

Regular Meeting of the Howell City Council
Monday March 22, 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, Jan Lobur, and Mayor Nick Proctor.

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

Others Participating: Police Chief Scott Mannor, Finance Director Catherine Stanislawski, DPS Director Erv Suida, DPW Superintendent Matt Davis, Community Development Director Tim Schmitt, WWTP Operations Manager Mike Spitler, WTP Operations Manager Jim Webster, HR Generalist Jamie Helman, Assessor Ashley Winstead, DDA Director Kate Litwin, Parks & Cemetery Supervisor Jason McClanahan, HAPRA Director Tim Church, HAPRA Board Member Diana Lowe, Joe Fazio, Chet Mullaney, Kyle Tokan, Treasurer Kelly Patterson, Tom, Tammy, Kathy Proctor, HAPRA Chairperson Sean Dunleavy, Dan Brockway, Janelle Best, John & Carol Boris, Martha, Jordan, Amelia Purdy-Ketchum, 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 MCL 15.263a. All members were participating from the City of Howell.

3. APPROVE MINUTES

MOTION by Ellis, SUPPORT by Lobur, “To approve the minutes of the regular meeting of the City Council held March 8, 2021.” A roll call vote was taken. Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes. MOTION CARRIED (6-0).

4. CITIZENS COMMENTS – All Topics

- There were no Citizens Comments.

5. REPORTS – COUNCIL MEMBERS SERVING ON COMMISSIONS

- Member Lobur stated the Planning Commission met on March 17, 2021 and approved a parcel split for First National Bank of Howell and recommended approval to City Council Ordinance No. 940 to update the City's sign standards.
- Member Ellis stated the Library Board met on March 9, 2021 to review finances, approved a personnel policy regarding Covid vaccines, capacity and visit times, along with donations and bids being received for a memorial garden.
- Mayor Proctor reported on the Howell Area Fire Authority meeting held March 17, 2021 noting approved budget amendments, updates on the new fire engine, updates on Engine 24 being in service, funding the pension liability and health care, FEMA grant for a LED sign, and a budget committee formed for Marion Township with budget highlights.

6. **DISCUSSION/APPROVAL – CIVIC EVENT APPLICATION 2021 FARMERS MARKET**

MOTION by Ellis, SUPPORT by Ambrose, “To approve the Civic Event application submitted by the Howell Area Chamber of Commerce for the Howell Sunday Farmers Market, scheduled for Sundays from May 2 through October 31, 2021” A roll call vote was taken. Ellis – yes, Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (6-0).

7. **DISCUSSION/DECISION – MEMORIAL DAY CELEBRATIONS**

Mayor Proctor discussed the upcoming Memorial Day celebrations. He asked for thoughts from council members regarding the expectations, social distancing and guidelines. He will contact the American Legion giving a tentative approval for the celebration with Council's concurrence.

8. **DISCUSSION – SNOW REMOVAL ENFORCEMENT AND SNOW EMERGENCIES**

City Manager DeBuff opened a presentation to council on snow emergencies, towing, and removal policies for sidewalks. Chief Mannor explained enforcement policies due to a snow emergency, impounds and how fees are handled. DPS Director Suida explained how snow drains and improper draining due to cars parked in the streets during a snow emergency. Community Director Schmitt noted sidewalks are required to be cleared within 24 hours after the end of snowfall. He discussed letters that are sent with warnings, requirements and fees associated with it. Member Greene suggested sharing through city social media about helping elderly or a community campaign. Communications Specialist Katnik stated there is a community campaign requesting citizens to share public happenings going on in the City by submissions through photo and video.

9. **DISCUSSION/APPROVAL – 2020 RECYCLING & ORGANICS INFRASTRUCTURE GRANT AGREEMENT – RECYCLE LIVINGSTON**

MOTION by Ambrose, SUPPORT by Ellis, “To approve and authorize the Mayor to sign the 2020 Recycling & Organics Infrastructure Grant between the City of Howell and the Michigan Department of Environment, Great Lakes, and Energy for the Recycle Livingston facility at 170 Catrell.” A roll call vote was taken. Lobur

– yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Proctor – yes.
MOTION CARRIED (6-0).

10. INTRODUCED – ORDINANCE 942 & 943:

A. Introduction of Ordinance No. 942 Snow Removal Update

Member Lobur introduced Ordinance No. 942, an ordinance to amend language in section 1022.07 removal of snow, ice and debris to address enforcement concerns.

B. Introduction of Ordinance No. 943, Transitional Housing Amendment

Member Greene introduced Ordinance No. 943 an ordinance to amend the language in Section 6.29, Special Accommodation Use, to address scrivener’s errors and referred the Ordinance to the Planning Commission for a public hearing.

11. DISCUSSION/APPROVAL – PARK/BOAT LAUNCH MANAGEMENT:

A. Letter of Understanding with HAPRA, 2021 Park/Boat Launch

MOTION by Ellis, SUPPORT by Ambrose, “To approve the Letter of Understanding for Structure 1 with limitations to HAPRA members to one free season pass with one additional pass of \$40.00 and non HAPRA resident season passes are \$60.00 per pass, with a limit of two passes per household.” City Manager DeBuff explained the cost associated to maintain the park and boat launch management which is fully funded by the City of Howell. He noted the challenges with trying to decrease the traffic on the lake and come to a structure that all involved parties agreed with. Discussion occurred on the number of season passes, which entities would get passes and additional costs for non-HAPRA members. Council members expressed concerns regarding loud disruptions on the lake, boat docking, fishing tournaments, non-member fees and overcrowding. HAPRA agreed with one additional pass per family which helps them with record keeping and requested police close the park from dawn to dusk when possible. He further noted once the park is opened a park pass is required regardless if the booth is staffed and that swimming is only allowed in designated areas. Attorney Perkins expressed concerns about citizens walking to the park and entering without purchasing a permit. He stated they would be in violation of the beach but has no resolution on how to prevent it for the future. A decision on structure option one was made with amendments to resolve and address all concerns. A roll call vote was taken. Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Proctor – yes.
MOTION CARRIED (6-0).

B. MOTION by Ellis, SUPPORT by Lobur, “To approve Resolution 21-05 for Structure 1, contingent on acceptance by HAPRA of the attached Letter of Understanding.” Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (6-0).

C. Introduction of Resolution of Resolution 21-06 Park/Boat Launch Fees will be brought back for introduction during the April 12, 2021 meeting.

12. AWARDED BID/PURCHASE:

2021 Street Sweeping Contract, MOTION by Ambrose, SUPPORT by Ellis, “To award a three-year contract to Progressive Sweeping Contractors Inc. of Redford, MI, in accordance with the 2021 Street Sweeping contract and pricing.” A roll call vote was taken. Hertrich – yes, Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Proctor – yes. MOTION CARRIED (6-0).

13. AWARDED BID/PURCHASE:

2021 Pavement Crack Sealing and Seal Coating Program. MOTION by Ambrose, SUPPORT by Greene, “To award the 2021 Crack Sealing and Seal Coating Program to Wolverine Sealcoating of Jackson, Michigan, for the unit price of \$1.10 per pound and in an amount not to exceed current budget amounts.” A roll call vote was taken. Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (6-0).

14. APPROVED - PAYMENT OF BILLS

MOTION by Lobur, SUPPORT by Ellis, “To approve the payment of bills ending March 22, 2021 in the amount of \$436,335.64 and payroll to cover the period ending March 27, 2021.” A roll call vote was taken. Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes. MOTION CARRIED (6-0).

15. CITY MANAGER’S REPORT:

- Discussed the American Rescue Plan, allocated money, spending guidelines for municipalities and the time frame for receiving funds.
- Discussed Livingston County and their vote on the state of emergency going forward for electronic meetings held until May 31, 2021 and future locations to hold Council Meetings. If a decision is not made by Livingston County, City Council will declare the City of Howell a state of emergency. MOTION by Ellis and SUPPORT by Lobur “to approve in the absence of a declaration by Livingston County, the City of Howell will declare a health emergency due to the current pandemic to last until May 31, 2021.” A roll call vote was taken. Ellis – yes, Lobur – yes, Greene – no, Hertrich – yes, Ambrose – yes, Proctor – yes. MOTION CARRIED (5-1)

16. OLD BUSINESS

- Member Hertrich addressed staff on the outcome of resident’s water bill from the last meeting.
- Mayor Proctor discussed the intersection of I-96 and D19 for possible reconfiguration of the intersection including discussion with the Road Commission and MDOT.
- Mayor Proctor noted discussions regarding the next Mayor Pro Tem. Member Lobur has agreed to be Mayor Pro Tem for the next seven months. MOTION by Ambrose, SUPPORT by Ellis, “To approve Member Lobur as Mayor Pro Tem term ending November 2021.” A roll call vote was taken. Lobur – yes,

Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes Proctor – yes.
 MOTION CARRIED (6-0).

17. NEW BUSINESS

- Member Lobur thanked Scott & Jen who were at the park with their dog collecting trash as they were walking. She commended his willingness to keep the park clean and his sincerity in doing that for the citizens of Howell.
- Member Hertrich thanked Matt Davis, Jake Mitchell and the DPW employees regarding a water main break affecting his home which was repaired quickly.
- Mayor Proctor stated we have the best municipal staff in the State of Michigan.
- Mayor Proctor noted Member Steve Manor being absent from the Council Meeting and asked for a motion to excuse him from being present. MOTION by Ellis, SUPPORT by Hertrich “to excuse Steve Manor from tonight’s Council Meeting”. A roll call vote was taken. Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Lobur – yes, Proctor – yes. MOTION CARRIED (6-0).

18. EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGE

8:37p.m. MOTION by Ellis, SUPPORT by HERTRICH, “To enter executive closed session to discuss decisions that require attorney client privilege” A roll call vote was taken. Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Hertrich – yes, Proctor – yes. MOTION CARRIED (6-0).

9:25p.m. MOTION by Greene, SUPPORT by Ambrose, “To reconvene the regular meeting.” A roll call vote was taken. Lobur – yes, Greene – yes, Hertrich – yes, Ambrose – yes, Ellis – yes, Proctor – yes. MOTION CARRIED (6-0).

MOTION by Ellis, SUPPORT by Lobur, “To approve the Surface Use Agreement between the City of Howell and Panhandle Oil & Gas and authorize the Mayor and City Clerk to sign the agreement.” A roll call vote was taken. Hertrich – yes, Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Proctor – yes. MOTION CARRIED (6-0).

19. ADJOURN

MOTION by Ellis, SUPPORT by Greene, “To adjourn the regular meeting of the City Council at 9:28pm.” A roll call vote was taken. Ambrose – yes, Ellis – yes, Lobur – yes, Greene – yes, Hertrich - yes, Proctor – yes. MOTION CARRIED (6-0)

 Nick Proctor, Mayor

 Angela Guillen, City Clerk