

Regular Meeting of the Howell City Council
Monday April 6, 2020
Howell City Hall – 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, Randy Greene, Jan Lobur, Michael Mulvahill, Steven Manor and Mayor Nick Proctor.

Also Participating: Interim City Manager Erv Suida, City Attorney Dennis Perkins, City Clerk Jane Cartwright, and IT Director Mike Pitera.

Others Participating: Police Chief George Basar, Deputy Police Chief Scott Mannor, Finance Director Catherine Stanislawski, Community Development Director Tim Schmitt, DPW Superintendent Matt Davis, WWTP Operations Manager Mike Spitler, WTP Operations Manager Jim Webster, Assessor Ashley Winstead, DDA Director Kate Litwin, Communications Specialist Danica Katnik, Recreation Director Tim Church, Kyle Tokan, Pat McGow (Miller Canfield), Caron Davis, Jim Glenn, Jessica Matthews (WHMI), Tony Rutzel, Duane S., Amy Schlusler-Schmitt, Marion Township Supervisor Bob Hanvey.

2. PLEDGE OF ALLEGIANCE

3. APPROVED MINUTES

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the special meeting of the City Council held March 30, 2020.” A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).

MOTION by Ellis, SUPPORT by Mulvahill, “To approve the minutes of the Executive Session held March 30, 2020.” A roll call vote was taken. Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0).

4. CITIZENS COMMENTS – All Topics

- Mayor Proctor explained the rules for Citizens Comments using an electronic format.
- Jim Glenn, 303 Isbell, questioned if yard bags would be picked up during the shelter in place period and also expressed concern with large items setting at the curb that are not being picked up. Interim City Manager Suida

stated Advanced Disposal is scheduled to pick them up yard waste this week however would be suspending this service going forward through the end of April. There will be an area at the DPW yard for residents to bring yard waste. He also indicated that residents with large items setting out would be notified that the pick-up of large items is currently suspended.

5. **REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS**

- Member Ellis reported on the Howell Area Recreation Authority meeting held March 30, 2020. Received updates on the current status of on-line programs noting Bennett Center has been closed since March 12, 2020; and reviewed financial reports. The majority of part time staff has been placed on furlough and the hours of full time employees have been reduced. They are hoping to start soccer by mid-May to avoid issuing refunds of approximately \$30,000.

6. **COUNCIL CORRESPONDENCE:**

- None.

7. **POSTPONED – MANAGEMENT AGREEMENT WITH HAPRA, OPERATION OF SCOFIELD CITY PARK GUARD BOOTH, BEACH FRONT & BOAT LAUNCH**

Mayor Proctor suggested that the fee be prorated noting that he expects the stay in place order to be extended until at least the end of April. MOTION by Mulvahill, SUPPORT by Lobur, “To approve the Letter of Understanding between the City of Howell and Howell Area Parks & Recreation Authority to operate the City Park Guard Booth, Beach Front & Boat Launch for the summer 2020 for a seasonal rate of \$45,000 revising the payment schedule to approximately \$9,000 per month.” Discussion followed on options for distribution of park stickers noting the park is currently closed. Recreation Director Tim Church indicated park passes have been purchased and expressed concern with the idea of mailing them noting the added expense. They are considering extended hours or adding weekend hours for distribution of seasonal stickers. Rental agreements are also in place for park pavilions. MOTION by Manor, SUPPORT by Ellis, “To postpone action on the Management Agreement until the next meeting to allow the Interim City Manager to work out a satisfactory agreement with the Recreation Authority to address the concerns of City Council.” A roll call vote was taken. Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION TO POSTPONE CARRIED (7-0).

8. **APPROVED – RESOLUTION NO. 20-08, ARBOR DAY**

MOTION by Lobur, SUPPORT by Manor, “To adopt Resolution No. 20-08 in observance of Arbor Day.” A roll call vote was taken. Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes Proctor – yes. MOTION CARRIED (7-0). The Arbor Day celebration will take place in the Fall.

9. **APPROVED – RESOLUTIONS EXEMPTING FIRST RESPONDERS:**
- A. No. 20-09, Emergency Family Medical Leave Expansion Act. MOTION by Mulvahill, SUPPORT by Ambrose, “To adopt Resolution No. 20-09 exempting all emergency responders from the provisions of the Emergency Family Medical Leave Expansion Act.” Council expressed concern with the message this action may send (that they are not concerned about the health and safety of employees) and noted the importance of Police Officers to protect the health, safety and welfare of residents. Interim City Manager Suida stated this action is being taken industry wide and was highly recommended by the City’s Labor Attorney. He indicated everyone understands the important role of police officers. A roll call vote was taken. Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Proctor – yes. MOTION CARRIED (7-0).
- B. No. 20-10, Emergency Paid Sick Leave Act. MOTION by Manor, SUPPORT by Ambrose, “To adopt Resolution No. 20-09 exempting all emergency responders from the provisions of the Emergency Paid Sick Leave Act as amended.” Member Ellis questioned the language in paragraph five noting it should reflect the Paid Sick Leave Act instead of Family Medical Leave Expansion Act. A roll call vote was taken. Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).
10. **APPROVED – ORDINANCE 933, DWRF BONDS FOR WATER SUPPLY SYSTEM PROJECT, SERIES 2020**
- MOTION by Lobur, SUPPORT by Mulvahill, “To adopt Ordinance No. 933, an Ordinance to provide for the acquisition and construction of additions, extensions and improvements to the water supply system of the City of Howell.” Discussion followed on the financial impact of these improvements on the City and associated water rate increases. A roll call vote was taken. Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (7-0).
11. **APPROVED – RESOLUTION NO. 20-11 DWRF CONSTRUCTION CONTRACT TENTATIVE AWARD**
- MOTION by Mulvahill, SUPPORT by Ambrose, “To adopt Resolution No. 20-11 to tentatively award a construction contract for Water System Improvements.” It was noted this is only a tentative contract award since the project is contingent on receipt of the bond funds. The bond sale is scheduled for April 24, 2020. The siding for the plant was removed from the contract to stay within budget. The new siding would have provided better insulation and limited light exposure however siding on one side of the plant was replaced recently after storm damage. A roll call vote was taken. Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Proctor – yes. MOTION CARRIED (7-0).

12. APPROVED – WWTP STATE REVOLVING FUND (SRF) PROJECT COST SHARING AGREEMENTS:

A. Bottling Group LLC (Pepsi Beverages). MOTION by Ellis, SUPPORT by Mulvahill, “To execute the cost Sharing Agreement with Bottling Group LLC, operating as Pepsi Beverages Co., a Delaware limited liability company of White Plains, New York.” Interim City Manager Suida requested the date be changed in Paragraph 19 B; from April 1 to April 10, 2020. Council concurred. A roll call vote was taken. Greene – yes, Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (7-0).

B. Marion Township. MOTION by Mulvahill, SUPPORT by Ellis, “To execute the cost Sharing Agreement with Marion Township.” Interim City Manager Suida requested the date of April 13, 2020 be added to Paragraph 24 B, and August 8, 2020 be added to Paragraph 14 C. Council expressed their appreciation to Marion Township noting the cost saving measures of working cooperatively on this project. They also acknowledged the hard work of staff and all parties involved in putting together the agreement and they look forward to the needed improvements at the Wastewater Plant. A roll call vote was taken. Mulvahill – yes, Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Proctor – yes. MOTION CARRIED (7-0).

13. APPROVED - PAYMENT OF BILLS

MOTION by Mulvahill, SUPPORT by Ambrose, “To approve the payment of bills ending April 6, 2020 in the amount of \$595,695.69 and payroll to cover the period ending April 11, 2020.” A roll call vote was taken. Ambrose – yes, Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Proctor – yes. MOTION CARRIED (7-0).

14. CITY MANAGER’S REPORT:

- Advanced Disposal will be picking up yard waste this week however the service will be suspended until the end of April. Recycling carts should still be emptied however some of the sorting sites have closed due to contamination of materials. DPW crews will be picking up brush. Staff will also provide a yard waste drop off site at the DPW yard and will make arrangements to pick up resident’s yard waste if necessary. Staff will get the word out to residents and the media, and will be working with Advanced Disposal to address contract provisions.
- Police Chief Basar updated Council on department promotions. Sergeant Mike Dunn was selected as the new Deputy Chief effective May 1, 2020. Detective Derek Burke was also promoted to Sergeant effective May 4, 2020; there will be an internal posting this week to fill the Detective position. Interim City Manager Suida stated he was hoping to have an in person celebration for Chief Basar’s retirement as well as recognition for soon to be Police Chief Mannor.

15. OLD BUSINESS

- Member Lobur questioned the status of the basement wall problem at City Hall. Interim City Manager Suida indicated staff was still gathering repair proposals which are in the \$30,000 range noting the severity of the water issue.
- Mayor Proctor questioned the timing of MDOT's resurfacing of Grand River. Interim City Manager Suida stated he didn't believe it would be pushed back however there may be delays due to shortage of materials.
- Member Manor indicated SEMCOG is holding a virtual meeting on April 23, 2020 and the Grand River project is not included in the amendments listed in the meeting packet.

16. NEW BUSINESS

- Member Manor expressed concern with the pending economic problems throughout the state and country, and questioned potential actions by the State to balance their budget. Interim City Manager Suida indicated he expects the City to be faced with a reduction in revenue sharing as well as Act 51 funds due to travel restrictions.
- Member Mulvahill thanked all staff members very much for their hard work; it's a whole new world and he appreciates their creativity.
- Member Mulvahill expressed concern with the sink hole on the south side of Isbell Bridge. Interim City Manager Suida indicated that was CSX railroad property however the City has coned it off and may have to plate it if the problem is not addressed by the property owner.

17. ADJOURN

MOTION by Mulvahill, SUPPORT by Ellis, "To adjourn the regular meeting of the City Council at 8:03 p.m." A roll call vote was taken. Ellis – yes, Manor – yes, Lobur – yes, Greene – yes, Mulvahill – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (7-0).

Nick Proctor, Mayor

Jane Cartwright, City Clerk