

HOWELL TOWNSHIP BOARD REGULAR MEETING

MINUTES

3525 Byron Road

Howell, MI 48855

March 16, 2020

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:

MARCH 16, 2020

MOTION by Graham, seconded by Counts, **“TO APPROVE THE MARCH 16, 2020 AGENDA AS AMENDED: REVERSE AGENDA ITEMS 8 AND 9.”** Discussion followed. Motion carried.

FEBRUARY 10, 2020 MEETING MINUTES:

REGULAR BOARD MEETING MINUTES

MOTION by Hohenstein, seconded by Counts, **“TO APPROVE THE FEBRUARY 10, 2020 MEETING MINUTES AS AMENDED: UNDER REPORTS, ITEM G – MHOG, CHANGE THE WORD MAIN TO 24 INCH MAIN.”** Discussion followed. Motion carried. (See February 10, 2020 Regular Meeting Minutes)

CORRESPONDENCE:

No additions.

CALL TO THE PUBLIC:

- Lee Ann Blazejewski from the city of Howell: she is running as a Republican for the Livingston County Board of Commissioners for District 5, (Howell Township is in District 5). She would like to introduce herself to the residents, she would like to serve.

NEW BUSINESS:

EINSTEIN DOG TRAINING – SPECIAL LAND USE PERMIT & FINAL SITE PLAN APPROVAL

- Planning Commissioners Counts and Smith gave a report on the Planning Commission’s decision to recommend approval. The petitioner is seeking a Conditional Rezoning to allow for a pole barn on parcel #4706-20-100-027. All criteria have been met and all outstanding issues have been addressed.
- Owner stated training will be one-hour behavior modification sessions. There is no boarding at this facility.
- **MOTION** by Graham, seconded by Melton, **“TO ACCEPT EINSTEIN DOG TRAINING’S SPECIAL LAND USE PERMIT AND FINAL SITE PLAN APPROVAL BASED ON THE RECOMMENDATION OF THE HOWELL TOWNSHIP PLANNING COMMISSION.”** Discussion followed. Motion carried.

AMBER OAKS – FAILURE OF BUILDER REGARDING THEIR BOND & MASTER DEED

- Brian Hornacek, 3614 Amber Oaks Dr. and Julia Barker, 336 Keenen Ct. both board members of their homeowner’s association for Amber Oaks. They wanted to address some shortcomings they believe of Allen Edwin Homes. They stated a walk through was done almost a year ago with Allen Edwin and Howell Township on Phase 3. Issues revealed at the time of the walk through were drainage around the perimeter of the community, incomplete landscaping at the rear the development, incomplete walking paths and sidewalks that were not consistent with the master deed. Mr. Hornacek stated that since the walk through none of these issues have been addressed by either Allen Edwin or the Township. He also claims that Allen Edwin has pocketed tens of thousands of dollars that their community is owed in work. The Amber Oaks Homeowner Association is asking the Township to use their authority to refuse Allen Edwin the remaining of the bond that the Township holds in the amount of \$30,000.00 plus and use that to facilitate a fair settlement to the Amber Oaks Community. He claims that they represent over 200 homes in and nearly 400 registered voters.
- Supervisor Coddington requested a hard copy of their list of concerns. Once we have the list then the Township can contact the developer and seek legal counsel about these issues.
- Further discussion took place about driveways, the size of sidewalks, walking paths and mulch.

MOTION by Graham, seconded by Counts, **“TO MOVE AGENDA ITEM NEW BUSINESS C, HOWELL TOWNSHIP TRAIL FEASIBILITY STUDY, TO REPORTS, H, PLANNING COMMISSION.”** Discussion followed. Motion carried.

CLOSED SESSION:

LEGAL COUNSEL ON PROPOSED SETTLEMENT BEING OFFERED

- **MOTION** by Graham, seconded by Hohenstein, **“TO MOVE INTO CLOSED SESSION TO DISCUSS ^WITH^ LEGAL COUNSEL ON A PROPOSED SETTLEMENT CURRENTLY BEING OFFERED AT 6:57 P.M.”** Discussion followed. A roll-call vote was taken: Melton – yes, Coddington – yes, Graham - yes, Smith – yes, Rudnicki – yes, Counts – yes, Hohenstein – yes. Motion carries 7 to 0.
- **MOTION** by Counts, seconded by Rudnicki, **“TO RE-ENTER INTO REGULAR SESSION AT 7:45 P.M.”** Motion carried.

UNFINISHED BUSINESS:

None.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Been dealing with lots of conference calls.
- Having conference calls twice weekly with County to discussing the amount of cases in the County and what emergency supplies and kits are available.
- It is decided that the office will reduce the amount of staff in the office at any given time. The doors will be closed to the public. Office hours will be Mondays and Thursdays from 9:00 AM until 1:00 PM to answer phone calls, check phone messages, take care of incoming mail and check emails. This will be until April 6th and then we will reassess.
- Working on Township lawsuits.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- It is time to choose a chloride provider. Chloride Solutions is the only company that submitted a bid. They are the same company that have done our roads in the past. The bid is the same price as last year. They work the best with the Road Commission. Discussion on the amount of passes they will apply. **MOTION** by Counts, seconded by Rudnicki, **“TO ACCEPT THE PROPOSAL FROM CHLORIDE SOLUTIONS AS PRESENTED.”** Discussion followed. Motion carried.
- The Deputy Treasurer’s computer is having issues. After discussion with our IT person it is recommended to replace the computer rather than trying to fix the computer. This will fit into the Township technology goals to replace computers on a rotating basis. The two oldest computers are the Assessing and Deputy Treasurer computers. Cost is \$2,934.02 for two computers including installation of all software. This is in the technology budget. **MOTION** by Graham, seconded by Melton, **“TO REPLACE THE DEPUTY TREASURER’S AND THE ASSESSOR’S COMPUTERS AT THE COST NOT TO EXCEED \$3,000.00.”** Discussion followed. Motion carried.

C. CLERK:

(Clerk Graham reported on the following items)

- Howell Township’s March Election has been cleared and approved by the Livingston County Board of Canvassers. It doesn’t look like there will be any audits for this election. The results of the election are included in the packet.
- It is being looked into by other municipalities on what they are doing about having extra help at the front counter to help handle the intake of applications and ballots for future elections. Will install a scanner on to the Clerk’s computer for checking in ballots. This helps make the process go a little faster. There is a scanner on the Deputy Clerk’s computer.
- The Deputy Clerk and I will be going over to M-Tec which holds two of our election precincts. There is rumor that the building is up for sale. We may have to find a new facility to hold two of our precincts. This takes time and must be done several weeks prior to the election.
- The letter opener that was purchased for the election for the AVCB worked very well. The inspectors stated that it made opening the ballots a much faster process.
- We now have over 1,000 permanent absentee voters. That does not include voters who request an absentee ballot for only a current election.

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 bank that the Fire Authority uses is changing names.
- Engine 23 is in place. Discussion on method of selling the old engine.

G. MHOG:

(Treasurer Hohenstein reported on the following items)

- See prepared written report.
- Reported that there was a discussion with Accounting/Deputy Supervisor on taking all the water tap fees that the Township takes in as the funding source to pay for the line item in the MHOG budget that Township pays for. Will know more when it gets closer to present the budget.

H. PLANNING COMMISSION:

Bringing back in agenda item 9C – Howell Township ~~Trail~~ ^Trail^ Feasibility Study

- Supervisor Coddington reported the main objective for the study is to obtain grants. The other reason is that the more developments come in, the pathways, trails and sidewalks have been drafted in as to what needs to be met. As of now there is no feasibility work plan in place.
- Discussion on it might have been better to do the study before the Master Plan.
- Discussion on studies to be conducted along Oak Grove Road and Grand River out to Tomato Brothers. It was the consensus of the Board to have Township Planner Montagno come to a Board Meeting to discuss this issue.
- Trustee Smith reported the Planning Commission had questions about the Byron Road paving and an ordinance for sidewalks from M-59 to Henderson Road. Discussion followed.
- Trustee Smith also reported that the Planning Commission wanted to know if the Board has any interest in Recreational Marijuana. Discussion followed. It was the consensus of the Board, the answer is “no” at this time.
- See February 25, 2020 Synopsis for further items.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- Welcomed new member, Tim Boal.
- Voted to appoint Carrie Newstead as Chairperson and Andrew Sloan as Vice-Chairman.
- Held Public Hearing on 3 interpretations for file #PZA-2020-01
- Had a closed session to hear Confidential Legal Opinion on #PZA-2020-01.
- The 3 separate interpretation were denied with reason. (See ZBA Minutes, February 18, 2020 for complete reasons.)

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- RAS Pump #3 is not working. Seeking approval to replace this pump for \$4,050.00. This pump is needed to allow both clarifiers to work. **MOTION** by Hohenstein, seconded by Melton, **“TO APPROVE QUOTE FROM UIS FOR RAS PUMP #3 NOT TO EXCEED \$4,050.00 AS PRESENTED.”** Discussion followed. Motion carried.
- Inframark is asking for more people. Their request was too general to decide. The committee is reviewing and will make some changes before offering it back to Inframark. Discussion followed.
- Inframark would like to update the software that runs the plant at cost of over \$150,000.00. Discussion followed. No updates will be made at this time.

K. HAPRA:

(Clerk Graham reported on the following items)

- Tomorrow’s meeting has been cancelled. An emergency meeting is scheduled for March 30th.
- Most activities have been canceled and they are working with a skeletal crew. Some refunds will have to be given for cancelled classes.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- Offers for the Oak Grove parcels #4706-25-200-046 and #4706-25-200-047 were presented. Offers have been submitted with counter offers going back and forth. There will be some zoning request changes on these two parcels. A mistake was found in the Special Assessment section; the amount

is incorrect. The developers would like bulk pricing for connection fees if they are bought in groups of at least 50 at a time. Discussion followed. **MOTION** by Hohenstein, seconded by Graham, **“MOVE TO ACCEPT THE PURCHASE AGREEMENT AS PRESENTED WITH CORRECTION OF PRICE IN THE SPECIAL ASSESSEMENT SECTION.”** Discussion followed. Motion carried.

- RESOLUTION 03.20.475 SALE OF PROPERTY.

MOTION by Graham, seconded by Hohenstein, **“TO ACCEPT RESOLUTON 03.20.475 FOR SALE OF PROERTY FOR TWO PARCELS ON OAK GROVE ROAD #4706-25-200-46 AND #4706-25-200-047 AS PRESENTED.”** Discussion followed. 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. (See Board Packet for full Land Purchase Agreement and Resolution.)

- Offers for the Pineview Village property was presented. An offer was submitted. They are still seeking some approvals. Discussion followed. **MOTION** by Hohenstein, seconded by Smith, **“MOVE TO ACCEPT THE LAND PURCHASE AGREEMENT FOR PINEVIEW VILLAGE AS PRESENTED.”** Discussion followed. Motion carried.

- RESOLUTION 03.20.476 SALE OF PROPERTY.

MOTION by Graham, seconded by Smith, **“TO ACCEPT RESOLUTON 03.20.476 FOR THE SALE OF PROPERTY KNOWN AS PINEVIEW VILLAGE AS PRESENTED.”** 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. (See Board Packet for full Land Purchase Agreement and Resolution.)

- There has been an offer the 74-acre Marr Road property. There are issues with this parcel. The Township designated part of that parcel for a park. Discussion on how set is the Board on having a park on this parcel, the size of the park and location of the park. The other issue is the size of the property. Developers do not want to take a risk on developing something that would take 6 to 10 years to develop. They only want to take, no more than a 3-year risk. Would the Board be willing to split the property? Splitting the property does generate other problems. Developers do not want the entire parcel but would like to place a hold on the rest of parcel so they might be able to develop later. They would like extensions on the Special Assessments. This is something that the Township can just do without State approval and at a cost to the Township. Discussion followed. It was the consensus to allow changes in size and location of parks and to allow splitting of large properties.

CALL TO THE PUBLIC:

No response.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Rudnicki, **“TO APPROVE THE REGULAR DISBURSEMENTS AS OF MARCH 5, 2020 CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carries.

ADJOURNMENT: **MOTION** by Melton, seconded by Smith, **“TO ADJOURN.”** Motion carried. The meeting adjourned 9:18 p.m.

As Presented: _____

Howell Township Clerk
Jean Graham

As Amended: _____

As Corrected: X _____

Mike Coddington
Howell Township Supervisor

Dated: 04.13.2020 _____

Debby Johnson, Recording Secretary