

## AGENDA

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE HELD IN PERSON AND VIRTUALLY AT WEST BRANCH CITY HALL, 121 N. FOURTH ST. ON MONDAY, FEBRUARY 20, 2023, BEGINNING AT 6:00 P.M.

PLEASE NOTE: All guests and parties in attendance are asked to sign in if they will be making any comments during meetings, so that the City Clerk may properly record your name in the minutes. Public comments are limited to 3 minutes in length while matters from the floor are limited to 10 minutes. All in attendance are asked to silence all cell phones and other electronic devices. Accommodations are available upon request to those who require alternately formatted materials or auxiliary aids to ensure effective communication and access to City meetings or hearings. All request for accommodations should be made with as much advance notice as possible, typically at least 10 business days in advance by contacting City Clerk Lori Ann Clover at (989) 345-0500. [DISCLAIMER: Views or opinions expressed by City Council Members or employees during meetings are those of the individuals speaking and do not represent the views or opinions of the City Council or the City as a whole.] [NOTICE: Audio and/or video may be recorded at public meetings of the City Council.]

- I. Call to order
- II. Roll call
- III. Pledge of Allegiance
- IV. Scheduled Matters from the Floor
  - A. County Update
  - B. Steve Simmons – Well Request
- V. Public hearing
  - A. Proposed Obsolete Property Rehabilitation District at 111 N. Third St.
- VI. Additions to the agenda
- VII. Public comment on agenda items only (limited to 3 minutes)
- VIII. Bids
- IX. Unfinished Business
- X. New Business
  - A. Bills
  - B. Special Event Surline Elementary PTO Color Run
  - C. Resolution 23-05 - Establish an Obsolete Property Rehabilitation District
- XI. Approval of the minutes and summary from the regular meeting held February 6, 2023.
- XII. Consent Agenda
  - A. Treasurer's Report and Investment Summary
  - B. West Branch Police Department Report for January 2023
- XIII. Communications
- XIV. Reports
  - A. Mayor
    1. Joint Airport and Zoning Board
  - B. Council



C. Manager

XV. Public comment any topic

XVI. Adjournment

UPCOMING MEETINGS-EVENTS

February 28 DDA 12:00 pm

March 6 City Council 6:00 pm

March 14 Planning Commission 6:00 pm

March 15 Airport Board 12:15 pm

March 20 City Council 6:00 pm

March 21 WWTPA 3:30 pm

March 28 DDA 12:00 pm



## PUBLIC HEARING FOR PROPOSED OBSOLETE PROPERTY REHABILITATION DISTRICT AT 111 N. THIRD ST.

A Public Hearing to receive public comment is scheduled for Monday, February 20 at 6:00 p.m. at the regular meeting of the City Council in the Council Chambers of West Branch City Hall, 121 N. Fourth Street, West Branch, Michigan to consider the establishment of an Obsolete Property Rehabilitation District. The proposed district is based on the State of Michigan Public Act 146 of 2000 and is intended to induce changes to obsolete property, other than replacement, that are required to restore or modify the property to an economically efficient condition through tax abatements. The area of the proposed district is subject to public hearing and is described as:

**RH WEIDMANN & CO'S ADDITION NORTH 47 FT OF LOT 1, BLOCK 2 AND N'LY 47 FT OF E'LY 20 FT OF LOT 2, BLOCK 2**, more commonly known as 111 N. Third Street, West Branch.

The public is encouraged to acquaint itself with this proposal and make its position known. Any concerns or comments, for or against the establishment of this district, must be presented to the West Branch City Council prior to or during this public hearing. Written comments may be submitted to the West Branch City Clerk's Office, 121 N. Fourth Street, West Branch, Michigan 48861 or via email to [clerk@westbranch.com](mailto:clerk@westbranch.com) prior to the meeting.

Further information about the proposed district can be found on the Home Page of the City's website: [www.westbranch.com](http://www.westbranch.com) or by contacting John Dantzer, City Manager or Lori Ann Clover, City Clerk at (989)345-0500.

Accommodations and necessary reasonable auxiliary aids and services are available upon request to persons with disabilities, as well as the hearing impaired, who require alternately formatted materials or auxiliary aids to ensure effective communication and access to meetings or hearings. All requests for accommodation should be made with as much advance notice as possible by contacting City Clerk Lori Ann Clover at (989) 345-0500; 121 N. 4<sup>th</sup> St., West Branch, MI 48661; email: [clerk@westbranch.com](mailto:clerk@westbranch.com).





January 19, 2023

John Dantzer  
West Branch City Manager  
121 N. Fourth St.  
West Branch, MI 48661  
[citymanager@westbranch.com](mailto:citymanager@westbranch.com)

II Gemini, LLC  
325 Enterprise Drive  
Breckenridge MI 48615  
Acting as Owner's Representative

Re: OPRA District Creation – 111 North 3<sup>rd</sup> Street, West Branch MI 48661

Dear Mr. Dantzer,

I formally request that an OPRA district be created for the property located at 111 North 3<sup>rd</sup> Street with parcel number 65-052-402-001-30.

The Owner's intention is to rehabilitate the commercial building.

In conjunction with this project the following has been or will soon be accomplished:

1. I understand an OPRA district needs established and construction could start once all other requirements are met. I formally request that an OPRA district be created at this location. Once the district is created, we will submit a formal OPRA certificate application, we intend to request the maximum allowance of 12 years.
2. The property will be rehabilitated in conformance with the rules of the act and within the districts.
3. After completion, the following should be achieved as a result of this project:
  - a. Enhanced commercial space in the downtown business district and increased business activity flowing from the Title & Abstract business.
  - b. Creation of employment with respect to the construction and renovation of the site.
  - c. Revitalization of an urban location directly adjoining business and residential districts.
  - d. The restoration of a historical building.
4. The following is more fully expressed in the preliminary enclosed floor plans:
  - a. The general description of the obsolete facility is a vacant building consisting of 3,120 square feet of commercial space.
  - b. The general description of the proposed use is commercial/office use, taking advantage of the architectural features of very high ceilings, large windows, and exposed brick walls.
  - c. The general description of the rehabilitation is a total reconstruction of the interior of the entire building reusing as many of the original architectural features as possible, the





demolition of some existing partitions, and addition to the West side of the building, the restoration/replacement of exterior windows, and the installation of modern HVAC, plumbing, electrical systems.

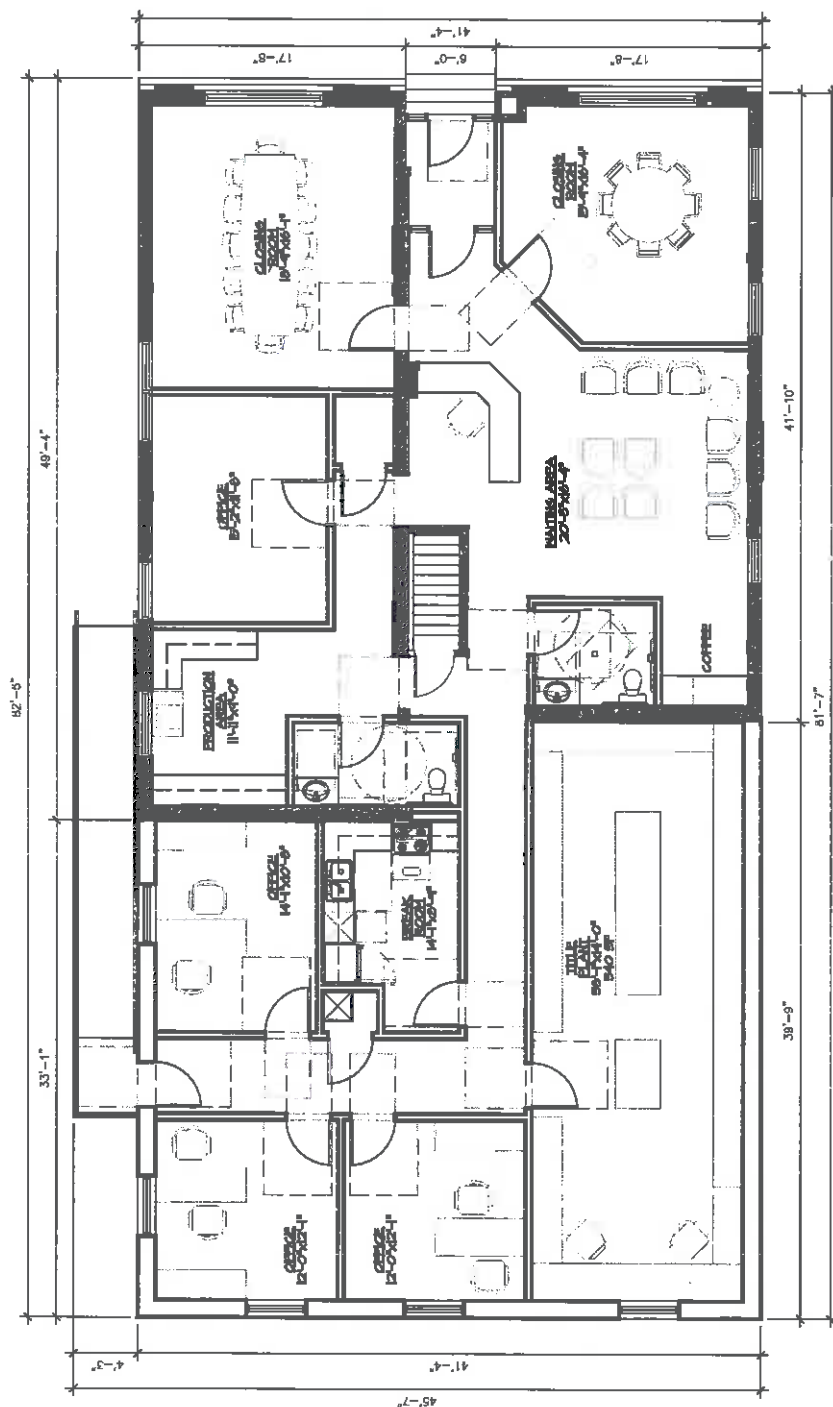
- d. Fixed building equipment will be:
  - i. New HVAC Systems
  - ii. New plumbing and plumbing fixtures
  - iii. New electrical and electrical fixtures
  - iv. New major appliances
  - v. New cable ready services
- e. The construction schedule is dependent on OPRA approval, the goal is to start the construction in the Spring of 2023 and finish by the end of the 2023.
- f. The economic advantages flowing from the requested exemption include new and desirable downtown commercial space, improved downtown appearance, and increased downtown traffic by virtue of building occupancy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Smith', written over a horizontal line.

Ryan Smith  
II Gemini, LLC  
Owner's Representative







COPYRIGHT ©2022 STUDIO [INTRIGUE] ARCHITECTS, LLC

TOTAL BUILDING AREA: 3,120 SF

111 N. 3RD ST. - PRELIMINARY  
FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

WALL LEGEND	
	EXISTING (TO REMAIN)
	NEW CONSTRUCTION

22.130  
12/20/22



# County of Ogemaw

James (Randy) Booth, Director

## *Equalization Department*

806 W. Houghton Avenue, Room 105, West Branch Mi. 48661

(989)-345-0328

Email: [boothr@ocmi.us](mailto:boothr@ocmi.us)

Mt Pleasant Abstract & Title

Debbie Haught

116 Court St.

Mt Pleasant Mi. 48858

RE: 65-052-402-001-30 111 N Third St. West Branch Mi. 48661

### **Assessor Certification:**

I have inspected the above referenced parcel as you requested. The building was built in 1902. There is exterior evidence that the foundation is cracked and not stable. The building has had several additions which are at different elevations. The original building is built at the lots edge adjacent to the city sidewalk and is approximately two and a half feet higher than the sidewalk. It appears that the original foundation is of rock construction. Because of the small lot size 47 X 82 feet and the size of the building 41 x 74 and the location of alleyways and electric service poles placed within one foot of the building it is not possible to add a handicap accessible entrance to the building. Because of the elevation difference and the construction methods on the building itself it will not be feasible to comply with ADA requirements inside of the structure either. It is my estimation that the costs to repair the foundation and try to renovate the existing building will far exceed the costs to replace the building with a new office placed on a slab at ground level. It is my opinion that the property suffers from 100% obsolescence



James (Randy) Booth MAO  
Ogemaw County Equalization



Parcel Number: 65-052-402-001-30

Jurisdiction: CITY OF WEST BRANCH

County: Ogemaw

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Libe & Pa	
NOEL LORE & MORRIS CH	ALEXANDER LIMITED PARTNER	0	04/09/2018	WD	21-NOT USED/OTHER	3147	
MORRIS CHRISTPHER S & TAB	NOEL LORE A RICHARDSON &	0	02/13/2009	QC	21-NOT USED/OTHER	308/	
MORRIS CHRISTOPHER S	MORRIS CHRISTPHER S & TAB	0	10/13/2008	QC	21-NOT USED/OTHER	308/	
RICHARDSON KERRY ET AL	MORRIS CHRISTOPHER S	40,000	09/17/2008	QC	21-NOT USED/OTHER	30/2	
Property Address	Class: COMMERCIAL-IMPROV		Zoning: CBD	Building Permit(s)		D.	
111 N THIRD STREET	School: W BRANCH ROSE CITY AREA SCHS						
	P.R.E. 0%						
Owner's Name/Address	MAP #:						
ALEXANDER LIMITED PARTNERSHIP LP 116 COURT ST MOUNT PLEASANT MI 48858	2022 Est TCV 149,991 TCV/TFA: 55.97						
	X Improved	Vacant	Land Value Estimates for Land Table 00014.HOUGH				
	Public Improvements		* Factors *				
	Dirt Road		Description	Frontage	Depth	Front Depth Ra	
	Gravel Road		'C' FRONTAGE	47.00	82.00	1.0171 0.9092 7	
	Paved Road		47 Actual Front Feet, 0.09 Total Acres To				
	X	Storm Sewer					
	X	Sidewalk					
	X	Water					
	X	Sewer					
	X	Electric					
	X	Gas					
	X	Curb					
	X	Street Lights					
	X	Standard Utilities					
	X	Underground Utils.					
	Topography of Site						
	X	Level	Year	Land Value	Building Value	Assessed Value	
	X	Rolling	2022	16,300	58,700	75,000	
	X	Low	2021	18,500	60,400	78,900	
	X	High	2020	18,500	59,200	77,700	
	X	Landscaped	2019	19,000	61,000	80,000	
	X	Swamp					
	X	Wooded					
	X	Pond					
	X	Waterfront					
	X	Ravine					
	X	Wetland					
	X	Flood Plain					
	Who	When	What	2022	16,300	58,700	75,000
	JVW	09/29/2020	INSPECTED	2021	18,500	60,400	78,900
		08/01/1990	INSPECTED	2020	18,500	59,200	77,700
				2019	19,000	61,000	80,000



The Equalizer. Copyright (c) 1999 - 2009.  
Licensed To: City of West Branch, County  
of Ogemaw, Michigan

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Parcel Number: 65-052-402-001-30

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Commercial/Industrial Building/Section 1 of 1

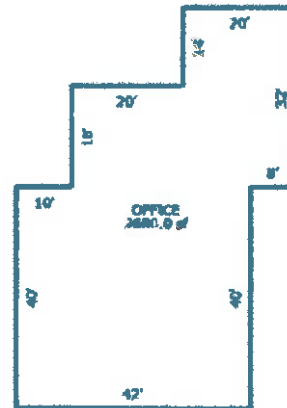
Parcel Number: 65-052-402-001-30

Desc. of Bldg/Section: Calculator Occupancy: Office Buildings			<<<<< Calculator Cost Comput.										
Class: C			Class: C Quality: Average										
Floor Area: 2,680			Stories: 1 Story Height: 12 Perimeter:										
Gross Bldg Area: 2,680			Base Rate for Upper Floors = 119.67										
Stories Above Grd: 1			(10) Heating system: Forced Air Furnace Cost/:										
Average Sty Hght : 12			Adjusted Square Foot Cost for Upper Floors = 135										
Bsmnt Wall Hght			Total Floor Area: 2,680 Base Cost :										
Depr. Table : 2%			Eff. Age: 44 Phy. %Good/Abnr. Phy. /Func. /Econ. /Ove. Tot.										
Effective Age : 44			ECF (COMMERCIAL) 0.769 =										
Physical %Good: 41			Replacement Cost/Floor Area= 135.57 Est										
Func. %Good : 100													
Economic %Good: 100													
<table border="1"> <tr> <th colspan="4">Construction Cost</th> </tr> <tr> <td>High</td> <td>Above Ave.</td> <td>X Ave.</td> <td>Low</td> </tr> </table>			Construction Cost				High	Above Ave.	X Ave.	Low			
Construction Cost													
High	Above Ave.	X Ave.	Low										
** ** Calculator Cost Data ** **													
Quality: Average													
Heat#1: Forced Air Furnace 100													
Heat#2: Electric, Cable or Baseboard 0%													
Ave. SqFt/Story: 2680													
Ave. Perimeter													
Has Elevators:													
*** Basement Info ***													
Area:													
Perimeter:													
Type: Finished Basement													
Heat:													
* Mezzanine Info *													
Area #1:													
Type #1: Office (No Rates)													
Area #2:													
Type #2: Office (No Rates)													
* Sprinkler Info *													
Area:													
Type: Average													
Comments:													
(1) Excavation/Site Prep:			(7) Interior:										
(2) Foundation:			(8) Plumbing:										
X Poured Conc			Many Above Ave.										
Brick/Stone			Average Typical										
Block			Few None										
(3) Frame:			Total Fixtures										
			3-Piece Baths										
			2-Piece Baths										
			Shower Stalls										
			Toilets										
(4) Floor Structure:			Urinals										
			Wash Bowls										
			Water Heaters										
			Wash Fountains										
			Water Softeners										
(5) Floor Cover:			(9) Sprinklers:										
			(10) Heating and Cooling:										
			X Gas										
			Oil										
			Coal										
			Stoker										
			Hand Fired										
			Boiler										
(6) Ceiling:			(11) Electric and Lighting:										
			Outlets:										
			Fixtures:										
			X Few										
			Average										
			Many										
			Unfinished										
			Typical										
			Flex Conduit										
			Rigid Conduit										
			Armored Cable										
			Non-Metallic										
			Bus Duct										
			Incandescent										
			Fluorescent										
			Mercury										
			Sodium Vapor										
			Transformer										
			(13) Roof Structure: Slope=0										
			(14) Roof Cover:										

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Parcel Number: 65-052-402-001-30, Commercial/Industrial Building 1



Blanchard/Sachs

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



01/26/2023

CITY OF WEST BRANCH

2022

PROPERTY #:	052-402-001-30	SCHOOL:	65045
CLASS:	201	PRE/MBT %:	0.0000
TAXABLE VAL:	75,000	SEV:	75,000

TAXPAYER: ALEXANDER LIMITED PARTNERSHIP  
116 COURT ST STE A  
MOUNT PLEASANT MI 48858-2361

MORTGAGE CODE:

PROP ADDRESS: 111 N THIRD ST

**SUMMER TAX INFO**

AD VALOREM TAX	3,121.93
SP. ASSESSMENTS:	0.00
ADMIN FEE:	31.21
INTEREST:	0.00
TOTAL:	3,153.14

TOTAL PAID	3,153.14
DATE PAID	07/27/2022
<b>BALANCE DUE</b>	0.00

**WINTER TAX INFO**

AD VALOREM TAX:	1,363.90
SP. ASSESSMENTS:	11.13
ADMIN FEE:	13.63
INTEREST:	0.00
TOTAL:	1,388.66

TOTAL PAID	1,388.66
DATE PAID	12/08/2022
<b>BALANCE DUE</b>	0.00

<b>TOTAL BALANCE DUE</b>	0.00
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LEGAL DESCRIPTION

RH WEIDMANN & CO'S ADDITION NORTH 47 FT OF LOT 1, BLOCK 2 AND N'LY 47 FT OF E'LY 20 FT OF LOT 2, BLOCK 2.



## CONSENT RESOLUTION


The undersigned, being all the members of Alexander Limited Partnership., hereby consent to the following action:

Resolved that the Company hire II Gemini, LLC (Ryan Smith) to work as an Owner's Representative related to the redevelopment of real property located at 111 North Third Street, West Branch MI 48661. Furthermore, we authorize II Gemini, LLC (Ryan Smith) to work with the City of West Branch in pursuit of an Obsolete Property Rehabilitation District (OPRA), Brownfield Redevelopment & Tax Increment Financing, and any other State and City incentives related to the rehabilitation of the real property.

The consent of the members is indicated by their signatures below:

### MEMBERS:

Alexander Limited Partnership .

  
[NAME HERE] Paul E. Alexander  
manager 1/20/23

\_\_\_\_\_  
[NAME HERE]

\_\_\_\_\_  
[NAME HERE]



*ATTACHED IS A  
LIST OF THE  
BILLS TO BE APPROVED  
AT THIS COUNCIL MEETING*

<b>BILLS</b>	<b>\$248,582.41</b>
<i>BILLS AS OF 2/17/23</i>	<i>\$248,582.41</i>
<i>Additions to Bills as of</i>	<i>\$0</i>
<i>Paid but not approved</i>	<i>\$858.83</i>
<b>TOTAL BILLS</b>	<b>\$249,441.24</b>

**BILLS ARE AVAILABLE  
AT THE MEETING  
FOR COUNCIL'S REVIEW**



Vendor Name	Amount	Description
CHERRY ROAD MEDIA	91.54	ADS
MAMC	45.00	ANNUAL MEMBERSHIP
MVW & ASSOCIATES INC	1,000.00	ASSESSOR CONTRACT MARCH
BUHLMAN, BRIAN	150.00	BOOT REIMBURSEMENT
VERIZON WIRELESS	172.76	CELL PHONES
MEDLER ELECTRIC CO	45.68	DPW SUPPLIES
CONSUMERS ENERGY	10,686.92	ELECTRIC
FOSTER BLUE WATER OIL LLC	2,887.56	FUEL
GFL ENVIRONMENTAL	11,471.30	GARBAGE SERVICE
SLC METERS LLC	2,473.54	METER
SELLEY'S CLEANERS	38.50	POLICE DRY CLEANING
VILLAGE QUIK LUBE	79.80	POLICE SERVICE
DO ALL INC	442.53	RECYCLING JANUARY
COMPASS MINERALS AMERICA INC	7,118.39	SALT
FIVE STAR ENERGY SERVICES	210,109.50	SERVICE LINE REPLACEMENTS
VILLAGE OF ROSCOMMON CHAMBER	200.00	STAGE DEPOSIT REDUND
HOUGHTON LAKE CHAMBER	200.00	STAGE DEPOSIT REDUND
AUTOZONE, INC	71.24	SUPPLIES
SAVE A LOT	105.44	VARIOUS SUPPLIES
VIC BOND SALES INC	29.45	VARIOUS SUPPLIES
HACH COMPANY	1,163.26	WWTP SERVICE
<b>TOTAL</b>	<b>248,582.41</b>	





# City of West Branch

121 N 4<sup>th</sup> St, West Branch, Michigan 48661  
(989)345-0500 • Fax (989)345-4390 • www.westbranch.com

## Special Event Permit

Event Name: Surline Elementary PTO Color Run  
Event Date: June 3rd 2023 Start Time: 6:00 End Time: 9:00  
Name of Sponsoring Organization: Surline PTO  
Address: 147 State St. West Branch  
Contact Person: Tina Siemienski Phone Number: 989-745-3256  
Describe the purpose of this event: Fundraising event for  
Elementary PTO

Point of Assembly and/or proposed route (attach separate diagram if needed):

Gathering spot will be light at 3rd Street  
on Houghton Ave

If requesting a road closure Road closure Start time: 5:30 End time: 9:00

Road closure location Half of Valley, Intersection of Houghton Ave and  
Half of Houghton Ave to Valley 3rd St.

In an effort to help your event run smoothly you must make sure the following departments are aware of and/or can staff your event. **Please obtain signatures from each department listed advising us that they are aware:**

West Branch City Police - services NOT needed ☐ arrangements have been made ☒  
[Signature]  
Chief of Police

Ogemaw County Police - services NOT needed ☐ arrangements have been made ☒  
[Signature]  
Chief of Police

West Branch City DPW - services NOT needed ☐ arrangement have been made ☐  
[Signature]  
DPW Superintendent





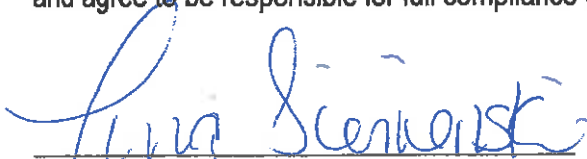
# City of West Branch

121 N 4<sup>th</sup> St, West Branch, Michigan 48661  
(989)345-0500 • Fax (989)345-4390 • www.westbranch.com

## Additional Terms and Conditions:

1. Sponsoring Organization agrees that it will fully comply with the terms of this permit and will also comply with all State, County, and Local ordinances that may pertain to the event.
2. Sponsoring Organization further agrees and understands that it shall hold harmless and indemnify the City, its officers, employees, contractors, subcontractors, representatives, and agents from and against any and all civil actions, claims, judgements, injuries and/or damages including attorney fees resulting and/or arising from the special event and/or from the actions and/or omissions of the special event.
3. Sponsoring Organization further agrees and understands that it shall hold harmless and indemnify the City, its officers, employees, contractors, subcontractors, representatives, and agents from and against any and all civil actions, claims, judgements, injuries and/or damages including attorney fees resulting and/or arising from the special event and/or from the actions and/or omissions from third parties hired or are volunteers of Sponsoring Organization.

Sponsor Organization signs this Agreement after having fully reviewed the terms and conditions set forth above and agree to be responsible for full compliance of such terms and conditions.

  
Applicant Signature

2/6/23  
Date

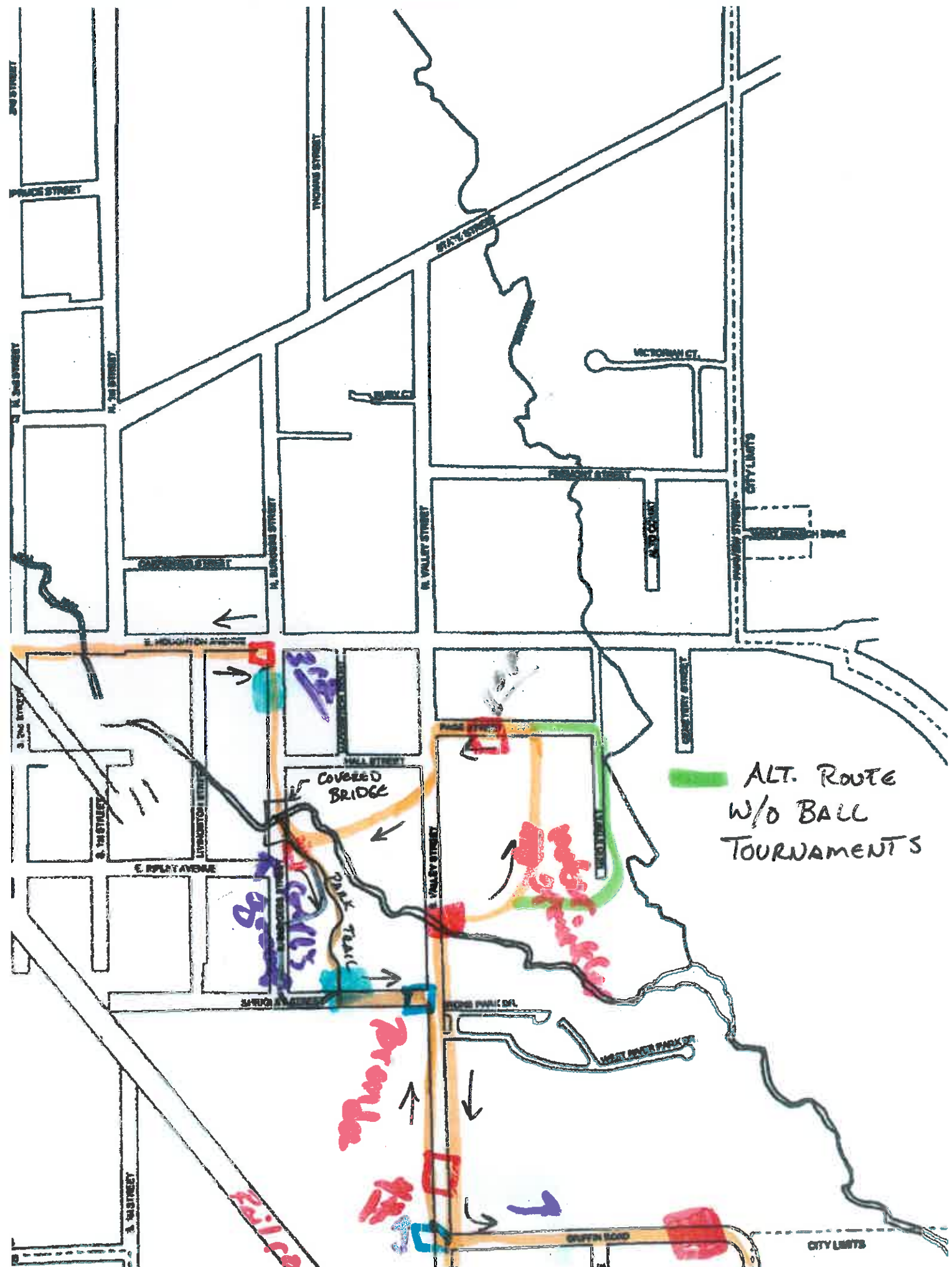
For Office Use Only:

Permit Approved – Yes / No

Council meeting date \_\_\_\_\_

\_\_\_\_\_  
Manager / Clerk Signature











## **RESOLUTION 23-05**

### **Establishing an Obsolete Property Rehabilitation (OPRA) District**

WHEREAS, pursuant to PA 146 of 2000, the City of West Branch has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of West Branch; and

WHEREAS, Alexander Limited Partnership has filed a written request with the clerk of the City of West Branch requesting the establishment of the Obsolete Property Rehabilitation District for an area at 111 N. Third St. located in the City of West Branch hereinafter described; and

WHEREAS, the City Council of the City of West Branch determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the Ogemaw Herald and/or by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on February 20, 2023 a public hearing was held and all residents and taxpayers of the City of West Branch were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of West Branch to establish the Obsolete Property Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch that the following described parcel(s) of land situated in the City of West Branch, Ogemaw County, and State of Michigan, to wit:

**RH WEIDMANN & CO'S ADDITION NORTH 47 FT OF LOT 1, BLOCK 2 AND  
N'LY 47 FT OF E'LY 20 FT OF LOT 2, BLOCK 2.**

hereby is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as Obsolete Property Rehabilitation District No 1.



Minutes of a regular meeting of the City Council of the City of West Branch, held on February 20, 2023, in the Council Chambers of City Hall, 121 N. Fourth St., West Branch at 6:00 pm.

PRESENT:

ABSENT:

The following preamble and resolution were offered by \_\_\_\_\_, and seconded by \_\_\_\_\_.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of West Branch, County of Ogemaw, Michigan at a regular meeting held on February 20, 2023.

\_\_\_\_\_  
Clerk



REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD JOINTLY WITH THE DDA AND PLANNING COMMISSION IN PERSON AT THE WEST BRANCH POLICE DEPARTMENT, 130 PAGE STREET ON MONDAY, FEBRUARY 6, 2023.

Mayor Frechette called the meeting to order at 6:00 p.m.

Present: City Mayor Paul Frechette, Council Members Carol Adair, Joanne Bennett, Mike Jackson, Ellen Pugh, Rusty Showalter, and Cathy Zimmerman.

Absent: None

Other officers present: City Manager John Dantzer, City Clerk Lori Ann Clover, City Treasurer Michelle Frechette, DPW Supervisor Mike Killackey, City Attorney Greg Meihn (by phone), County Commissioner Craig Scott, Planning Members Corrine Lucynski, Bob David, Yvonne DeRoso, Kara Fachting, and Joshua Erickson, and DDA Members Joseph Clark, and Chief Ken Walters.

All stood for the Pledge of Allegiance.

Commissioner Scott gave an update on County activities. The county accepted a child care grant, purchased a new animal control vehicle from Boston, and made some adjustments on the first quarter budget. The road commission is considering in house training for CDL licenses and looking at hiring summer help. The DNR is not willing to sell the mineral rights for the gravel.

\* \* \* \* \*

Planning Chair, Corrine Lucynski discussed Planning Commission updates. The main project was the development and approval of an addition to the zoning code to allow for marihuana facilities within the City. The Masterplan and Capital Improvement plan were reviewed and updated. The Commission will continue plans to work towards achieving the ten goals identified in their annual report. The Planning Commission continued to work towards the implementation of the Redevelopment Ready Communities program guidelines, pursuant to the Resolution of Participation in the RRC Program that was passed by the Planning Commission in November of 2015.

\* \* \* \* \*

DDA Vice Chair, Joseph Clark gave a brief DDA update. In 2022 the DDA worked on the development of the Gathering Place, worked with City Council on the Houghton Ave redesign project, continued with the downtown flower and snow removal projects, seasonal themed banners, researched the Historical Preservation Designation for the City, and the Façade Program.

\* \* \* \* \*

Planning Member Fachting thanked the City Council for all their hard work. Mayor Frechette thanked both boards for their hard work and collaboration. Commissioner Scott stated that he liked the way that all the boards were working together.

\* \* \* \* \*



**MOTION BY BENNETT, SECOND BY JACKSON, TO APPROVE THE PAYMENT OF BILLS IN THE AMOUNT OF \$688,542.80.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Council discussed the Marihuana Facility application submitted by Richard Wing. Manager Dantzer reported that Clerk Clover, Attorney Meihn, and himself had reviewed the application to make sure it was all inclusive and met all of the requirements. The Planning Commission approved his special use and site plan. Mr. Wing stated that he was really looking forward to getting established in West Branch and introduced the Manager, Mike Casper.

**MOTION BY SHOWALTER, SECOND BY JACKSON TO APPROVE THE MARIHUANNA FACILITY APPLICATION SUBMITTED BY RICHARD WING.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY ADAIR, SECOND BY PUGH TO APPROVE THE SPECIAL EVENT PERMITS FOR THE VICTORIAN ART FAIR AND CULPEPPER & MERRIWEATHER CIRCUS.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY PUGH, SECOND BY JACKSON TO APPROVE THE UTILITY BILL ADJUSTMENT REQUEST FOR 300 W HOUGHTON AVE. IN THE AMOUNT OF \$2,276.12.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY ADAIR TO APPROVE THE UPDATED CONTRACT AND AUTHORIZE MANAGER DANTZER TO SIGN THE NEW CONTRACT WITH DO-ALL FOR THE RECYCLE CENTER STAFF.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**



**No – None    Absent – None    Motion carried**

\* \* \* \* \*

No action was taken on the letter of support for West Branch District Library.

\* \* \* \* \*

Manager Dantzer explained that MDOT was requesting permission to grade what was outside of their road right of way and they are paying \$300 for the easement. They had also approached several property owners in the City for similar permission.

**MOTION BY FRECHETTE, SECOND BY SHOWALTER TO APPROVE MDOTS CONSENT TO GRADE GOOD FAITH OFFER AND AUTHORIZE MANAGER DANTZER TO SIGN ON BEHALF OF THE CITY.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None    Absent – None    Motion carried**

\* \* \* \* \*

**MOTION BY BENNETT, SECOND BY ZIMMERMAN TO APPROVE THE SOLE SOURCE VENDOR REQUEST OF SPICER GROUP FOR THE BRIDGE DRAWING PROPOSAL AND UPLOAD INTO THE STATE BRIDGE PORTAL FOR \$1,700.00 AND TO AUTHORIZE MANAGER DANTZER TO SIGN ON THE CITY’S BEHALF.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None    Absent – None    Motion carried**

\* \* \* \* \*

Manager Dantzer explained that during his research to fund the streetscape project the USDA has the lowest interest rates and the longest loan periods. However, they require an Architectural Feasibility report for the funding.

**MOTION BY ZIMMERMAN, SECOND BY SHOWALTER TO ALLOW MANAGER DANTZER TO PROCEED WITH THE USDA FUNDING AND GRANT APPLICATIONS TO FUND THE STREETSCAPE PROJECT FOR HOUGHTON AVE.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None    Absent – None    Motion carried**

\* \* \* \* \*

**MOTION BY BENNETT, SECOND BY JACKSON TO APPROVE THE SOLE SOURCE VENDOR REQUEST OF BECKETT & RAEDER PRELIMINARY ARCHITECTUAL FEASIBILITY REPORT**



**PROPOSAL OF \$5,000.00 AND TO AUTHORIZE MANAGER DANTZER TO SIGN ON THE CITY'S BEHALF.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY ZIMMERMAN, SECOND BY JACKSON TO APPROVE THE OGEMAW FIRE DEPARTMENT APPROPRIATION INVOICE OF \$27,393.00.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY JACKSON, SECOND BY ADAIR TO APPROVE THE MINUTES AND SUMMARY FROM THE REGULAR MEETING HELD JANUARY 16, 2023.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY BENNETT TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; MINUTES FROM THE NCMF MEETING HELD DECEMBER 7, 2022; MINUTES FROM THE WEST BRANCH PARK AND RECREATION COMMITTEE MEETING HELD DECEMBER 15, 2022; MINUTES FROM THE AIRPORT BOARD MEETING HELD DECEMBER 21, 2022; AND MINUTES FROM THE DDA MEETING HELD DECEMBER 27, 2022.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Communications shared included the Michigan Public Policy Survey January 2023 addition.

\* \* \* \* \*

Mayor Frechette informed Council about the bus visit last week. It was a huge success with local businesses bringing food to the Silver Lining for the tour stop. They were amazed at our hospitality and the downtown area being “walkable”. They were headed to Detroit for a convention after the stop in West Branch and are looking at the possibility of making West Branch a destination this summer.



\* \* \* \* \*

Manager Dantzer requested council permission to remodel the men’s bathroom into a storage closet with all the work being done internally.

**MOTION BY FRECHETTE, SECOND BY ZIMMERMAN TO REMODEL THE MEN’S PUBLIC RESTROOM INTO A STORAGE CLOSET AND MAKE THE WOMEN’S PUBLIC RESTROOM UNISEX.**

**Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, and Zimmerman**

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Manager Dantzer reiterated that there are several steps that need to be taken to create a building department within the City. He requested a work session to review all the requirements with Attorney Meihn. Council and Attorney Meihn set a work session prior to our next meeting February 20, 2023 at 5:30 pm. During this time an additional topic will be the OPRA Plan as Manager Dantzer explained it may be easier to develop a plan than to bring every request to Council.

Council also discussed property tax collection. Council agreed to have Attorney Meihn to continue with collections as they are currently being done, not to add any additional steps. Member Zimmerman requested a list of delinquent taxes.

Mayor Frechette adjourned the meeting at 7:11 pm.

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Paul Frechette, Mayor

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Lori Ann Clover, Clerk



SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD JOINTLY WITH THE DDA AND PLANNING COMMISSION IN PERSON AT THE WEST BRANCH POLICE DEPARTMENT, 130 PAGE STREET ON MONDAY, FEBRUARY 6, 2023.

Mayor Frechette called the meeting to order at 6:00 p.m.

Present: Mayor Frechette, Council Members Adair, Bennett, Jackson, Pugh, Showalter, and Zimmerman.

Absent: None

Other officers present: Manager Dantzer, Clerk Clover, Treasurer Frechette, DPW Supervisor Killackey, Attorney Meihn (by phone), Commissioner Scott, Planning Member Lucynski, David, DeRoso, Fachting, Erickson, DDA Members Clark and Chief Walters.

All stood for the Pledge of Allegiance.

Commissioner Scott gave an update on County activities.

Planning Chair Lucynski gave an update on 2022 activities.

DDA Vice Chair Clark gave a review of activities in 2022.

Council approved bills in the amount of \$688,542.80.

Council approved the Marihuana Facility application for Richard Wing.

Council approved the Special Events Victorian Art Fair and the Culpepper & Merriweather Circus.

Council approved the utility adjustment for 300 W. Houghton Ave.

Council approved the updated contract with Do-All for Recycle Center staffing.

No action was taken on the letter of support for West Branch District Library.

Council approved MDOT'S consent to grade good faith offer.

Council approved the sole source vendor request of Spicer Group for the bridge drawing proposal and upload to the state bridge portal.

Council approved Manager Dantzer to proceed with the USDA funding for the streetscape Project.

Council approved the sole source vendor request for Beckett and Raeder to conduct a preliminary architectural feasibility report.

Council approved the Ogemaw Fire Department appropriation payment.

Council approved the minutes and summary of minutes from the regular meeting held January 16, 2023.



Minutes from the NCMCF meeting held December 7, 2022; minutes from the West Branch Park and Recreation Committee meeting held December 15, 2022; minutes from the Airport Board meeting held December 21, 2022; minutes from the DDA meeting held December 27, 2022; as well as the Treasurer's report and Investment were received and filed.

Communications were shared.

Mayor Frechette and Manager Dantzer gave reports.

Council approved the request to remodel the men's public restroom into a storage closet.

A work session meeting was scheduled for February 20, 2023 at 5:30 to discuss the building department and an OPRA Plan with Attorney Meihn.

Mayor Frechette adjourned the meeting at 7:11 pm.



Bank Code		Beginning Balance 02/01/2023	Total Debits	Total Credits	Ending Balance 02/28/2023
Fund	Description				
GEN1	GEN1 - GENERAL CHECKING				
101		1,256,207.83	24,238.38	108,320.63	1,172,125.58
150	CEMETERY PERPETUAL CARE	39,528.30	0.00	0.00	39,528.30
209	CEMETERY FUND	(2,914.48)	0.00	1,067.82	(3,982.30)
237	MARIJUANA FUND	1,500.00	0.00	0.00	1,500.00
243	BROWNFIELD REDEVELOPMENT AUTHORITY FU	1,964.95	0.00	0.00	1,964.95
248	DDA OPERATING FUND	326,535.35	0.00	3,385.00	323,150.35
251	INDUSTRIAL PARK FUND	4,831.07	0.00	1,685.13	3,145.94
276	HOUSING RESOURCE FUND	183,684.99	161.00	0.00	183,845.99
318	SEWER DEBT FUND	155,309.85	15,126.92	157.53	170,279.24
319	WATER DEBT FUND	105,507.44	3,152.90	32.83	108,627.51
372	PLANT REPLACEMENT FUND (R&I)	2.70	0.00	0.00	2.70
390	SEWER FUND	338,268.53	16,041.68	28,081.19	326,229.02
391	WATER FUND	854,858.27	20,657.00	31,158.60	844,356.67
392	WATER REPLACEMENT FUND	269,919.91	438,977.00	103,830.20	605,066.71
393	SEWER COLLECTION	265,397.60	3,869.40	3,430.76	265,836.24
361	EQUIPMENT FUND	(1,764.22)	9,058.07	4,419.22	2,874.63
704	PAYROLL CLEARING	24,778.75	43,202.85	43,202.85	24,778.75
705	IRONS PARK ENTERTAINMENT FUND	10,126.57	0.00	0.00	10,126.57
707	YOUTH SAFETY PROGRAM	115.00	0.00	0.00	115.00
	GEN1 - GENERAL CHECKING	3,833,858.41	574,485.20	328,771.76	4,079,571.85
M/LST	MAJOR/ LOCAL STREETS				
202	MAJOR STREET FUND	668,916.15	27,532.58	12,470.53	683,978.20
203	LOCAL STREET FUND	370,230.03	9,239.19	4,220.83	375,248.39
	MAJOR/ LOCAL STREETS	1,039,146.18	36,771.77	16,691.36	1,059,226.59
PAY	PAYROLL				
704	PAYROLL CLEARING	32,650.28	43,202.85	40,555.79	35,297.34
	PAYROLL	32,650.28	43,202.85	40,555.79	35,297.34
CHEM	SAVINGS				
101		459,730.06	0.00	0.00	459,730.06
150	CEMETERY PERPETUAL CARE	1,684.28	0.00	0.00	1,684.28
251	INDUSTRIAL PARK FUND	245.36	0.00	0.00	245.36
371	COLLECTION REPLACEMENT FUND	0.65	0.00	0.00	0.65
391	WATER FUND	26,426.52	0.00	0.00	26,426.52
392	WATER REPLACEMENT FUND	19,791.77	0.00	0.00	19,791.77
393	SEWER COLLECTION	3,184.93	0.00	0.00	3,184.93
361	EQUIPMENT FUND	103,547.51	0.00	0.00	103,547.51
	SAVINGS	614,611.08	0.00	0.00	614,611.08
TAX	TAXES				
701	TAX AGENCY	137,268.28	351,310.54	128,458.44	360,120.38
	TAXES	137,268.28	351,310.54	128,458.44	360,120.38
	TOTAL - ALL FUNDS	5,657,534.23	1,005,770.36	514,477.35	6,148,827.24



CASH SUMMARY BY ACCOUNT FOR WEST BRANCH  
 FROM 02/01/2023 TO 02/28/2023  
 FUND: ALL FUNDS  
 INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 02/01/2023	Total Debits	Total Credits	Ending Balance 02/28/2023
<b>Fund 101</b>					
004.300	CERTIFICATE OF DEPOSIT A	100,000.00	0.00	0.00	100,000.00
004.400	CERTIFICATE OF DEPOSIT B	150,306.70	0.00	0.00	150,306.70
		<hr/> 250,306.70	<hr/> 0.00	<hr/> 0.00	<hr/> 250,306.70
<b>Fund 150 CEMETERY PERPETUAL CARE</b>					
004.300	CERTIFICATE OF DEPOSIT C	112,499.74	0.00	0.00	112,499.74
004.400	CERTIFICATE OF DEPOSIT D	115,271.06	0.00	0.00	115,271.06
		<hr/> 227,770.80	<hr/> 0.00	<hr/> 0.00	<hr/> 227,770.80
<b>Fund 251 INDUSTRIAL PARK FUND</b>					
004.300	CERTIFICATE OF DEPOSIT A	100,000.00	0.00	0.00	100,000.00
004.400	CERTIFICATE OF DEPOSIT B	25,050.19	0.00	0.00	25,050.19
		<hr/> 125,050.19	<hr/> 0.00	<hr/> 0.00	<hr/> 125,050.19
<b>Fund 661 EQUIPMENT FUND</b>					
004.300	CERTIFICATE OF DEPOSIT A	150,000.00	0.00	0.00	150,000.00
004.400	CERTIFICATE OF DEPOSIT B	100,200.75	0.00	0.00	100,200.75
		<hr/> 250,200.75	<hr/> 0.00	<hr/> 0.00	<hr/> 250,200.75
	<b>TOTAL - ALL FUNDS</b>	<hr/> 853,328.44	<hr/> 0.00	<hr/> 0.00	<hr/> 853,328.44





# **West Branch Police Department**

**Chief Kenneth W. Walters**

**130 Page St.**

**West Branch, Michigan 48661**

**Phone: 989-345-2627 Fax: 989-345-0083**

**E-mail: [police@westbranch.com](mailto:police@westbranch.com)**

**2/8/2023**

**Honorable Mayor and Council,**

**This is the January month end report. For the month of January, the department handled 110 Law Enforcement complaints and 30 Municipal violation / Blight complaints. The department further made 5 felony arrests. The most serious being, Possession with Intent to Deliver Dangerous Drugs (PWID) Methamphetamine while armed.**

**We are currently awaiting approval from USDA for the purchase of a new patrol vehicle. I am extremely hopeful we are approved by March. The vehicle situation has become somewhat dire, we currently have one with complete motor failure and a second with faulty catalytic converters causing engine problems.**

**On the positive side of equipment, the new vehicle radio systems have been programmed and installed. We have further received our 100% reimbursement for the cost of the radio systems.**

**Respectfully,**

A handwritten signature in black ink, appearing to be "K. Walters", written over a horizontal line.

**Chief Kenneth W. Walters**



## Offense Count Report

Page: 1

## Report Criteria:

Start Offense	End Offense	Officer	
01000	99009	ALL	
JANUARY2023	TOTAL2023	TOTAL2022	TOTAL2021
01/01/2023-01/31/2023	01/01/2023-01/31/2023	01/01/2022-12/31/2022	01/01/2021-12/31/2021

Offense	Description	JANUARY2	TOTAL2023	TOTAL2022	TOTAL2021
11001	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	0	1	1
11007	SEXUAL CONTACT FORCIBLE CSC2	0	0	1	0
11008	SEXUAL CONTACT FORCIBLE CSC4	0	0	1	1
13001	NONAGGRAVATED ASSAULT	5	5	19	19
13002	AGGRAVATED/FELONIOUS ASSAULT	0	0	2	4
13003	INTIMIDATION/STALKING	0	0	3	2
22001	BURGLARY - FORCED ENTRY	0	0	1	1
22002	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	0	0	1
22003	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	3	0
23002	LARCENY - PURSE SNATCHING	0	0	0	2
23003	LARCENY - THEFT FROM BUILDING	0	0	1	2
23005	LARCENY - THEFT FROM MOTOR VEHICLE	0	0	3	9
23007	LARCENY - OTHER	2	2	9	8
24001	MOTOR VEHICLE THEFT	0	0	1	1
25000	FORGERY/COUNTERFEITING	0	0	1	1
26002	FRAUD - CREDIT CARD/ATM	0	0	1	1
26003	FRAUD - IMPERSONATION	0	0	1	1
26005	FRAUD - WIRE	0	0	0	1
26006	FRAUD - BAD CHECKS	0	0	2	1
26007	FRAUD - IDENTITY THEFT	0	0	4	0
27000	EMBEZZLEMENT	0	0	3	0
28000	STOLEN PROPERTY	0	0	1	0
29000	DAMAGE TO PROPERTY	2	2	12	15
30002	RETAIL FRAUD - THEFT	0	0	1	0
35001	VIOLATION OF CONTROLLED SUBSTANCE	0	0	9	4
36004	SEX OFFENSE - OTHER	0	0	0	3
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	0	0	2
38003	FAMILY - OTHER	0	0	0	1
41002	LIQUOR VIOLATIONS - OTHER	0	0	1	1
42000	DRUNKENNESS	0	0	0	1
48000	OBSTRUCTING POLICE	0	0	2	5
49000	ESCAPE/FLIGHT	0	0	1	0
50000	OBSTRUCTING JUSTICE	2	2	37	29
52001	WEAPONS OFFENSE - CONCEALED	0	0	1	0
52003	WEAPONS OFFENSE - OTHER	0	0	0	2
53001	DISORDERLY CONDUCT	0	0	0	1
54002	OUIL OR OUID	0	0	13	4
54003	DRIVING LAW VIOLATIONS	5	5	46	10
57001	TRESPASS	2	2	14	21
70000	JUVENILE RUNAWAY	0	0	6	0
70001	Incorrigible	0	0	1	0
70004	Juvenile Issues	0	0	1	3
72000	ANIMAL CRUELTY	0	0	1	0
73000	MISCELLANEOUS CRIMINAL OFFENSE	5	5	2	4
75000	SOLICITATION	0	0	1	0
90001	Vehicle Lockouts	14	14	69	88
90002	Motorist Assists	0	0	9	15



## Offense Count Report

Page: 2

## Report Criteria:


Start Offense	End Offense	Officer
01000	99009	ALL
JANUARY2023	TOTAL2023	TOTAL2022 TOTAL2021
01/01/2023-01/31/2023	01/01/2023-01/31/2023	01/01/2022-12/31/2022 01/01/2021-12/31/2021

Offense	Description	JANUARY2	TOTAL2023	TOTAL2022	TOTAL2021
90003	Assist E.M.S.	11	11	108	120
90005	City Ordinance Violations	2	2	7	29
90006	Prisoner Transports	0	0	1	0
90007	Parking Complaints	0	0	2	4
90008	ANIMAL COMPLAINTS	0	0	12	13
91001	Delinquent Minors	1	1	8	15
91002	Runaway	0	0	1	2
91003	K-9 Assists	0	0	16	7
91004	Abandoned Vehicle	0	0	3	2
92003	Walk Away (Ment. & Host.)	0	0	4	5
92004	Insanity	1	1	23	30
92005	MIP Civil	4	4	1	0
93001	PROPERTY DAMAGE ACCIDENT/PI	5	5	54	51
93002	Accident, Non-Traffic	2	2	26	32
93003	Civil Traffic Violations	0	0	1	0
93004	Parking Violations	0	0	1	1
93006	Traffic Policing	0	0	5	21
93007	Traffic Safety Public Relations	1	1	11	35
93008	Inspections/Investigations -Breathalyzer	0	0	0	1
94001	Valid Alarm Activations	0	0	0	3
94002	False Alarm Activations	6	6	81	63
95001	Accident, Fire	0	0	3	1
95003	Inspection, Fire	0	0	1	3
95004	Hazardous Condition	0	0	1	6
97001	Accident, Traffic	0	0	1	0
97003	Accident, Other Shooting	0	0	1	0
97006	Accident, All Other	0	0	0	2
98002	Inspections/Investigations -Motor Vehicles	0	0	1	0
98003	Inspections/Investigations -Property	0	0	1	7
98004	Inspections/Investigations -Other	1	1	27	7
98006	Civil Matters/Family Disputes	6	6	47	88
98007	Suspicious Situations/Subjects	11	11	109	178
98008	Lost/Found Property	1	1	13	13
98009	Inspections/Investigations -Drug Overdose	0	0	2	3
99002	Natural Death	2	2	5	5
99007	PR Activities	0	0	14	4
99008	General Assistance	18	18	384	283
99009	General Non-Criminal	1	1	36	35
Totals:		110	110	1296	1334



<u>CODE ENFORCEMENT 2022:</u>						
<u>Address</u>	<u>Date</u>	<u>Offense</u>	<u>Action Taken / Comments</u>	<u>Officer</u>		
140 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
242 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
306 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
340 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
372 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
376 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
406 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
426 State Street	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
325 Fairview Road	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
317 Fairview Road	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
295 Fairview Road	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
443 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
435 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
412 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
411 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
403 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
335 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
410 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
440 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
444 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
124 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
400 E Houghton Ave	1/3/2023	City Charter Violation	Sidewalk cleared/ Closed	JA		
419 N 3rd Street	1/10/2023	Blight- Trash Complaint	Trash brought into City limits for pickup/ Photos taken/ Advised was not allowed	JA		
607 S Valley Street (Update)	1/12/2023	Dangerous / Unsafe Building	Email received- another contractor coming to give bid on exterior repair this coming week.	JA		



394 N 2nd Street (Update)	1/17/2023	Dangerous / Unsafe Building	Property sold- Notice/ CAP sent to new owner.	JA
419 N 3rd Street (Update)	1/20/2023	Blight- Trash Complaint	Trashed removed/ Closed	JA
115 Sidney Street (Update)	1/20/2023	Blight- Trash Complaint	Trashed removed/ Closed	JA
110 E Houghton Ave	1/31/2023	City Charter Violation	Snow Violation/ Sidewalk- Notice mailed	JA
307 E Houghton Ave	1/31/2023	City Charter Violation	Snow Violation/ Sidewalk- Notice mailed	JA
105 W Houghton Ave	1/31/2023	City Charter Violation	Snow Violation/ Sidewalk- Notice mailed	JA
				
		Lieutenant Joseph Adams:	Date: 1/31/23	
		West Branch Police Department		



# WISCONSIN AERONAUTICS COMMISSION



**WEST BRANCH COMMUNITY AIRPORT**  
**WEST BRANCH, OGEAW COUNTY, MICHIGAN**  
**AIRPORT ZONING PLANS**

WEST BRANCH, OGE MAW COUNTY, MICHIGAN

**R.S. SCOTT ENGINEERING CO. INC.**  
CONSULTING ENGINEERS  
ALBANY, MICHIGAN

[illegible]

MICHIGAN

AERONAUTICS COMMISSION

APPROVED: *[Signature]* DIRECTOR

DATE: JAN 20 1982

APPROVED L. P. Anderson ASST. DIRECTOR  
ENGINEERING

DATE: JAN 08 1970

JOINT WEST BRANCH COMMUNITY AIRPORT ZONING BOARD

0-5-0

APPROVED CHURCHMAN DATE 2/2/67

APPROVED *A. J. Anderson* DATE *12/26/97*

continued on next page

ADMINISTRATIVE AGENCY

DEMAW COUNTY ZONING COMMISSION

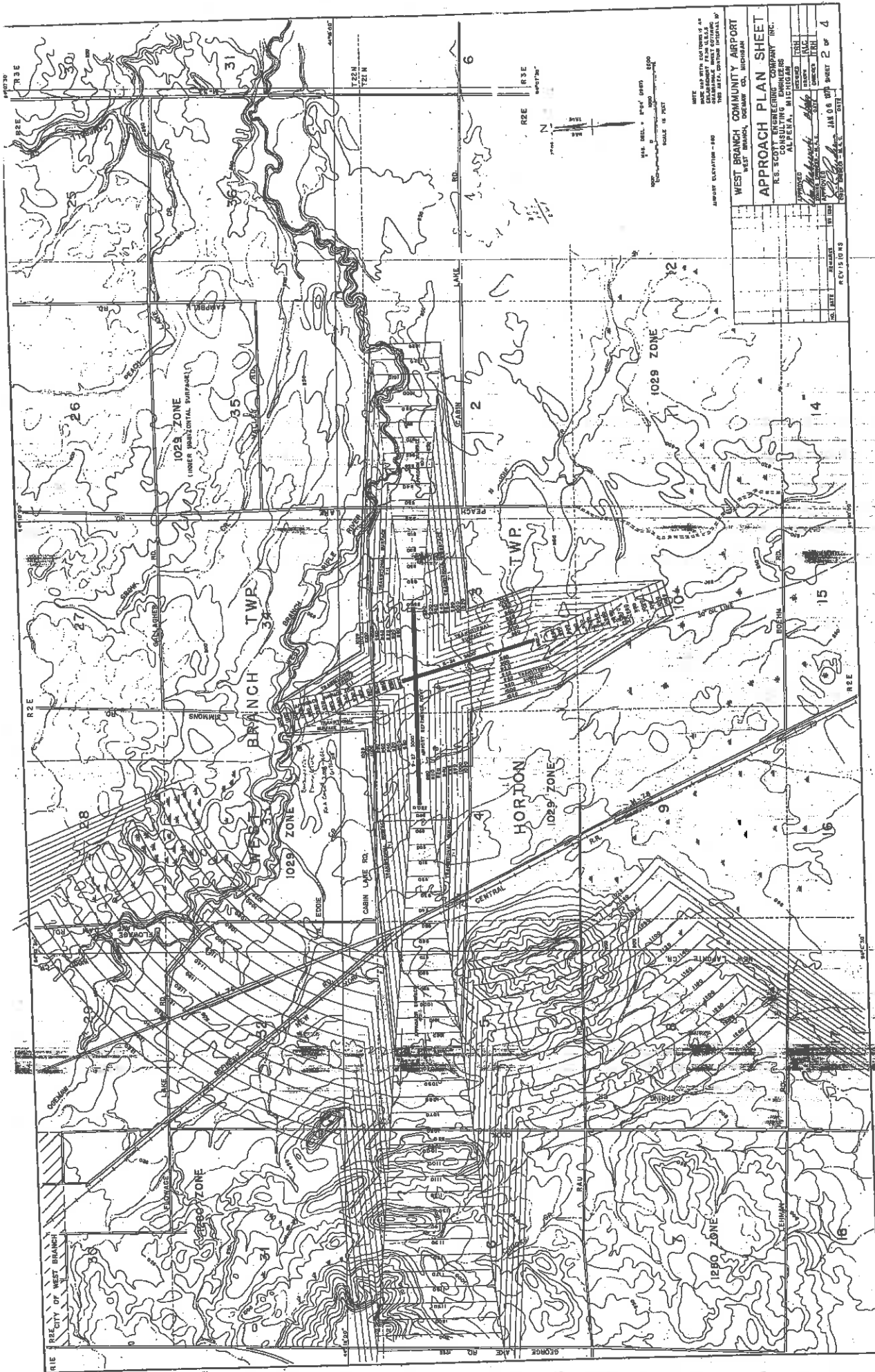
APPROVED Wendy K. Thompson DATE 10/13/2010

CHAIRMAN

ADOPTED 12/15/67 EFFECTIVE JAN. 1, 1970

[illegible][illegible]





NOTE: ALL DATA FOR THIS MAP IS AS SHOWN ON THE GROUND SURVEY. THE AREA, DISTANCE INTERVAL OF THE SURVEY IS 100 FEET.

WEST BRANCH COMMUNITY AIRPORT  
WEST BRANCH, IOWA CO., IOWA

APPROVED: [Signature]  
DATE: JAN 08 09  
SHEET 2 OF 4

WEST BRANCH COMMUNITY AIRPORT  
WEST BRANCH, IOWA CO., IOWA

APPROACH PLAN SHEET  
R.E. EGGY ENGINEERING COMPANY INC.  
CONSULTING ENGINEERS  
ALLENDALE, IOWA

DESIGNED: [Signature]  
CHECKED: [Signature]  
DATE: JAN 08 09  
SHEET 2 OF 4









# GENERAL NOTES - WEST BRANCH COMMUNITY AIRPORT

1. The West Branch Community Airport is located on the east side of the town of West Branch, Iowa, and is owned and operated by the West Branch Community Airport Authority. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa.
2. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa.
3. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa.
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5. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa.
6. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa. The airport is situated on a 120-acre tract of land, and the airport is located on the east side of the town of West Branch, Iowa.



WEST BRANCH COMMUNITY AIRPORT			
ZONING APPROACH PLAN			
R.S. SCOTT, ENGINEERING COMPANY INC.			
ALBANY, IOWA			
DATE: JAN 01 1971			
BY: [Signature]			
CHECKED BY: [Signature]			
APPROVED BY: [Signature]			
SHEET 3 OF 4			



					
20 FT. ABOVE GROUND ELEVATION	25 FT. ABOVE GROUND ELEVATION	30 FT. ABOVE GROUND ELEVATION	35 FT. ABOVE GROUND ELEVATION	40 FT. ABOVE GROUND ELEVATION	45 FT. ABOVE GROUND ELEVATION

AIRPORT. ELEVATION - 880  
CONTOUR INTERVAL - 50 FT.



WALL DIAL = 1° 24' (1987)

SCALE 100000



**WEST BRANCH COMMUNITY AIRPORT**  
WEST BRANCH, GERMANY CO., MICHIGAN

PERMIT MAP

**R.S. SCOTT ENGINEERING COMPANY INC.**  
**CONSULTING ENGINEERS**

ALPENA, MICHIGAN

DEMAND	STOCK
100	100
200	200
300	300
400	400
500	500
600	600
700	700
800	800
900	900
1000	1000

DATE	TIME	NAME
10/10/10	10:00	10/10/10

1976 JUL 10  
SHEET A OF A

[illegible][illegible]

310 J. N. P. VAN DIJK

100

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
0	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100



JOINT WEST BRANCH COMMUNITY AIRPORT  
WEST BRANCH, MICHIGAN

FOREWARD

The Joint West Branch Community Airport Zoning Ordinance was adopted on December 5, 1969 and became effective January 1, 1970. The principal objective is to provide additional safety and protection to the users of the airport and to the people who live and work in its vicinity.

The Ordinance establishes regulations on land within a 10 mile radius of the West Branch Community Airport. This ordinance establishes a huge air bowl with a maximum height limitation of 500 feet above the established elevation of the airport at the outer edge and has a minimum height limitation of 25 feet above ground at some locations in the approaches to the runways immediately adjacent to the airport. The height limitations of this ordinance become less severe as the distance from the airport is increased.

Structures and trees which project above the height limitations are considered hazards to flying and endanger lives and property. The prescribed height limits are not arbitrarily set, but are based on past experience and studies made by the Michigan Aeronautics Administration. Height limits are based upon the established elevation of the airport or upon the elevation of the end of the nearest runway.

The Ordinance does not affect existing structures, the height of which exceeded the limits imposed by this ordinance at the time it became effective. New construction, and construction increasing the height of existing structures, within ten miles of the airport, must conform to the provisions on height. The ordinance also restricts such uses of land within the vicinity of the airport as will unreasonably interfere with radio communication systems and other navigational aids or devices used by the airport and aircraft, or would reduce visibility or would create confusing lights.

The Joint West Branch Community Airport Zoning Board was created by the Boards of Supervisors of the counties of Ogemaw, Arenac and Gladwin and the Michigan Aeronautics Commission for the express purpose of establishing airport zoning regulations. This Joint Board has charged the Ogemaw County Zoning Commission with the responsibility of administering and enforcing the provisions of the ordinance with the understanding that the Agency would seek the close cooperation and work through the local County, Township and City Zoning Boards.



To effectively administer the ordinance, the Joint Board established application heights which are below the allowable height limits of the ordinance. This was done to make it easier for the local Zoning Boards and the general public to decide whether an application for permit must be filed with the Administrative Agency. This was also done to give added insurance to those who are constructing the higher, more costly structures. The establishment of application heights reduces the number of those who must make application.

The ordinance contains provisions for the variance of the regulations in event of practical difficulty or unnecessary hardship if the relief granted would not be contrary to the public interest and safety. It is the intent of the Joint Zoning Board, with the cooperation of the public, to have the ordinance administered in a reasonable and just manner in keeping with the responsibilities involved.

The preceding is by way of explanation only and is not to be considered a part of the ordinance. Information regarding height limits and copies of the ordinance are available at the offices of the Administrative Agency or the Michigan Aeronautics Commission, Capital City Airport, Lansing, Michigan 48906. A copy of the ordinance is on file with the County Clerks of Ogemaw, Arenac and Gladwin counties.



## JOINT WEST BRANCH COMMUNITY AIRPORT ZONING ORDINANCE

An Ordinance establishing airport zoning regulations restricting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of the West Branch Community Airport; providing for the allowance of variances from such regulations; designating the administrative Agency charged with the administration and enforcement of such regulations; establishing an airport zoning board of appeals; providing for enforcement; and imposing penalties for violation of this ordinance.

Pursuant to the authority conferred by the provisions of Act No. 23 of the Public Acts of the State of Michigan for the year 1950 (Extra Session) and for the purpose of promoting the health, safety and general welfare of the inhabitants of the Counties of Ogemaw, Arenac and Gladwin by preventing the establishment of airport hazards and thereby protecting the general public, users of the West Branch Community Airport and occupants of land in its vicinity, and preventing the destruction and impairment of the utility of said airport and the public investment therein;

The Joint West Branch Community Airport Zoning Board, composed of representatives appointed by the Boards of Supervisors of Ogemaw, Arenac and Gladwin Counties, the City of West Branch and the Michigan Aeronautics Commission, does hereby ordain as follows:

Section 1. Words and Phrases: For the purposes of this Ordinance, the words, terms and phrases set forth in Sections 2 through 11 inclusive, shall have the meanings prescribed in such sections.

Section 2. Agency: The term "Agency" when used in this Ordinance means (Building Inspector, Airport Manager, etc.), which is hereinafter designated and charged with the administration and enforcement of the provisions of this ordinance.

Section 3. Airport. The term "Airport" when used in this Ordinance means the West Branch Community Airport and all appurtenances used or acquired for airport buildings or other airport facilities, and all other appurtenant rights of way or other interests either heretofore or hereafter established.



Section 4. Airport Hazard: The term "airport hazard" when used in this ordinance means any structure or tree within the airport hazard area which exceeds the height limitations established by this ordinance, or any use of land or of appurtenances thereto contrary to the provisions of this ordinance within the airport hazard area which interferes with the safe use of the airport by aircraft.

Section 5. Airport Hazard Area: The term "airport hazard area" when used in this ordinance means any area of land or water, or both, lying within a ten mile radius from the established center of the West Branch Community Airport.

Section 6. Board: The term "Board" when used in this ordinance means the Board of Appeals as hereinafter created and designated.

Section 7. Above Mean Sea Level: The term "above mean sea level", when used in this ordinance or on the accompanying maps, denotes elevations above sea level as based upon and determined by reference to United States Coast and Geodetic Survey datum.

Section 8. Non-conforming Use: The term "non-conforming use" when used in this ordinance means any structure, tree or use of land which does not conform to a regulation prescribed in this ordinance or any amendment thereto as of the effective date of such regulation.

Section 9. Person: The term "person" when used in this ordinance means any individual, firm, partnership, corporation, company, association, joint stock association, municipal corporation or other body politic, and including any trustee, receiver, assignee or other similar representative thereof.

Section 10. Structure: The term "structure" when used in this ordinance means any object constructed or installed by man, including but without limitation, buildings, towers, smokestacks, overhead transmission lines, radio and television aerials and antennae, but not including highways and their appurtenances.

Section 11. Tree: The term "tree" when used in this ordinance means any object of natural growth.

Section 12. Airport Hazard Area: There is hereby established an airport hazard area, which area or zone consists of all the lands within Ogemaw, Arenac and Gladwin Counties lying beneath the approach, transitional, 149 feet horizontal, conical and 500 feet horizontal surfaces, said land being located within a circle having a radius extending horizontally 10 miles from the established center of the usable landing areas of the airport and the boundaries of which surfaces are shown on Joint West Branch Community Airport Zoning Plans numbered 1 through 4, which maps are attached hereto and made a part hereof.

Section 13. Height Limitations: There are hereby imposed



on the lands in said airport hazard area the height limitations shown on the attached airport zoning plans, the same being based upon the elevations above mean sea level at the ends of the respective airport runways and the established elevation of the airport, which elevations are shown on sheets 1 and 3 of the zoning plans.

Section 14. Unlawful to Exceed Height Limitations: From and after the effective date of this ordinance it shall be unlawful for any person to erect any structure to a height in excess of the limitations prescribed by the terms of this ordinance and the attached airport zoning maps; or to plant or allow any tree to grow to a height in excess of the limitations prescribed by the terms of this ordinance and the attached airport zoning maps; or to establish any use of lands contrary to the provisions of this ordinance.

Section 15. Electric Interference, Lights and Smoke: Notwithstanding any other provisions of this ordinance, it shall be unlawful to put any lands within the airport hazard area to any use which:

- (a) Would create electrical interference with radio communication between the airport and aircraft or create interference with navigational aids employed by aircraft,
- (b) Would make it difficult for flyers to distinguish between airport lights and others or result in glare in the eyes of flyers using the airport,
- (c) Would create air pollution in such amounts as to impair the visibility of flyers in the use of the airport,

thereby endangering persons or property.

Section 16. Applicability to Existing Uses: The provisions of Section 14 of this ordinance shall not apply to structures, trees or other non-conforming uses as the same may exist in the airport hazard area on the effective date hereof, unless subsequent thereto the Agency determines the same to be abandoned, or 80% torn down, destroyed, deteriorated, or decayed.

Section 17. Applicability to Changes or Alterations in Existing Uses: The provisions of Section 14 of this ordinance shall apply to changes or alterations in existing structures, trees or other non-conforming uses after the date hereof, and so as to increase the height thereof, with the same force and effect as though the same were new uses.

Section 18. Permit Maps: There are attached hereto as page 4 of the airport zoning maps, "Permit Maps" showing applicable height limitations within the airport hazard areas according to city blocks or land sections in unplatted areas. Said permit maps are affixed hereto for the information of and should be consulted by all persons proposing to make uses of land within the airport hazard areas,



whether the same be new uses or changes in existing uses, and it shall be no defense in any action brought hereunder that a person charged with violation of this ordinance, whether the action be criminal or civil in nature, failed to consult said permit maps prior to the action giving rise to such violations.

Section 19. Procedures: Three procedures are hereinafter provided, to be taken by persons desiring to create new uses, or to change existing uses, after they have consulted the applicable permit map, namely:

(a) If it appears, after consulting such permit map, that the proposed new use, or changed existing use clearly would not violate the terms of this ordinance, then such new use may be created, or existing use changed, without further reference hereto.

(b) If it appears, after consulting such permit map, that the proposed new use, or changed existing use may possibly violate the terms of this ordinance, then such new use shall not be created, or existing use changed until there has first been obtained from the Administrative Agency a proper permit in accordance with the provisions of this ordinance hereinafter contained. Inasmuch as the height limitations imposed in the airport hazard area steadily incline from the airport center, and at various rates according to location of approaches, the permit maps are only approximates for any given segment of said airport hazard area and therefore a height limitation may be somewhat greater than accorded by said maps, depending upon the particular plat of land involved. The purpose of this second procedure is therefore to enable the Administrative Agency to make exact mathematical determinations and enable users of land within the hazard area to avoid violations of this ordinance.

(c) If it appears, after consulting said permit maps, that the proposed new use, or change in existing use, clearly will violate the provisions of this ordinance, then no such new or changed use shall be undertaken unless the person proposing to undertake same shall first apply to the Board of Appeals and obtain from said board a certificate of variance in accordance with the further procedures hereinafter provided.

Section 20. Exception for Emergency Utility Repairs: No permit shall be required for the emergency repair or replacement of non-conforming public utility structures, other than buildings, when the height of such structures will not be increased by such emergency repairs or replacement. It is intended that in the application of this provision any combination of circumstances calling for immediate action or remedy in the repair or replacement of such non-conforming public utility structures shall be deemed an emergency.

Section 21. Administrative Agency Permit Procedures: Applications for Administrative Agency permits shall be made upon forms furnished by said Agency, and the Agency shall within 15 days from the filing thereof determine whether the height limitations as designated by the Airport Zoning Maps and this ordinance would or would not be violated



if such application be granted, and shall grant or deny said application accordingly (said agency not being vested with authority to permit a variance) and advise applicant of its action within three days after the same has been taken. The force and effect of a denial shall be to leave the applicant free to apply to the Board of Appeals for a certificate of variance. Provided, that the agency is authorized and directed to approve all applications for permits for uses not exceeding 25 feet in height above the existing ground level as the same may exist on the effective date this ordinance, notwithstanding anything to the contrary herein contained, it being intended that the minimum height limitation to be imposed by this ordinance shall be said 25 feet above the ground levels existing on the date of this ordinance. Provided further that the issuance of a permit shall not be construed to permit a use that violates any other general zoning ordinance or regulation applicable to the same area.

**Section 22. Approach Standards Governing Permits:** The approach, transitional, conical and horizontal surfaces are denoted on sheets 1 through 4 of the zoning plans, and are described in Approach Standards of the Rules and Regulations of the Michigan Aeronautics Commission, and/or the Federal Aviation Administration. It is intended that in acting upon applications for permits the agency will arrive at proper height limitations by interpolating between aerial contours shown on the zoning plans.

**Section 23. Administrative Agency:** The Ogemaw County Zoning Commission is hereby designated the Administrative Agency charged with the duty of administering and enforcing the regulations herein prescribed. The duties of such Agency shall include those of issuing permits as hereinafter required, but said Agency shall not have or exercise any of the powers or duties herein delegated to the Board. The agency may adopt such rules and regulations as may be necessary in connection with its administration and enforcement of this ordinance.

**Section 24. Board of Appeals:** There is hereby created a Board of Appeals consisting of five members, each to be appointed for a term of 3 years and until his successor is appointed and qualified, one of whom shall be designated as Chairman and one whom shall be designated as Vice-Chairman, which appointments shall be made by the Board of Supervisors and provided that upon such appointments being initially made, one member of said Board shall be appointed for a term of one year, two for terms of 2 years each, and two for terms of 3 years each. Said members shall be removable by the appointing body for cause shown, upon written charges and after notice and opportunity to be publicly heard. The Board of Appeals shall exercise such powers as hereinafter in this ordinance are conferred upon it.

**Section 25. Board of Appeals, Official Name:** The Board of Appeals shall be officially known as the West Branch Community Airport Zoning Board of Appeals.



Section 26. Board of Appeals, Compensation: The Board of Appeals shall receive such compensation and expense reimbursement for attendance at meetings and hearings, and may employ such necessary personnel, as may be provided for by resolution of the (Board of Supervisors.) ~~(Joint Hearing Committee for reds)~~

Section 27. Board of Appeals, Rules, Organization, and Procedures: The Board of Appeals shall adopt rules concerning its organization and procedure, appeal forms, and other authorized matters, consistent with the provisions of this ordinance. Such rules shall include, but not be limited to, providing a reasonable period of time from which appeal may be taken to it from an action of the Agency. Meetings of the Board shall be held at the call of the Chairman and at such other times as said board may determine and notice of all meetings shall be given by the Chairman to all members. The Chairman, or in his absence the Vice-Chairman, may administer oaths or affirmations and issue subpoenas to compel the attendance of witnesses. All hearings of the Board of Appeals shall be public, and it shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official acts, all of which shall be immediately filed in the offices of the Board and shall be a public record.

Section 28. Board of Appeals, Powers: The Board of Appeals, by the concurring vote of a majority of its members, shall have the power to issue certificates of variance under the provisions of this ordinance hereinafter contained, or to otherwise hear and decide appeals from any order, requirement, rule, regulation, decision or determination made by the Administrative Agency under the powers conferred upon it by this ordinance.

Section 29. Who May Appeal to Board of Appeals: Any person aggrieved, or the governing body of any political subdivision affected by any decision of the Agency made in its administration of this ordinance, may appeal to the Board of Appeals.

Section 30. Appeal Procedure: All appeals from actions of the Agency shall be taken within the time and in the manner provided by the rules of the Board of Appeals, by filing with the Agency and with the Board a notice of appeal specifying the grounds therefor. The Agency shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Agency certifies to the Board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or irreparable damage to property. In such case, proceedings shall not be stayed otherwise than by order of the Board and on due cause shown. The Board shall fix a time for the hearing of the appeal, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon hearing,



the Board may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or modify, the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as it deems advisable to make, and to that end shall have all the powers of the Agency.

Section 31. Certificates of Variance: Applications for certificates of variance shall be submitted on such forms as be provided for by the rules of the Board of Appeals, and if the application be granted the applicant shall be provided a certificate of variance in such form as be prescribed by such rules. Provided, that said certificate shall provide that it not be effective for a period of thirty (30) days following the date of its issuance, and immediately upon issuance a copy thereof shall be filed with the Michigan Aeronautics Commission and a copy with the political subdivision affected by such certificate. In acting upon applications for variance, variances shall be allowed where a literal application or enforcement of such regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest and approach protection, but would do substantial justice and be in accordance with the spirit of the regulations of this ordinance; provided, however, that any such variance may be allowed subject to any reasonable condition or conditions subsequent that the Board of Appeals may deem necessary to effectuate the purpose of this ordinance. Provided further that nothing in this section shall be construed to permit a use which would conflict with any other general zoning ordinance or regulation applicable to the same area.

Section 32. Appeals to Circuit Court: Any person, including the Michigan Aeronautics Commission on behalf of and in the name of the State, aggrieved by any decision of the Board of Appeals, may appeal to the Circuit Court of the County of Ogemaw \_\_\_\_\_ as provided in Section 30 of Act No. 23, of the Public Acts of the State of Michigan for the year 1950 (Extra Session).

Section 33. Penalties: Any person who shall violate this ordinance or any regulations, orders or rulings promulgated or made pursuant to this ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$100.00 and imprisonment for a term not to exceed 90 days, and each day a violation continues to exist after notice shall constitute a separate offense. Such notice may be given by the Agency by registered mail addressed to the person maintaining such violation.

Section 34. Civil Action Available: The (Board of Supervisors) (~~Michigan Aeronautics Commission~~) adopting airport zoning regulations under Act No. 23 of the Public Acts of the State of Michigan for the year 1960 (Extra Session), may, in addition to any criminal action taken, institute in the Circuit Court of Ogemaw \_\_\_\_\_ County, an action to prevent, restrain, correct or abate any violation of this act, or of airport zoning regulations adopted under this act, or of any order or ruling made in connection with their administration or enforcement,



and the court shall adjudge to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order to effectuate fully the purposes of this act and the regulations adopted and orders and rulings made pursuant thereto.

Section 35. Federal Laws: The airport zoning ordinance is not intended to conflict with existing Federal approach protection laws. The Federal Aviation Administration requires that they be given notice of any construction or alteration that would be more than 200 feet above the surface level; that would be of greater height than an imaginary surface extending from the nearest boundary of a landing area upward and outward at a slope of 1 to 100; that would be on an airport; or when requested by the Federal Aviation Administration.

Section 36. Severability of Provisions: If any of the provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications of the ordinance, and to this end the provisions of this ordinance are declared to be severable.

Section 37. Ordinance Name: This ordinance shall be known and may be cited as the "Joint West Branch Community Airport Zoning Ordinance."

Section 38. Amendments: This ordinance, and the regulations prescribed herein, may be amended by a majority of vote of all members of the Board of Supervisors after a public hearing is held in relation to the proposed amendment.

Section 39. Effective Date: This ordinance shall take effect on the first of January, 1970.

*Ellis Kinyon*  
/s/Ellis Kinyon  
Chairman, Joint Airport Zoning Board

Attest:

*F. A. Greco*  
/s/F. A. Greco  
Secretary, Joint Airport Zoning Board



## MODEL ZONING ORDINANCE

### BOARD OF APPEALS

#### Rules of Organization & Procedure

##### ORGANIZATION

Meetings of the Board to be called at the discretion of the chairman. The Board should meet at least once a year, preferably during the anniversary week of the adoption date of the ordinance.

##### PROCEDURE

Appeals should be made within 30 days after written decisions of the administration Agency. Time can be extended at the discretion of the Board. Place of hearings to be the (City Hall) (County Courthouse) unless otherwise designated. Stenographic records of hearings for appellant to be at the expense of the appellant. Notices for appeals should be in writing. The Administrative Agency is to write a letter of transmittal on records of the case in appeals. A quorum is to consist of three members of the Board of Appeals. Public notice for hearing published once in the newspaper five (5) business days prior to day of hearing. Notice to interested people to be given by registered mail five (5) days prior to hearing. Interested parties are: 1. Person filing appeal. 2. (Airport Zoning Board) (Board of Supervisors). 3. The Administrative Agency. 4. Michigan Aeronautics Commission. The decisions to the Board of Appeals to be given in writing to: 1. The Administration Agency. 2. To the appellant. 3. Michigan Aeronautics Commission.

The same procedure to be followed for variances as for appeals.

All appeals should be considered within a period of thirty days after receiving notice from the applicant.

Please refer to the ordinance for additional rules and regulations of the Board of Appeals.



**CITY OF WEST BRANCH  
CITY COUNCIL MEETING  
FEBRUARY 20, 2023**

PLEASE TAKE NOTICE that the West Branch City Council meeting scheduled for Monday, February 20, 2023 at 6:00 pm will be conducted both in person and virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 pandemic.

Public comment will be handled by the "Raise Hand" method as instructed below within Participant Controls.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend this meeting, and/or to obtain this notice in alternate formats, please contact the City Clerk by phone at (989) 345-0500 from 8:00 am-4:30 pm Monday- Friday or by email at [clerk@westbranch.com](mailto:clerk@westbranch.com), at least five business days prior to the meeting.

### **Zoom Instructions for Participants**

**To join the conference by phone:**

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touch-tone (DTMF) keypad.

**Before a videoconference:**

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provided below. The details include a link to "Join via computer" as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

**To join the videoconference:**

2. At the start time of your meeting, enter the link to **join via computer**. You may be instructed to download the Zoom application.
3. You have an opportunity to test your audio at this point by clicking on "Test Computer Audio." Once you are satisfied that your audio works, click on "Join audio by computer."

You may also join a meeting without the link by going to [join.zoom.us](https://join.zoom.us) on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touch-tone (DTMF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your 2-digit participant ID to be associated with your computer.



**Participant controls in the lower left corner of the Zoom screen:**



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera ("Start/Stop Video")
- Invite other participants
- View Participant list – opens a pop-out screen that includes a "Raise Hand" icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between "speaker" and "gallery" view. "Speaker view" shows the active speaker. "Gallery view" tiles all of the meeting participants.

**Meeting Information:**

Topic: West Branch City Council Meeting

Time: Feb 20, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83752526752?pwd=VTdWWGFzd1hhWGNxZWZEdCtLcjh5UT09>

Meeting ID: 837 5252 6752

Passcode: 428051

One tap mobile

+13092053325,,83752526752#,,,,\*428051# US

+13126266799,,83752526752#,,,,\*428051# US (Chicago)

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

Meeting ID: 837 5252 6752

Passcode: 428051

Find your local number: <https://us02web.zoom.us/j/83752526752?pwd=VTdWWGFzd1hhWGNxZWZEdCtLcjh5UT09>