

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, AUGUST 15, 2022.

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

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

Absent: Mike Jackson

Other officers present: City Manager John Dantzer, City Clerk Lori Ann Clover, Chief Kenneth Walters, DPW Supervisor Mike Killackey, and County Commissioner Mark Surbrook.

All stood for the Pledge of Allegiance.

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Commissioner Surbrook gave a report. At the board meeting a GIS Hosting Program was approved to improve the counties mapping system. The School Resource Officer for Ogemaw Heights was approved. The transit bus drivers will be receiving some trainings. The annex building will be getting some improvements. Ogemaw Township and the DDA are looking at working together on a millage. There was a budget amendment meeting held which went well.

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Judge Troy Daniel introduced himself to council. He was appointed 82nd District Court Judge to fill a partial term vacated by Judge Richard Noble, who retired effective December 31, 2021. Daniel’s term began April 11 and runs through January 1, 2023. He has filed to run for re-election in the November 8th general election. He has 25 years of experience practicing law in various situations. He is also trained as a mediator. He considers this area his home and has lived here since 1997. For more information please refer to www.votetroydaniel.com.

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MOTION BY FRECHETTE, SECOND BY PUGH, TO EXCUSE MEMBER JACKSON FROM THE MEETING.

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

No – None Absent – Jackson Motion carried

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Discussion was held regarding the Brownfield Consulting Contract and Sole Source vendor request. City Manager Dantzer requested that the City Council forego formal bidding and approve the selection of TriTerra to assist with the third party oversight of the EGLE Brownfield Grant due to the following reasons: the oversight group must be chosen from a preapproved list supplied by EGLE; TriTerra is the only approved company the City has dealt with in the past as they were involved in the tear down of the old laundromat on Houghton Ave.; the bid came in on budget with what EGLE estimated; the expense is 100% reimbursable as part of the grant.

MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO ACCEPT THE SOLE SOURCE BID FROM TRITERRA TO OVERSEE THE EGLE BROWNFILED GRANT FOR \$7,500.

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

No – None Absent – Jackson Motion carried

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MOTION BY SHOWALTER, SECOND BY PUGH, TO APPROVE RESOLUTION 22-20 TO ACCEPT THE CONSTRUCTION CONTRACT FOR WATER SYSTEM IMPROVEMENTS BID FROM 5 STAR ENERGY SERVICES AS THE LOWEST BIDDER FOR \$1,708,250.

RESOLUTION 22-20

**A RESOLUTION TO TENTATIVELY AWARD
A CONSTRUCTION CONTRACT FOR WATER SYSTEM IMPROVEMENTS**

WHEREAS, the City of West Branch wishes to construct improvements to its existing water treatment and distribution system; and

WHEREAS, the water system improvements project formally adopted on June 21, 2021 will be funded through the state of Michigan’s Drinking Water State Revolving Fund (DWSRF) program; and

WHEREAS, the City of West Branch has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$1,708,250.00 from 5 Star Energy Services; and

WHEREAS, the City’s engineer, Fleis and Vandenbrink has recommended awarding the contract to the low bidder.

NOW THEREFORE BE IT RESOLVED, that the City of West Branch tentatively awards the contract for construction of the proposed water system improvements project to 5 Star Energy Services, contingent upon successful financial arrangements with the DWSRF.

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

No – None Absent – Jackson Motion carried

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MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO APPROVE RESOLUTION 22-21 TO ACCEPT THE CONSTRUCTION CONTRACT FOR WATER SYSTEM IMPROVEMENTS BID FROM J&N CONSTRUCTION, LLC AS THE LOWEST BIDDER FOR \$1,284,569.00.

RESOLUTION 22-21

**A RESOLUTION TO TENTATIVELY AWARD
A CONSTRUCTION CONTRACT FOR WATER SYSTEM IMPROVEMENTS**

WHEREAS, the City of West Branch wishes to construct improvements to its existing water treatment and distribution system; and

WHEREAS, the water system improvements project formally adopted on June 21, 2021 will be funded through the state of Michigan’s Drinking Water State Revolving Fund (DWSRF) program; and

WHEREAS, the City of West Branch has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$1,284,569.00 from J&N Construction, LLC; and

WHEREAS, the City’s engineer, Fleis and Vandenbrink has recommended awarding the contract to the low bidder.

NOW THEREFORE BE IT RESOLVED, that the City of West Branch tentatively awards the contract for construction of the proposed water system improvements project to J&N Construction, LLC, contingent upon successful financial arrangements with the DWSRF.

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

No – None Absent – Jackson Motion carried

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MOTION BY BENNETT, SECOND BY FRECHETTE, TO APPROVE THE PAYMENT OF BILLS IN THE AMOUNT OF \$73,396.10.

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

No – None Absent – Jackson Motion carried

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MOTION BY PUGH, SECOND BY ZIMMERMAN, TO APPROVE THE WATER ADJUSTMENT FOR SHARON AVRAM IN THE AMOUNT OF \$894.76.

This brought on the discussion on increasing the limit that the City Manager could approve. The limit may be set in the City Ordinance so this will be researched and brought to the next meeting.

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

No – None Absent – Jackson Motion carried

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MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO APPROVE THE CITY OPTING OUT OF PUBLIC ACT 51 SECTION 18j PUBLICALLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT.

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

No – None

Absent – Jackson

Motion carried

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MOTION BY SHOWALTER, SECOND BY ADAIR, TO APPROVE THE CITY MANAGER TO SIGN THE CITY UP TO BECOME A MIHAF VENDOR.

This would allow for city residents to apply for assistance with their back taxes or help with their utility bills, etc.

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

No – None

Absent – Jackson

Motion carried

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MOTION BY FRECHETTE, SECOND BY SHOWALTER, TO APPROVE ORDINANCE 22-05, THE BOND ORDINANCE.

This would allow for the issuing of bonds for posting and would be enacted immediately following this meeting.

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

No – None

Absent – Jackson

Motion carried

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MOTION BY FRECHETTE, SECOND BY BENNETT, TO APPROVE THE APPOINTMENT OF MIKE KILLACKY AS THE EMPLOYER REPRESENTATIVE AND TIM KIRBY AS THE EMPLOYEE REPRESENTATIVE TO ATTEND THE ANNUAL MERS CONFERENCE.

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

No – None

Absent – Jackson

Motion carried

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MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO APPROVE THE RESCHEDULING OF THE SEPTEMBER 5TH MEETING TO TUESDAY SEPTEMBER 6TH AT 6:00 PM DUE TO THE HOLIDAY.

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

No – None

Absent – Jackson

Motion carried

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MOTION BY SHOWALTER, SECOND BY ZIMMERMAN, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD AUGUST 1, 2022.

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

No — None

Absent — Jackson

Motion carried

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MOTION BY SHOWALTER, SECOND BY ADAIR, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; CITY OF WEST BRANCH POLICE DEPARTMENT REPORT FOR THE END OF JULY; AND MINUTES FROM THE LAND BANK AUTHORITY MEETING HELD JULY 13, 2022.

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

No — None

Absent — Jackson

Motion carried

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Communications distributed were the survey results from the Center for Local, State and Urban Policy American Rescue Plan.

Mayor Frechette stated that the Victorian Art Fair went very well this year.

Member Bennett stated that the flowers this year are just thriving and very beautiful.

Manager Dantzer announced that the Work Session scheduled for immediately following the regular meeting was canceled and will be rescheduled.

Chief Walters stated that they are still down two cars. He announced that the department partnered with the Humane Society to park cars for the Victorian Art Fair and split the donations between the Humane Society and the K-9 account. Member Showalter expressed concern over the K-9’s medical costs after retirement. Chief Walters stated that the K-9 officer will be well taken care of even in retirement through the Ogemaw Veterinary Clinic.

Mayor Frechette talked about the Band Dogs and their fund raising for local non-profits.

Commissioner Surbrook informed Council that an employee appreciation picnic was held Monday and went very well.

Mayor Frechette adjourned the meeting at 6:41 pm.

Paul Frechette, Mayor

Lori Ann Clover, Clerk