

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

3525 Byron Road
Howell, MI 48855
March 15, 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:

March 15, 2021

MOTION by Melton, seconded by Counts **“TO APPROVE THE MARCH 15, 2021 AGENDA AS PRESENTED.”**

Discussion followed. Motion passes by unanimous consent.

FEBRUARY 8, 2021 MEETING MINUTES:

A) REGULAR BOARD MEETING MINUTES

MOTION by Hohenstein, seconded by Rudnicki **“TO APPROVE THE FEBRUARY 8, 2021 MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent. (See February 8, 2021 Regular Zoom Meeting Minutes.)

CORRESPONDENCE:

No additions.

CALL TO THE PUBLIC:

No response.

UNFINISHED BUSINESS:

A. AMBER OAKS

Supervisor Coddington informed the Board that there are issues between Amber Oaks and Allen Edwin on problems that have never been resolved. The Township has been waiting to receive a list of the issues that are of concern. The Township Board has now received a letter and petition from the residents of the Amber Oaks Community to demand that Howell Township hold Allen Edwin accountable for these concerns. Township legal counsel Chris Patterson gave insight on these issues. Amber Oaks Homeowners Association President Julia Barker also commented about the unfinished issues with Allen Edwin. The Board agreed to have Supervisor Coddington, Treasurer Hohenstein and Zoning Administrator Daus meet with the Amber Oaks Homeowners' Association and Allen Edwin to discuss these unfinished issues.

B. PINEVIEW

Legal Counsel Chris Patterson gave an overview of the history of the Pineview property and issues with the roads. Michael Furnari who would like to purchase the property also spoke about issues that came with the property. Mr. Furnari is out of contract at this time and would like an extension to the purchase agreement. The Township Property Committee would like to move forward with this purchase. Part of the issue is the agreement with the Pineview Village Homeowners and the cost sharing of paving/fixing the roads. Mr. Furnari, Pineview Village and Howell Township will meet to discuss this matter.

- **MOTION** by Smith, seconded by Hohenstein, **“TO EXPRESS ITS INTENT TO EXTEND THE PURCHASE AGREEMENT AT THE NEXT BOARD MEETING.”** Discussion followed. Motion passes by unanimous consent.

C. ANNEX

Discussion on Annex Group Union at Oak Grove. MSHDA will not pay until some changes are made with the REU Special Assessment Agreement. The Board discussed the latest agreement. They agreed to allow paying off the Special Assessments at the closing with the MSHDA loan.

- **MOTION** by Hohenstein, seconded by Smith, **“TO ACCEPT THE 3RD AMENDMENT TO THE PURCHASE AGREEMENT INCLUDING THE REU SPECIAL ASSESSMENT AGREEMENT AS PRESENTED BUT WITH CHANGES TO BE MADE BY CHRIS PATTERSON AS DISCUSSED.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Counts – yes, Rudnicki – yes, Melton – yes, Melton – yes, Smith – yes, Coddington – yes, Graham – yes. Motion carries 7 to 0/

D. LIQUOR LICENSE ORDINANCE

Legal Counsel Chris Patterson explained the Liquor License Ordinance. The Board discussed the issue.

- **MOTION** by Rudnicki, seconded by Hohenstein, **“TO ACCEPT HOWELL TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN LIQUOR LICENSE ORDINANCE #286 AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Rudnicki – yes, Counts – yes, Hohenstein – yes, Melton – yes, Graham – yes, Smith – yes, Coddington – yes. Motion passed 7 to 0.

E. REPEALING BUSINESS LICENSING ORDINANCE #241.

At the October 12, 2020 the Board decided to discontinue the Howell Township Business Licenses starting 2021. That decision needed to be done by repealing the Business License Ordinance #241. Legal counsel Chris Patterson gave a synopsis of the repealing ordinance.

- **MOTION** by Counts, seconded by Rudnicki, **“TO PASS ORDINANCE #287 REPEALING THE HOWELL TOWNSHIP ORDINANCE #241.”** Discussion followed. A roll-call vote was taken: Graham – yes, Hohenstein – yes, Counts – yes, Smith – yes, Melton – yes, Rudnicki – yes, Coddington – yes. Motion passed 7 to 0.

F. OAKLAND TACTICAL

Treasurer Hohenstein gave an update to the Oakland Tactical law suit: *OPINION AND ORDER DENYING PLAINTIFFS’ MOTION FOR RECONSIDERATION AND FOR LEAVE TO FILE A THIRD AMENDED COMPLAINT.*

G. RESOLUTION 03.21.482 MASON RD.

A resolution was presented for the sale of property #4706-32-400-013 on Mason Road.

- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT RESOLUTION #03.21.482 FOR THE SALE OF TOWNSHIP PROPERTY ON MASON ROAD.”** Discussion followed. A roll-call vote was taken: Coddington – yes, Hohenstein - yes, Graham – yes, Counts – yes, Smith – yes, Melton – yes, Rudnicki – yes. Motion passed 7 to 0.

NEW BUSINESS:

None.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Discussion regarding the state of emergency. **MOTION** by Hohenstein, seconded by Smith, **“TO ACCEPT THE ADDENDUM TO TOWNSHIP BOARD RULES OF PROCEDURES AS ACCEPTED.”** Discussion followed. Motion passes by unanimous consent.
- Discussion regarding a local state of emergency. **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT RESOLUTION #03.21.484 DECLARING A LOCAL STATE OF EMERGENCY TO PROTECT THE PUBLIC PEACE, HEALTH, SAFETY, AND GENERAL WELFARE (COVID-19) AS PRESENTED WITH THE STRIKING OF PARAGRAPH #3.”** Discussion followed. A roll-call vote was taken: Counts - yes, Graham - yes, Hohenstein – yes, Coddington - yes, Rudnicki – yes, Melton – yes, Smith – yes, Motion passed 7 to 0.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- See written report in packet.

It was asked to deviate from the agenda and to item 9L Property Committee. **MOTION** by Counts, seconded by Rudnicki, **“TO DEVIATE FROM THE AGENDA AND GO TO ITEM 9L PROPERTY COMMITTEE.”** Motion passes by unanimous consent.

L. PROPERTY COMMITTEE

- Discussion on the Crandall Road property. Scott Griffith explained the agreement. **MOTION** by Hohenstein, seconded by Rudnicki, **“TO ACCEPT THE OFFER FOR 3150 CRANDALL ROAD AS PRESENTED, PARCEL #4706-16-400-001”** Discussion followed. Motion passes by unanimous consent.
- **MOTION** by Graham, seconded by Smith, **“TO ACCEPT RESOLUTION #03.21.483 FOR THE SALE OF TOWNSHIP PROPERTY ON CRANDALL ROAD.”** A roll-call vote was taken: Hohenstein – yes, Graham – yes, Coddington – yes, Counts – yes, Smith – yes, Rudnicki – yes. Motion passed 7 to 0.

MEETING WENT BACK TO THE TREASURER REPORT – AGENDA ITEM 9B

- Township Road Projects.
 1. Top coat Burkhart Road from Mason Road to the I-96 interchange with adding a right turn lane at the I-96 intersection. This was approved at the February Meeting.
 2. Burkhart Road north of the railroad crossing to Grand River. The project would mill out the top layer of the existing pavement and pave back approximately 2.5” of Hot Mix Asphalt. The project is approximately 0.47 miles long. **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT BURKHART RD PROJECT, FROM THE RAILROAD CROSSING TO GRAND RIVER AVENUE NOT TO EXCEED \$180,000.00 AS LONG AS COST SHARING IS AVAILABLE FROM THE COUNTY ROAD COMMISSION.”** Discussion followed. Motion passes by unanimous consent.
 3. Burkhart Road from Grand River Avenue to Crandall Road. The project would include a chip seal and fog seal over the existing roadway. The project is approximately 3.26 miles long. **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT BURKHART RD PROJECT FROM GRAND RIVER TO THE END BY CRANDALL ROAD NOT TO EXCEED \$150,000.00**

AS LONG AS COST SHARING IS AVAILABLE FROM THE COUNTY ROAD COMMISSION.” Discussion followed. Motion passes by unanimous consent.

4. Chloride bids were discussed. There was discussion on the amount of chloride being put down and how often it is put down. It was noted that there have been complaints from residents after the chloride Supervisor Coddington stated there have been complaints for several years about this situation. The current chloride provider seems to do the best job. **MOTION** by Rudnicki, seconded by Hohenstein, **“TO ACCEPT THE BID FROM CHLORIDE SOLUTIONS AS PRESENTED.”** Discussion followed. Motion passes by unanimous consent.

C. CLERK:

(Clerk Graham reported on the following items)

- No report.

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 new fire hoses.
- Engine 20 went down but it was still under warranty.

G. MHOG:

(Trustee Counts reported on the following items)

- Received bids to paint the Genoa and Ocoola water towers. Projects should be done by end of summer or early fall.
- Passed the budget.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- Approve preliminary and final site plan for Lare Enterprise.
- Discussion on road and traffic studies.

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)

- See written report.
- Discussion on violation at the plant. New UV bulbs have been put in place and should take care of the issue. It is suggested that they be replaced every year.
- New effluent meter was installed on an emergency basis and could not wait for Board approval. **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE AFTER THE FACT REPLACEMENT**

OF THE EFFLUENT METER QUOTE FROM UIS NOT TO EXCEED \$6,080.00 AS PRESENTED.”

Discussion followed. Motion passes by unanimous consent.

K. HAPRA:

(Clerk Graham reported on the following items)

- There is a plan for a soft opening for the new facility in the spring.
- Talk about installing new furniture and equipment and where the money will come from for this cost.
- Discussion on park passes. Howell City is out of money and not sure how the park issue will be handled.

CALL TO THE PUBLIC:

- Paul DeBuff, city manager for Howell – stated the city is trying to come up with options for HAPRA and the issue with the park passes.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Counts, **“TO APPROVE THE REGULAR DISBURSEMENTS AS OF FEBRUARY 28, 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 Hohenstein, **“TO ADJOURN.”** Motion passes by unanimous consent. The meeting adjourned (9:03 p.m.)

As Presented: _____ X _____

Howell Township Clerk
Jean Graham

As Amended: _____

As Corrected: _____

Mike Coddington
Howell Township Supervisor

Dated: _____ 04.12.2021 _____

Debby Johnson, Recording Secretary