

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, JUNE 6, 2022, 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 Commissioner Mark Surbrook
- V. Public hearing
- VI. Additions to the agenda
- VII. Public comment on agenda items only (limited to 3 minutes)
- VIII. Bids
 - A. General Road Repair
 - B. Mowing and Trimming
- IX. Unfinished Business
- X. New Business
 - A. Bills
 - B. Special Event Permit – Rock the Block
 - C. Authorization for Investigation
- XI. Approval of the minutes and summary from the meeting held May 16, 2022.
- XII. Consent Agenda
 - A. Treasurer's Report and Investment Summary
 - B. Minutes from the NCMCF meeting held April 6, 2022; Airport Board meeting held April 20, 2022; Music in the Park meeting held April 26, 2022; DDA special meeting held March 9, 2022 and regular meeting held April 26, 2022.
- XIII. Communications

XIV. Reports

A. Mayor

1. DDA Board Re-appointments

B. Council

C. Manager

1. ORV Changes

XV. Public comment any topic

XVI. Adjournment

UPCOMING MEETINGS-EVENTS

June 14 Planning Commission 6:00 PM

June 15 Airport Board 12:15 PM

June 20 City Council 6:00 PM

June 21 WWTPA 3:30 PM

June 28 DDA 12:00 PM

July 4 City Council 6:00 pm (TBD)

July 12 Planning Commission 6:00 pm

July 18 City Council 6:00 pm

July 20 Airport Board 12:15 pm

July 26 DDA 12:00 pm



121 North Fourth Street, West Branch, Michigan 48661
Phone 989-345-0500, Fax 989-345-4390, e-mail cityhall@westbranch.com
The City of West Branch is an equal opportunity provider, employer, and lender

5/31/2022

City Manager John Dantzer and Clerk Lori Ann Clover were on hand for the opening of the following bids on 5/31/2022 at 3:30 pm.

1. General Road Repair

Hodgins Asphalt Paving Inc.

Patch work for the season (May thru November)

A. price per sq. ft. @ 2" thick:

1. Up to 250 sq. ft. \$ 4.90 over 250 sq. ft. \$ 3.15

B. Price per sq. ft. @ 3" thick:

Up to 250 sq. ft. \$ 5.40 over 250 sq. ft. \$ 3.60

Mid-Michigan Asphalt Paving

Patch work for the season (May thru November)

A. price per sq. ft. @ 2" thick:

1. Up to 250 sq. ft. \$ 5.00 over 250 sq. ft. \$ 3.25

Price per sq. ft. @ 3" thick:

B. Up to 250 sq. ft. \$ 5.25 over 250 sq. ft. \$ 3.50

Request for Bids/Proposals

Hodgins Asphalt Paving
P.O. Box 720
West Branch, MI,
48661

The City of West Branch is seeking sealed bids/proposals for the following road repair services:

(A) General Road Repair and Asphalt Patchwork

- ☐ The City of West Branch requests bids on asphalt patchwork as follows
- ☐ Contractor prepares surface for paving.

1. Patch work for the season (May thru November) price per sq. ft. @ 2" thick:

Up to 250 sq. ft. \$ \$4.90 over 250 sq. ft. \$ \$3.15

2. Patch work for the season (May thru November) price per sq. ft. @ up to 3" thick:

Up to 250 sq. ft. \$ \$5.40 over 250 sq. ft. \$ \$3.60

Bids Due: May 26, 2022 at 12:00 pm

Bids stating "General Road Repair" on the envelope may be mailed, or delivered in person during regular business hours (Monday - Friday, 8:00 a.m. - 4:30 p.m.) to West Branch City Hall, 121 N. 4th St., West Branch, MI 48661. Further details regarding the above RFP can be obtained by contacting DPW Superintendent Mike Killackey at 989-965-4982 or by contacting City Hall at 989-345-0500 and asking for City Manager John Dantzer.

Pricing for all bids submitted is deemed valid for a period of 90 days, unless indicated otherwise on the bid documents.

Bids will be opened on May 26, 2022 at 12:00 pm in the Council Chambers of West Branch City Hall, located at 121 N. 4th St., West Branch, MI, 48661.

Hodgins Asphalt Paving Inc.

P.O. Box 720

West Branch, MI 48661

P-989-345-0326, F-989-345-0240

hodginsasphalt@yahoo.com

PROPOSAL

DATE	ESTIMATE NO.
5/23/2022	69607367535

NAME / ADDRESS
City of West Branch 121 N. Fourth Street West Branch, MI 48661

www.hodginsasphalt.com

DESCRIPTION

Patchwork repair work for the 2022 season.

Asphalt paving patch work up to 250 sq. ft. @ 2" depth

Saw cutting where needed

Removal of existing asphalt

Gravel/grading and compacting

Pave 2" depth with 13A bituminous mix

\$4.90/sq. ft.

Asphalt paving patch work over 250 sq. ft. @ 2" depth

Saw cutting where needed

Removal of existing asphalt

Gravel/grading and compacting

Pave 2" depth with 13A bituminous mix

\$3.15/sq. ft.

Asphalt paving patch work up to 250 sq. ft. @ 3" depth

Saw cutting where needed

Removal of existing asphalt

Gravel/grading and compacting

Pave 1.5" base course and 1.5" top course with 13a bituminous mix

Apply tack coat to contact joints

\$5.40/sq. ft.

Asphalt paving patch work over 250 sq. ft. @ 3" depth

Saw cutting where needed

Removal of existing asphalt

Gravel/grading and compacting

Pave 1.5" base course and 1.5" top course with 13A bituminous mix

\$3.60/sq. ft.

Thank you for allowing our company to bid this project

TOTAL

SIGNATURE

Hodgins Asphalt Paving Inc.

P.O. Box 720

West Branch, MI 48661

P-989-345-0326, F-989-345-0240

hodginsasphalt@yahoo.com

PROPOSAL

DATE	ESTIMATE NO.
5/23/2022	69607367535

NAME / ADDRESS
City of West Branch 121 N. Fourth Street West Branch, MI 48661

www.hodginsasphalt.com

DESCRIPTION

Authorized Signature: 

MDOT Prequalified #06585

Fully Insured/Bonded

~~~~~ CHANGE ORDER ~~~~~

May 23, 2022

> Changed description of description. (+\$0.00)

Total change to estimate +\$0.00

Thank you for allowing our company to bid this project

**TOTAL**

\$0.00

ACCEPTANCE OF PROPOSAL- The above prices, specifications and conditions are satisfactory and are here by accepted. You are authorized to do the work specified.

SIGNATURE \_\_\_\_\_



**HODGINS ASPHALT PAVING INC.**

P O Box 720 \* 1659 S. Dow Road  
West Branch, MI 48661

**RECEIVED**  
**MAY 23 2022**  
BY: *for* **11:18 AM**

West Branch City Hall  
121 N. 4<sup>th</sup> Street  
West Branch, MI 48661

General Road Repair  
Due: 05/26/2022 12:00 PM

PIT  
US PI  
FIR  
220V

## Request for Bids/Proposals

The City of West Branch is seeking sealed bids/proposals for the following road repair services:

### (A) General Road Repair and Asphalt Patchwork

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- Contractor prepares surface for paving.

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Up to 250 sq. ft. \$ 5.00 over 250 sq. ft. \$ 3.25

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Up to 250 sq. ft. \$ 5.25 over 250 sq. ft. \$ 3.50

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Pricing for all bids submitted is deemed valid for a period of 90 days, unless indicated otherwise on the bid documents.

Bids will be opened on May 26, 2022 at 12:00 pm in the Council Chambers of West Branch City Hall, located at 121 N. 4th St., West Branch, MI, 48661.

Mid-Michigan Asphalt Paving

P. O. Box 849

West Branch, MI 48661

989-345-2437

mmapaving@gmail.com



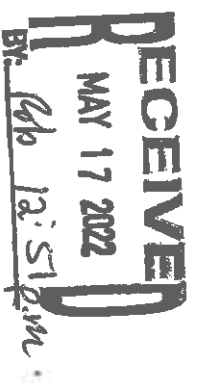


**Mid-Michigan Asphalt Paving**

P.O. Box 849

West Branch MI, 48661

General Road Repairs



|          |              | Hodgins Asphalt | Mid Michigan |
|----------|--------------|-----------------|--------------|
| 2" Thick | Up to 250 sf | \$4.90          | \$5.00       |
|          | Over 250sf   | \$3.15          | \$3.25       |
| 3" Thick | Up to 250 sf | \$5.40          | \$5.25       |
|          | Over 250sf   | \$3.60          | \$3.50       |

Mike and I have looked at the bids. Both Hodgins and Mid Michigan are local and do a great job. It is our recommendatin to award all 2" repairs for the 2022 season to Hodgins Asphalt and all 3" repairs to Mid Michigan



121 North Fourth Street, West Branch, Michigan 48661  
Phone 989-345-0500, Fax 989-345-4390, e-mail [cityhall@westbranch.com](mailto:cityhall@westbranch.com)  
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5/31/2022

City Manager John Dantzer and Clerk Lori Ann Clover were on hand for the opening of the following bids on 5/31/2022 at 3:30 pm.

Mowing and Trimming

Northern Mow and Trim \$105 per lot

1985 Pau Rd.

791228

345-8767

5-25-2022

## TERMS

70

City of Westbranch

121 N. 4th St.

West Branch mi. 48661

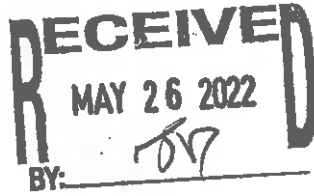
**IN ACCOUNT WITH**

2023 lawn mowing bid

[illegible]

Recd.

Lawn mowing bid



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

|                                 |                     |
|---------------------------------|---------------------|
| BILLS                           | \$67,809.00         |
| <i>BILLS AS OF 6/2/22</i>       | <i>\$67,809.00</i>  |
| <i>Additions to Bills as of</i> | <i>\$0</i>          |
| <i>Paid but not approved</i>    | <i>\$60,807.50</i>  |
| <b>TOTAL BILLS</b>              | <b>\$128,616.50</b> |

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

| Vendor Name                       | Amount    | Description                |
|-----------------------------------|-----------|----------------------------|
| BADGER METER                      | 821.47    | CELLULAR SERVICE MAY       |
| CONSUMERS ENERGY                  | 273.40    | ELECTRIC                   |
| DEAN ARBOUR FORD                  | 249.14    | POLICE REPAIRS             |
| DO ALL INC                        | 775.10    | RECYCLING CENTER           |
| DTE ENERGY                        | 729.80    | GAS                        |
| HACH COMPANY                      | 388.00    | WWTP SUPPLIES              |
| HUTSON INC                        | 31.54     | WWTP PARTS #2              |
| MERS OF MICHIGAN                  | 24,977.13 | RETIREMENT MAY             |
| MESSA                             | 14,525.55 | INSURANCE JUNE             |
| MESSA                             | 258.90    | M/L PORTION INSURANCE JUNE |
| MICHIGAN BARK PRODUCTS INC        | 784.00    | MULCH                      |
| MVW & ASSOCIATES INC              | 1,000.00  | ASSESSOR CONTRACT JUNE     |
| NORTH CENTRAL FEED & SUPPLY       | 93.00     | DPW SUPPLIES               |
| NORTH CENTRAL LABORATORIES        | 1,237.49  | WWTP SUPPLIES              |
| OGEMAW COUNTY EDC                 | 1,000.00  | 2022 CONTRIBUTION          |
| OGEMAW COUNTY HERALD ADLINER      | 153.80    | ADS                        |
| PITNEY BOWES INC RENTAL ACCT      | 34.99     | POSTAGE METER MONTHLY FEE  |
| QUALITY ASSURANCE SERVICES LLC    | 356.00    | WWTP SERVICES              |
| REPUBLIC SERVICES 237             | 15,083.38 | GARBAGE SERVICES MAY       |
| SCHNEIDER TIRE COMPANY            | 596.00    | POLICE TIRES               |
| SILVERSMITH INC                   | 1,850.00  | ANNUAL HOSTING & DATA PLAN |
| SUMMIT FIRE PROTECTION            | 349.30    | ANNUAL INSPECTIONS         |
| TRACTOR SUPPLY CREDIT PLAN        | 310.78    | VARIOUS SUPPLIES           |
| UNUM LIFE INSURANCE CO OF AMERICA | 945.31    | LT ST DISABILITY & LIFE    |
| UPS                               | 4.94      | SHIPPING DPW               |
| VERIZON WIRELESS                  | 89.02     | CELL PHONES                |
| VIC BOND SALES INC                | 101.79    | VARIOUS SUPPLIES           |
| WASTE MANAGEMENT INC              | 281.87    | WWTP DUMPSTER              |
| WEST BRANCH GREENHOUSE            | 27.80     | WWTP FLOWERS               |
| WEST SIDE MACHINE                 | 465.00    | WWTP SERVICE               |
| WILLARD'S EQUIPMENT CO            | 14.50     | WWTP SUPPLIES              |
| <b>TOTAL</b>                      |           | <b>67,809.00</b>           |

# Special Event Permit

Event Name: Rock the Block

Event Date: 6/17/22 Start Time: 6 pm End Time: 9 pm

Name of Sponsoring Organization: Yo Sushimi and Grand Illusion Salon

Address: 300 W. Houghton Ave

Contact Person: Casey Reuther Phone Number: 989-965-7606

Describe the purpose of this event: CAN DRIVE FOR THE NEEDY IN OUR COMMUNITY

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

same location as Farmers Mkt - start  
will start at Allen Way + Face Houghton - Blockade at Houghton

If requesting a road closure Road closure Start time: 5 pm End time: 10 pm

Road closure location: South 3rd Street

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 Posse - 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.

5/6/22  
Applicant Signature

5/6/22  
Date

For Office Use Only:

Permit Approved – Yes / No

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

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



# 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](http://www.westbranch.com)

## City of West Branch DDA Mobile Stage Reservation Form

Name Casey Reuther Organization \_\_\_\_\_  
Address 300 W. Houghton Ave  
City/State/Zip West branch MI, 48661 Event Name Rock the Block  
Phone 989-965-7606 Event Date 6/17/22

### GROUP

Public or Private Rental fee (maximum 15 mile radius from City)

Additional set up/delivery/pick up time

Refundable Deposit – REQUIRED

\* This rate includes two hours of delivery/set up/pick up time

Circumstances causing more than two hours of the allotted

delivery/set up/pick up time will be billed at the \$75 per hour rate.

### FEE

\$400\*

\$75/hr

\$200

initial

**RENTAL POLICY:** The City of West Branch Department of Public Works will provide transportation to and from said event, setup and close up of the mobile stage. The mobile stage is comparable in size to a semi-truck trailer. Through hydraulics, the sides of the trailer raises to form the roof and an interior wall lowers to form the stage. **Trailer must have a solid/firm foundation – no sand or grass.** The stage is elevated approximately four feet above ground. Stairways are provided. 110-volt single phase receptacles are provided. The mobile stage does not have a power source and therefore must be available on-site. All rental fees must be paid in full at time of reservation. The City of West Branch reserves the right to accept or reject any rental request at any time. Priority will be given to events located within the City of West Branch. No markings, advertising posters, etc. shall be permitted which will mar, deface or damage the mobile stage. In the event of damage to the mobile stage, the damage will be documented with photos and any repair bills will be invoiced to the applicant named on the reservation form. ***After the reservation has been made and paid for, and a cancellation is needed, if it is more than 30 days prior to the event your entire fee and deposit will be refunded to you. If it is 30 days or less, your deposit will be retained by the City, your fee only will be refunded to you. Other refunds may be authorized in special cases by the City Manager***

**WAIVER/HOLD HARMLESS AGREEMENT:** To the fullest extent permitted by law, \_\_\_\_\_ agrees to defend, pay on behalf of, and hold harmless the City of West Branch, its elected and appointed officials, employees and volunteers and all others working on behalf of the City of West Branch, against any and all claims, demands, suits, loss, including all costs connected therewith, for any damage which may be asserted, claimed or recovered against or from the City of West Branch, by reason of personal injury, including bodily injury and death; and/or property damage, including loss of use thereof, which arises out of the alleged negligence of the City of West Branch, and/or in any way connected or associated with this contract.

**AGREEMENT:** I have received, read and agree to abide by the rental policy, as well as all conditions on this application.

APPLICANT SIGNATURE: GJR DATE: 5/6/22

Form 031715 Approved by City Manager or City Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Drop Off Date and Time: \_\_\_\_\_ Pick Up Date and Time: \_\_\_\_\_



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

Tuesday, May 17, 2022

Scot C Putzig, Attorney  
c/o G'S PIZZERIA & DELI, L.L.C.  
[sputzig@shinnerscook.com](mailto:sputzig@shinnerscook.com)

**RID #** RQ-2203-02853      **Reference/Transaction:** Transfer ownership 2022 Resort Class C licensed business issued under MCL 436.1531(3), non-transferable, minimum seating: 50, with (2) bars, Sunday sales permit (PM) for Class C license – spirits and mixed spirit drink, specific purpose permit(food), specific purpose permit (game room), and dance-entertainment permit from GALEA HOLDINGS OF WEST BRANCH, LLC at 200-204 W Houghton Rd, West Branch, MI 48661 in West Branch City in Ogemaw County

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

**Applicant/Licensee:** G'S PIZZERIA & DELI, L.L.C.

**Business address and phone number:** 200-204 W Houghton Rd, West Branch, MI 48661 in West Branch City in Ogemaw County

**Home address and phone number of partner(s)/subordinates:**

Christopher J Galea; 1540 Hardwood Ln West Branch MI 48661; Business: 989-345-3008; Cell: 989-240-4100

Adam Galea; 3134 Jack Morris Dr West Branch MI 48661; Business: 989-345-3008; Cell: 989-329-9342

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

**Lansing District Office (517) 284-6330**

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION  
Retail Licensing Division  
(866) 813-0011

cc: G'S PIZZERIA & DELI, L.L.C. [galeac@live.com](mailto:galeac@live.com); [galeaadam.ag@gmail.com](mailto:galeaadam.ag@gmail.com)  
WEST BRANCH CITY [clerktreasurer@westbranch.com](mailto:clerktreasurer@westbranch.com)

MICHIGAN LIQUOR CONTROL COMMISSION  
PAT GAGLIARDI, CHAIR  
525 W. Allegan St. • P.O. BOX 30005 • LANSING, MICHIGAN 48909  
[www.michigan.gov/lcc](http://www.michigan.gov/lcc) • 866-813-0011

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIA VIDEO CONFERENCE  
IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, MAY 16, 2022.

Mayor Frechette called the meeting to order at 6:01 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 Treasurer/Deputy Clerk Michelle Frechette, DPW Superintendent Mike Killackey, Chief Kenneth Walters, and Commissioner Mark Surbrook

All stood for the Pledge of Allegiance.

\* \* \* \* \*

Commissioner Surbrook reported that Commission on Aging received a \$15,000 grant from Meijer to purchase a new box vehicle for delivering meals. The West Branch Township will hold their fireworks on July 9<sup>th</sup>.

\* \* \* \* \*

**MOTION BY BENNETT, SECOND BY SHOWALTER, TO APPROVE THE PAYMENT OF BILLS IN THE AMOUNT OF \$331,992.86.**

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

**No — None**

**Absent — None**

**Motion carried**

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY ADAIR, TO APPROVE RESOLUTION 22-13 – HEALTH INSURANCE OPT OUT.**

**RESOLUTION #22-13**

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 – “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – “80%/20% Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option required an annual majority vote of the governing body;

3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirement of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the West Branch City Council has decided to adopt the annual “Exemption” option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of West Branch elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual “Exemption” option for the medical benefit plan coverage year July 1, 2022 through June 30, 2023

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY ZIMMERMAN, SECOND BY BENNETT, TO APPROVE RESOLUTION 22-14 - BUDGET**

**RESOLUTION #22-14**

WHEREAS, the City Charter of the City of West Branch states that “the Council shall, by resolution, adopt the budget for the next fiscal year and shall, in such resolution, appropriate the money required for such budget and provide for a levy of the amount necessary to be raised by taxes upon real and personal property for municipal purposes.”

NOW, THEREFORE, BE IT RESOLVED that the budget for the City fiscal year beginning July 1, 2022 as recommended by the City Manager and as adopted by the City Council, as described in the summary as follows:

|              | REVENUES  | EXPENDITURES |
|--------------|-----------|--------------|
| GENERAL FUND | 1,812,812 | 1,812,114    |

be and the same is hereby adopted, and the amount therein provided as recommended; appropriations are hereby appropriated according to the departmental total, and

BE IT FURTHER RESOLVED, that in order to carry out the provisions of the above described budget, the current tax rate shall be applied to the completed assessment roll taxable valuation of ninety-four million nine hundred four thousand five hundred fifty-four dollars (\$94,904,554) as required by Michigan Constitution.

**TOTAL CITY TAX LEVY FOR GENERAL FUND PURPOSES**

July 1, 2022 14.546 per \$1,000.00 of Taxable Value for General Operating, and tax levy of 2.9105 per \$1,000.00 for Refuse Collection

**CITY TAX LEVY FOR THE DDA DISTRICT ONLY**

July 1, 2022 1.9573 per \$1,000.00 of Taxable Value levied on the property in the DDA District and,

BE IT FURTHER RESOLVED, to adopt the following budgets:

INDEPENDENT REVENUE FUNDS

| <u>Fund Name</u>                   | <u>Revenues</u> |         |
|------------------------------------|-----------------|---------|
| <u>Expenditures</u>                |                 |         |
| Cemetery Perpetual Care Fund       | 1,200           | 0       |
| Major Street                       | 279,600         | 230,935 |
| Local Street                       | 140,300         | 64,080  |
| Cemetery                           | 29,222          | 29,222  |
| Brownfield Redevelopment Authority | 0               | 0       |
| DDA Operating Fund                 | 113,500         | 113,500 |
| Industrial Park Fund               | 300             | 6,888   |
| Housing Resource Fund              | 6,700           | 0       |
| Sewer Debt Fund                    | 353,000         | 341,000 |
| Water Debt Fund                    | 80,000          | 68,000  |
| Sewer Fund                         | 607,000         | 606,342 |
| Water Fund                         | 531,405         | 444,272 |
| Water Replacement Fund             | 200,000         | 26,350  |
| Sewer Collection                   | 90,700          | 64,195  |
| Equipment Fund                     | 238,650         | 226,625 |

and,

IT FURTHER RESOLVED that the City Manager is allowed to exceed any line item or department summation within any specific department or fund including both revenues and expenditures providing that the total end of the year expenditures for any fund does not exceed the original appropriation. A council resolution is required to appropriate additional amounts to any expenditure fund total; however, no resolution is required to exceed any revenue fund total.

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

**No — None**

**Absent — None**

**Motion carried**

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY JACKSON, TO APPROVE RESOLUTION 22-15 – TAX LIENS.**

**RESOLUTION #22-15**

WHEREAS, the West Branch City Council in §51.095 and §52.39 of the City of West Branch Code of Ordinances have determined that water/sewer charges constitute a lien on the property, and

WHEREAS, §92.17 of the Code of Ordinances states that the charges for mowing noxious weeds shall be a lien against the premises,

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby acknowledges the following liens and authorizes the Clerk to place these charges on the 2022 tax roll:

**Water/Sewer Charges**

|                      |            |                     |            |
|----------------------|------------|---------------------|------------|
| 346 S. Eighth St.    | \$2,092.27 | 147 Carpenter St    | \$882.35   |
| 331 S. Third St      | \$212.30   | 175 Alto Ct         | \$34.04    |
| 326 S. Livingston    | \$222.21   | 239 S. First St     | \$14.75    |
| 415 N. Second St     | \$2,792.02 | 309 W. Ripley St.   | \$469.74   |
| 607 Lindsay St       | \$53.33    | 409 N. First St     | \$116.87   |
| 134 S. Second St     | \$1,972.45 | 317 N. Sixth St     | \$225.91   |
| 615 Lindsay St       | \$58.45    | 315 State St        | \$276.11   |
| 400 State St         | \$11.55    | 607 W. Wright St    | \$1,349.85 |
| 218 Court St         | \$7.30     | 224 Court St        | \$96.35    |
| 340 Court St         | \$44.08    | 113 N. First St     | \$32.46    |
| 409 N. Fourth St     | \$96.35    | 195 Fremont St      | \$50.39    |
| 376 N. Second St     | \$186.56   | 325 S. Seventh St   | \$35.92    |
| 222 S. Sixth St      | \$60.70    | 309 S. Sixth St     | \$10.21    |
| 343 S. Third St      | \$105.22   | 164 N. Valley St    | \$70.16    |
| 106 S. Valley St     | \$122.72   | 350 N. Fourth St    | \$762.84   |
| 339 E. Irons Park Dr | \$23.39    | 431 West River Park | \$51.99    |
| 633 Court St         | \$302.80   | 226 N. Valley St    | \$121.41   |
| 372 State St         | \$25.32    | 384 N. Second St    | \$52.28    |
| 347 N. Third St      | \$31.09    |                     |            |

**Mowing**

|               |       |                 |       |
|---------------|-------|-----------------|-------|
| 133 S. Sixth  | \$185 | 340 Court St    | \$180 |
| 607 W. Wright | \$180 | 419 N. First St | \$185 |
| 323 N. Third  | \$185 |                 |       |

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY PUGH, TO APPROVE THE SPECIAL EVENTS PERMITS FOR COALITION OF H.O.P.E. ROCKN'FOR HOPE MUSIC FEST AND THE HOMECOMING PARADE**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Discussion on Consumers Energy Agreement for ORV parking \$100 per year for ORV riders to park on the vacant consumers land on Fourth St. The City will put up parking signs.

**MOTION BY FRECHETTE, SECOND BY ADAIR, TO APPROVE THE CONSUMERS ENERGY LICENSE AGREEMENT.**

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

No – None

Absent – None

Motion carried

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY BENNETT, TO APPROVE THE APPLICATION FOR EXEMPTION OF REAL AND/OR PERSONAL PROPERTY.**

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

No – None

Absent – None

Motion carried

\* \* \* \* \*

**MOTION BY BENNETT, SECOND BY JACKSON, TO APPROVE THE MDOT LETTER OF SUPPORT.**

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

No – Zimmerman

Absent – None

Motion carried

\* \* \* \* \*

Discussion on annual EDC contribution already planned in the budget for \$1,000.

**MOTION BY ZIMMERMAN, SECOND BY ADAIR, TO APPROVE THE EDC CONTRIBUTION.**

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

No – Jackson

Absent – None

Motion carried

\* \* \* \* \*

**MOTION BY ZIMMERMAN, SECOND BY BENNETT, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD MAY 2, 2022 AND THE WORK SESSION HELD MAY 5, 2022.**

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

No – None

Absent – None

Motion carried

\* \* \* \* \*

**MOTION BY SHOWALTER, SECOND BY JACKSON, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; APPROVE THE WEST BRANCH POLICE DEPARTMENT MONTH END REPORT FOR APRIL 2022; APPROVE THE MINUTES FROM THE PLANNING COMMISSION HELD APRIL 12, 2022.**

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



**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Member Jackson reported that Meijer has opened and has been very busy.

Member Showalter asked if the actual street name was Wright Street or Avenue.

Manager Dantzer gave a review on the ORV Ordinance and the two routes through the city.

Attorney Meihn gave an update on the Brownfield issues.

Mayor Frechette adjourned the meeting at 6:36 pm.

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Paul Frechette, Mayor

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Michelle Frechette, Deputy Clerk

**SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIA VIDEO CONFERENCE IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, MAY 16, 2022.**

Mayor Frechette called the meeting to order at 6:01 p.m.

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

Absent: None

Other officers present: City Manager Dantzer, City Treasurer/Deputy Clerk Frechette, DPW Superintendent Killackey, Chief Walters, and Commissioner Surbrook.

All stood for the Pledge of Allegiance.

Commissioner Surbrook gave a report.

Council approved bills in the amount of \$331,992.86.

Council approved Resolution 22-13 – Health Insurance Opt Out.

Council approved Resolution 22-14 – Budget.

Council approved Resolution 22-15 – Tax Liens.

Council approved the special event permits for the Coalition of H.O.P.E. Rockn’ For Hope Music Fest and the Homecoming Parade.

Council approved the Consumers Energy License Agreement.

Council approved the application for exemption of real and/or personal property.

Council approved the MDOT Letter of Support.

Yes — Adair, Bennett, Frechette, Jackson, Pugh, Showalter

No – Zimmerman

Absent – None

Motion carried

Council approved the EDC Contribution of \$1,000.

Yes — Adair, Bennett, Frechette, Pugh, Showalter, Zimmerman

No – Jackson

Absent – None

Motion carried

Council approved the minutes and summary from the meeting held May 2, 2022 and the work session held May 5, 2022.

Council approved the treasurer’s report and investment summary; the West Branch Police Department Report for April 2022; and the minutes from the Planning Commission held April 12, 2022.

Council Members Jackson and Showalter gave reports.

Manager Dantzer gave an update.

Attorney Meihn gave an update.

Mayor Frechette adjourned the meeting at 6:36 pm.

| Bank Code    |                                       | Beginning    |           |            | Ending       |
|--------------|---------------------------------------|--------------|-----------|------------|--------------|
| Fund         | Description                           | Balance      | Total     | Total      | Balance      |
|              |                                       | 06/01/2022   | Debits    | Credits    | 06/30/2022   |
| GEN1         | GEN1 - GENERAL CHECKING               |              |           |            |              |
| 101          |                                       | 832,600.91   | 275.00    | 25,911.86  | 806,964.05   |
| 150          | CEMETERY PERPETUAL CARE               | 37,526.35    | 0.00      | 0.00       | 37,526.35    |
| 209          | CEMETERY FUND                         | 4,434.06     | 0.00      | 2,728.35   | 1,705.71     |
| 243          | BROWNFIELD REDEVELOPMENT AUTHORITY FU | 999.95       | 0.00      | 0.00       | 999.95       |
| 248          | DDA OPERATING FUND                    | 232,564.44   | 0.00      | 0.00       | 232,564.44   |
| 251          | INDUSTRIAL PARK FUND                  | 6,519.78     | 0.00      | 13.74      | 6,506.04     |
| 276          | HOUSING RESOURCE FUND                 | 178,282.79   | 0.00      | 0.00       | 178,282.79   |
| 318          | SEWER DEBT FUND                       | (9,996.23)   | 799.60    | 0.00       | (9,196.63)   |
| 319          | WATER DEBT FUND                       | 53,575.47    | 168.37    | 0.00       | 53,743.84    |
| 572          | PLANT REPLACEMENT FUND (R&I)          | 0.90         | 0.00      | 0.00       | 0.90         |
| 590          | SEWER FUND                            | 329,339.62   | 895.77    | 9,136.95   | 321,098.44   |
| 591          | WATER FUND                            | 871,027.69   | 1,211.36  | 1,431.42   | 870,807.63   |
| 592          | WATER REPLACEMENT FUND                | 318,747.38   | 0.00      | 0.00       | 318,747.38   |
| 593          | SEWER COLLECTION                      | 232,853.65   | 194.13    | 420.35     | 232,627.43   |
| 561          | EQUIPMENT FUND                        | 26,838.74    | 6,677.25  | 472.45     | 33,043.54    |
| 704          | PAYROLL CLEARING                      | 24,849.90    | 36,007.21 | 36,007.21  | 24,849.90    |
| 705          | IRONS PARK ENTERTAINMENT FUND         | 9,585.81     | 0.00      | 0.00       | 9,585.81     |
| 707          | YOUTH SAFETY PROGRAM                  | 15.00        | 0.00      | 0.00       | 15.00        |
|              | GEN1 - GENERAL CHECKING               | 3,149,766.21 | 46,228.69 | 76,122.33  | 3,119,872.57 |
| MAJOR/       | MAJOR/ LOCAL STREETS                  |              |           |            |              |
| 202          | MAJOR STREET FUND                     | 648,656.72   | 0.00      | 2,564.36   | 646,092.36   |
| 203          | LOCAL STREET FUND                     | 334,098.88   | 0.00      | 393.78     | 333,705.10   |
|              | MAJOR/ LOCAL STREETS                  | 982,755.60   | 0.00      | 2,958.14   | 979,797.46   |
| PAYROLL      |                                       |              |           |            |              |
| 704          | PAYROLL CLEARING                      | 27,753.98    | 36,007.21 | 33,835.24  | 29,925.95    |
|              | PAYROLL                               | 27,753.98    | 36,007.21 | 33,835.24  | 29,925.95    |
| CHEM SAVINGS |                                       |              |           |            |              |
| 101          |                                       | 459,706.36   | 0.00      | 0.00       | 459,706.36   |
| 150          | CEMETERY PERPETUAL CARE               | 1,683.12     | 0.00      | 0.00       | 1,683.12     |
| 251          | INDUSTRIAL PARK FUND                  | 245.08       | 0.00      | 0.00       | 245.08       |
| 571          | COLLECTION REPLACEMENT FUND           | 0.65         | 0.00      | 0.00       | 0.65         |
| 591          | WATER FUND                            | 26,421.15    | 0.00      | 0.00       | 26,421.15    |
| 592          | WATER REPLACEMENT FUND                | 19,791.49    | 0.00      | 0.00       | 19,791.49    |
| 593          | SEWER COLLECTION                      | 3,184.09     | 0.00      | 0.00       | 3,184.09     |
| 561          | EQUIPMENT FUND                        | 103,541.00   | 0.00      | 0.00       | 103,541.00   |
|              | SAVINGS                               | 614,572.94   | 0.00      | 0.00       | 614,572.94   |
| TAX TAXES    |                                       |              |           |            |              |
| 701          | TAX AGENCY                            | 10,618.06    | 0.00      | 0.00       | 10,618.06    |
|              | TAXES                                 | 10,618.06    | 0.00      | 0.00       | 10,618.06    |
|              | TOTAL - ALL FUNDS                     | 4,785,466.79 | 82,235.90 | 112,915.71 | 4,754,786.98 |

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH  
 FROM 06/01/2022 TO 06/30/2022  
 FUND: ALL FUNDS  
 INVESTMENT ACCOUNTS

| Fund Account                            | Description              | Beginning Balance<br>06/01/2022 | Total Debits | Total Credits | Ending Balance<br>06/30/2022 |
|-----------------------------------------|--------------------------|---------------------------------|--------------|---------------|------------------------------|
| <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 | 150,000.00                      | 0.00         | 0.00          | 150,000.00                   |
|                                         |                          | <u>250,000.00</u>               | <u>0.00</u>  | <u>0.00</u>   | <u>250,000.00</u>            |
| <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                   |
|                                         | CEMETERY PERPETUAL CARE  | <u>227,770.80</u>               | <u>0.00</u>  | <u>0.00</u>   | <u>227,770.80</u>            |
| <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 | 25,000.00                       | 0.00         | 0.00          | 25,000.00                    |
|                                         | INDUSTRIAL PARK FUND     | <u>125,000.00</u>               | <u>0.00</u>  | <u>0.00</u>   | <u>125,000.00</u>            |
| <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 | 100,000.00                      | 0.00         | 0.00          | 100,000.00                   |
|                                         | EQUIPMENT FUND           | <u>250,000.00</u>               | <u>0.00</u>  | <u>0.00</u>   | <u>250,000.00</u>            |
|                                         | <b>TOTAL - ALL FUNDS</b> | <u>852,770.80</u>               | <u>0.00</u>  | <u>0.00</u>   | <u>852,770.80</u>            |

# **NORTH CENTRAL MICHIGAN COMMUNITY FOUNDATION**

Minutes of April 6, 2022—Ogemaw County Committee

Meeting was called to order by Philip Stephens, Chairman, at 7:30am.

**Members Present:** Nicki Mayhew, Bob McGrail, Phil Stephens, Julie Elliott, Liz Steinhurst, Chris Juarez, Tom Kish, Nancy Griffin, Brenden Stephenson, Andrea Rose, John Dantzer, Gail Hughey. Tracey Wood joined via Zoom.

**Absent:** Claudia Miller and Louise Hofer

**Introductions:** Patrick Heraghty and Christine Hitch from NCMCF in Alpena joined via Zoom.

**Minutes:** Motion to approve by Brenden Stephenson, support by John Dantzer.

**Financials:** Liz noticed that our contribution amounts have been level but grant dollars were down a fair amount from last year...wondered what caused that. She also said she is having many legacy giving discussions with her clients.

## **REPORTS:**

**Y.A.C.** Louise Hofer was not in attendance due to State assessment testing.

**E.S.P.** Scholarship interviews will take place April 26 & 27. The award ceremony and donor breakfast are being planned. ESP is holding another raffle this year. Drawing will take place at the last home football game of the season.

**3 County Board:** Their meeting was held February 15 via Zoom. Jozann, Liz and Andrea

- They discussed the proposed repurposing of the JL Howard fund. They wanted to present it to the Ogemaw Committee for discussion.
- The Northern Homes Community Development Corp is looking for board members from Crawford and Cheboygan counties.
- The Board approved the YAC grant recommendations. YAC students granted \$12,500, and also denied 2 requests.
- Griffin Beverage and Weinlander Fitzhugh are among the annual report sponsors.

**OLD BUSINESS:** The Gogarn Scholarship (which was discussed in February) is awarding \$21,000 in scholarships this year.

## **NEW BUSINESS:**

- a. Reminder that the Community Impact Grant deadline is June 30. Please spread the word. It would be nice to have new participants and/or more requests than money
- b. Christine Hitch from NCMCF in Alpena presented a PowerPoint about YAC. \*\*Please see the attached PDF to view her presentation\*\* We followed this up with discussion regarding the Kellogg Foundation. Patrick Heraghty said he approached the Kellogg Foundation about restarting their program and was told that they were no longer interested in that but they are still wanting to support the needs of the youth.

Continued.....

c. JL Howard Fund presented by Patrick Heraghty of NCMCF

- The original fund was established to provide for Hospice of Helping Hands, but that no longer exists.
- The NCMCF Board needs to invoke variance power which allows the Board to make a change if the donor is unable. It allows the Board to maintain the intent of the fund and to find another recipient that is closest to the purpose of the original fund intent.
- As of their February meeting, My Michigan Health was the only non-profit hospice organization, but they have since announced they will no longer remain in service as there is not enough need for their services. In our area, all hospice organizations are “for” profit.
- How can we use these funds? Patrick suggested we need to create a “field of interest” fund which will then make a grant to a qualifying organization. This fund needs to be able to adapt to the ongoing changes in the community.
- Liz, Chris, and Tom discussed knowing Mr. and Mrs. Howard to be very involved and giving people who were very committed to our local community, and all agree they would want the money to stay local if possible. Patrick reminded us that the Foundation has to remain a “steward of donor intent”.
- Some ideas that were briefly tossed around were Ogemaw Free Clinic (Bob), a comfort care suite at the hospital (Patrick) which would cost around \$100,000 according to My Michigan Health, Ogemaw Commission on Aging (Tom), a cottage service or adult day care (Liz).
- Patrick would like our committee to have a motion and vote on recommendations to make to the Foundation. They are also open to suggestions on updated language for the fund. Chris Juarez will work on language suggestion to send to committee for thought.
- Committee members will think of other possible organizations, and we will discuss them at our meeting on June 1.
- The grant will not be made until the fund is repurposed.

**COMMUNICATIONS:**

**Member Comments/Positive Highlights:**

- Reminder of the zero increase bond vote on May 3

Meeting adjourned at 9:07am. Next meeting June 1, 2022.

The West Branch Community Airport Board met on this date in the Conference Room, West Branch Community Airport Terminal, West Branch, Michigan, as well as remotely via Zoom. The meeting was called to order at 12:16 p.m. by Chairman Terry Hodges.

Present: Terry Hodges, Mike Jackson, Paul Frechette and Breck Gildner. Absent: John Dantzer, Brad Neubecker and Craig Scott. Also, in attendance were W.B. Airport Manager Ben Evergreen, Dylan Franciosi, Horton Township Trustee Erma Lurvey and James Anderson, P.C.

**Motion by Frechette, second by Hodges, the meeting minutes of the March 16, 2022 meeting be approved. Voice vote. Ayes – all. Motion carried. [4-1-#1]**

**Motion by Jackson, second by Gildner, claims in the amount of \$28,459.59 be approved for payment. Voice vote. Ayes – all. Motion carried. [4-1-#2]**

Ben gave the financial report, with a combined account balance is \$178,741.44.

James Anderson, P.C. presented the annual audit findings to the Board. The Airport received an unmodified opinion for the audit, and Mr. Anderson was happy with Airport's financial situation.

Discussion was held regarding the Manager's contract. In following with previous discussions, member Gildner will be discussing the possibility of having Ben fall under the County's employment as Airport Manager, with the County Administrator. Discussion was also held regarding whether having Ben employed by the Airport itself, instead of as a contract employee, was possible.

Discussion was held regarding a Consultant Selection Committee. Board Chariman Hodges and members Scott and Dantzer were nominated to be on the committee.

**Motion by Frechette, second by Hodges, to appoint board members Hodges, Scott and Dantzer to the Consultant Selection Committee. Voice vote. Ayes – all. Motion carried. [4-1-#3]**



Bids were unsealed for the sale of the old airport truck.

**Motion by Jackson, second by Gildner to approve the sale of the truck to Jeff Hodges, for the amount of \$2001.00. Voice vote. Ayes – all. Motion carried. [4-1-#4]**

No bids were received for the painting project. Ben will pursue whether it is feasible to the work in house.

Two bids were received for the paving around the hangars. No action will be taken at this time due to cost.

Ben reminded the Board of the upcoming Fly-In, on June 18<sup>th</sup>. Discussion was held regarding the purchase of toy planes and t-shirts, as has been done in previous years.

**Motion by Jackson, second by Fréchette to approve the purchase of t-shirts and toy planes for the annual fly-in, with the cost not to exceed \$500.00. Voice vote. Ayes – all. Motion carried. [4-1-#5]**

No further business remaining, Chairman Hodges adjourned the meeting at 1:05 p.m.

Minutes by Michael Jackson, Board Secretary

Music in the Park minutes from April 26, 2022

Members present: Jeff, Dawn, Sue, Deb, Shelly, Barry, Ed, Mike, Trish

Approval of minutes from March 22, 2022—Trish and Mike

Financial report: \$8035.87

Old Business:

Small flyers: Ed sent around a draft

Griffin signs: They will do this again. Shelly wants some more substantial holders for the signs. Trish wants to go to Griffin with Shelly.

T-Shirts: Trish reported out. Deb wants a hat.

Humanities grant: logo on flyers.

Lighting for pavilion: Ed will address this

Meijer grant: Trish will find out about the \$1400 grant for Shout.

IronBandogs: We should know the date @ the end of May.

Grants: Consumer Energy \$500. Meijer Trish says is in the works. Humanities grant, Jeff is working on it and will submit after May 1. Amanda did this for us last year. Walmart? Hart GMC? McLaren? My Mid Health? Retail Merchants usually give us \$500. We haven't seen this yet. \

Evening Concert Sponsors: \$200 donations. We don't have a list yet from Lori.

New Business:

Kiwanis tickets--\$300 donation if we sell 15 tickets. Gormet nuts-Kiwanis wants to set up a booth to sell them at the concerts—We get \$5 per nut sold

Changes to concert prep: collecting money night of concert—put in lock box provided by city. Change procedures night of concert and duty list.

Flyer: Sandy @ Office Central will print these for us---We can add them as a concert sponsor.

T-shirts: Trish will have prices next meeting

**SPECIAL MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY  
HELD AT THE WEST BRANCH CITY HALL, 121 N. FOURTH ST. WEST BRANCH, MI ON  
WEDNESDAY, MARCH 9, 2022.**

The meeting was called to order by Chairperson Samantha Fabbri at 6:30.

Present: Joe Clark, Samantha Fabbri, Autum Hunter, Sandy Rabidue (arrived at 6:35), Ken Walters and Cathy Zimmerman.

Absent: Anthony Bair, Joanne Bennett, and Erin Resteiner

Others in attendance: Manager John Dantzer

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY HUNTER, TO APPROVE THE MINUTES FROM  
THE MEETING HELD MARCH 9, 2022.**

**Yes – Clark, Fabbri, Hunter, Walters, and Zimmerman**

**No – None      Absent – Bair, Bennett, Rabidue, and Resteiner**

**Motion carried.**

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY HUNTER, TO APPROVE THE BILLS IN THE  
AMOUNT OF \$7,500.**

**Yes – Clark, Fabbri, Hunter, Walters, and Zimmerman**

**No – None      Absent – Bair, Bennett, Rabidue, and Resteiner**

**Motion carried.**

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY CLARK, TO EXCUSE MEMBERS BAIR,  
BENNETT, AND CLARK FROM THE FEBRUARY 28<sup>TH</sup> MEETING AND TO EXCUSE  
MEMEBERS BAIR, BENNETT, AND RESTEINER FROM TONIGHTS MEETING.**

**Yes – Clark, Fabbri, Hunter, Walters, and Zimmerman**

**No – None      Absent – Bair, Bennett, Rabidue, and Resteiner**

**Motion carried.**

Members discussed the proposal from Beckett and Raeder for engineering services for the streetscape plan. It was noted that the total cost is for work to be done within and outside of the DDA. Discussion centered around the cost sharing alternatives with the City.

**MOTION BY FABBRI, SECOND BY HUNTER, TO APPROVE THE RECOMMENDATION TO COUNCIL TO PARTICPATE IN A COST SHARING FOR THE STREETScape ENGINEERING WITH 30% BEING PAID BY THE DDA AND 70% BEING PAID BY THE CITY.**

**Yes – Clark, Fabbri, Hunter, Rabidue, Walters, and Zimmerman**

**No – None      Absent – Bair, Bennett, and Resteiner      Motion carried.**

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY RABIDUE, TO APPROVE THE WEST BRANCH DDA FAÇADE PROGRAM AS SUBMITTED.**

**Yes – Clark, Fabbri, Hunter, Rabidue, Walters, and Zimmerman**

**No – None      Absent – Bair, Bennett, and Resteiner      Motion carried.**

\* \* \* \* \*

Chairperson Fabbri updated the Board on the last Retail Merchants meeting and noted they are working on sending a letter to all businesses to invite them to meetings for updates on the Houghton Ave project.

Member Rabidue gave a flower update.

Member Hunter discussed possible new businesses in the community.

Member Rabidue presented the treasurer’s report.

Manager Dantzer went over grant opportunities for the gathering place in the MEDC Public Gathering Spaces Initiative and the Consumer’s Put your Town on the Map grant. Manager Dantzer noted the Consumers grant does require a presentation if you are chosen as one of the finalists and that he was out of town during the presentations so someone else would have to present. It was the consensus to have Manager Dantzer submit applications for both grants and that the Board would find a presenter if chosen.

Manager Dantzer shared information on the Michigan Historic Preservation conference.

\* \* \* \* \*

The meeting was adjourned at 7:25 pm.

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY  
HELD AT THE WEST BRANCH CITY HALL, 121 N. FOURTH ST. WEST BRANCH, MI ON  
TUESDAY, APRIL 26, 2022.

The meeting was called to order by Chairperson Samantha Fabbri at 12:00.

Present: Joanne Bennett, Samantha Fabbri, Autum Hunter, Sandy Rabidue, Erin Resteiner,  
and Ken Walters.

Absent: Anthony Bair, Joe Clark, and Cathy Zimmerman

Others in attendance: MDOT representatives Garrett Dawe and Kim Mullins

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY RABIDUE, TO APPROVE THE MINUTES FROM  
THE MEETING HELD MARCH 9, 2022**

**Yes – Bennett, Fabbri, Hunter, Rabidue, Resteiner, and Walters.**

**No – None      Absent – Bair, Clark, and Zimmerman      Motion carried.**

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY RABIDUE, TO PAY BILLS IN THE AMOUNT OF  
\$14,187.50.**

**Yes – Bennett, Fabbri, Hunter, Rabidue, Resteiner, and Walters.**

**No – None      Absent – Bair, Clark, and Zimmerman      Motion carried.**

\* \* \* \* \*

**MOTION BY FABBRI, SECOND BY RABIDUE, TO EXCUSE MEMBERS BAIR,  
CLARK, AND ZIMMERMAN.**

**Yes – Bennett, Fabbri, Hunter, Rabidue, Resteiner, and Walters.**

**No – None      Absent – Bair, Clark, and Zimmerman      Motion carried.**

\* \* \* \* \*

The Board discussed the 2022-2023 budget.

**MOTION BY BENNETT, SECOND BY RESTEINER, TO APPROVE THE BUDGET AS  
SUBMITTED WITH \$113,500 IN REVENUES AND EXPENSES.**

**Yes – Bennett, Fabbri, Hunter, Rabidue, Resteiner, and Walters.**

**No – None**

**Absent – Bair, Clark, and Zimmerman**

**Motion carried.**

\* \* \* \* \*

General discussion revolved around the growth of participation in the Merchant's meetings, gathering place grant, Houghton Ave. parking abuses, and ORV ordinance discussion.

Discussion with MDOT revolved around ADA concerns, business access, and road closures.

Member Resteiner noted the Little League State Tournament that is being hosted in West Branch in 2022.

\* \* \* \* \*

The meeting was adjourned at 1:03 pm.

## Board List

### DDA

Meets each 4th Tuesday at noon.

**Appointed**      **Term expiration**  
**4 YR TERM**

**e-mail**

**\$0**

9 members total, appointed by mayor, approved by council, majority to have property in downtown district, one must be a resident if population >100 in downtown district.

|                                 |            |            |                                                                                            |
|---------------------------------|------------|------------|--------------------------------------------------------------------------------------------|
| Ken Walters (Mayor's rep.) (EX) | 10/1/2018  | Mayor Term | <a href="mailto:waltersk@westbranch.com">waltersk@westbranch.com</a>                       |
| Samantha Fabbri - Chair         | 1/5/2015   | 1/1/2023   | <a href="mailto:fabbriwbdda@westbranch.com">fabbriwbdda@westbranch.com</a>                 |
| Autum Hunter                    | 9/6/2011   | 1/1/2023   | <a href="mailto:hunterwbdda@westbranch.com">hunterwbdda@westbranch.com</a>                 |
| Sandy Rabidue - treasurer       | 12/17/2001 | 1/1/2024   | <a href="mailto:rabiduewbdda@westbranch.com">rabiduewbdda@westbranch.com</a>               |
| Joanne Bennett                  | 1/16/2017  | 1/1/2024   | <a href="mailto:bennettwbccouncil@westbranch.com">bennettwbccouncil@westbranch.com</a>     |
| Cathy Zimmerman                 | 2/4/2019   | 1/1/2025   | <a href="mailto:zimmermanwbccouncil@westbranch.com">zimmermanwbccouncil@westbranch.com</a> |
| Anthony Bair                    | 2/4/2019   | 1/1/2025   | <a href="mailto:bairwbdda@westbranch.com">bairwbdda@westbranch.com</a>                     |
| Joseph Clark vice chair         | 5/21/1986  | 1/1/2022   | <a href="mailto:clarkwbdda@westbranch.com">clarkwbdda@westbranch.com</a>                   |
| Erin Resteiner                  | 3/4/2019   | 1/1/2022   | <a href="mailto:resteinerwbdda@westbranch.com">resteinerwbdda@westbranch.com</a>           |

At the regular meeting held May 24th, the DDA approved the recommended reappointment of Members Clark and Resteiner to serve an additional four year term to expire 1/1/26

- **CHAPTER 6. - OFF-ROAD RECREATIONAL VEHICLES**

- Sec. 6-266. - Definitions.**

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

**City shall mean the City of West Branch.**

*Driver license* means the operator's or chauffeur's license or permit issued to an individual by the state pursuant to MCL 257.301 to 257.329 permitting that individual to operate a vehicle in the state, whether or not conditions are attached to the license or permit.

*Maintained portion* means that portion of a road or street improved, designated or ordinarily used for vehicular traffic.

*ORV* means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. The term "ORV" includes, but is not limited to, a multitrack or multi-wheel drive vehicle, an ATV, a motorcycle or related two-wheel, three-wheel, or four-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. The term "ORV" does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

*Operate* means to ride in or on and be in actual physical control of the operation of an ORV.

*Operator* means a person who operates or is in actual physical control of the operation of an ORV.

*Safety certificate* means a certificate issued pursuant to MCL 324.81129 or a comparable ORV safety certificate issued under the authority of another state or province of Canada.

*Street* means a city major street or local street as described in MCL 247.659.

*Visual supervision* means the direct observation of the operator with the unaided or normally corrected eye, where the observer is able to come to the immediate aid of the operator.

(Code 1994, § 76.01)

- **Sec. 6-267. - Designated route.**

An ORV shall be operated within ~~a~~**two** designated routes in the city. The following city streets are hereby established as the City ORV designated routes:



From ORV trails to ORV parking lot for downtown walking access.

| Street Name                            | From                                   | To                                     |
|----------------------------------------|----------------------------------------|----------------------------------------|
| Dow Road                               | City limits                            | <del>Annie Street</del> Lindsay Street |
| <del>Annie Street</del> Lindsay Street | Dow Road                               | North Fifth Street                     |
| North Fifth Street                     | <del>Annie Street</del> Lindsay Street | Lucas Lane                             |
| Lucas Lane                             | N. Fifth Street                        | ORV parking lot off N. Fourth Street   |

From ORV trails to parking lots at Dairy Queen or West Branch Automotive.

| Street Name                  | From           | To                                                    |
|------------------------------|----------------|-------------------------------------------------------|
| Dow Road                     | City limits    | Lindsay Street                                        |
| Lindsay Street               | Dow Road       | North Seventh Street                                  |
| North Seventh Street         | Lindsay Street | North Border of Houghton Ave                          |
| North Border of Houghton Ave | Lindsay Street | Parking lots of Dairy Queen or West Branch Automotive |

From Lucas Lane or N. Seventh St. ORVs are allowed to use the most direct route to the closest gas station.

(Code 1994, § 76.02)

- **Sec. 6-268. - Rules of operation.**

Except as set forth herein, or otherwise provided by law, an ORV meeting all of the following conditions may be operated in the ORV designated route:

- (1) At a speed of no more than 15 miles per hour or a lower posted ORV speed limit if such lower speed limit shall be established.
- (2) On the far right of the maintained portion of a street within the ORV designated route.
- (3) By a person not less than 12 years of age who is in possession of a Michigan-issued ORV safety certificate.
- (4) With the flow of traffic.
- (5) In a manner which does not interfere with traffic on the road or street.
- (6) Traveling single file except when overtaking and passing another ORV.
- (7) When visibility is not substantially reduced due to weather conditions.
- (8) While displaying a lighted headlight and lighted taillight at all hours.

(9) While displaying a valid registration.

(10) While the operator and each passenger is wearing a crash helmet and protective eyewear approved by the federal department of transportation unless the vehicle is equipped with a roof, or roll bars, or windshield that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.

(11) With a throttle so designed that when the pressure used to advance the throttle is removed, the genuine speed will immediately and automatically return to idle.

(12) While the ORV is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.

(13) Pursuant to noise emission standards defined by law.

~~(14) For the purpose of obtaining access to recognized off-road trails and for the operator to purchase retail goods and services in conjunction with the legal operations of an ORV.~~

(15) No ORV will be permitted to drive on the ORV designated route before 7:00 a.m. or after ~~40:00 p.m. 11:00 pm~~

~~(16) An ORV may not be operated upon or along Houghton Avenue/M-55 except for the purpose of crossing. Crossing shall be permitted only at Seventh St. and for the purposes of fuel only.~~

(Code 1994, § 76.03)

- **Sec. 6-269. - Operation by minors.**

A child that is at least 12 years of age but less than 16 years of age shall not operate an ORV on a road or street in the city unless the child is under the direct visual supervision of a licensed adult and the child has in his immediate possession a Michigan-issued ORV safety certificate or a comparable ORV safety certificate issued under the authority of another state or a province of Canada

(Code 1994, § 76.04)

- **Sec. 6-270. - Operation of an ORV; valid license.**

Unless a person 16 years of age or over possesses a valid driver license, a person shall not operate an ORV on a road or street in the city if the ORV is registered as a motor vehicle and is either more than 60 inches wide or has three wheels.

~~An individual 16 years of age or over shall not operate any ORV on a road or street in the City of West Branch, if their motor vehicle operator's license is suspended or revoked.~~

(Code 1994, § 76.05)

- **Sec. 6-271. - Tort liability immunity.**

The city is immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation or use of an ORV on maintained or unmaintained roads, streets, shoulders, and rights-of-way over which the city has jurisdiction.

(Code 1994, § 76.06)

- **Sec. 6-272. - Collision of vehicle and ORV.**

In a court action in this state, if competent evidence demonstrates that a vehicle permitted to operate on a road or street pursuant to the Code was in a collision with an ORV required to be operated on the far right of the maintained portion of a road or street pursuant to this chapter, the operator of the ORV shall be considered prima facie negligent.

(Code 1994, § 76.07)

- **Sec. 6-273. - Penalty.**

Any person who violates this chapter is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00, **as per section 1-50 of the West Branch Code of Ordinances:**

**(1) First offense within a three-year period\* .... \$50.00.**

**(2) Second offense within a three-year period\* .....\$150.00.**

**(3) Third or subsequent offense within a three-year period\* .... \$500.00.**

**\*Determined on the basis of the date of commission of the offenses. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.**

(Code 1994, § 76.08)

- **Sec. 6-274. - Restitution.**

A court may order a person who causes damage to the environment, a road or other property as a result of the operation of an ORV to pay full restitution for that damage above and beyond the penalties paid for civil fines.

(Code 1994, § 76.09)

- **Sec. 6-275. - Deposit of fines.**

The city treasurer shall deposit all fines and damages collected under this chapter into the general fund.

(Code 1994, § 76.10)



**CITY OF WEST BRANCH  
CITY COUNCIL MEETING  
JUNE 6, 2022**

PLEASE TAKE NOTICE that the West Branch City Council meeting scheduled for Monday, June 6, 2022 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:**

West Branch City Council is inviting you to a scheduled Zoom meeting.

Topic: City of West Branch Council Zoom Meeting

Time: Jun 6, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88221047078?pwd=ZU5uZzNzejFkT2EzUDN3MWlyWFJEdz09>

Meeting ID: 882 2104 7078

Passcode: 796612

One tap mobile

+13126266799,,88221047078#,,,,\*796612# US (Chicago)

+16465588656,,88221047078#,,,,\*796612# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 882 2104 7078

Passcode: 796612

Find your local number: <https://us02web.zoom.us/j/km5qODz5h>