

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, APRIL 15, 2019

Mayor Pro Tem Mike Jackson called the meeting to order at 6:00 pm

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

Absent: Mayor Paul Frechette

Other officers present: Interim City Manager/Clerk/Treasurer John Dantzer, Police Chief Ken Walters, and DPW Superintendent Mike Killackey.

All stood for the Pledge of Allegiance.

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**MOTION BY BENNETT, SECOND BY WEILER, TO PAY BILLS IN THE AMOUNT OF \$28,493.86.**

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

**No – None**

**Absent – Frechette**

**Motion carried**

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A resolution was submitted to Council to place liens on the 2019 summer taxes for unpaid utility bills. Interim Dantzer noted that one of the addresses on the list had already come into pay the past due amount and therefore needed to come off the list.

**MOTION BY JACKSON, SECOND BY EHINGER, TO APPROVE THE CORRECTED RESOLUTION 19-08**

**RESOLUTION #19-08**

**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 2019 tax roll:**

<b>Water/Sewer Charges</b>			
<b>270 N. Burgess St.</b>	<b>\$265.71</b>	<b>329 N. Third St.</b>	<b>\$60.48</b>
<b>147 Carpenter St</b>	<b>\$545.85</b>	<b>128 N. Valley St</b>	<b>\$603.01</b>
<b>119 Fremont St</b>	<b>\$226.53</b>	<b>372 State St.</b>	<b>\$36.36</b>
<b>195 Fremont St</b>	<b>\$62.52</b>	<b>633 Court St.</b>	<b>\$2,253.69</b>
<b>327 W. Houghton Ave</b>	<b>\$481.39</b>	<b>324 W. Ripley St</b>	<b>\$165.71</b>
<b>450 W. Morrison St</b>	<b>\$448.59</b>	<b>424 W. Ripley St</b>	<b>\$103.40</b>

565 Progress St. Ste. A                      \$181.93                      217 E. Houghton Ave                      \$42.54

**Mowing**

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

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

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An updated assessor agreement was submitted and Interim Manager Dantzer asked Council to waive the formal bidding process due to the fact that it has been bid out twice in the last four years and that both times the current assessor was the only one to provide a bid. In addition, it was noted that the current provider is in the middle of a City wide reassessing project and did not increase the fees from the previous year.

**MOTION BY PUGH, SECOND BY EHINGER, TO NOT REQUIRE THE ASSESSOR CONTRACT TO GO OUT TO FORMAL BIDDING FOR THE 2019 YEAR AND TO AWARD THE CONTRACT TO MVW AND ASSOCIATES AT THE SAME RATES AS THE PREVIOUS YEAR.**

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

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

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A water/sewer bill adjustment request was submitted from Jim and Jeanne Wilkins. It was noted that a water line burst causing water to leak into the home. Interim Manager Dantzer noted that because the water did not go into the sewer system, it did qualify for an adjustment under the current policy of the sewer rates only.

**MOTION BY ZIMMERMAN, SECOND BY BENNETT, TO APPROVE THE UTILITY BILL ADJUSTMENT REQUEST AND ADJUST THE BILL TO \$889.96.**

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

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

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A zoning amendment was submitted on behalf of the Planning Commission. Mayor Pro Tem noted that the updated ordinance would change the front setback in the Mixed Use District from 25’ to 15’ and would allow for dwellings that are smaller than the minimum square footage to have a variance process that can be appealed to the Planning Commission instead of the Zoning Board of Appeals.

**MOTION BY WEILER, SECOND BY JACKSON, TO APPROVE ORDINANCE 19-01.**

Ordinance 19-01

The City of West Branch ordains:

Add footnote “f” to Table 9 next to “Housing Unit, minimum square foot” and “Housing Unit, minimum dimension”.

Notes to Table 9:

e. All Dimensional Standards for the Mixed Use (MU) District shall be the same as those established for the Single Family R1 District except the front setback which shall be fifteen (15) feet.

f. The Planning Commission shall have the authority to approve dwelling units less than the minimum dwelling unit size and minimum dwelling unit dimension stated in Table 9. No public hearing shall be required.

Member Bennett noted her concern that no public hearing would be required for the minimum dwelling variance

Member Zimmerman noted her concern that the front setback of 15’ may not be big enough for residential homes and that the ordinance may want to state the difference in setbacks between residential and commercial buildings.

**Yes — Jackson, Weiler**

**No – Bennett, Ehinger, Pugh, Zimmerman**

**Absent – Frechette**

**Motion failed**

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**MOTION BY PUGH, SECOND BY EHINGER, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD APRIL 1, 2019, AS WELL AS THE MINUTES OF THE SPECIAL MEETING HELD APRIL 8, 2019.**

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

**No – None**

**Absent – Frechette**

**Motion carried**

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**MOTION BY BENNETT, SECOND BY EHINGER, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY, THE MINUTES FROM THE DDA MEETING HELD FEBRUARY 26, 2019, AND THE MINUTES FROM THE PLANNING COMMISSION MEETINGS HELD FEBRUARY 26, 2019 AND MARCH 12, 2019; AND THE MARCH POLICE REPORT**

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

**No – None**

**Absent – Frechette**

**Motion carried**

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An Opportunity Zone training flyer was shared.

The Michigan Land Bank demolition award press release was shared.

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Mayor Pro Tem noted that some new information came up during the background checks on one of the interview candidates.

**MOTION BY PUGH, SECOND BY WEILER, TO RESCIND THE INTERVIEW INVITATION FOR JEFF THORNTON**

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

**No – None**

**Absent – Frechette**

**Motion carried**

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Member Bennet asked on a Smiley Tower update. Superintendent Killackey noted that the tower inspection will be in the spring and that report will tell the City whether they can wash the tower or need to have it repainted.

Member Bennett also asked about high speed internet in the Industrial Park and the possibility of using the Smiley Tower if needed.

Member Weiler asked about the noticing process for the road repairs on Fairview Rd. The noticing process was discussed and it was noted that a mailing to all addresses was not done. Interim Manager Dantzer asked if Council would prefer to have a mailing done previous to all road work. It was the consensus of Council to provide a mailed notice for major projects.

Member Ehinger asked about the property in the industrial park that was purchased by Mike Riegle and that he thought that part of the agreement was to have a fenced in building built. Mayor Pro Tem Jackson noted that the Planning Commission had reached out to him.

Member Zimmerman asked about the bidding process for the road excavation and if local businesses were allowed to bid. DPW Superintendent Killackey noted that the contractors were chosen by MDOT and that there were local bidders.

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Pete Fabbri gave an update on Back to the Bricks, the upcoming Art and Wine walk, the recent Big Foot conference, and the summer rodeo. He also discussed the possibility of a sling shot car event and discussed the new water meters.

Mr. Fabbri asked to have a road closure approved for the Classy Chassis Fabulous Friday event on June 27 from 5-9

It was noted that a special event permit was still needed but the street closure could be approved.

**MOTION BY ZIMMERMAN, SECOND BY BENNETT, TO APPROVE THE STREET CLOSURE FOR THE CLASSY CHASSIS CAR SHOW ON JUNE 27 FROM 5-9 PM**

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

**No – None**

**Absent – Frechette**

**Motion carried**

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Chief Walters and DPW Superintendent Killackey updated Council on the USDA vehicle grants.

DPW Superintendent Killackey updated Council on the timetable for the Fairview Rd project

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Mayor Pro Tem Jackson adjourned the meeting at 6:52 pm.