (7-0).

16. APPROVED - PAYMENT OF BILLS

MOTION by Ellis, SUPPORT by Greene, “To approve the payment of bills ending May 24, 2021 in the amount of \$1,207,731.52 and payroll to cover the period ending May 29, 2021.” Finance Director Catherine Stanislawski noted one correction. A roll call vote was taken. Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).

17. CITY MANAGER’S REPORT:

- Discussed CIP Updates regarding Clinton Street and water tie ins and cutting in a road. They are well ahead of schedule and have been a great contractor and things are going smoothly.
- Stated WWTP improvement project is going very well and on task; there is a lot of work going on in different areas.
- Noted beach house maintenance including long overdue repairs should be complete and ready for Memorial Day weekend. The boardwalk is scheduled for repair the first week in June.
- Highlighted crack sealing planned for June for major roads and the three parking lots is going as planned
- Mentioned the Community Development Director position is still vacant. Paul from Carlisle Wortman is interim and doing a great job. There are currently fifteen (15) applicants.
- Starting development team meetings and do outreach to vacant parcels, recent parcels and get the process moving faster for sales.
- He looks forward to being the City Manager, working with City Council and moving mountains.

18. OLD BUSINESS

- Mayor Proctor addressed comment in the chat by Stephanie Miklos.
- Mayor Proctor noted council passed an emergency resolution to allow electronic meetings through May 31, 2021 and it expires next Monday. Next council meeting is three weeks from now on June 14, 2021. Discussion ensued regarding future Council Meetings going forward. Member Ellis proposed extending the emergency order until July 1, 2021 and future challenges regarding in person meetings.
- City Manager Suida noted a capacity limit in council chambers. Attorney Perkins suggested a hybrid meeting and during capacity limits we can put overflow to the second floor and establish the same type of emergency we had 2 months ago with the emergency order not in place. He asked for direction from council on locations. Member Ellis supported ending the emergency order along with having a contingency plan in place for future meetings. City Manager Suida mentioned planning and funding to have a hybrid meeting. Member Lobur stated there are no significant agenda items and attendance has never been over thirty-five (35) in the recent meetings. Discussion ensued.

- Mayor Proctor noted attending meetings in the County Commission chambers and being socially distanced with an overflow room that has never been used. He noted hybrid meetings is not a wise expenditure at this time.
- Attorney Perkins stated on July 1, 2021 DHS is due to issue a new order based on findings in the next four (4) weeks. The future looks promising and if there is a large Council Meeting topic on the agenda, we could utilize the Recreation Center. Member Manor agreed with meeting in council chambers June 14, 2021.
- Mayor Proctor noted the current orders and if the trajectory changes Council has three (3) weeks to reconvene a special session to implement a temporary state of emergency. He further addressed meeting in council chambers on June 14, 2021 MOTION by Manor, SUPPORT by Greene, “To approve the next council meeting be held in person June 14, 2021 at City Hall in Council Chambers.” Member Ellis noted the required postings requiring masks if you are not fully vaccinated. A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Hertrich - yes, Ambrose - yes, Ellis – yes, Proctor – yes.
MOTION CARRIED (7-0)

19. NEW BUSINESS

- Mayor Proctor mentioned Joyce Fisher is very ill and receiving hospice care. Joyce is a pillar in this community and very active with the Howell Historical Society; coordinates and supports Howell History Days; support to veterans groups including the VA and American Legion; Veterans of Foreign Wars; coordinated the Memorial Day Parade; coordinated Veterans pictures in Clearly Pub and she is truly the heart of Howell archives located in the lower level of the Howell District Library. Joyce has done a lot for the City of Howell and she loves this town and has done a lot to move forward with the history of Howell. He asked to keep Joyce in your thoughts and prayers. Member Ellis inquired about a proclamation for Joyce. She is Howell.
- Member Hertrich suggested Council Members be present at the Farmers Market in a booth for resident questions and to be involved in the community. Attorney Perkins reminded City Council not to violate the open meetings act regarding the booth.
- Member Greene noted residents complaining about the cleanliness of the bricks by Dairy Queen. City Manager Suida noted a contractor who cleans up the area.
- Mayor Proctor noted Monday May 31, 2021 is the annual Memorial Day parade facilitated by the American Legion.

20. ADJOURN

MOTION by Manor, SUPPORT by Greene, “To adjourn the regular meeting of the City Council at 8:40pm.” A roll call vote was taken. Lobur – yes, Greene – yes, Hertrich - yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0)

Nick Proctor, Mayor

Angela Guillen, City Clerk