

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 15, 2023.

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 Clerk Lori Ann Clover, Chief Ken Walters, Commissioner Craig Scott, City Realtor Yvonne DeRoso, and City Attorney Gregory Meihn via Zoom.

All stood for the Pledge of Allegiance.

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Commissioner Scott gave an update on county activities. The county has accepted a quote to build a bus wash bay for the transit. They have amended their contract procedural policy. As the fiduciary for the Emergency Manager they accepted some grant funds. Their second quarter budget amendment was approved. They provided \$10,000 to STING. They provided a letter of support for a DNR Grant Rose City was writing. They are currently discussing a car for the corrections department. There was a complaint on the Deer Park so the USDA had to investigate and have a veterinarian come in and check the deer. The veterinarian said that they were going through their natural shed for this time of year and they were not too thin. There still has not been anything decided on the Highbanks.

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Mayor Frechette opened the Public Hearing for the DNR SPARK Grant at 6:15 pm.

Manager Dantzer explained that this will be for upgrades to the "Gathering Place" in the amount of \$499,514.00, 90% of that would be funded through the grant with 10% match by the DDA.

No one from the public wished to speak on the subject and no communication was received by City Hall prior to the meeting.

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MOTION BY FRECHETTE, SECOND BY BENNETT TO CLOSE THE PUBLIC HEARING FOR THE DNR SPARK GRANT AT 6:16 PM.

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

No – None

Absent – None

Motion carried

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Mayor Frechette opened the Public Hearing for the DWSRF Grant at 6:17 pm.

Gary Bartow was present and gave a presentation on the aspects of the grant. Water Systems Improvements is the project selected in the grant. Within that project there are several components including watermain replacement, a new water storage tower, service line replacement, a backup generator and SCADA controls. He also shared the proposed timeline. The water and sewer lines under Houghton Ave are scheduled to be replaced during the MDOT construction. This new project would take place the following year.

No one from the public wished to speak on the subject and no communication was received by City Hall prior to the meeting.

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MOTION BY FRECHETTE, SECOND BY SHOWALTER TO CLOSE THE PUBLIC HEARING FOR THE DWSRF GRANT AT 6:24 PM.

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

No – None Absent – None Motion carried

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MOTION BY BENNETT, SECOND BY SHOWALTER, TO APPROVE PAYMENT OF THE BILLS IN THE AMOUNT OF \$345,749.16.

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

No – None Absent – None Motion carried

The graffiti removal of \$700 will be paid in restitution by the offender and \$247,067.71 is the June bond payment.

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Mayor Frechette presented Dianne Gavitt with Proclamation 23-01 from the City of West Branch for her 15 years of service on the Election Commission Board. Council and Clerk expressed their gratitude for her service.

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MOTION BY SHOWALTER, SECOND BY BENNETT TO APPROVE RESOLUTION 23-12 FISCAL YEAR 2023/2024 HEALTH INSURANCE OPT OUT.

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

No – None Absent – None Motion carried

RESOLUTION #23-12

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, 2023 through June 30, 2024

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Manager Dantzer informed council that there were no changes from the draft presented at the public hearing during the last meeting. There was a question on the carry over at that meeting and the answer is 30% however that will be reduced with the expenditures in 2025.

MOTION BY FRECHETTE, SECOND BY ZIMMERMAN TO APPROVE RESOLUTION 23-13 FISCAL YEAR 2023/2024 BUDGET.

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

No – None

Absent – None

Motion carried

RESOLUTION #23-13

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, 2023 as recommended by the City Manager and as adopted by the City Council, as described in the summary as follows:

	REVENUES	EXPENDITURES
GENERAL FUND	1,865,167	1,862,608

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 sixty-six million six thousand three hundred fifty-three dollars (\$66,006,353) as required by Michigan Constitution.

TOTAL CITY TAX LEVY FOR GENERAL FUND PURPOSES

July 1, 2023 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, 2023 1.9301 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	1,850	0
Major Street Fund	291,000	252,183
Local Street Fund	143,050	142,984
Cemetery Fund	31,610	31,610
Marijuana Fund	10,000	10,000
Brownfield Redevelopment Authority Fund	75,000	75,000
DDA Operating Fund	131,500	131,500
Building Dept Fund	2,000	2,000
Industrial Park Fund	300	2,550
Housing Resource Fund	5,568	0
Sewer Debt Fund	354,865	341,000
Water Debt Fund	81,162	70,000
Sewer Fund	661,515	661,434
Water Fund	534,900	534,023
Water Replacement Fund	2,850,000	2,676,000
Sewer Collection	92,643	92,553
Equipment Fund	261,900	302,409

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.

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MOTION BY SHOWALTER, SECOND BY PUGH TO APPROVE RESOLUTION 23-14 SPARK GRANT.

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

No – None

Absent – None

Motion carried

RESOLUTION #23-14

A RESOLUTION ADOPTING A FINAL PROJECT PLANNING DOCUMENT FOR DRINKING WATER SYSTEM IMPROVEMENTS AND DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE

WHEREAS, the City of West Branch recognizes the need to make improvements to the water distribution and storage systems; and

WHEREAS, the City of West Branch authorized Fleis & VandenBrink Engineering to prepare a Project Planning Document, which recommends upgrades of the city’s water distribution system which includes; new water tower with mixing equipment, added mixing equipment to existing tower, replacement of undersized water mains, replacements of lead service lines and associated restoration work, and;

WHEREAS, said Project Planning Document was presented at a Public Hearing held on May 15, 2023, 6:00 pm and all public comments have been considered and addressed.

NOW THEREFORE BE IT RESOLVED, that the City of West Branch formally adopts said Project Planning Document and agrees to implement the selected alternative Alternative 4 – Water System Improvements

BE IT FURTHER RESOLVED, that the City Manager, a position currently held by John Dantzer, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Planning Document as the first step in applying to the State of Michigan for a Drinking Water State Revolving Fund Loan to assist in the implementation of the selected alternative.

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Council Members asked if Office Central had been made aware of the event to be held in the alley. Member Dantzer assured them that they would be informed.

MOTION BY SHOWALTER, SECOND BY BENNETT TO APPROVE SPECIAL EVENT PERMIT SUPER HERO DAY.

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

No – None Absent – None Motion carried

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MOTION BY BENNETT, SECOND BY PUGH TO APPROVE SPECIAL EVENT PERMIT CHURCH BALL 3X3 TOURNAMENT.

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

No – None Absent – None Motion carried

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Discussion took place regarding the water adjustment for 612 Parkway Drive. They are asking for forgiveness of \$2,563.54. They currently have an old radio read meter and the cause of the leak was not found as they are living elsewhere and were not available when DPW went to look at the meter and check out the leak.

MOTION BY FRECHETTE, SECOND BY SHOWALTER TO POSTPONE THE DECISION ON THE ADJUSTMENT UNTIL DPW HAS A CHANCE TO GO IN AND INSPECT THE PIPES AND INSTALL A NEW CELL READ WATER METER AT THE ADDRESS. LATE FEES WILL BE WAIVED UNTIL THIS IS ADDRESSED.

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

No – None Absent – None Motion carried

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MOTION BY ZIMMERMAN, SECOND BY SHOWALTER TO APPROVE THE LICENSING AND SUPPORT AGREEMENT WITH BS&A FOR THE BUILDING DEPARTMENT SOFTWARE AND TO AUTHORIZE MANAGER DANTZER TO SIGN ON BEHALF OF THE CITY.

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

No – None Absent – None Motion carried

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MOTION BY BENNETT, SECOND BY JACKSON TO APPROVE THE MINUTES AND SUMMARY FROM THE REGULAR MEETING HELD MAY 1, 2023.

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

No – None

Absent – None

Motion carried

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MOTION BY SHOWALTER, SECOND BY ADAIR TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; WEST BRANCH POLICE DEPARTMENT APRIL 2023 REPORT; AND MINUTES FROM THE PLANNING COMMISSION SPECIAL MEETING HELD APRIL 14, 2023.

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

No – None

Absent – None

Motion carried

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Communications received included a letter from the Michigan Liquor Control Commission informing council that the Liquor License from Tippy Bear was transferred to the new owners.

Manager Dantzer also shared an article about the legislative efforts to remove the mining operation oversight out of the local governmental authority and into the hands of the state. They are requesting support in opposition to House Bills 4526, 4527, and 4528.

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MOTION BY ZIMMERMAN, SECOND BY SHOWALTER TO REAPPOINT CORINE LUZYNSKI TO THE PLANNING COMMISSION.

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

No – None

Absent – None

Motion carried

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Mayor Frechette announced that the Golf Outing on Friday had a good turn out and went well. The Chamber golf outing is coming up soon.

Member Jackson announced that the last of the old hospital was demolished today.

Member Bennett informed council she has had her water meter changed and camping is in full swing now.

Member Pugh requested we speak with MDOT again regarding the traffic study they had done and ask them to conduct another for the corner of Valley and Houghton and the corner of Fourth and Houghton. Manager Dantzer stated that they have already agreed to the corner of Valley and Houghton which will include traffic counts of Shrigley and Houghton as most locals take that route to avoid the corner on Valley.

Member Adair requested some repairs of the bricks by the bathrooms in the Pocket Park.

Chief Walters thanked the Council for approving the Health Insurance Opt Out Resolution. Manager Dantzer informed members that there is currently a shortage in the funds for police vehicles.

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AT 7:04 PM. MOTION BY FRECHETTE, SECOND BY JACKSON TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(d) TO CONSIDER THE PURCHASE OR LEASE OF REAL PROPERTY UP TO THE TIME AN OPTION TO PURCHASE OR LEASE THAT REAL PROPERTY IS OBTAINED.

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

No – None Absent – None Motion carried

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MOTION BY FRECHETTE, SECOND BY BENNETT TO GO BACK INTO OPEN SESSION AT 7:34 PM.

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

No – None Absent – None Motion carried

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MOTION BY FRECHETTE, SECOND BY PUGH THAT AFTER REVIEWING THE WRITINGS PROVIDED BY THE CITY ATTORNEY, AND DISCUSSION FROM COUNCIL, TO MOVE FORWARD WITH THE COMMERCIAL PURCHASE AGREEMENT.

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

No – None Absent – None Motion carried

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Rob Pallarito spoke during public comment for Senator Michele Hoyenga. He informed council that she would be available should they be in need. Manager Dantzer requested support for the different grants and would like to see more grants awarded to the Northern region. Member Zimmerman requested support with MDOT projects.

Ms. DeRoso stated that she attended an MTA training during which there were a lot of issues between townships and municipalities. She expressed her thanks to Council for working so well with the townships and the county. She also invited Council to the Chamber After Hours on June 15th.

Mayor Frechette adjourned the meeting at 7:48 pm.

Paul Frechette, Mayor

Lori Ann Clover, Clerk