

HOWELL TOWNSHIP BOARD REGULAR MEETING

MINUTES

3525 Byron Road
Howell, MI 48855
May 13, 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:

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:

MAY 13, 2019

MOTION by Counts, seconded by Hohenstein, **“TO APPROVE THE MAY 13, 2019 AGENDA AS AMENDED: ADD APPROVAL OF THE APRIL 8, 2019 CLOSED SESSION MINUTES AND REMOVE ITEM 11, CLOSED SESSION.”** Discussion followed. Motion carried.

APPROVAL OF MINUTES

APRIL 8, 2019 REGULAR MEETING MINUTES

MOTION by Hohenstein, seconded by Rudnicki, **“TO APPROVE THE APRIL 8, 2019 REGULAR MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion carried. (See April 8, 2019 Regular Meeting Minutes)

APRIL 8, 2019 CLOSED SESSION MINUTES

MOTION by Counts, seconded by Graham, **“TO APPROVE THE APRIL 8, 2019 CLOSED SESSION MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion carried.

CORRESPONDENCE:

No additions.

UNFINISHED BUSINESS:

A. HATCH AGREEMENT & RESOLUTION

Clerk Graham stated that at the February Board Meeting, it was approved to adopt Resolution 02.19.460 for an IFT (Industrial Facility Exemption Certificate) for Real Property, for HATCH Stamping Company, with the condition that the agreement be reviewed and approved by our legal counsel. The legal description needed to be updated. All previous conditions have been resolved.

- **MOTION** by Rudnicki, seconded by Hohenstein, **“TO ACCEPT THE UPDATED AGREEMENT FOR HATCH.”** Discussion followed. Motion carried.

B. FARM LEASE

Treasurer Hohenstein reported on the Farm Lease Meeting. Properties were bundled into groups. Some of the parcels received higher bids and some received lower bids from previous years. (Complete list of parcel's and those who received the bids may be obtained at the Township Office.) Leases start in 2020.

- Treasurer Hohenstein is recommending that the Board go forward with accepting the bids except for the Township owned property on Oak Grove Road. Mr. Mills was the highest bidder for the Oak Grove Road properties, but Treasurer Hohenstein stated that Mr. Mills has not paid rent on the Township property that he has been farming behind his house.
- A letter and invoice has been sent to Mr. Mills. Mr. Mills came into the Township office and talked with Treasurer Hohenstein about negotiating a different deal. He was advised to come to the Board Meeting.
- Mr. Mills came to the Board Meeting and stated his belief of what was previously agreed upon. He states it was with a hand shake from a previous Board Member but he can't remember who he had the deal with and there was no signed agreement.
- There was discussion between Board Members and Mr. Mills.
- **MOTION** by Smith, seconded by Melton, **"TO ACCEPT THE FARM LEASES AS RECOMMENDED BY THE FARM LEASE COMMITTEE, EXCEPT FOR OAK GROVE PARCELS #4706-25-100-028, 4706-25-200-046 and 4706-25-200-047, UNTIL NEGOTIATIONS AND AN AGREEMENT HAS BEEN APPROVED."** Discussion followed. Motion carried.

CALL TO THE PUBLIC:

No response.

NEW BUSINESS:

A. HAFA FIRE PREVENTION CODE ORDINANCE #262 FOR HOWELL TOWNSHIP TO REVIEW FOR ADOPTION

Supervisor Coddington stated that the Fire Authority goes through and updates their codes to match the National Code. It is the code for 2018. This is only renewed every two years because there are many changes each year and they wait until those changes are validated. They would like all the townships to be under the same code to make it all more functional.

- **MOTION** by Smith, seconded by Melton, **"TO ACCEPT ORDINANCE #262, FOR THE NEW FIRE PREVENTION CODE ORDINANCE."** Discussion followed. Motion carried. (This is an update to the current Fire Prevention Code Ordinance #262.)

B. REPLACEMENT OF 7 TOWNSHIP HALL WINDOWS

Clerk Graham stated that 7 windows in the Township Hall need to be replaced. 3 bids have been submitted. The bid from Wallside is recommended.

- **MOTION** by Smith, seconded by ~~Milton~~ ^Melton^, **"TO APPROVE THE WINDOW CONTRACT WITH WALLSIDE WINDOWS FOR REPLACEMENT OF 7 WINDOWS FOR \$4,959.00 AS PRESENTED."** Discussion followed. Motion carried.

C. REZONING OF PARCEL #4706-27-200-001, 2198 W. HIGHLAND RD. FROM SFR TO NSC FOR APPLICANT J. MILLS PLUMBING

Trustee Smith stated that the applicant is asking to rezone their parcel from SFR-Single Family Residential to NSC – Neighborhood Service Commercial to allow for office space in the current house already on the property. This has already been approved and recommended by the Township Planning Commission and Livingston County Planning Commission.

- Applicant J Mills Plumbing stated they are hoping to move out of the current house and want to turn that building into office space. Their company has been around for almost 70 years and they are growing.
- **MOTION** by Rudnicki, seconded by Melton, **"TO APPROVE THE RECOMMENDATION FROM THE PLANNING COMMISSION TO REZONE PARCEL#4706-27-200-001 FROM SFR TO NSC."** Discussion followed. Motion carried.

D. PLANNING COMMISSION POSITION

Clerk Graham stated that Commissioner Mark Freude has turned in his resignation from the Planning Commission effected immediately. We need approval to accept his resignation so that we can post and publish the position for a new appointment.

- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT THE RESIGNATION OF MARK FREUDE FROM THE PLANNING COMMISSION, EFFECTED IMMEDIATELY.”** Discussion followed. Motion carried.

CALL TO THE PUBLIC:

No response.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Working on lawsuits.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- Had discussion with Zoning Administrator Daus about not issuing Land Use Permits to those who do not pay their Business License or have other unpaid issues. The Zoning Department will be taking BS&A Classes that will help in the Building Program to allow for certain situations.
- Tribar has not paid their IFT taxes on time for the last 2 years. They have an IFT which gives them a tax break. The Township cannot just pull that. However, the office recently receive an apology letter from Tribar stating they will be paying on time moving forward.

C. CLERK:

(Clerk Graham reported on the following items)

- May Election for Howell School Bond; the turnout was low for in-person voting. More residents voted absentee. The Bond Proposal did pass. We did not get picked for the Election Audit.
- Received feedback from the Tribunal; everything was good.
- Human Resource Meeting; employee raises. Recommendation from HR Committee is:
 - a) 4% increase for all full time employees.
 - b) Accounting clerk and payroll persons, 2% increase.
 - c) Board of Review; 4 hours or less \$60.00 per meeting, 4 hours or more \$150.00 per meeting. Going from 3 meetings to 2 meetings.

MOTION by Hohenstein, seconded by Rudnicki, **“TO APPROVE THE RECOMMENDATION OF THE HUMAN RESOURCE COMMITTEE AS PRESENTED, ON THE CONDITION OF BUDGET APPROVAL AT THE JUNE BOARD MEETING.”** Discussion followed. Motion carried.

- Clean-up Day is May 18th.

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)

- Approved budget.
- Approved Fire Code Ordinance to send to municipalities.
- Open House this Sunday at 1:00 P.M. to tour the new building. There will be a bigger Open House this fall.
- Went over the updates for additional updates to the new building that was not included in the contract.

G. MHOG:

(Trustee Counts reported on the following items)

- For the month of March, usage went up by 2.2% from March of last year.
- Main line discussion.
- New service building that is being built outside the main water plant.
- Plug a well at the old greenhouse.
- Conversation about the Eager Road Bridge.
- Conversation about the Mason Road property that is in front of Howell Township owned property.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- Final Site Plan approved for the Grand River Party Store.
- Discussion on sidewalks and pathways.
- Scheduled 2 Public Hearing for next month; Parcel #4706-27-200-006 to rezone from MFR to RSC and Parcel #4706-27-100-025 to re-zone AR-RSC to MFR.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- Josie Modrack will be taking over as Recording Secretary for Debby Johnson.
- Welcomed new members Evan Rudnicki and Carrie Newstead.
- Reappointed officers; Kim Babcock as Chair and Andrew Sloan as Vice Chair.
- Approved a -30ft variance on Parcel #4706-03-400-019 to allow for construction of an accessory structure.

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- Had some issues in the plant with ammonia and phosphorus, but now have it under control. Discussion followed.
- There has been some personal changes.
- Is requesting a new laboratory testing item (Hach DR 3900). It will help run the plant better. **MOTION** by Hohenstein, seconded by Rudnicki, **“TO ACCEPT THE PROPOSAL FOR THE HACH DR 3900 FROM USABLUKBOOK FOR \$5,415.25 AS PRESENTED.”** Discussion followed. Motion carried.
- Both secondary clarifiers need new skimmers. **MOTION** by Hohenstein, seconded by Counts, **“TO ACCEPT THE QUOTE FROM WESTECH FOR THE SKIMMER ARMS FOR BOTH CLARIFIERS, NOT TO EXCEED \$6,000.00.”** Discussion followed. Motion carried.
- One UV module failed. The control board had a short circuit that caused it to burn up and damaged some ballasts. They were able to be rebuilt with spare parts. The plant is running out of these spare parts. There will be a need for a new module when this happens again. Will come back with quotes.

- Inframark wants to bring in new staff. Contract states 2.5 people but Inframark ^Inframark^ says they are in need of 3 full time employees to operate the plant. Discussion followed.

K. HAPRA:

(Clerk Graham reported on the following items)

- The Board has been asking for a report to which Howell Township residences that are using the HAPRA services. We are starting to get weekly updates.
- Registration for Summer Camp has started and are planning on having 27 kids per week.
- Want residents to remember that the Bennett Center is open for registration. Will have a Registration Night on May 21st from 6 – 8 p.m.
- Boat passes are available at the Rec Center.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- There has been some interest on Doc Earl's property on Oak Grove Road. Negotiations are being worked on.
- The Crandall Road property offer has been rescinded.
- The Property Committee is working out details with the potential buyer on the Mason Road property. Will need a temporary 66' easement to allow for sufficient access to the back of the property for a potential future park. This would be left in place until final site plan has been approved. There is a potential deal with MHOG to acquire some property but this is only in the development stage. If the Township acquires the MHOG property, there will be no need for the temporary easement. It was the consensus of the Board to agree with the Property Committee's recommendation.
- Discussion on the language for purchase agreements for Site Plans. The Property Committee is stating within 180 days. If Final Site Plan Approval is not finished within the 180 days, the Preliminary Site Plan should be granted. That would give potential buyers enough to decide if they want to purchase property. There could be a onetime 60 day extension with a nonrefundable purchase of 3% of the purchase price. This would go towards the full purchase price but would not be refundable if the buyer backs out of deal. It was the consensus of the Board to agree with the Property Committee's recommendation.
- The Property Committee's recommendation on the Pineview Village property is to go forward with Mr. Gronow's previous deposit for this current offer but it will not be refundable. This is a onetime offer. It was the consensus of the Board to agree with the Property Committee's recommendation.

CALL TO PUBLIC:

A) Christian Bugeja from Chestnut Real Estate wanted to confirm on the Oak Grove Property that the first offer was with a PILOT Program and the 2nd offer was without the PILOT Program. Discussion followed. (An updated purchase agreement is needed.)

B) Steve Gronow from Chestnut Real Estate: 1) wanted to clear up issue about the parking for the park area on the Mason Road property. He stated he has carved out as much as possible for the park but needs every bit of space shown for his development. The Township and Chestnut Development are both hoping for the Township to acquire the MHOG property for access to the park. 2) Had issues with the 180 days for the Final Site Plan Approval. He doesn't think it is enough time if there is an issue and then having to wait for reports to come back in. He states you cannot get financing from lenders unless you have full governmental approval for the project.

REMINDER: TOWNSHIP CLEAN-UP DAY, SATURDAY, MAY 18TH, 9:00 A.M.-NOON.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Melton, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH MAY 8, 2019 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carried.

ADJOURNMENT: MOTION by Smith, seconded by Hohenstein, **“TO ADJOURN.”** Motion carried. The meeting adjourned 7:50 p.m.

As Presented: _____

Howell Township Clerk
Jean Graham

As Amended: _____

As Corrected: _____

Mike Coddington
Howell Township Supervisor

Dated: _____

Debby Johnson, Recording Secretary