

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, MAY 6, 2024.

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

Present: City Mayor Paul Frechette, Council Members Carol Adair, Lois Bergquist, Mike Jackson, Ellen Pugh, and Cathy Zimmerman.

Absent: Member Rusty Showalter

Other officers present: City Manager John Dantzer, City Clerk Lori Ann Clover-Gambrel, DPW Supervisor Mike Killackey, Chief Ken Walters, City Realtor Yvonne DeRoso, and Atty: Gregory Meihn via Zoom.

All stood for the Pledge of Allegiance.

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Mayor Frechette opened the Public Hearing for the 2024/2025 fiscal year budget at 6:01 pm.

Manager Dantzer explained he had prepared two options for review. The original covered in the work session and an addition option including a couple of the changes that were discussed during the work session. This option also included the sidewalk/walking path. Council agreed that they preferred the addition option. Manager Dantzer will pursue bids for the walking path in concrete.

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

MOTION BY FRECHETTE, SECOND BY JACKSON, TO CLOSE THE PUBLIC HEARING FOR THE 2024/2025 FISCAL YEAR BUDGET AT 6:06 PM.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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Manager Dantzer explained the garbage cans from Tree Tops would match the new street scape and the rest of the cans in the city. The Treetops cans were the selection made by the DDA and the cost is less than what was budgeted. We would need 12 additional garbage cans.

MOTION BY ZIMMERMAN, SECOND BY PUGH, TO APPROVE THE BID AND SOLE SOURCE VENDOR REQUEST FROM TREETOP PRODUCTS, LLC FOR TWELVE GARBAGE CANS NOT TO EXCEED \$5,107.08.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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MOTION BY ADAIR, SECOND BY JACKSON, TO APPROVE PAYMENT OF THE BILLS IN THE AMOUNT OF \$96,136.20.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

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MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO EXCUSE MEMBER SHOWALTER FROM TODAY’S MEETING.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

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Council held a discussion concerning the Sidewalk Café Policy. Concern was stated as to the amount of space the restaurants would be able to utilize with the new sidewalks being so much wider. Manager Dantzer will review the policy for footage information and bring some ideas to the next meeting for ensuring the wider sidewalk would remain in front of the restaurants also. Manager Dantzer also explained that MDOT would have the final approval the City is just showing support by passing the Resolutions.

MOTION BY ZIMMERMAN, SECOND BY ADAIR, TO APPROVE RESOLUTION 24-11 SIDEWALK CAFÉ G’S PIZZERIA, RESOLUTION 24-12 SIDEWALK CAFÉ HIGHWAY BREWERY, AND RESOLUTION 24-13 SIDEWALK CAFÉ TIPSY BEAR BISTRO WITH THE REVIEW OF THE ALLOWED FOOTAGE.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

RESOLUTION #24-11

WHEREAS, the City of West Branch does allow for sidewalk cafes as per section 15.485 of the City of West Branch ordinances, and

WHEREAS, any sidewalk café request from a business located off of Houghton Ave. must file a permit with MDOT, and

WHEREAS, a requirement to approval by MDOT requires a resolution of support from the local City Council, and

WHEREAS, upon approval by MDOT, it is the responsibility of the City to monitor the requirements of the permit, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby approve the sidewalk café permit for G’s Pizzeria for the 2024 calendar season

RESOLUTION #24-12

WHEREAS, the City of West Branch does allow for sidewalk cafes as per section 15.485 of the City of West Branch ordinances, and

WHEREAS, any sidewalk café request from a business located off of Houghton Ave. must file a permit with MDOT, and

WHEREAS, a requirement to approval by MDOT requires a resolution of support from the local City Council, and

WHEREAS, upon approval by MDOT, it is the responsibility of the City to monitor the requirements of the permit, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby approve the sidewalk café permit for Highway Brewery for the 2024 calendar season

RESOLUTION #24-13

WHEREAS, the City of West Branch does allow for sidewalk cafes as per section 15.485 of the City of West Branch ordinances, and

WHEREAS, any sidewalk café request from a business located off of Houghton Ave. must file a permit with MDOT, and

WHEREAS, a requirement to approval by MDOT requires a resolution of support from the local City Council, and

WHEREAS, upon approval by MDOT, it is the responsibility of the City to monitor the requirements of the permit, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby approve the sidewalk café permit for Topsy Bear Bistro for the 2024 calendar season

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Manager Dantzer explained that Resolution 24-14 is choosing the exemption option for the City’s health insurance cost sharing requirements.

MOTION BY ADAIR, SECOND BY PUGH, TO APPROVE RESOLUTION 24-14 HEALTH INSURANCE OPT OUT EXEMPTION OPTION FOR PUBLIC ACT 152 OF 2011.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

RESOLUTION #24-14

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, 2024 through June 30, 2025

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Manager Dantzer explained the highlighted changes were housekeeping issues changing clerk/treasurer to treasurer as the positions were split.

MOTION BY JACKSON, SECOND BY ZIMMERMAN, TO APPROVE THE UPDATED INVESTMENT POLICY.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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MOTION BY PUGH, SECOND BY ADAIR, TO APPROVE THE SPECIAL EVENT PERMIT FOR SUMMER MUSIC SERIES CONCERTS.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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Discussion was held regarding the budgeted amount of \$4,000 and the invoiced amount of \$2,994.60 from STING.

MOTION BY FRECHETTE, SECOND BY PUGH, TO APPROVE THE STING INVOICE OF \$2,994.60.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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West Branch Township requested a reduction of the sewer usage at Country Village Estates Trailer Park. There was a broken pipe and water leaked out onto the ground. The full amount of forgiveness will not be known until the quarterly readings in June. The broken pipe has been fixed.

MOTION BY FRECHETTE, SECOND BY JACKSON, TO APPROVE THE SEWER ADJUSTMENT FOR COUNTRY VILLAGE ESTATES AND AUTHORIZE CLERK CLOVER-GAMBREL TO ADJUST THE BILL BASED ON THEIR AVERAGE USAGE.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

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Manager Dantzer explained that Justin Benjamin submitted a counter offer to the original purchase agreement changing the reverter clause from two years to five years.

MOTION BY PUGH, SECOND BY ZIMMERMAN, TO APPROVE THE COUNTER OFFER CHANGING THE REVERTER CLAUSE FROM TWO YEARS TO FIVE YEARS.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None

Absent – Showalter

Motion carried

Justin Benjamin and Todd Johnson expressed thanks to the Council.

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MOTION BY JACKSON, SECOND BY PUGH, TO APPROVE THE MINUTES AND SUMMARY FROM THE REGULAR MEETING HELD APRIL 15, 2024 WITH THE CORRECTION OF THE LIBRARY MILLAGE REQUEST FROM 0.04 TO 0.4.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

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MOTION BY ADAIR, SECOND BY PUGH, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; MINUTES FROM THE PLANNING COMMISSION MEETING HELD APRIL 9, 2024; MINUTES FROM THE DDA MEETING HELD MARCH 26, 2024; MINUTES FROM THE IDC MEETING HELD SEPTMBER 28, 2023; MINUTES FROM THE ELECTION COMMISSION PUBLIC ACCURACY TEST HELD APRIL 17, 2024; MINUTES FROM THE AIRPORT BOARD MEETING HELD MARCH 20, 2024; MINUTES FROM THE LAND BANK AUTHORITY MEETING HELD MARCH 4, 2024 AND MARCH 20, 2024; AND MINUTES FROM THE OGEMAW HOUSING ADVISORY COMMITTEE MEETING HELD MARCH 26, 2024 AND APRIL 16, 2024.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

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MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO RE-APPOINT KIM ERVANS TO THE BOARD OF REVIEW FOR A 3-YEAR TERM TO EXPIRE 12/31/2027.

Yes — Adair, Bergquist, Frechette, Jackson, Pugh, and Zimmerman

No – None Absent – Showalter Motion carried

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Mayor Frechette asked if anyone knew of a drone operator with a commercial license. He is interested in putting together footage of the re-construction in the City. Aerial Inspirations was suggested and Darlene Jones name was given as she has lots of pictures of the progress.

Member Zimmerman stated that she thought the construction was going smoothly and there were no missed appointments at her office. She is grateful her office is on the first leg of the construction. She asked about the rumble strips at the corner of State and Valley. They were removed as they kept breaking down.

Member Bergquist announced that the Chamber Ball was huge success. Congratulations to Yvonne DeRoso for winning the Community Impact Award.

Member Jackson stated that there was a little difficulty navigating S Valley with all the students taking Prom pictures in Irons Park.

Atty: Meihn reported that he has finalized the state requirements for the building department. Collections for taxes are going well. The Reverter clause is good coverage to have in place in the event that something goes wrong.

Matthew Thompson asked Council if they would consider a temporary three way stop at the corner of Fourth St. and Sidney St. The traffic there is out of control at times. This phase in the construction is almost complete and the next phase will use Second St. as a detour. However, for phase three that might be a consideration.

Mayor Frechette addressed the Girl Scout in the audience working toward her "Great American Award".

Chief Walters informed Council that Wednesday the first Officer Recruit will be starting and the next one will start on May 14th. He has two officers directing traffic at the schools during the starting and ending hours.

DPW Supervisor Killackey informed Council that the construction project is going well. Installation of the new water lines went great. This week the concrete should be poured.

Mayor Frechette adjourned the meeting at 6:37 pm.

Paul Frechette, Mayor

Lori Ann Clover-Gambrel, Clerk