

## HOWELL TOWNSHIP BOARD REGULAR MEETING

### MINUTES

3525 Byron Road  
Howell, MI 48855  
February 11, 2019  
6:30 P.M.

#### MEMBERS PRESENT:

Mike Coddington	Supervisor
Jean Graham	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Harold Melton	Trustee
Evan Rudnicki	Trustee
Jeff Smith	Trustee

#### MEMBERS ABSENT:

Also in attendance: William Fahey, Township Attorney.

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called.

All rose for the Pledge of Allegiance.

**APPROVAL OF THE AGENDA: MOTION** by Melton, seconded by Hohenstein, **“TO APPROVE THE FEBRUARY 11, 2019 AGENDA AS AMENDED: ITEM 10C SHOULD READ, (PAVING OF TOOLEY RD).”** Motion carried.

#### APPROVAL OF MINUTES:

##### A. JANUARY 14, 2019 REGULAR MEETING MINUTES

- **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE THE JANUARY 14, 2019 REGULAR SESSION MEETING MINUTES AS AMENDED: UNDER NEW BUSINESS, ITEM B, HUMAN RESOURCES MANUAL AMENDMENTS, CHANGE 70 HOURS TO 72 HOURS.”** Motion carried. (See January 14, 2019, Regular Meeting Minutes)

#### CORRESPONDENCE:

- No additions.

#### PUBLIC HEARING:

##### HATCH STAMPING COMPANY LLC, IFT

- **MOTION** by Hohenstein, seconded by Graham, **“TO OPEN THE PUBLIC HEARING FOR HATCH STAMPING COMPANY LLC, IFT AT 6:34 P.M.”** A roll-call vote was taken: Counts – yes, Graham – yes, Coddington – yes, Melton – yes, Smith – yes, Hohenstein – yes, Rudnicki – yes. Motion carries 7 to 0.
- Suzanne Morrison, representative from Hatch Stamping Company explained that Hatch Stamping does more than just stamping; it also does welding and assembly for the auto market. The Howell Plant concentrates mostly on welding. Ms. Morrison gave a demonstration on the use for one of their tools. She also explained about some of their other locations and their participation within the community including National Manufacturing Day to demonstrate manufacturing careers to students.
- Questions were taken from the Board.
- Stewart Claucherty is responsible for all 13 Hatch facilities. Mr. Claucherty stated that their permit has already been approved and construction started in October but the cold weather has put them slightly behind schedule. The building is 50 thousand square feet which will double the existing space. They are currently running 3 shifts.

- Questions were taken from the Board.
- Parking was discussed. They are currently adding 221 parking spaces. This will allow ample parking during shift changes.
- Phil Santer from SPARK, Livingston County, addressed their request for an IFT (Industrial Facility Tax). This is a tool used for local municipal governments to support industrial developments. The requested IFT will only be for the new investment.
- Questions were taken from the Board.
- **MOTION** by Counts, seconded by Hohenstein, **“TO CLOSE THE PUBLIC HEARING FOR HATCH STAMPING COMPANY LLC, IFT AT 6:46 P.M.”** Discussion followed. Motion carried.

**RESOLUTION 02.19.460 HATCH STAMPING COMPANY LLC**

Supervisor Coddington stated that the Board just received the agreement and has not had time to review it. Township legal counsel stated that the Board could adopt the resolution contingent upon review and approval of the agreement by legal counsel.

- **MOTION** by Hohenstein, seconded by Melton, **“TO ADOPT RESOLUTON 02.19.460 FOR AN INDUSTRIAL FACILITY EXEMPTION CERTIFICATE FOR REAL PROPERTY FOR HATCH STAMPING COMPANY WITH THE CONDITION THAT THE AGREEMENT BE REVIEWED AND APPROVED BY LEGAL COUNSEL.”** Discussion followed. A roll-call vote was taken: Coddington – yes, Counts – yes, Rudnicki – yes, Graham – yes, Hohenstein – yes, Melton – yes, Smith – yes. Motion carries 7 to 0.

**CALL TO THE PUBLIC:**

- John Mills, 1750 Oak Grove Road – wanted to know from a municipality perspective, is there a downside to a new manufacturing facility like HATCH with the fumes and noise? After the facility is up and running who monitors it? (As it relates to the Planning Commission and site plan approval; it is addressed within the original approval. As for environmental quality it is referred to MDEQ. As for monitoring; it will come from all the normal monitoring organizations.)

**NEW BUSINESS:**

**A. THE ANNEX GROUP, WORK FORCE AFFORDABLE HOUSING**

- Lori Edwards from the Indiana based multi-family developer, The Annex Group, stated they are here to propose a development on 23 acres of Howell Township owned property near M-59 on Oak Grove Road. Their projection is for 180 units, with mostly 1 or 2 bedrooms and a few with 3 bedrooms. The units are considered for “workforce housing” residents which differs from “student housing”, with a \$39,000.00 to \$59,000.00 annual income.
- The Tax Credit Program or Development Subsidy would come from the Michigan Housing Authority which are non-competitive tax credits.
- The Annex Group will need 3 to 9 months in order to decide if they want to go forward with the development after studies have been conducted to determine certain demographics of the particular study area for amenities. The Township will receive monthly benchmarks as to how the development is processing.
- Questions from the Board.
- A preliminary Market Study was done on high growth areas where rents are so high that residents are being pushed out and Livingston County came up in this study. A third party will be brought in to do a full blown study once it is determine that this will be a site for their development.
- **MOTION** by Graham, seconded by Hohenstein, **“TO MOVE FORWARD WITH THE ANNEX GROUP.”** Discussion followed. Treasurer Hohenstein stated that there are things to be worked through in terms of Annex’s Letter of Intent. Hohenstein also stated he doesn’t believe there is anything that cannot be

ironed out. The Annex Group stated they picked the Howell Area because it is close to amenities, hospitals, schools and transportation. The Annex Group stated they could pursue traffic studies. A roll-call vote was taken: Smith - yes, Melton – yes, Hohenstein – yes, Coddington – yes, Counts – yes, Rudnicki – yes, Graham – yes. Motion carries 7 to 0.

**B. AFFORDABLE HOUSING & PILOT**

- Treasurer Hohenstein stated that another group is looking at this same parcel located on Oak Grove Road. This project will be targeting residents aged 55 and older with several units geared towards lower income. There will be several common areas for the residents.
- Township Attorney Fahey stated, the PILOT is payment in lieu of taxes, which is based on the percentage of payment for rent. It gets billed like taxes but, when you get the payment back it is divided into very small slices and the Township gets very little.
- These residents are still quite dependent. This type of facility does not have assisted living, residents would have to bring in their own assistants.
- Discussion from the Board on the pros and cons of this type of PILOT program for a housing development. Also discussion on a mixed use development.
- **MOTION** by Smith, seconded by Counts, **“HOWELL TOWNSHIP IS NOT INTERESTED IN A PILOT THIS PROGRAM.”** Discussion followed. A roll call-vote was taken: Hohenstein – yes, Smith – yes, Counts – yes, Rudnicki – yes, Coddington – yes, Graham – yes, Melton – yes. Motion carries 7 to 0.

**C. OFFER ON PROPERTY #4706-22-100-001 TOOLEY ROAD**

- Clerk Graham stated the offer was for \$250,000.00 which wasn't even half of the requested price. The offer also want the Township to pay for the paving of Tooley Road from Airport Drive to Warner Road.
- Treasurer Hohenstein has issues with the conditions that go along with this very low offer. 1) The seller gets first right of refusal to the parcel on the corner. 2) The cost of the paving.
- **MOTION** by Graham, seconded by Rudnicki, **“TO NOT ACCEPT THE OFFER ON THE TOOLEY ROAD PROPERTY, PARCEL #4706-22-100-001.”** Discussion followed. Motion carries.

**D. OFFER ON PROPERTY #4706-32-400-013 MASON ROAD**

- Clerk Graham stated the offer was not even for half of the requested price.
- **MOTION** by Graham, seconded by Counts, **“TO NOT ACCEPT THE OFFER ON PARCEL #4706-32-400-013.”** Discussion followed. Motion carries.
- Treasurer Hohenstein stated that he would like Chestnut Development to understand that in Exhibit B, which has been talked about in the past to get the price down, that he is not willing to agree to a long-term agreement that has to do with connection fees that the Township has no control over.

**E. OFFER ON PROPERTY #4706-16-400-001, 3150 CANDALL ROAD**

- **MOTION** by Graham, seconded by Smith, **“TO NOT ACCEPT THE OFFER ON PARCEL #4706-16-400-001 AS WRITTEN.”** Discussion followed on proposing a counter offer. **MOTION** by Graham to amend her motion, seconded by Smith, **“TO NOT ACCEPT THE OFFER ON PARCEL #4706-16-400-001 AS WRITTEN BUT TO COUNTER OFFER \$150,000.00 AS WELL AS PAYING OFF THE ASSESSMENTS AT CLOSING.”** Discussion followed. Motion carries.

**F. RESOLUTION #02.19.461 PERMIT LETTER APPEALS TO BOARD OF REVIEW FOR REAL & PERSONAL PROPERTY.**

- Clerk Graham stated that Assessor Kilpela issued a letter stating that Howell Township has always accepted letters to the Board of Appeals when they are not able to appeal in person. A resolution would make it fair for all tax payers.

- Treasurer Hohenstein added that having a resolution in place of what we currently do will also make it easier for the auditors.
- **MOTION** by Graham, seconded by Rudnicki, **“TO ACCEPT RESOLUTION #02.19.461 PERMIT LETTER OF APPEALS TO BOARD OF REVIEW FOR REAL & PERSONAL PROPERTY.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Counts – yes, Rudnicki – yes, Smith – yes, Graham – yes, Coddington – yes, Melton – yes. Motion carries 7 to 0.

G. RESOLUTION 02.19.462 WAIVE PENALTIES FOR NON-FILING OF PROPERTY TRANSFER AFFIDAVITS

- Clerk Graham stated that Howell Township has never collected a fee for a late filed Property Transfer Affidavit. We do not have the man power to collect such fees. It is suggested by the Township Assessor to have a resolution to waive this fee.
- **MOTION** by Graham, seconded by Melton, **“TO ACCEPT RESOLUTION #02.19.462 TO WAIVE LATE PENALTIES FOR NON-FILING OF PROPERTY TRANSFER AFFIDAVITS UNDER MCL 211.27b.** Discussion followed. A roll-call vote was taken: Counts – yes, Coddington – yes, Melton – yes, Hohenstein – yes, Smith – yes, Rudnicki – yes, Graham – yes. Motion carries 7 to 0.

**MOTION** by Hohenstein, seconded by Graham, **“TO DEVIATE FROM THE AGENDA AND GO INTO CLOSED SESSION AT THIS TIME AT 8:00 P.M. TO DISCUSS SETTLEMENT IN CONNECTION WITH THE CROSSROADS CASE, THE OAKLAND TACTICAL CASE AND THE RAINBOW CASE.”** Discussion followed. A roll-call vote was taken: Coddington – yes, Smith – yes, Graham – yes, Counts – yes, Melton – yes, Hohenstein – yes, Rudnicki – yes. Motion carries 7 to 0.

**MOTION** by Rudnicki, seconded by Graham, **“TO RE-ENTER INTO REGULAR SESSION AT 8:41 P.M.”** Motion carried.

**MOTION** by Graham, seconded by Melton, **“TO COUNTER OFFER TO THE SIGN COMPANY, CROSSROADS, TO RELOCATE THEIR SIGN TO AN APPROPRIATE LOCATION.”** Discussion followed. Motion carries.

H. ROADS, BIDS

Treasurer Hohenstein stated that Howell Township approved repaving Owosso Road as a cost share with Handy Township. Also previously approved is Allen Road with Cohoctah Township' this is the final phase of this project..

- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT CULVER EXCAVATING’S BID FOR ALLEN ROAD IN WHICH HOWELL TOWNSHIP WILL PAY FOR HALF OF \$105,490.00 AS PRESENTED.”** Discussion followed. Motion carries.
- The County would like to see work done on Fisher Road from Oak Grove to the curve. Discussion on the County versus Culver Excavating on the Fisher Road Project.
- **MOTION** by Smith, seconded by Hohenstein, **“TO ACCEPT THE LIVINGSTON COUNTY ROAD COMMISSION BID FOR THE FISHER ROAD PROJECT FROM OAK GROVE ROAD EAST TO THE ADDRESS OF 3056 AND THE HENDERSON ROAD PROJECT FROM BREWER ROAD EAST TO OAK GROVE ROAD.”** Discussion followed. Motion carries.

**REPORTS:**

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Working on the Farm Leases. To put all farm leases up for bid in one year and each lease will be for 6 years. At the end of the 6 years it goes up for bid again. Also to have an auction house take care of the

bidding. The auctioneer will receive approximately 5% of the bids for its services. The auction will be printed in the local paper.

- Would like to form a Property Committee with 3 Board Members to help speed up the process on offers that come in. The committee would only make recommendations. The Board still has the last decision. **MOTION** by Counts, seconded by Smith, **“TO FORM A PROPERTY COMMITTEE WITH 3 BOARD MEMBERS CONSISTING OF TRUSTEE JEFF SMITH, TREASURER JONATHAN HOHENSTEIN AND CLERK JEAN GRAHAM.”** Discussion followed. Motion carries.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- Summer Tax collection is at 98.5% and Winter Tax is at 66%. The winter tax collection will go up quickly as the Tax deadline is approaching.
- Working out an agreement with Pine View. The amount for paving will be split in 3 ways between the Township, Pine View and the new developer.

C. CLERK:

(Clerk Graham reported on the following items)

- Received a bid from Ever So Green for two applications for vegetation killing for this year to the walking path and the gazebo for \$400.00.
- Stated the office staff has not been happy with the snow plowing for the Township Hall. They also do the lawn mowing. Discussion followed. It was the consensus of the Board to put it back out for bid.
- I will be attending the next MTA Meeting dealing with Marijuana on April 30<sup>th</sup>.
- The Township will be conducting a May 7<sup>th</sup> Election for the Howell Public Schools Bonding Proposal.

D. ZONING:

(See Zoning Administrator Daus' prepared written report)

E. ASSESSING:

(See Assessor Kilpela's prepared written report)

F. FIRE AUTHORITY:

(Supervisor Coddington reported on the following items)

- The Resolution to exempt the Howell Area Fire Authority from PA152.
- Paid Bills.

G. MHOG:

(Trustee Counts reported on the following items)

- Paid bills
- TLS is coming in to clear the easement for the Cross Country Line.
- Posted for the Utility Engineer position. (Looking for someone with a civil engineer background.)
- Amount of miles put on the trucks.
- Audit.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- Sign Ordinance Amendments; the Planning Commission has recommended approval and is now going to the County Planning Commission.

- The storage facility by VG's is expanding. That means the party store and the Auto One by VG's will have to move out. They are proposing to build a new facility across the street on Grand River on two parcels which they will combine into one parcel. There aren't any major concerns with the party store; Auto One is an automotive detailing shop, our ordinance calls for a Special Use Permit. They will come back to the Planning Commission in February for this permit.
- Set a Public Hearing for the February 26th Planning Commission Meeting to hear input regarding Marijuana. Clerk Graham added that after the Public Hearing the Board will make a decision about the stance the Township will take.

I. ZONING BOARD OF APPEALS (ZBA):  
(No meeting to report on.)

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- Sampler machines. Would like to get 2 new machines and keep the old ones as backups. Each new machine is \$7,000.00.
- **MOTION** by Hohenstein, seconded by Graham, **"TO RECOMMENDED APPROVAL FOR 2 SAMPLER MACHNES FROM HESCO NOT TO EXCEED \$14,500.00 AS PRESENTED."** Discussion followed. Motion carries.

K. HAPRA

(Clerk Graham reported on the following items)

- They have hired 2 new life guards and 2 new swim instructors. They are still in need for more life guards.
- Signed contract with the school.
- Working on some maintenance issues.
- Having several activities going on.

**CALL TO PUBLIC:**

- There was no response.

**DISBURSEMENTS: REGULAR AND CHECK REGISTER:**

**MOTION** by Hohenstein, seconded by Graham, **"TO APPROVE THE REGULAR DISBURSEMENTS THROUGH FEBRUARY 6, 2019 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH."** Discussion followed. Motion carried.

**ADJOURNMENT:** **MOTION** by Counts, seconded by Rudnicki, **"TO ADJOURN."** Motion carried. The meeting adjourned 9:30 p.m.

As Presented: \_\_\_\_\_ X \_\_\_\_\_

\_\_\_\_\_  
Howell Township Clerk  
Jean Graham

As Amended: \_\_\_\_\_

\_\_\_\_\_  
Mike Coddington  
Howell Township Supervisor

As Corrected: \_\_\_\_\_

Dated: \_\_\_\_\_ 03.18.2019 \_\_\_\_\_

\_\_\_\_\_  
Debby Johnson, Recording Secretary