

**HOWELL TOWNSHIP REGULAR BOARD ELECTRONIC/ZOOM MEETING
MINUTES**

3525 Byron Road
Howell, MI 48855
February 8, 2021
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.

Due to the meeting being a Zoom Meeting, there was no Pledge of Allegiance.

APPROVAL OF THE AGENDA:

February 8, 2021

MOTION by Counts, seconded by Rundicki, **“TO APPROVE THE FEBRUARY 8, 2021 AGENDA AS AMENDED: AMY FROM TANGER OUTLET TO GO UNDER NEW BUSINESS 8A AND MOVE THE OTHER ITEMS DOWN.”** Discussion followed.

In the Board Packet the PROPERTY COMMITTEE MINUTES were put in with the Annex Papers by mistake. Motion passes by unanimous consent.

JANUARY 11, 2021 MEETING MINUTES:

A) REGULAR BOARD MEETING MINUTES

MOTION by Hohenstein, seconded by Melton, **“TO APPROVE THE JANUARY 11, 2021 MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent. (See January 11, 2021 Regular Zoom Meeting Minutes.)

CORRESPONDENCE:

No additions.

Trustee Melton had a question about The Capitol Group and some fees that could occur. He would like to move his funds to a different place. The matter will need to be investigated further if funds can be moved into a different company.

CALL TO THE PUBLIC:

No response.

UNFINISHED BUSINESS:

SIGN ORDINANCE

Clerk Graham stated that Crossroads are ready to put up their sign. They need to have a sum of money put into an escrow account in case they were to walk away from the agreement. The quote given by Billboard Specialist for \$5,000.00 does not state what type of billboard this includes. Discussion on if the amount needs to be increased. A representative from Crossroads stated that the billboard will be 40 feet from the ground to top

of the sign. It will be on a monopole. It will be digital on both sides. It will take one to two days to install. The structure comes in pieces. Billboard Specialist have done other assembling and disassembling of signs for Crossroads.

- **MOTION** by Counts, seconded by Melton, **“TO SET BILLBOARD REMOVAL ESCROW AT \$10,000.00.”** Discussion followed. Motion passes by unanimous consent.

NEW BUSINESS:

A. TANGER OUTLET

Clerk Graham informed the Board that Tanger Outlet may be seeking Howell Township’s 1 remaining Liquor License. Amy the current marketing director from Tanger Outlet stated that they are trying to fill vacancies at Tanger. She is inquiring if Tanger purchases that Liquor License can that license later be transferred to a tenant who desires to open a restaurant within Tanger. Clerk Graham stated that the current Board has never dealt with type of situation and will need to investigate on how to handle this type of issue. One of the concerns is, if that tenant comes into Tanger they would only be renting the space and not buying it. The Board asked why there is not any food spaces at the Outlet now. Amy stated that is a corporate decision that is for all Tanger Outlets. Tanger now has new management and the restraints of what is allowed will be different. Supervisor Coddington informed Amy that Howell Township has lost a Liquor License before because of a restaurant coming in and then leaving and taking the license with them to a different township. He suggested if Tanger could go into partnership with the restaurant so if that restaurant decides to leave Tanger that license would stay with Tanger and not leave with the restaurant. It was asked if restaurants are brought in would they all be together in one area or spread out through the buildings. Amy stated that they have 3 prime spaces in different buildings that would be good for restaurants and some would have potential for outside dining. We are not looking at putting in a food court. Discussion if Tanger held the Liquor License is it possible then they could partner with more than one restaurant under a Tanger Outlet Liquor License. This option would have to be determined by the State Liquor License Board. This will be brought back to the Board when these questions can be answered. An ordinance most likely will be set up. The Board is concerned that the liquor license stay in Howell Township and not go with a restaurant moving elsewhere.

B. UNION AT OAK GROVE – ANNEX

Treasurer Hohenstein stated that Annex is working through issues with MSHDA. One of those issues is the purchase agreement. Our attorney has drawn up the “Second Amendment to Land Purchase Agreement” with the Annex Group which is now called Union at Oak Grove. There were no concerns from the Board.

- **MOTION** by Hohenstein, seconded by Smith, **“TO APPROVE THE SECOND AMENDMENT TO LAND PURCHASE AGREEMENT WITH UNION AT OAK GROVE LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent.

Treasurer Hohenstein stated that there is a second item with MSHDA and Union at Oak Grove. To change the dates in the PILOT Ordinance so that they correspond more closely with construction and closing dates. MSHDA will do audits to make sure that tenants’ income is within the required level and they will also investigate safety compliances. Discussion on how inspections are done. Discussion on Section 3 Definitions item D.

- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT THE AMENDMENT TO THE HOWELL TOWNSHIP TAX EXEMPTION ORDINANCE – UNION AT OAK GROVE, ORDINANCE #284 AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Smith – yes, Melton – yes, Rudnicki – yes, Counts – yes, Hohenstein – yes, Graham – yes, Coddington – yes. Motion passes 7 to 0.

Treasurer Hohenstein stated that Annex has another request to remove an item from the deed from the State that deals with the ingress and egress with water ways. Treasurer Hohenstein agrees that this item is not needed. Mary Levine from the Annex Group stated they would like the Township to apply for the removal

of the Water Way Reservation that the State of Michigan has. Since this application takes 45 to 60 days it would be better for the Township to apply for the removal prior to the sale of the property. The Board agreed to move forward with the application for the removal of the Water Way Reservation.

C. HOWELL TOWNSHIP FINANCIAL UPDATE

Assessor Kilpela gave a synopsis of the Revenue and Expenditure Report for period ending 01-31-2021. He explained some of the changes to the incoming revenue and some of the changes to expenditures from the General Fund. Discussion on tax revenue and the new neighborhoods that are coming in. He explained that the Township has collected about one half of the Road Millage. For expenditures, the Township has done their road projects for the year. There was explanation on the Recreation Fund. There is no revenue coming at this point except for bank interest. A Budget Amendment to fund our half membership. In the Water/Sewer Account Kilpela explained there were tap fees collected from Chestnut Woods that were not expected this soon. Sewer Fees are in line of what was expected, and the Water Fees are slightly ahead. The Sewer Debt Fee soon will no longer be a line item. Kilpela explained expenditures for Utility Billing and at the WWTP. Kilpela stated we are in line of budget ending 01-31-2021. The Township is at \$693,090.71 surplus. There were no questions from the Board about the current budget report.

Assessor Kilpela explained the proposed budget amendments.

- 1) Increase the General Fund Constitutional Revenue Sharing by \$300,000.00 to account for State revisions. That would take the original budget from \$300,000.00 to \$600,000.00.
- 2) Increase the Township at Large Legal Expense by \$25,000.00 to account for additional billings. That would take the original budget from \$50,000.00 to \$75,000.00.
- 3) Increase Township at Large Drain Expense by \$17,000.00 to account for additional drain assessment. That would take the original budget from \$33,000.00 to \$50,000.00.
- 4) Increase the General Fund Transfer Out-Parks & Recreation by \$160,000.00 to account for State revisions to Constitutional Revenue Sharing. That would take the original budget from \$0.00 to \$160,000.00. This would take care of the current Parks & Recreation and help fund any new parks that would come into the Township.
- 5) Increase the Recreational Fund Operating Transfer In by \$160,000.00 to account for State revisions to Constitutional Revenue Sharing. That would take the original budget from \$0.00 to \$160,000.00. This is the sister to the above amendment.
 - **MOTION** by Graham, seconded by Counts, **“TO ACCEPT THE 2020/2021 FIVE (5) PROPOSED BUDGET AMENDMENTS AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent.

Kilpela gave an outline on the Cash Flow Using Budgeted Revenue that was passed and started on July 1, 2020. He explained the bond payments and what we have collected. He then went on to explain the Cash Flow using Historical Average Revenue. Kilpela stated that we should be in good shape for the next 2 years. The last bond payment for Sewer and Water should be in 2027.

The Board thanked Kilpela for his hard work and making things clear so that it easier to make decisions.

D. RESOLUTION TO EXTEND POVERTY EXEMPTIONS

Assessor Kilpela stated that he will have to have the March Board of Review by Zoom or Letter Appeal. He has two residents who received the Poverty Exemption. Kilpela has drafted a resolution to allow for existing Poverty Exemption that were granted in 2019 and 2020 to be kept in place for a period of three consecutive years if they are still eligible. This would allow not having to go through the re-applying process which is very difficult with the Township doors closed. It is also exceedingly difficult for the elderly to try and figure out a Zoom Meeting. The State is allowing for this opportunity.

- **MOTION** by Graham, seconded by Melton, **“TO ACCEPT RESOLUTION #02.21.481, A RESOLUTION TO EXTEND EXISTING POVERTY EXEMPTION FOR THE THREE CONSECUTIVE YEARS.”** Discussion followed. A roll-call vote was taken: Counts – yes, Hohenstein – yes, Graham – yes, Coddington – yes, Smith – yes, Melton – yes, Rudnicki – yes. Motion passes 7 to 0.

E. REPLACING MULTIFUNCTIONAL COPIER

Supervisor Coddington stated that there are two quotes submitted. The office staff is not in immediate need for the new copier that this issue could be postponed until next meeting. That would give it more time to get another bid. Clerk Graham added the office staff is satisfied with the current copier company and would be happy to stay with the current company, Applied Imaging.

- **MOTION** by Graham, seconded by Hohenstein, **“TO KEEP WITH APPLIED IMAGING AND GO WITH THE DOCUMENTS PRESENTED.”** Discussion followed. Motion passes with one exception. There is no added cost with updating the copier if the Township goes with the one presented.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Most everything was covered during the meeting.
- Call from Santa Rosa Drive.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- We try and do some road repairs/improvements every year. Proposed Township Road Projects for 2021 are as follows and the Treasurer explained some issues with some of these projects.
 - 1) Oak Grove Road with a turn lane from Henderson Road to M-59 and paving Henderson. LCRC will not help contribute to this project. A different solution would be to just pave Henderson as it would provide an alternate route for traffic that will be created by the Annex Project, but at a cost of \$1,000,000.00 that will not alleviate the problem at the intersection of M-59 and Oak Grove. Treasurer Hohenstein stated that Commissioner Haglund, Zoning Administrator Daus and himself talked with Livingston County Road Commission. Trustee Counts who is also a commissioner on the Planning Commission offered to bring in a traffic study that he has on the M-59 and Oak Grove Road Discussion on alternative solutions to help alleviate traffic problems.
 - 2) The section of Burkhart Road from the I-96 interchange to Mason Road and adding a right turn lane at the I-96 interchange.
 - 3) The Tooley Road area; any developer that has shown interest in the Township owned properties state they cannot sell houses on a gravel road.
 - 4) Other gravel roads that could use some work include Barron, Allen, and Crandall. The issue with gravel roads is getting quality material.

Discussion followed on whether to use funds from new land projects on roads or to help pay off the bonds early.

- **MOTION** by Hohenstein, seconded by Rudnicki, **“MOVE TO ACCEPT THE BURKHART ROAD – MASON ROAD TO I-96 RAMP INTERSECTION ESTIMATE FROM THE LIVINGSTON COUNTY ROAD COMMISSION WITH LIVINGSTON COUNTY ROAD COMMISSION PROJECT COST SHARING NOT TO EXCEED \$335,000.00 AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent.

C. CLERK:

(Clerk Graham reported on the following items)

- The Township has received a reimbursement for COVID supplies: \$1,253.00 for the screen that went up at the counter. The County had a grant that would allow for this; however, it is not a check, but funds transferred into the Township account. Reimbursements has been submitted for cleaning supplies for the elections to another reimbursement fund offer.
- Township Spring Clean-Up Day. Do we want to put this back on the calendar yet? Discussion followed. Most places are not making decision as what will be open until June. Do we want to let it ride another year or have a Fall Clean-Up Day? It was the consensus to let this wait another couple of months to see what is being allowed.

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)

- Bought some new radios.
- Paid bills.

G. MHOG:

(Trustee Counts reported on the following items)

- Produced 38 million gallons of water in December.
- Found a company who will make the bleach tank liner without having to remove the roof of the building. Their bid was accepted.
- Did not have any PFAS in the water system according to the annual testing.
- Must do a Risk and Resilience Assessment.
- Approved new water meter rates.
- Started a Self-Assurance Fund in case a catastrophic event happening.
- Had a discharge into the Red Cider River with some high PH. A letter was sent to the State explaining that it was an operator mistake. They are back into compliance. It was a minor issue.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- LACASA has submitted Preliminary and Final Site Plan. They are planning on building their office and shelter which will be located right across from the EMS building.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- There was no ZBA Meeting.

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- VFD on Lambert Drive pumps. We still have not received the 2nd quote from Kennedy. Would like to update that pump to KISM control. Does the Board feel comfortable in allowing the WWTP Committee to make that decision or do you want it to come back to the Board for vote? Discussion followed. It was the consensus of the Board to allow the WWTP Committee to make the decision as long as they stay within the \$10,000.00 quote for the VFD.

- Zoning Administrator Daus will be updating the Fee Schedule to include a fee to the developers for updating the GIS system. This will be brought back for the Board to approve the extra fee.

K. HAPRA:

(Clerk Graham reported on the following items)

- The Howell Recreation received the Community Collaboration Award. This is the 2nd award they have received over this COVID period.
- Went through all the policies, yearly appraisals, and insurance.
- Talked about the new building.
- They have a Banner Program for a company that would like a banner with their name on it to be placed in designated areas. It is \$500.00 for the first year and \$250.00 a year thereafter.
- A date for opening should be announced soon.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- There has been an offer on the Mason Road property. They have accepted our changes to the contract, but we are still negotiating the price. They are looking into a Mixed Development. Discussion on when the Special Assessment will be due.
 - **MOTION** by Rudnicki, seconded by Graham, **“TO ACCEPT THE OFFER FROM DED AND LINDA DEDVUKAJ ON THE MASON ROAD PROPERTY, PARCEL #4706-32-400-013 AS PRESENTED WITH THE CHANGE THAT THE SPECIAL ASSESSMENT WILL BE PAID OFF AT CLOSING.”** Discussion followed. Motion passes by unanimous consent.

Discussion on options for the farmer who has been working this field.
- Pineview Village discussion on the number of days of extension.
 - **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT LAND PURCHASE AGREEMENT AMENDMENT WITH THE CHANGE OF THE CLOSING DEADLINE FOR 90 DAYS AT THE COST OF \$10,000.00.”** Discussion followed. Motion passes by unanimous consent.

CALL TO THE PUBLIC:

No response.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Counts, **“TO APPROVE THE REGULAR DISBURSEMENTS AS OF JANUARY 31, 2021 CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion passes by unanimous consent.

ADJOURNMENT: **MOTION** by Counts, seconded by Rudnicki, **“TO ADJOURN.”** Motion passes by unanimous consent. The meeting adjourned (9:15 p.m.)

As Presented: X

Howell Township Clerk
Jean Graham

As Amended: _____

As Corrected: _____

Mike Coddington
Howell Township Supervisor

Dated: 03.15.2021

Debby Johnson, Recording Secretary