

HOWELL TOWNSHIP BOARD REGULAR MEETING

MINUTES

3525 Byron Road

Howell, MI 48855

July 13, 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.

APPROVAL OF THE AGENDA:

July 13, 2020

It was noted that the Pledge of Allegiance was left off the agenda during the zoom meetings and was mistakenly not added back on to the agenda. **MOTION** by Counts, seconded by Hohenstein **“TO APPROVE THE JULY 13, 2020 AGENDA WITH THE ADDITION OF THE PLEDGE OF ALLEGIANCE.”** Discussion followed. Motion carried.

JUNE 8, 2020 MEETING MINUTES:

A) REGULAR BOARD MEETING MINUTES

MOTION by Hohenstein seconded by Graham, **“TO APPROVE THE JUNE 8, 2020 MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion carried. (See June 8, 2020 Regular Meeting Minutes)

CORRESPONDENCE:

No additions.

CALL TO THE PUBLIC:

- Michael Tipton, 552 Olde English Circle – 1) Stated that most of the people that are here at tonight’s meeting are here because of the development project that is proposed to go in behind Kroger. He also stated that he believes an expensive study was done on this project. He feels that not enough information was given to the community about this project. He also has concerns about policing issues with this project. 2) Stated that a nice job was done on the repaving of Byron Road although he felt the road is now narrower. 3) Gave his concerns about the collection of cans at Angelo’s’ on Mason Road. 4) Mr. Tipton also voiced his concerns that a certain Board Member is missing from this meeting.
- Don Borne, 174 Henderson Road – Had questions about Union Development Holdings LLC asking for an extension on an earnest money deposit and it was denied. Wanted to know if they are still proceeding. (Yes, they are. That issue will be voted on tonight. They are asking for 60-day extension.)
- Sandy Poppelreiter, 84 Henderson Road – Would like to know what issue they are trying to resolve with an extension. (It is a drainage issue with Howell City. It began with a lawsuit between the previous property owners. The Kroger property belonged in Howell Township but was annexed into the City of Howell.)
- Debra Spaulding, 70 Henderson Road – Wanted to know if the plan is to put in houses, condos, or income-based apartments. (Apartments and a certain percentage will be income based rent. This is not considered low income housing.) Has concerned about her property value if this goes in. Also

wanted to know if the property will have to be rezoned. (It is already zoned for this type of development.)

Wanted

to know about the tax abatement. (It is income based. Instead of being real property taxes it is assessed on the project value based on the revenue the project makes. It is a different way of taxing.)

- Don Boren, 174 Henderson Road – If there is a loss of tax revenue from this development where does the Township plan to make up the difference? (The tax base does not work that way. The reduction is only on the units that do not pay market rate. The Township will collect less tax from these units but will not have to pay out more than what is collected. The Market rate units will pay full tax value.) Wanted to know why the development was not posted. (State mandates the Township gives notice if there is a rezoning.) Has concerns about what will change on Henderson Road. Will sewer/water be put in on both sides of the road and will the road be paved? (No water or sewer will be going in. Sewer and water are already available to this property off Oak Grove Road. The State mandates that the developer must pave Henderson to the entrance to the development.
- Discussion if there will be a change in the speed limit.
- For future information on the project, it was suggested to the public that they keep watch for the monthly Township Board Packets and Planning Commission Packets that are on the Township website

NEW BUSINESS:

A. WESTVIEW CAPITAL LLC REZONING 4706-25-200-046 & 047 TO MULTIPLE FAMILY RESIDENTIAL

Commissioner Counts stated that the parcel in question is across the street from the M-59 Kroger Gas Station. Parcel 4706-25-200-046 is currently zoned, "Office and Neighborhood Service Commercial" and parcel 4706-25-200-047 is currently zoned, "Office and Single Family Residential". Both parcels are proposed to be rezoned to "Multiple Family Residential". The two abutting parcels are located on Oak Grove Road. The proposed plan is for detached condos. The Planning Commission held a Public Hearing on April 28, 2020. The issued was tabled until May 26, 2020. Motion by the Howell Township Planning Commission to recommend approval based on the findings that it is consistent with the Master Plan ended in a tie vote. The Planning Commission has concerns with the traffic flow and there are residents from Amber Oaks who have concerns on their quality. Planning Commissioner Chair Sloan agreed to send it to the Township Board for approval. Livingston County Planning Commission gave their approval for the rezoning and stated it is contiguous with the Master Plan. Discussion followed. **MOTION** by Counts, seconded by Smith, "**TO APPROVE THE REZONING REQUEST FOR WESTVIEW CAPITAL LLC, FOR PARCELS 4706-25-200-046 & 047 TO MULTIPLE FAMILY RESIDENTIAL.**" Discussion followed. Motion carried with one dissenting vote.

B. ROAD FUND BUDGET AMENDMENT

Treasurer Hohenstein stated that we have exceeded our Road Improvement Expense. Deputy Supervisor has recommended that \$19,000.00 be moved into the Road Improvement Account. **MOTION** by Hohenstein, seconded by Rudnicki, "**MOVE TO INCREASE THE ROAD IMPROVEMENT EXPENSE ACCOUNT BY \$19,000.00 TO COVER THE 2019/2020 ROAD PROJECTS AS PRESENTED.**" Discussion followed. Motion carried.

* Trustee Melton entered the meeting at 7:04. He had to leave just before the meeting started for a family emergency.

C. CLEAN-UP DAY RESCHEDULED?

Clerk Graham stated that the May Clean-Up Day had to be canceled because of the COVID situation. There have been inquiries from residents if the date will be rescheduled for this year. Not knowing what the future holds for COVID and what possible future lockdowns could occur again, it will be difficult to schedule vendors

for this type of event at this time. It was the consensus of the Board to wait until the normal Clean-Up Day next May.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Taken several phones calls.
- Working with legal counsel.
- Working with property committee.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- See Road Fund Report – The \$26,627.00 is the chloride expense for July. The rest of the amounts in the report are estimates. We have not yet received the invoice for the paving of Byron Road.
- Letters went out to residents who were being billed for the Howell Sewer Debt Fee, explaining that the Howell Township Board at the June Meeting adopted the new budget that included removing this fee after the July Utility Billing.
- Our IT person is recommending updating some computer items for the office at a cost of \$1,635.00. **MOTION** by Hohenstein, seconded by Graham, **“MOVE TO ACCEPT THE BID NOT TO EXCEED \$1,700.00 FROM MICRO WORKS COMPUTING, INC FOR UPGRADES.”**
Discussion followed. Motion carried.
- Buildings on Township owned properties are in bad shape. It has been on the list of things to do and is in the budget to have these buildings be demolished. One building is located on the corner of Warner and Crandall. There are other buildings on the corner of Tooley and Warner. All these buildings are unsafe. Request for bids for demolition of these buildings were sought but only 1 bid has come in. **MOTION** by Hohenstein, seconded by Melton, **“MOVE TO ACCEPT THE PROPOSAL FROM REGAL DEMOLITION NOT TO EXCEED \$29,000.00 AS PRESENTED.”**
Discussion followed. Motion carried.

C. CLERK:

(Clerk Graham reported on the following items)

- We have been busy with Absentee Ballots. So far, we have received 1,350 applications and have sent out ballots for each of those. At the current time we have only received back 388 ballots. There are many new voters becoming Permanent Absentee Voters.
- To the Board members, hopefully you received notice that Mark Church from American Funds is retiring and Jeffrey C. Feurt will be taking his position.

D. ZONING:

(See Zoning Administrator Daus’s prepared written report)

E. ASSESSING:

(See Assessor Kilpela’s prepared written report)

F. FIRE AUTHORITY:

(Supervisor Coddington reported on the following items)

- Accepted the retirement of Chief Pless. Deputy Chief Ron Hicks will become the new chief and then will appoint the new deputy chief.

- Paid Bills

G. MHOG:

(Trustee Counts reported on the following items)

- See written report.
- The storage building is finished.
- Fire hydrant maintenance is currently taking place.
- Water usage is down because some of the commercial buildings are not in operation.
- Getting bids for the lime removal.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- See written report.
- Discussion on the Innovation Zone.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- No meeting this month.

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- See prepared written report in packet.
- Explained the problems with the aerators. Because of the aerators have not been replaced as previously told, they are in poor condition and require more oxygen to work. This increases the cost of running the plant each month. It is highly recommended to drain the aeration basin for repair. The procedure needs to be done in the summer months. If it is not done now it will have to wait until next summer. **MOTION** by Hohenstein, seconded by Melton, **“MOVE TO APPROVE TO DRAIN, CLEAN AND PATCH LINER OF THE AERATION BASIN NOT TO EXCEED \$50,000.00.”** Discussion followed. Motion carried.

K. HAPRA:

(Clerk Graham reported on the following items)

- Things are up and down. The fishing tournament was “on your own” by showing pictures.
- Starting to do some outdoor physical exercises classes.
- It is not sure yet if the camp programs will happen this year.
- It is still unsure about opening the pool with uncertainty of the school opening.
- Trying to create a Book Trail at the Ocoola site. A trail where the child has a book and follows the trail and pictures throughout the trail.
- The construction on the new building at Ocoola Township is on course.
- HAPRA is trying to come up with ways to have programs that allow social distancing.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- Annex Group has a contract amendment. They are requesting a 60-day extension on the earnest money deposit and then reduce the closing date by 60 days. They are also offering to make the initial earnest money deposit non-refundable. It is the Property Committee’s recommendation to approve. **MOTION** by Hohenstein, seconded by Melton, **“MOVE TO ACCEPT THE AMENDMENT**

TO THE PURCHASE AGREEMENT FOR UNION DEVELOPMENT HOLDINGS, LLC AS PRESENTED.” Discussion followed. Motion carried.

CALL TO THE PUBLIC:

Tim Boal, 66 Santa Rosa – Wanted to address the Board about an issue with parking at the end of his street. He started submitting complaints in October of 2019, as to what he believes are 5 different ordinance violations. He showed pictures of what he believes are violations according to Howell Township ordinances. (These issues are now officially on the Ordinance Enforcement List.)

Don Boren, 174 Henderson – Would like the Township to notify residents by mail of the updates of the proposed development behind Kroger. (Meetings are posted on the door and website. Residents can call or come into the office with questions. If we send/mail out non-required notifications to residents on this project, then we will have to the same thing on all projects. That is very timely and costly and is not State mandated. The Township does send out notifications and posts what is required.)

Debra Spaulding, 70 Henderson – Wanted to know with the 60 day extension for Union Development Holdings, LLC can she call the Township on the 61st day to find out if the proposal went through and if the development will be going forward. (This just gives them a 60-day extension to the purchase before it goes to the Planning Commission.) If it does get approved how long before they start building? (We, have been told, they are hoping to get some pads on the ground before the frost so they can build through the winter.)

Michael Tipton, 552 Olde English Circle – Wanted to know the percentage of voters that have requested absentee ballots. (The percentage figure was not brought to the meeting. He can call the office in the morning to get that number.)

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Rudnicki, **“TO APPROVE THE REGULAR DISBURSEMENTS AS OF JULY 7, 2020 CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carries by unanimous consent.

ADJOURNMENT: MOTION by Melton, seconded by Counts, **“TO ADJOURN.”** Motion carried by unanimous consent. The meeting adjourned 7:48 p.m.

As Presented: _____ X _____

Howell Township Clerk
Jean Graham

As Amended: _____

As Corrected: _____

Mike Coddington
Howell Township Supervisor

Dated: _____ 08.10.2020 _____

Debby Johnson, Recording Secretary