#### -- AGENDA --

### REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS AT WEST BRANCH CITY HALL, 121 N. FOURTH ST. ON MONDAY, April 1, 2019, 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, unless you have signed in and requested additional speaking time, and that the request is then approved by either the Mayor or a majority vote of Council. All in attendance are asked to please <u>remove hats and/or sunglasses</u> during meetings and to <u>silence all cell phones and other electronic devices</u>. 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 John Dantzer 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 West Branch City Council.]

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Hearing
- V. Additions to the agenda
- VI. Public Comment on Agenda Items Only (limited to 3 minutes)
- VII. Scheduled Matters from the Floor
  - A. Autum Hunter Parking
  - B. Ron Selley Water rates
  - C. Grange Bell Rodeo
  - D. Resolutions 19-05 & 19-06 Requests for funding through MDOT Category B Program for Progress Drive and Columbus Drive
- VIII. Bids
- IX. Unfinished Business
- X. New Business
  - A. Bills payable.
  - B. USDA police vehicle grant

- XI. Approval of the minutes and summary from the meeting held March 18, 2019 as well as the minutes of the closed session portions of the meeting held on March 18, 2019 and the minutes from the work session held March 20, 2019
- XII. Consent Agenda (These items are considered routine and can be enacted in one motion)
  - A. Treasurer's report and Investment Summary
  - B. Minutes from the Airport Board meeting held February 20, 2019
  - C. Minutes from the Wastewater Treatment Plant Authority meeting held January 16, 2019
- XIII. Communications
- XIV. Reports and/or comments
  - A. Mayor
  - B. Council Members
  - C. City Manager
- XV. Public Comment on any item (limited to 3 minutes)
- XVI. Adjournment

### Call to Order

### **Roll Call**

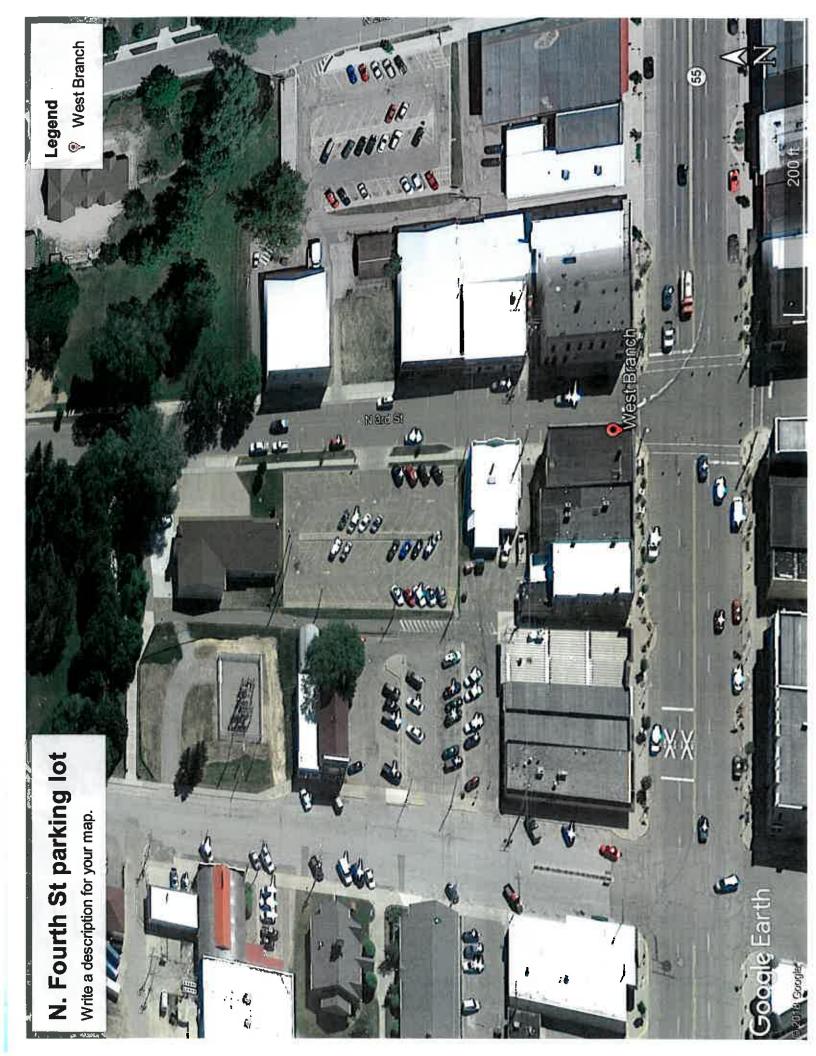
Pledge of Allegiance

# Public Hearings

# Additions to the Agenda

# Public Comment -Agenda Items

# Scheduled Matters from the Floor



#### **ORDINANCE #10-05**

AN ORDINANCE TO AMEND TITLE V OF THE CITY OF WEST BRANCH CODE OF ORDINANCE TO CHANGE §51.092 – RATES CHARGED TO USER THE CITY OF WEST BRANCH ORDAINS:

SECTION 1: That the City of West Branch, Michigan Code of Ordinances is hereby amended to change §51.092 – Rates Charged to User to read as follows:

(B) Laundromats shall receive a 5% discount on their sewer charges based on the assumption that this is the percentage of water left in the clothing when it is placed in the dryer.

#### Section 2: Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

#### Section 3: Repealer

All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

#### **Section 4: Effective Date**

This Ordinance shall become effective 15 days after its adoption.

Todd Thompson, Mayor	
Jane Tennant, Clerk	

Introduced: March 15, 2010 Adopted: April 5, 2010

Effective Date: April 20, 2010

(F) A tap fee shall be paid by each customer making connection to the water system. Such fee shall be established by Resolution of the City Council and is intended to cover the cost of physical connection to the system and the privilege of connecting to the system.

(Ord. 70, passed 7-7-52; Am. Ord. 157, passed 12-15-80; Am. Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord. 07-06, passed 12-3-2007; Am. Ord. 09-03, passed 9-8-2009; Am. Ord. 09-05, passed 10-5-2009; Am. Ord. 10-04, passed March 15, 2010; Ord. 11-02, passed 2-21-2011; Am. Ord 18-03, passed 10-24-18)

#### § 52.36 BILLING; PENALTY FOR LATE PAYMENT.

Effective January 1, 2019, or as soon thereafter as may be practicable, water bills shall be rendered monthly during each operating year and shall represent charges for the period immediately preceding the date of rendering the bill. The bills shall be due and payable within 30 days from the date thereof and all bills not paid when due shall be deemed delinquent and a penalty shall be added thereto and become due and owing as a part thereof. The amount of the penalty for late payments shall be set at the rate of 10% of the amount of such late billing for the year 2019, and may be modified thereafter by Resolution of Council.

(Ord. 185, passed 12-1-86, Am. Ord. 217, passed 7-1-92; Am. Ord. 10-02, passed 2-1-2010; Am. Ord 18-03, passed 10-24-18)

#### § 52.37 FIRE HYDRANT RATES.

For water used through fire hydrants, the City shall pay a charge for each fire hydrant each year, which charge shall be paid annually in advance from the current funds of the City, or from proceeds of taxes which the City within constitutional limits, is hereby authorized and required to levy in an amount sufficient for that purpose. The amount per fire hydrant that shall be paid each year shall be \$135 for the year 2019, and may be modified thereafter by Resolution of Council.

(Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord 18-03, passed 10-24-18)

#### § 52.38 SPECIAL RATES.

For miscellaneous services for which a special rate should be established, such rates shall be fixed by Resolution of the City Council.

(Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord 18-03, passed 10-24-18)

#### § 52.39 ENFORCEMENT; LIENS.

The charges for water services, which are under the provisions of Act No. 178 of the Public Acts of 1939, as amended, being M.C.L.A. §123.161 - 123.167 are made a lien on all premises served thereby, unless notice is given that a tenant is responsible, whenever any such charge against any piece of property shall be delinquent for six months. The City official, or officials in charge of the collection thereof, shall certify annually, on April 1 of each year, to the tax assessing officer of the City, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises, and the lien thereon enforced in the same manner as general City taxes against such premises are collected, and the lien thereon enforced. However, where notice is given that a tenant is responsible for such charges, as provided by Section 21, Act 94, Public Acts of Michigan, 1933, no further service shall be rendered such premises until a cash deposit of not less than \$12 shall have been made as security for payment of such charges. The cash deposit required of tenants shall equal the amount typically charged to a similar customer for six months of service. (Ord. 185, passed 12-1-86; Am. Ord 18-03, passed 10-24-18)

#### § 52.40 SHUTTING OFF OR DISCONTINUING SERVICE; TURN-ON CHARGE.

In addition to other remedies provided, the City shall have the right to shut off and discontinue the supply of water to any premises for the nonpayment of water charges when due. If such charges are not paid within 30 days after the first day of the month next succeeding the month in which such charges are billed, then water service to such premises shall be discontinued. A warning notice shall be attached to the door of the premises affected prior to actual discontinuation of service. A shut-off fee shall be added to the sum then due for notice of shut off. Water services so discontinued shall not be restored until all sums then due and owing shall be paid, plus a turn-on charge. Amounts to be charged for shut-off fees and turn-on charges shall be set by Resolution of Council.

(Ord. 185, passed 12-1-80; Am. Ord. 217, passed 7-1-92; Am. Ord 18-03, passed 10-24-18)

#### Dear Sirs:

My name is Ron Selley, and I own Selley's Cleaners in downtown West Branch. I am appearing before you to request a reduction in the latest water and sewer rate increase.

I have owned Selley's for 38 years and I currently have 4 employees. In my years owning Selley's I've seen tremendous changes in the Laundromat and Drylceaning business – one of which is that water and sewer are now my biggest non-payroll expense. I've had to overcome many challenges and I have survived because I was always willing to invest in making my business as efficient as possible. In the last 10 years I have invested over \$150,000.00 on water and utility efficient machines that are also environmentally friendly, in the hopes of maintaining a sustainable profit margin. I now have state-of-the-art washers and dryers – there is no more efficiency to be had. In the last 5 years alone, I've remodeled my building, replaced my roof, repaved my parking lot, and bought a new 'Green' Drycleaning machine. This was an investment in Downtown West Branch that I fear may have been wasted. The recent decision by the City of West Branch to once again dramatically raise water/sewer rates threatens the future of my business. Please consider returning to the 2018 water/sewer rate for Selley's Cleaners for at least 5 years. Although I consider that rate to be unreasonably high, my business had adapted to a smaller profit margin. The 2019 increase of 24% over last year is simply too much to absorb.

In 5 years, the water/sewer rate has gone up 46%! In 10 years, it has increased 184%.

Water/sewer rate 2009 - \$6.53/1000 gal Water/sewer rate 2014 - \$12.69/1000 Water/sewer rate 2018 - \$15.03/ 1000 Water/sewer rate 2019 - \$18.59/1000

At the new rate, my bill for the 3 busiest summer months of 2019 will be at least \$5500.00!

My laundromat is much more water efficient than using home washers. My whole business model relies on water use efficiency, and my newest machines are state-of- the-art. Folks at home do washing without regard to how much water per pound of clothes they use. At the laundromat, they maximize their pounds per machine, because they can easily see that it saves money. Also keep in mind that significant amount of water used by my store never goes into the sewers, it is evaporated in the dryers.

I have not been able to increase my customer base and raise prices enough to fully pay for the **last** 2 major rate increases. The 2011 increase went a long way towards putting the other laundromat in West Branch out of business. I cannot raise prices enough to pay for the new increases without driving my customers to laundromats in St. Helen, Rose City, and Gladwin. I checked with both Rose City and Gladwin – my cost for water/sewer in Rose City would be less than \$500/month; in Gladwin it would be about \$500-550/month. St. Helen laundromat has a well and drain field, so it has little or no water/sewer expense. Those laundromats are my competition. I am a level-headed person, but the fact that West Branch water/sewer is at least 2 ½ times more expensive as the 3 nearest towns is pretty upsetting!

Although it would be a huge undertaking for me, moving my laundromat may become an attractive option.

**To sum up**, after this latest rate increase, I will be paying at least \$17,000.00/year for water and sewer, an increase of more than \$5000.00 from 5 years ago and \$3000.00 more than last year. If the current rate structure is maintained, I will be forced to move my store out of the City of West Branch. However, I am certain that a continuation of the already very high 2018 water/sewer rate for my business would be a net money saver for the city, and a life saver for Selley's Cleaners.

Returning Selley's Cleaners to the 2018 rate would save jobs, tax base, water, and a local downtown business. That is a win/win!

Sincerely, Ron Selley Owner, Selley's Cleaners

# SELLEY'S 15 YEAR AVERAGE WATER USE IS ABOUT 78,000 GALS PER MONTH

\$989.00 (+94% from '09)

\$1,172.00 (+18% from '14)

\$1,450.00 (+ 24% from '18)

WEST BRANCH WATER/SEWER	AVERAGE MONTHLY BILL
RATE PER 1000 GALLONS	
1999 - 4.33	\$337.00
2004 - 5.32	\$414.00 (+23% from '99)
2009 - 6.53	\$509.00 (+23% from '04

# The 2019 water/sewer rate is a **24% increase from 1 year ago**

2014 - 12.69

2018 - 15.03

2019 - 18.59

46% increase from the rate 5 years ago 184% increase from the rate 10 years ago 249% increase from the rate 15 years ago

329% increase from 20 years ago

#### Rodeo timeline, Friday, Aug. 2, 2019

Close S. Third St.
Close Houghton Ave.
Cover storm drains
Build arena base
Set up arena
Move bleachers in
Hang banners
Show starts
Show ends
Remove bleachers
Remove dirt and sweep
Remove storm drain covers
Open Houghton Ave.
Open S. Third St.

#### **2019 Rodeo Sponsorship Options**

Sponsorship:		

LEVEL	DESCRIPTION	AMOUNT
Major  (LImited Number Available)	<ul><li>Banner on Bucking Shout</li><li>Paper Ad</li><li>Radio Ad</li><li>Social Media</li></ul>	\$1,000.00
Gold	<ul> <li>Banner on Interior of Rodeo Arena</li> <li>Mentioned in Paper Ad</li> <li>Mentioned on Radio Ad</li> <li>Mentioned on Social Media Channels</li> </ul>	\$500.00
Silver	<ul> <li>Half Banner at Event</li> <li>Mentioned in Paper Ad</li> <li>Mentioned on Radio Ad</li> <li>Mentioned on Social Media Channels</li> </ul>	\$250.00
Bronze	Quarter Banner at Event     Mentioned in Social Media Channels	\$100.00
Supporter	Listed on Banner at Event     Mentioned in Social Media Channels	\$25 to \$99.00

Make check payable to: WBARMA

Send check to: 224 W. Houghton Ave., West Branch, MI 48661

If you have any questions regarding sponsorship, please contact:

Kathy Collins - 989-450-6163 Grange Bell - 989-745-8355

Contact:	
Phone:	
Email:	
Sponsor Signature:	

**THANK YOU FOR YOUR SUPPORT!** 

# Bids

#### CITY OF WEST BRANCH RESOLUTION 19-05

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR MILLING AND RESURFACING OF PROGRESS DRIVE FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

Minutes of a regular meeting of the City Council of the City of West Branch, Ogemaw County, Michigan, held in the Council Chamber of West Branch City Hall, 121 N 4<sup>th</sup> Street, in said City, on April 1, 2019 at 6:00pm.

PRESENT:	Members:	
ABSENT:	Members:	
The followin	ng preamble and resolution were offered by Member _	and supported by

WHERAS, the City of West Branch is applying for \$140,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct milling and resurfacing on Progress Drive.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Mike Killackey, Superintendent, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$70,000.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

PRESENT: MEMBERS:

NAYS: MEMBERS:

ABSENT: MEMBERS:

RESOLUTION DECLARED ADOPTED.

John Dantzer, Interim Manager/Clerk/Treasurer

#### CERTIFICATION

The forgoing resolution was certified at a regular meeting of the City Council of the City of West Branch held on April 1, 2019.

John Dantzer, Interim Manager/Clerk/Treasurer

#### CITY OF WEST BRANCH RESOLUTION 19-06

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR MILLING AND RESURFACING OF COLUMBUS DRIVE FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

Minutes of a regular meeting of the City Council of the City of West Branch, Ogemaw County, Michigan, held in the Council Chamber of West Branch City Hall, 121 N 4th Street, in said City, on April 1, 2019 at 6:00pm.

PRESENT: ABSENT:	Members:	
The followin	ng preamble and resolution were offered by Member	and supported by

WHERAS, the City of West Branch is applying for \$75,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct milling and resurfacing on Columbus Drive.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Mike Killackey, Superintendent, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$37,500.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

PRESENT: MEMBERS:

NAYS: MEMBERS:

ABSENT: MEMBERS:

RESOLUTION DECLARED ADOPTED.

John Dantzer, Interim Manager/Clerk/Treasurer

#### CERTIFICATION

The forgoing resolution was certified at a regular meeting of the City Council of the City of West Branch held on April 1, 2019.

John Dantzer, Interim Manager/Clerk/Treasurer

# Unfinished Business

## **New Business**

#### ATTACHED IS A LIST OF THE

#### BILLS TO BE APPROVED

#### AT THIS COUNCIL MEETING

BILLS \$30,071.47

BILLS AS OF 3/27/19 \$30,071.47

Additions to Bills as of \$0

Paid but not approved \$37,317.70

TOTAL BILLS \$67,389.17

**BILLS ARE AVAILABLE** 

AT THE MEETING

FOR COUNCIL'S REVIEW

Vendor Name	Amount	Description
ACE SAGINAW PAVING COMPANY	771.00	COLD PATCH
BRINDLEY, JEFF	100.00	REIMBURSEMENT SAFETY GLASSES
CHARTER COMMUNICATIONS	324.91	PHONE/INTERNET WWTP & CITY HALL
CONSUMERS ENERGY	110.60	ELECTRIC
DO ALL INC	600.61	CLEANING & RECYCLING
HAMILTON ELECTRIC CO	580.00	PREVENTATIVE MAINTENANCE CONTRACT WWTP
INK & THREAD LLC	18.00	NAME PLATES
MERS OF MICHIGAN	16,879.67	RETIREMENT MARCH
MRWA	885.00	WATER REVIEW - LIMITED TREATMENT JEFF, MATT, JASON
MVW & ASSOCIATES INC	845.00	ASSESSOR APRIL
OGEMAW COUNTY HERALD ADLINER	209.43	ADS
QUALITY ASSURANCE SERVICES LLC	204.25	WWTP SUPPLIES
STATE OF MICHIGAN	75.00	LUCAS PESTICIDE TEST
STATE OF MICHIGAN	75.00	MIKE PESTICIDE TEST
STATE OF MICHIGAN	64.00	WATER SAMPLES
TOP GEAR	829.00	BIKE SAFETY HELMETS
WEST BRANCH RETAIL MERCHANTS	7,500.00	ANNUAL BUDGETED AMOUNT

TOTAL 30,071.47

# Approval of Minutes

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBER OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, MARCH 18, 2019

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

Present: Mayor Paul Frechette and Council Members Joanne Bennett, William Ehinger, Mike Jackson, Ellen Pugh, Dan Weiler, and Cathy Zimmerman.

Absent: None

Other officers present: Interim Manager/Clerk/Treasurer John Dantzer, DPW Superintendent Mike Killackey, Police Chief Ken Walters, DDA Chairperson Samantha Fabbri, and Planning Vice Chairperson Bob David.

All stood for the Pledge of Allegiance.

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As an addition to the agenda, Interim Manager Dantzer submitted brochures on behalf of Heather Neuhaus of the Chamber of Commerce for their upcoming events.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

A bid and sole source vendor request was submitted for a plow side wing for the DPW plow truck.

Council Member Bennett asked about the purchase fitting into this year's budget.

MOTION BY ZIMMERMAN, SECOND BY PUGH, TO APPROVE THE SOLE SOURCE VENDOR REQUEST FOR TRUCK AND TRAILER SPECIALISTS AND TO AWARD THE BID TO THEM FOR THE PLOW SIDE WING NOT TO EXCEED \$14,905.00.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No - None Absent - None Motion carried

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MOTION BY BENNETT, SECOND BY JACKSON, TO PAY BILLS IN THE AMOUNT OF \$29,511.88.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

MOTION BY FRECHETTE, SECOND BY BENNETT, TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (d) TO CONSIDER THE PURCHASE OR LEASE OF REAL PROPERTY UP TO THE TIME AN OPTION TO

PURCHASE OR LEASE THAT PROPERTY IS OBTAINED AND MCL 15.268 (h) TO DISCUSS MATTERS THAT ARE SUBJECT TO ATTORNEY CLIENT PRIVELEGES

	Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman					
	No – None	Absent – None	Motion carried			
Council	went into closed se	ession at 6:08 pm				
		******	* * *			
	MOTION BY BENNE	ETT, SECOND BY ZIMMERMAN, TO RETUR	RN TO OPEN SESSION.			
	Yes — Bennett, Eh	inger, Frechette, Jackson, Pugh, Weiler, 2	limmerman			
	No – None	Absent – None	Motion carried			
Council	returned to open s	ession at 6:17 PM				
		* * * * * * * * * * * * * * *	* * *			
	MOTION BY FRECHETTE, SECOND BY JACKSON, TO AUTHORIZE CITY ATTORNEY DANTZER TO PROCEDE WITH THE PURCHASE OF REAL PROPERTY AND TO AUTHORIZE INTERIM CITY MANAGER DANTZER TO SIGN ALL DOCUMENTS RELATING TO THAT PURCHASE ON THE CITY'S BEHALF.					
	Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman					
	No – None	Absent – None	Motion carried			
		* * * * * * * * * * * * * * * * *	* * *			
Council	discussed dates to	schedule work sessions to discuss the City	Manager resumes.			
	MOTION BY FRECHETTE, SECOND BY BENNETT, TO SCHEDULE A WORK SESSION ON WEDNESDAY, MARCH 20 <sup>TH</sup> AT 5:00 PM AND TO SCHEDULE AN ADITIONAL WORK SESSION ON MONDAY, MARCH 25 <sup>TH</sup> AT 5:00 PM IF NEEDED.					
	Yes — Bennett, Eh	inger, Frechette, Jackson, Pugh, Weiler, 7	limmerman .			
	No – None	Absent – None	Motion carried			
		**********	* * *			
	MOTION BY BENNI	ETT. SECOND BY JACKSON. TO APPROVE	RESOLUTION 19-04			

#### **RESOLUTION #19-04**

THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby authorize the transfer of up to 25% of the Act 51 money from Major Street to Local Street.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

PRT Fellow Mary Bickell presented the branding report that was done through Project Rising Tide and showed Council the different community logos that were developed.

Council discussed their thoughts on the report.

Robert Thomas noted his thoughts on the report.

MOTION BY JACKSON, SECOND BY PUGH, TO APPROVE THE BRANDING AS PRESENTED AND TO ADOPT THE CITY LOGO WITH THE TREE VARIATION.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

A resolution was submitted by Interim Manager Dantzer to approve notice of a bond issuance for water infrastructure replacement on Fairview Rd that will coincide with the road reconstruction.

#### MOTION BY PUGH, SECOND BY WEILER, TO APPROVE THE BOND RESOLUTION

WHEREAS, the City intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed Two Hundred Twenty Thousand Dollars (\$220,000), for the purpose of paying all or part of the cost of replacing a water main in the City, including associated fire hydrants, valves and service lines, together with all related appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 517 of Act 34, Public Acts of Michigan, 2001, as amended; and

#### NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk/Treasurer is hereby authorized and directed to publish a notice of

intent to issue bonds in the *Ogemaw County Herald*, a newspaper of general circulation in the City.

2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

## NOTICE TO ELECTORS OF THE CITY OF WEST BRANCH OF INTENT TO ISSUE BONDS SECURED BY THE TAXING POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of West Branch, Ogemaw County, Michigan, intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an amount not to exceed Two Hundred Twenty Thousand Dollars (\$220,000), for the purpose of paying all or part of the cost of replacing a water main in the City, including associated fire hydrants, valves and service lines, together with all related appurtenances and attachments thereto.

Said bonds shall mature in annual installments not to exceed fifteen (15) in number, with interest rates to be determined at public or negotiated sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

#### SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter limitations.

#### **RIGHT OF REFERENDUM**

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

MOTION BY ZIMMERMAN, SECOND BY BENNETT, TO APPROVE THE MINUTES AND SUMMARY AND CLOSED SESSION MINUTES FROM THE SPECIAL MEETING HELD FEBRUARY 25, 2019 AND FROM THE REGULAR MEETING HELD MARCH 4, 2019.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None	Absent – None	Motion carried		
	* * * * * * * * * * *	* * * * * *		
MOTION BY JACKSOI AND INVESTMENT SU	MOTION BY JACKSON, SECOND BY BENNETT, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY AND THE MARCH POLICE REPORT.			
Yes — Bennett, Ehin	ger, Frechette, Jackson, Pugh,	Weiler, Zimmerman		
No – None	Absent – None	Motion carried		
	* * * * * * * * * * * *	* * * * * *		
A communication from Chart	er cable was shared.			
A communication on the 68 <sup>th</sup>	annual Ogemaw Conservation	District was shared.		
The MDOT's State Long Range	e Transportation Plan was shar	ed.		
A Surline Color Run flyer was	shared.			
An MSU extension Fiscally Re	ady Communities training was	shared.		
A Center for Local, State, and	Urban Policy was shared.			
	* * * * * * * * * * * *	* * * * * *		
MOTION BY ZIMMERMAN, SECOND BY PUGH, TO APPROVE KENNEITH KISH TO THE PLANNING COMMISSION TO REPRESENT THE HEALTH SEGMENT WITH A TERM TO EXPIRE 11/30/2020.				
Yes — Bennett, Ehing	Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman			
No – None	Absent - None	Motion carried		
	* * * * * * * * * * *	* * * * * *		
Member Bennett commende	d Public Works on the asphalt	patching.		
	* * * * * * * * * * * * *	* * * * * *		
Interim Manager Dantzer not	fied Council of an accident do	wntown that knocked down a light pol	e	

Superintendent Killackey updated Council on a road grant opportunity.			
	* * * * * * * * * * * * * * * * * *		
Mayor Frechette adjourne	ed the meeting at 6:50 pm.		
Paul Frechette, Mayor	John Dantzer, Clerk		

Chief Walters updated Council on the Color Run meeting he attended and let council know the City did

receive the reimbursement funds from USDA for the police vehicle.

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD MONDAY, MARCH 18, 2019.

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

Present: Mayor Frechette, Council Members Bennett, Ehinger, Jackson, Pugh, Weiler, and Zimmerman.

Absent: None

Other officers present: Interim Manager/Clerk/Treasurer Dantzer, DPW Superintendent Killackey, Chief Walters, Planning Vice Chair David, and DDA Chair Fabbri.

All stood for the pledge of allegiance

As an addition to the agenda, Chamber of Commerce communications were shared.

A sole source vendor request and bid was approved for a plow side wing not to exceed \$14,905

Council approved bills in the amount of \$29,511.88.

Council approved going into closed session at 6:08 pm pursuant to MCL 15.268(d) to consider the purchase or lease of real property and MCL 15.268 (h) to discuss matters that are subject to attorney client privilege.

At 6:17 pm, Council approved retuning to open session

Council authorized the City attorney to proceed with the purchase or real property and authorized Interim Manager Dantzer to sign documents pertaining to the sale.

Council voted to schedule work sessions for March 20th at 5:00 and March 25th at 5:00.

Council approved resolution 19-04 - transfer of Act 51 money from major to local street

PRT Fellow Bickell gave a branding presentation.

Council approved a bond resolution.

Council approved the minutes and summary from the February 25, and March 4, 2019 meetings, as well as the closed session minutes from those meetings.

Council received and filed the treasurer's report and investment summary and the March Police report.

Communications were shared.

Council approved the appointment of Kenneth Kish to the Planning Commission

Member Bennett, Interim Manager Dantzer, Chief Walters, and Superintendent Killackey gave reports

Mayor Frechette adjourned the meeting at 6:50 pm.

WORK SESSION OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON WEDNESDAY, MARCH 20, 2019.

Mayor Paul Frechette duly called the meeting to order at 5:00 p.m.

Present: Mayor Paul Frechette and Council Members Joanne Bennett, William Ehinger, Mike Jackson, Ellen Pugh, Dan Weiler, and Cathy Zimmerman.

Absent: None

Other officers present: Deputy Clerk/Treasurer Michelle Frechette, Police Chief Ken Walters, Planning Vice-Chairman Bob David.

All stood for the Pledge of Allegiance.

Discussion on reason of the work session is to narrow down the top candidates using the numbering system to maintain confidentially, time line and compensation.

Discussion was had to narrow applicants down to the top 8, then down to 7 potential interviews after Chief Walters conducts a criminal/driving background check along with looking into social media accounts. Each Council person will take one of the seven and reach out to their references and hometown area.

Mayor Frechette will draft a thank you letter to all of the applicants and will draft a letter to the 7 potential interview applicants informing them that a member of the City Council will be contacting them, the starting base salary of \$60,000 and full benefit package. This letter will be emailed to the 7 applicants followed up by the same letter in the mail.

Council Members will contact applicant references during the week of March 25 – 29 and a work session will be set at the April 1<sup>st</sup> Council meeting to discuss findings.

Discussion of once interviews are ready to be set, maybe doing them on a Saturday. Potentially having the public put their questions on a postcard for the Mayor to review and ask.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

Mayor Frechette adjourned the meeting on at 6:31 pm.

# Consent Agenda

03/27/2019 02:32 PM User: MICHELLE

#### CASH SUMMARY BY BANK FOR WEST BRANCH FROM 04/01/2019 TO 04/30/2019

Page:

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DD. Warth	anah Piter	,			
		Beginning			Ending
Bank Code		Balance	Total	Total	Balance
Fund	Description	04/01/2019	Debits	Credits	04/30/2019
GEN1 GEN1	1 - GENERAL CHECKING				
101		751,678.26	0.00	0.00	751,678.26
150	CEMETERY PERPETUAL CARE	20,540.20	0.00	0.00	20,540.20
209	CEMETERY FUND	10,731.55	0.00	0.00	10,731.55
248	DDA OPERATING FUND	65,608.91	0.00	0.00	65,608.91
251	INDUSTRIAL PARK FUND	7,526.13	0.00	0.00	7,526.13
276	HOUSING RESOURCE FUND	201,147.55	0.00	0.00	201,147.55
318	SEWER DEBT FUND	211,884.68	0.00	0.00	211,884.68
319	WATER DEBT FUND	53,254.72	0.00	0.00	53,254.72
571	COLLECTION REPLACEMENT FUND	30,895.55	0.00	0.00	30,895.55
572	PLANT REPLACEMENT FUND (R&I)	8,940.00	0.00	0.00	8,940.00
590	SEWER FUND	220,602.29	0.00	0.00	220,602.29
591	WATER FUND	137,083.26	0.00	0.00	137,083.26
592	WATER REPLACEMENT FUND	282,139.28	0.00	0.00	282,139.28
593	SEWER COLLECTION	52,469.07	0.00	0.00	52,469.07
661	EQUIPMENT FUND	165,328.61	0.00	0.00	165,328.61
704	PAYROLL CLEARING	(6.78)	0.00	0.00	(6.78)
705	IRONS PARK ENTERTAINMENT FUND	3,090.55	0.00	0.00	3,090.55
707	YOUTH SAFETY PROGRAM	2,351.62	0.00	0.00	2,351.62
714	RECYCLING CENTER	8,028.18	0.00	0.00	8,028.18
	GEN1 - GENERAL CHECKING	2,233,293.63	0.00	0.00	2,233,293.63
	JOR/ LOCAL STREETS				
202	MAJOR STREET FUND	565,107.98	0.00	0.00	565,107.98
203	LOCAL STREET FUND	370,081.90	0.00	0.00	370,081.90
	MAJOR/ LOCAL STREETS	935,189.88	0.00	0.00	935,189.88
PAY PAYRO	DLT.				
704	PAYROLL CLEARING	11,311.91	0.00	0.00	11,311.91
, 0 1	11111000 GUDANIII				
	PAYROLL	11,311.91	0.00	0.00	11,311.91
CHEM SAV	INGS				
101		435,918.09	0.00	0.00	435,918.09
150	CEMETERY PERPETUAL CARE	1,679.62	0.00	0.00	1,679.62
251	INDUSTRIAL PARK FUND	20,877.47	0.00	0.00	20,877.47
571	COLLECTION REPLACEMENT FUND	2,376.56	0.00	0.00	2,376.56
591	WATER FUND	26,202.66	0.00	0.00	26,202.66
592	WATER REPLACEMENT FUND	19,602.71	0.00	0.00	19,602.71
593	SEWER COLLECTION	783.50	0.00	0.00	783.50
661	EQUIPMENT FUND	103,350.68	0.00	0.00	103,350.68
714	RECYCLING CENTER	1,047.30	0.00	0.00	1,047.30
	SAVINGS	611,838.59	0.00	0.00	611,838.59
TAX TAXES	2				
701	TAX AGENCY	1,146.47	0.00	0.00	1,146.47
	TAXES	1,146.47	0.00	0.00	1,146.47
	TOTAL - ALL FUNDS	3,792,780.48	0.00	0.00	3,792,780.48

03/27/2019 02:34 PM **User: MICHELLE** 

#### CASH SUMMARY BY ACCOUNT FOR WEST BRANCH FROM 04/01/2019 TO 04/30/2019 **FUND: ALL FUNDS**

INVESTMENT ACCOUNTS

Beginning Ending Fund Balance Total Total Balance Account Description 04/01/2019 Debits Credits 04/30/2019 Fund 101 004.300 CERTIFICATE OF DEPOSIT A 100,000.00 0.00 0.00 100,000.00 004.400 CERTIFICATE OF DEPOSIT B 150,000.00 0.00 0.00 150,000.00 250,000.00 0.00 0.00 250,000.00 Fund 150 CEMETERY PERPETUAL CARE 004.300 CERTIFICATE OF DEPOSIT C 114,701.74 0.00 0.00 114,701.74 004.400 CERTIFICATE OF DEPOSIT D 115,271.06 0.00 0.00 115,271.06 **CEMETERY PERPETUAL CARE** 229,972.80 0.00 0.00 229,972.80 Fund 251 INDUSTRIAL PARK FUND 004.300 CERTIFICATE OF DEPOSIT A 100,000.00 0.00 0.00 100,000.00 004.400 CERTIFICATE OF DEPOSIT B 100,000.00 0.00 0.00 100,000.00 INDUSTRIAL PARK FUND 200,000.00 0.00 0.00 200,000.00 Fund 661 EQUIPMENT FUND 004.300 CERTIFICATE OF DEPOSIT A 150,000.00 0.00 0.00 150,000.00 004.400 CERTIFICATE OF DEPOSIT B 100,000.00 0.00 0.00 100,000.00 **EQUIPMENT FUND** 250,000.00 0.00 0.00 250,000.00 **TOTAL - ALL FUNDS** 929,972.80 0.00 0.00 929,972.80

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Page:

The West Branch Community Airport Board met on this date in the Conference Room, West Branch Community Airport Terminal, West Branch, Michigan. The meeting was called to order at 12:14 p.m. by Mike Jackson.

Present: Mike Jackson, Bill Ehinger, Erma Lurvey, Craig Scott (12:45 p.m.), Brad Neubecker (12:45 p.m.) and Ben Evergreen.

Discussion was held with Mr. Jeff Short and Ben, regarding plans for tree removal. It was reported that discussions between Short, Airport Manager Evergreen and representatives from Michigan Bark had yielded positive results. A meeting took place with property Michael Knight, regarding tree removal, and possible sale of property. Mr. Knight does not wish to sell the property but would be willing to see that the necessary trees are removed.

Motion by Jackson, second by Ehinger, to request contract bids from both Michigan Bark and T.R. Timber. Voice vote. Ayes- All. Motion carried.

Motion by Jackson, second by Scott, claims in the amount of \$10,164.92 be approved for payment. Voice vote. Ayes - All. Motion Carried.

The proposed budget was presented for review by Airport Manager Ben Evergreen. Board member Scott asked that the line item for AWOS be shown on both the revenue and expenditure lines. Ben said that he would make those changes before sending the budget to the City and County.

Motion by Scott, second by Ehinger, to send the proposed budget for 2019/2020 to the City of West Branch, and Ogemaw County for approval. Voice Vote. Ayes - All. Motion Carried.

Contract for Airport fuel concessions was presented. Ben reported that the proposed contract with Av Fuel was the same as the contract that he had with them.

Motion by Scott, second by Ehinger, to approve the contract with Av Fuel as submitted. Voice Vote. Ayes- All. Motion Carried.

An invoice from Northern Pump Systems was received for servicing the airport's fueling system.

Motion by Neubecker, second by Ehinger, to pay the invoice for \$4,350.00 Voice Vote. Ayes- Ali. Motion Carried.

Ben Evergreen, Airport Manager gave the financial report. The combined account balance is \$242,829.42. Ben stated that our available funds should be enough to carry the airport through until the next revenue payment in April.

Ben gave an update on the banking transfer to Chemical Bank. All transfers except for the CD, should be finalized by the next meeting.

An invoice from Mead and Hunt was presented for payment, for the current portion of the project.

Motion by Jackson, second by Neubecker, to pay the invoice from Mead and Hunt for \$29,471.62. Voice Vote. Ayes- All. Motion Carried.

Ben inquired about the status of his updated contract, as it was last being prepared by former West Branch City Manager, Heather Grace. Vice-Chairman Jackson said that he would follow up with the City Clerk about the contract.

Meeting adjourned by Vice-Chairman Jackson at 1:48 p.m.

Minutes by Mike Jackson
Board Vice-Chairman

#### WEST BRANCH AREA WASTEWATER TREATMENT PLANT AUTHORITY

A reschedule regular meeting of the West Branch Area Wastewater Treatment Plant Authority was held on Wednesday, January 16, 2019 at the West Branch City Hall.

Chairman Stephens called the meeting to order at 3:31 p.m.

Absent: None

**Motion carried** 

Present: Heather Grace (arrived at 3:47), City of West Branch; Denis Stephens, Ogemaw Township; Dan Weiler, City of West Branch and Jim Morris, West Branch Township.

Others in attendance: John Dantzer, Secreta	ry/Treasurer and Mik	e Killackey, City DPW Superintendent
* * * * * *	. * * * * * * * *	. * * * *
Jamie Carruthers of Stephenson & Company questions. She noted they received an unm	presented the 2017- odified opinion which	2018 audit findings and answered is the highest opinion available.
Motion by Morris, Second by Weile	r, to name Denis Ste	ohens Chairman for 2018.
Yes – Morris, Stephens, Weiler	No – None	Absent – Grace
Motion carried		
* * * * * *	* * * * * * * * * *	* * * * *
Motion by Stephens, Second by Mo	orris, to name Dan W	eiler as Vice Chairman for 2018.
Yes – Morris, Stephens, Weiler	No – None	Absent – Grace
Motion carried		
* * * * *	* * * * * * * *	* * * * *
Motion by Stephens, Second by We	eiler, to name John D	antzer as secretary/treasurer for 2018
Yes – Morris, Stephens, Weiler	No – None	Absent – Grace
Motion carried		
* * * * *	* * * * * * * *	* * * * *
Motion by Morris, Second by Weil	er, to accept the audi	t findings as presented.
Yes – Morris, Stephens, Weiler	No None	Absent – Grace

DPW Superintendent discussed an issue they had at the treatment plant due to a large volume of dye being put into the sewer system by Michigan Bark Products. It was the consensus not to charge Michigan Bark for the extra work required to treat the large amount of dye. The Authority discussed the letter received that the pending lawsuit from the waste water backup in West Branch Township had been dismissed. Motion by Weiler, Second by Morris, to approve the minutes from the meetings held September 18, 2018. Yes – Grace, Morris, Stephens, Weiler No – None Absent – None **Motion carried** It was noted that all three parties will continue to work on an indemnification agreement. \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* Motion by Stephens, Second by Grace, to approve the Diebold Invoice in the amount of \$4,184.00 with \$3,199.00 being for the quarterly insurance package, \$981.00 being for the bond policy renewal, and \$4.00 for underpayment of last quarter's insurance. Yes - Delahanty, Grace, Stephens, Weiler No – None Absent - None Motion carried \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* Motion by Grace, Second by Morris, to approve the Stephenson & Company audit invoice in the amount of \$3,640.00 Yes – Delahanty, Grace, Stephens, Weiler No – None Absent - None **Motion carried** 

Motion by Grace, Second by Weiler, to approve the Bond payment for Bond 92-01 in the amount of \$91,300.00 and Bond 92-02 in the amount of \$42,304.46

Yes – Delahanty, Grace, Stephens, Weiler No – None Absent – None

RA.	At IAI	n carried	4
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DPW Superintendent gave a treatment plant update.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

The Treasurers Report was submitted to the Board.

Motion by Morris, Second by Grace, to accept the Treasurer's report as submitted.

Yes - Delahanty, Grace, Stephens, Weiler

No – None

Absent - None

**Motion carried** 

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

The Board discussed the option of having mutual covenants for inspection and repair on inflow into the sewer collection system. The Board discussed the possibility of installing sewer meters in order to record the amount of sewer entering the treatment plant from each municipality.

The Board also discussed the status of new meters and noted the City and Ogemaw Township have approved the switch to new meters and encouraged West Branch Township to do the same. Member Morris noted he would take that back to his Board for further discussion. Secretary/Dantzer and DPW Superintendent noted some new updates coming to the resident "Eye on Water" program.

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

A sewer forgiveness letter was shared noting McDonalds was asking for a refund due to a large reading that they say was unaccounted for. It was noted that in the past these types of forgiveness's were presented to City Council but it may be better to submit these types of requests to the WWTPA Board due to the fact that each municipality has a stake in the treatment plant and therefore the refunds would affect everyone. It was the consensus to have these types of reviews come to the Board and not to City Council.

Motion by Grace, Second by Stephens, to approve the sewer forgiveness to McDonalds in the amount of \$1,396.62 contingent upon West Branch Township agreeing to participate in the meter replacement program.

Yes – Delahanty, Grace, Stephens, Weiler

No – None

Absent - None

**Motion carried** 

Chairman Stephens adjourned the meeting at 4:33 pm.

### Communications



# Bity of West Branch

Grants, Public Safety & Community Revitalization Kelli Collins

130 Page St., West Branch, Michigan 48661 Phone: 989-345-2627 fax: 989-345-0083

E-mail: zoning@westbranch.com

#### Greetings Council Members,

With a new Mayor and several new Council Members, I would like to procure this opportunity to update everyone on the many Grant projects I have been working on this past year.

Below I will list the Grants and contribution amounts I have applied for and awarded this past year. I am currently working on a Recycle Grant for \$10,000 which I will submit in the next week.

2018 Bike Safety Contributions	\$3,023
Consumers Energy Tree Grant	\$2,500
Community Impact Grant	\$1,000
Huron Pines/Saginaw Bay Grant	\$5,000
CEM Energy Grant	\$25,000
USDA Grant-DPW Service Vehicle	\$28,780
Mich. Land Bank Demo Grant	\$50,000
2019 Bike Safety Contributions (to date)	\$2,050

Grand Total:

\$117,354

I am also very enthusiastic about the West Branch Veterans Banner Program I launched and instituted to roll out in January 2019. I have received 17 applications so far and hope to receive many more. Since this is a pilot program and our first year, I allotted for a total of 50 Banner Flags to be displayed. Depending on the community response and need, this can be increased or decreased.

Respectfully,

Kelli Collins

Grants, Public Safety, Community Revitalization Coordinator

# Reports

Mayor

Council

**City Manager** 

# Public Comment -Any Topic

# Adjournment