

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, DECEMBER 20, 2021, 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, unless you have signed in and requested additional speaking time, and that the request is then approved by either the Mayor or a majority vote of Council. 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 Amanda Stang 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
- IX. Unfinished business
- X. New business
 - A. Bills
 - B. Adoption of Ordinance 21-06, Fair Housing
 - C. Approval of City Council Meeting Time & Place for first meeting of 2022
 - D. MDOT Performance Resolution
 - E. Right to Life March Special Event Permit
 - F. Personnel policy Change
- XI. Approval of the minutes and summary from the meeting held December 6, 2021
- XII. Consent agenda

- A. Treasurers report and investment summary
- B. Approval of WWTPA minutes from the meeting held September 21, 2021.
- C. Approval of Planning Commission minutes from the meeting held November 9, 2021.
- D. Approval of DDA minutes from the meeting held October 26, 2021.
- E. November month end police report

XIII. Communications

- A. Fiscal Year ending 2021 letter from Treasury

XIV. Reports and/or comments

- A. Mayor
 - 1. Reappointment of Planning Commission
 - 2. Reappointment of Zoning Board of Appeals

- B. Council

- C. Manager

XV. Public comment any topic

XVI. Adjournment

UPCOMING MEETINGS-EVENTS

December 24 & 27--City Hall closed for Christmas holiday

December 30 & 31—City Hall closed for New Years

January 10—Council Meeting 7pm

January 11—Planning Commission meeting 6pm

In response to the COVID -19 pandemic, City Council meetings will be held in person but still broadcasted virtually. Unvaccinated members of the public may attend with social distancing and facemask requirements. Vaccinated members may attend in person without masks restrictions as per the latest State update.

Call to Order

Roll Call

**Pledge of
Allegiance**

Scheduled Matters from the Floor

Public Hearings

Additions to the Agenda

Public Comment -Agenda Items

Bids

Unfinished Business

New Business

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

BILLS	\$54,540.48
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<i>BILLS AS OF 12/17/21</i>	<i>\$54,540.48</i>
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<i>Additions to Bills as of</i>	<i>\$0</i>
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<i>Paid but not approved</i>	<i>\$12,151.21</i>
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TOTAL BILLS

\$66,691.69

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

Vendor Name	Amount	Description
BBC DISTRIBUTING	91.65	WWTP SUPPLIES
BCN	1,911.07	INSURANCE ADAMS & BACHELDER NOV & DEC
CHARTER COMMUNICATIONS	594.87	PHONE & INTERNET
CINTAS	141.52	WWTP SUPPLIES
CITY OF WEST BRANCH	300.00	STAGE RENTAL
CONSUMERS ENERGY	3,014.28	ELECTRIC
CORE TECHNOLOGY	4,545.00	POLICE SOFTWARE
DO ALL INC	741.28	RECYCLING NOVEMBER
FIRST ADVANTAGE OCCUP HEALTH SVC GR	42.84	TESTING KYLE
FLEIS & VANDENBRINK	13,180.00	HOUGHTON WATER MAIN
FOSTER BLUE WATER OIL LLC	2,571.47	FUEL
FRECHETTE, MICHELLE	76.81	PETTY CASH REFILL
GALLS LLC	226.94	KYLE BOOTS
GREEN ACE HARDWARE	109.83	VARIOUS SUPPLIES
HACH COMPANY	799.48	WWTP SUPPLIES
HOME DEPOT	113.60	VARIOUS SUPPLIES
HOME DEPOT	174.27	VARIOUS SUPPLIES
MAP	1,539.63	WORKSHOP TRAINING
MIDMICHIGAN HEALTH	82.00	POLICE PRE EMPLOYMENT KYLE
MORSE CLARK FURNITURE	6,938.31	FLOORING AT CITY HALL
MVW & ASSOCIATES INC	1,000.00	ASSESSOR SERVICES JANUARY
NEMCOG	400.00	PLANNING SERVICES
OFFICE CENTRAL	424.88	VARIOUS SUPPLIES
OGEMAW COUNTY HERALD ADLINER	70.00	DISPLAY AD
OGEMAW COUNTY HERALD ADLINER	39.27	OPEN HOUSE AD
PRINTING SYSTEMS	144.33	GL CHECKS
ROSCOMMON AUTO RECYCLERS	6,303.85	POLICE CAR DETAIL
SALT ON SITE	1,053.50	PALLETS OF SALT
SAVE A LOT	146.05	VARIOUS SUPPLIES
SELLEY'S CLEANERS	18.00	POLICE DRY CLEANING
SLC METERS LLC	58.99	METER PARTS
STATE OF MICHIGAN	60.00	MIDEAL 459
STATE OF MICHIGAN	120.00	MIDEAL 459
STATE OF MICHIGAN	82.00	WATER SAMPLES
STERLING EXCAVATION INC	4,142.53	SITWORK WILLOW
UPS	4.00	POSTAGE WATER
VERIZON WIRELESS	114.52	CELL PHONES
VIC BOND SALES INC	221.43	VARIOUS SUPPLIES
VILLAGE QUIK LUBE	196.75	POLICE REPAIRS/SERVICE
WASTE MANAGEMENT INC	249.28	WWTP DUMPSTER
WEST BRANCH AUTOMOTIVE	290.78	VARIOUS SUPPLIES
WEST BRANCH NAPA AUTO TRUCK	45.47	VARIOUS SUPPLIES
WILSON & SONS	2,160.00	WWTP SLUDGE HAULING
TOTAL	54,540.48	



FAIR HOUSING ORDINANCE

ORDINANCE NO. 21-06

AN ORDINANCE PROHIBITING AND MAKING UNLAWFUL DISCRIMINATION IN HOUSING AND/OR REAL PROPERTY BECAUSE OF RACE, COLOR, RELIGION, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, OR DISABILITY IN THE CITY OF WEST BRANCH

THE CITY OF WEST BRANCH ORDAINS:

WHEREAS, the City of West Branch, Michigan desires to assure equal opportunity to all residents regardless of race, color, religion, creed, national origin or ancestry, sex, or disability, to live in decent, sanitary, and healthful living quarters; and,

WHEREAS, the 1963 Constitution of the State of Michigan provides as follows in Article I (Section 2) "...no person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin..." (Section 4) "...The civil and political rights, privileges and capacities of no person shall be diminished or enlarged on account of his religious belief..." (Section 9) "...Neither slavery, nor involuntary servitude unless for the punishment of crime, shall ever be tolerated in this state..." and,

WHEREAS, the Congress of the United States has provided that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States" and has established by law the following provisions:

"... it shall be unlawful:

- a. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex, or national origin.
- b. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith because of race, color, religion, sex, or national origin ..."

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST BRANCH, MICHIGAN, AS FOLLOWS:

SECTION 1 - DECLARATION OF POLICY

- a. In furthering the policy of the State of Michigan as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the City may

be ensured, it is hereby declared the policy of the City of West Branch, Michigan, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.

- b. It is the policy of the City of West Branch that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village/City, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.
- c. Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

SECTION 2 - DEFINITIONS

Unless a different meaning clearly appears from the context, the following terms shall have the meaning as described in this SECTION and as used in this Ordinance.

- a. **DISCRIMINATE** - The terms "discriminate" or "discrimination" mean any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.
- b. **HOUSING ACCOMMODATION** - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.
- c. **REAL PROPERTY** - The term "real property" means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the City of West Branch, Michigan.
- d. **REAL ESTATE BROKER** - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.
- e. **FINANCIAL INSTITUTION** - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.
- f. **OWNER** - An "owner" means any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

- g. DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS - "Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weather tight condition in conformance with applicable local, state, and national codes.

SECTION 3 - PROHIBITED ACTS

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of West Branch, Michigan:

- a. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the Village/City or in furnishing of any facilities or services in connection therewith.
- b. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person.
- c. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.
- d. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.
- e. To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.
- f. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.
- g. For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.

- h. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.

SECTION 4 - PENALTY

Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than fifteen hundred dollars (\$1,500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the right of the City of West Branch, Michigan, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

SECTION 5

That all Ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 6

That it is the intention of the City Council of the City of West Branch, Michigan that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 7

That this Ordinance shall be known as Ordinance No. _____ of the City of West Branch, Michigan, and shall be in full force and effect from and after its passage, approval, recording, and publication in pamphlet form in accordance with law.

PASSED AND ADOPTED this _____ day of _____, _____ (year).

APPROVED BY ME this _____ day of _____, _____ (year).

Paul Frechette, Mayor

ATTEST:

Amanda Stang, City Clerk

(SEAL)

WEST BRANCH CITY CHARTER

Sec. 6.1. - Regular meetings.

The council shall provide by resolution for the time and place of its regular meetings and shall hold at least one regular meeting each month. A regular meeting shall be held at 7:00 p.m. on Monday, January 4, 5, 6, 7, 8, 9 or 10 of each even-numbered year.

So, based on our Charter our first meeting of 2022 must be held on Monday the 10th. We do have 5 Mondays in January so I would recommend holding our January meetings on Monday the 10th and 24th. We will then be back on schedule for the first and third Mondays starting February 7.

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ The City of West Branch

(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

John Dantzer, City Manager

Michelle Frechette, Treasurer

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ City Council

 (Name of Board, etc.)
 of the _____ City of West Branch _____ of _____ Ogemaw _____

 (Name of MUNICIPALITY) (County)
 at a _____ Regular _____ meeting held on the _____ 20th _____ day
 of _____ December _____ A.D. _____ 2021 _____.

 Signed

City Manager

 Title

John Dantzer

 Print Signed Name



City of West Branch

121 N 4th St, West Branch, Michigan 48661
(989)345-0500 • Fax (989)345-4390 • www.westbranch.com

Special Event Permit

Event Name: Right to Life of Ogemaw County March For Life

Event Date: 1-22-22 Start Time: 11:00 End Time: 12:30

Name of Sponsoring Organization: Right to Life of Ogemaw County

Address: N/A

Contact Person: Chris Barratt Phone Number: 989-808-3743

Describe the purpose of this event: To demonstrate our support for life, beginning with the unborn.

Point of Assembly and/or proposed route (attach separate diagram if needed):
Gathering at Save-A-LOT Parking lot at 10:45, march on sidewalk to the Veteran's Memorial

If requesting a road closure Road closure Start time: _____ End time: _____

Road closure location _____

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 ☐

K. Walters KW
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 ☐

DPW Superintendent



City of West Branch

121 N 4th 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.

Melissa Dauter
Applicant Signature

12-2-21
Date

Secretary of RTLOC

For Office Use Only:

Permit Approved – Yes / No

Council meeting date _____

Manager / Clerk Signature

9.02 Health Insurance Package

Each full-time employee is eligible for health insurance coverage, including prescription and dental coverage, for themselves and their legal dependents. Dependents are defined in the plan book and special riders are available, at the employee's expense, in certain instances where dependents do not qualify.

Employees share in premium costs at a rate of 14% of premium paid. Premium payments will be automatically deducted from two pay payrolls per month, in equal amounts. Employees may opt into an optional increased benefit plan with the employees share in premium costs increasing from 14% to 20%. This optional plan can be changed during each year's enrollment period.

~~Each employee and eligible dependent on the City's health insurance shall be reimbursed for up to two (2) thirty dollar (\$30) physician office visits per year. The year shall run in accordance with the City's fiscal year (July through June).~~

Employees can enroll in the health plan through the City Treasurer's office. Changes in status (i.e. marriage, birth of a child, etc.) should be reported within thirty (30) days to that office.

A supplemental insurance plan is also available to employees at their own expense through AFLAC. For a complete description of this option, as well as the City's health plan and enrollment process, please refer to the respective plan books available in the Treasurer's office.

Employees covered by a health plan through a spouse or other means may opt to waive health coverage through the City and receive a cash payment totaling \$1,500 per year, paid in equal increments each pay period. Proof of coverage through another source is required; if that coverage should terminate, the employee and their legal dependents would be eligible for coverage through

Approval of Council Minutes & Summary

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIRTUALLY ON MONDAY, DECEMBER 6, 2021.

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

Present: Mayor Frechette, Council Members Adair, Bennett (via Zoom in West Branch due to Covid), Jackson, Pugh, Showalter, and Zimmerman.

Absent: None

Other officers present: City Manager Dantzer, City Clerk Stang, DPW Superintendent Killackey, and Police Chief Walters.

Everyone stood for the pledge of allegiance.

Cindy Scott with Stephenson and Co gave the audit report for the City.

Council approved bills in the amount of \$159,810.71.

Council approved the CDBG Grant Procurement Policy.

Council approved the CDBG Grant Economic Opportunities Policy for Section 3 Covered Contracts.

Council approved the introduction of Ordinance 21-06, Fair Housing.

Council approved the CDBG Grant Non-Discrimination on Basis of Handicap policy.

Council approved Resolution 21-29, Excessive Force Policy.

Council approved Resolution 21-28, Industrial Park Fund Budget Amendment.

Council approved the Chamber of Commerce special event permits for the Santa Train and Christmas Light Parade.

Council approved the minutes and summary from the meeting held November 15, 2021.

Council approved the treasurer's report and investment summary; Fire Department Board minutes from the meetings held July 20, 2020, October 20, 2020, December 15, 2020, and January 19, 2021; and Airport Board minutes from the meeting held October 20, 2021.

Communications were shared.

Council approved the audit as presented by Cindy Scott from Stephenson and Co.

Council Members Showalter, Jackson, Zimmerman, Bennett, Manager Dantzer, and Police Chief Walters gave reports.

Mayor Frechette adjourned the meeting at 6:43pm.

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, DECEMBER 6, 2021.

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

Present: City Mayor Paul Frechette, Council Members Carol Adair, Joanne Bennett (via Zoom in West Branch due to Covid), Mike Jackson, Ellen Pugh, Rusty Showalter and Cathy Zimmerman

Absent: None

Other officers present: City Manager John Dantzer, City Clerk Amanda Stang, Police Chief Ken Walters, and Public Works Superintendent Mike Killackey.

All stood for the Pledge of Allegiance.

* * * * *

Cindy Scott from Stephenson and Company presented the audit findings for the 2010-2021 fiscal year and noted the City received an unmodified opinion which is the highest level of assurance given.

* * * * *

MOTION BY ZIMMERMAN, SECOND BY JACKSON, TO APPROVE THE PAYMENT OF BILLS IN THE AMOUNT OF \$159,810.71.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY ADAIR, TO APPROVE THE CDBG GRANT PROCUREMENT POLICY.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY JACKSON, SECOND BY SHOWALTER, TO APPROVE THE CDBG GRANT ECONOMIC OPPORTUNITIES POLICY FOR SECTION 3 COVERED CONTRACTS.

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

No – None

Absent – None

Motion carried

* * * * *

**MOTION BY SHOWALTER, SECOND BY PUGH, TO APPROVE THE INTRODUCTION OF
ORDINANCE 21-06, FAIR HOUSING.**

FAIR HOUSING ORDINANCE

ORDINANCE NO. 21-06

AN ORDINANCE PROHIBITING AND MAKING UNLAWFUL DISCRIMINATION IN HOUSING AND/OR REAL PROPERTY BECAUSE OF RACE, COLOR, RELIGION, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, OR DISABILITY IN THE CITY OF WEST BRANCH

THE CITY OF WEST BRANCH ORDAINS:

WHEREAS, the City of West Branch, Michigan desires to assure equal opportunity to all residents regardless of race, color, religion, creed, national origin or ancestry, sex, or disability, to live in decent, sanitary, and healthful living quarters; and,

WHEREAS, the 1963 Constitution of the State of Michigan provides as follows in Article I (Section 2) "...no person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin..." (Section 4) "...The civil and political rights, privileges and capacities of no person shall be diminished or enlarged on account of his religious belief..." (Section 9) "...Neither slavery, nor involuntary servitude unless for the punishment of crime, shall ever be tolerated in this state..." and,

WHEREAS, the Congress of the United States has provided that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States" and has established by law the following provisions:

"... it shall be unlawful:

- a. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex, or national origin.
- b. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith because of race, color, religion, sex, or national origin ..."

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST BRANCH, MICHIGAN, AS FOLLOWS:

SECTION 1 - DECLARATION OF POLICY

- a. In furthering the policy of the State of Michigan as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the City may be ensured, it is hereby declared the policy of the City of West Branch, Michigan, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.

- b. It is the policy of the City of West Branch that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village/City, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.
- c. Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

SECTION 2 - DEFINITIONS

Unless a different meaning clearly appears from the context, the following terms shall have the meaning as described in this SECTION and as used in this Ordinance.

- a. **DISCRIMINATE** - The terms "discriminate" or "discrimination" mean any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.
- b. **HOUSING ACCOMMODATION** - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.
- c. **REAL PROPERTY** - The term "real property" means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the City of West Branch, Michigan.
- d. **REAL ESTATE BROKER** - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.
- e. **FINANCIAL INSTITUTION** - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.
- f. **OWNER** - An "owner" means any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.
- g. **DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS** - "Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weather tight condition in conformance with applicable local, state, and national codes.

SECTION 3 - PROHIBITED ACTS

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of West Branch, Michigan:

- a. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the Village/City or in furnishing of any facilities or services in connection therewith.
- b. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person.
- c. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.
- d. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.
- e. To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.
- f. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.
- g. For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.

- h. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.

SECTION 4 - PENALTY

Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than fifteen hundred dollars (\$1,500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the right of the City of West Branch, Michigan, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

SECTION 5

That all Ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 6

That it is the intention of the City Council of the City of West Branch, Michigan that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 7

That this Ordinance shall be known as Ordinance No. _____ of the City of West Branch, Michigan, and shall be in full force and effect from and after its passage, approval, recording, and publication in pamphlet form in accordance with law.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY JACKSON, TO APPROVE THE CDBG GRANT NON-DISCRIMINATION ON BASIS OF HANDICAP POLICY.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY FRECHETTE, TO APPROVE RESOLUTION 21-29, EXCESSIVE FORCE POLICY.

RESOLUTION NO. 21-29

A RESOLUTION OF THE CITY COUNCIL OF WEST BRANCH, MI, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS.

WHEREAS the Congress of the United States has passed the Armstrong/Walker "Excessive Force" Amendment (Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended) prohibiting the

use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS the City of West Branch has received a Michigan Community Development Block Grant and is required to comply with the Armstrong/Walker "Excessive Force" Amendment;

AND WHEREAS the use of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WEST BRANCH, MICHIGAN:

It is POLICY of the CITY that the use of excessive force is prohibited by local law enforcement agencies against individuals engaged in nonviolent civil rights demonstrations within the City.

The City will adopt and enforce a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions

The City Council directs the Police Chief to implement this Resolution by amending applicable police department procedures.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY FRECHETTE, SECOND BY JACKSON, TO APPROVE RESOLUTION 21-28, INDUSTRIAL PARK FUND BUDGET.

RESOLUTION #21-28

WHEREAS, City reviews the revenues and expenditures on a monthly basis; and

WHEREAS, the expenses in Fund 251, Industrial Park Fund, were understated due to the omission of the Industrial Park billboard rental, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City

Council hereby adopts the following budget amendment:

GL NUMBER	DESCRIPTION	2021-22 CURRENT BUDGET	2021-22 AMENDED BUDGET
Fund 251 - INDUSTRIAL PARK FUND			
Revenues			
Dept 000.000			
251-000.000-642.400	SALES OF LOTS	0.00	0.00
251-000.000-664.400	INTEREST INCOME	300.00	300.00
Total Dept 000.000		300.00	300.00
TOTAL REVENUES			
		300.00	300.00
Expenditures			
Dept 000.000			
251-000.000-703.700	SALARIES AND WAGES	1,140.00	1,140.00
251-000.000-714.700	MANDATORY MEDICARE	17.00	17.00
251-000.000-715.700	SOCIAL SECURITY (EMPLOYER)	71.00	71.00
251-000.000-716.700	BC/BS HEALTH INSURANCE PREMIUM	0.00	0.00
251-000.000-718.700	MERS RETIREMENT (EMPLOYER)	15.00	15.00
251-000.000-720.700	WORKERS COMPENSATION PREMIUM	43.00	43.00
251-000.000-724.700	UNEMPLOYMENT INS. BENEFIT	3.00	3.00
251-000.000-782.700	ADMINISTRATION	935.00	935.00
251-000.000-801.700	CONTRACTUAL SERVICES	0.00	1,500.00
251-000.000-941.700	EQUIPMENT RENTAL	2,472.00	2,472.00
251-000.000-956.700	EXPENSES	390.00	390.00
251-000.000-977.700	CAPITAL ACQUISITIONS	0.00	0.00
Total Dept 000.000		5,086.00	6,586.00
Dept 965.000 - TRANSFERS			
251-965.000-999.700	TRANSFER TO OTHER ACCOUNTS	0.00	0.00
Total Dept 965.000 - TRANSFERS		0.00	0.00
TOTAL EXPENDITURES			
		5,086.00	6,586.00
Fund 251 - INDUSTRIAL PARK FUND:			
TOTAL REVENUES		300.00	300.00
TOTAL EXPENDITURES		5,086.00	6,586.00
NET OF REVENUES & EXPENDITURES		(4,786.00)	(6,286.00)

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY PUGH TO APPROVE THE SPECIAL EVENT PERMITS SUBMITTED BY THE CHAMBER OF COMMERCE FOR THE SANTA TRAIN AND CHRISTMAS LIGHT PARADE.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY PUGH, SECOND BY ADAIR TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD NOVEMBER 15, 2021.

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

No – None

Absent – None

Motion carried

* * * * *

MOTION BY JACKSON, SECOND BY PUGH, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; THE MINUTES FROM THE FIRE DEPARTMENT BOARD MEETINGS HELD JULY 20, OCTOBER 20, AND DECEMBER 15, 2020 AND JANUARY 19, 2021; AND THE MINUTES FROM THE AIRPORT BOARD MEETING HELD OCTOBER 20, 2021.

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

No – None

Absent – None

Motion carried

* * * * *

Communications from the Michigan Public Policy Survey, Charter Communications, the Rifle River Outlet Drain Drainage Board Meeting Notice and a reminder about the Council Open house that is scheduled for December 20th was shared. Mayor Frechette also shared a communication from Representative John Moolenaar congratulating the City on receiving the USDA Grant for the new police vehicle and being pro active to keep our City safe.

* * * * *

City Manager Dantzer noted that a motion needed to be made to accept the Audit findings.

MOTION BY SHOWALTER, SECOND BY JACKSON TO APPROVE THE AUDIT REPORT AS PRESENTED BY CINDY SCOTT WITH STEPHENSON AND COMPANY.

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

No – None

Absent – None

Motion carried

* * * * *

Member Showalter noted that Downtown is looking nice and very festive. He also applauded DPW for their efficiency clearing the roads after the latest snowfall.

Member Jackson stated that Houghton Ave was the only clear road on his way to work, noting that the DPW crew was out working all night to clear the roads and it was appreciated.

Member Zimmerman stated the audit report was awesome, congratulating Manager Dantzer and staff and expressing her pride for being a part of a great city.

Manager Dantzer reminded Council about the Voice customer appreciation party and commended the City staff for all of their hard work and noted they were the ones responsible for making the audit report come out so great.

Mayor Frechette adjourned the meeting at 6:43 pm.

Paul Frechette, Mayor

Amanda Stang, Clerk

Consent Agenda

Bank Code	Description	Beginning Balance 12/01/2021	Total Debits	Total Credits	Ending Balance 12/31/2021
GEN1	GEN1 - GENERAL CHECKING				
101		1,288,369.19	21,859.81	124,766.20	1,185,462.80
150	CEMETERY PERPETUAL CARE	36,326.35	120.00	0.00	36,446.35
209	CEMETERY FUND	277.91	530.00	964.70	(156.79)
243	BROWNFIELD REDEVELOPMENT AUTHORITY FU	999.95	0.00	0.00	999.95
248	DDA OPERATING FUND	232,300.94	78.22	200.00	232,179.16
251	INDUSTRIAL PARK FUND	8,658.67	0.00	1,610.91	7,047.76
276	HOUSING RESOURCE FUND	176,096.62	663.54	399.97	176,360.19
318	SEWER DEBT FUND	79,754.55	11,293.13	37.56	91,010.12
319	WATER DEBT FUND	84,638.05	2,536.13	5,840.85	81,333.33
590	SEWER FUND	307,915.13	19,078.30	40,296.16	286,697.27
591	WATER FUND	713,707.53	16,531.37	8,335.26	721,903.64
592	WATER REPLACEMENT FUND	383,513.85	0.00	9,061.25	374,452.60
593	SEWER COLLECTION	207,317.21	3,678.88	3,143.27	207,852.82
561	EQUIPMENT FUND	(2,227.49)	16,917.95	44,293.29	(29,602.83)
704	PAYROLL CLEARING	(15,964.19)	78,841.88	38,027.79	24,849.90
705	IRONS PARK ENTERTAINMENT FUND	6,460.81	0.00	0.00	6,460.81
707	YOUTH SAFETY PROGRAM	15.00	0.00	0.00	15.00
	GEN1 - GENERAL CHECKING	3,508,160.08	172,129.21	276,977.21	3,403,312.08
M/LST	MAJOR/ LOCAL STREETS				
202	MAJOR STREET FUND	584,562.08	18,022.17	23,908.48	578,675.77
203	LOCAL STREET FUND	286,913.82	10,553.14	3,650.80	293,816.16
	MAJOR/ LOCAL STREETS	871,475.90	28,575.31	27,559.28	872,491.93
PAY	PAYROLL				
704	PAYROLL CLEARING	64,144.51	38,027.79	77,674.96	24,497.34
	PAYROLL	64,144.51	38,027.79	77,674.96	24,497.34
CHEM	SAVINGS				
101		459,693.47	0.00	0.00	459,693.47
150	CEMETERY PERPETUAL CARE	1,682.31	0.00	0.00	1,682.31
251	INDUSTRIAL PARK FUND	244.88	0.00	0.00	244.88
571	COLLECTION REPLACEMENT FUND	0.65	0.00	0.00	0.65
591	WATER FUND	26,417.36	0.00	0.00	26,417.36
592	WATER REPLACEMENT FUND	19,791.30	0.00	0.00	19,791.30
593	SEWER COLLECTION	3,183.50	0.00	0.00	3,183.50
561	EQUIPMENT FUND	103,537.75	0.00	0.00	103,537.75
	SAVINGS	614,551.22	0.00	0.00	614,551.22
TAX	TAXES				
701	TAX AGENCY	21,490.76	137,972.70	10,402.06	149,061.40
	TAXES	21,490.76	137,972.70	10,402.06	149,061.40
	TOTAL - ALL FUNDS	5,079,822.47	376,705.01	392,613.51	5,063,913.97

FUND: ALL FUNDS
 INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 12/01/2021	Total Debits	Total Credits	Ending Balance 12/31/2021
Fund 101					
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
		250,000.00	0.00	0.00	250,000.00
Fund 150	CEMETERY PERPETUAL CARE				
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	227,770.80	0.00	0.00	227,770.80
Fund 251	INDUSTRIAL PARK FUND				
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	125,000.00	0.00	0.00	125,000.00
Fund 661	EQUIPMENT FUND				
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	250,000.00	0.00	0.00	250,000.00
	TOTAL - ALL FUNDS	852,770.80	0.00	0.00	852,770.80

WEST BRANCH AREA WASTEWATER TREATMENT PLANT AUTHORITY

A meeting of the West Branch Area Wastewater Treatment Plant Authority was held on Tuesday, September 21, 2021 at the West Branch City Hall.

Chairperson Stephens called the meeting to order at 3:30 p.m.

Present: John Dantzer, City of West Branch; Ellen Pugh, City of West Branch; and Denis Stephens, Ogemaw Township.

Absent: Paul Frechette, City of West Branch and Jim Morris, West Branch Township

Others in attendance: DPW Superintendent Mike Killackey and Wastewater Superintendent Dan Robb

* * * * *

Motion by Stephens, second by Dantzer, to approve the quarterly insurance installment in the amount of \$3,207 and the annual bond surety installment in the amount of \$981 from Diebold Insurance

Yes –Dantzer, Pugh, Stephens

No – None

Absent –Frechette, Morris

Motion carried

* * * * *

Motion by Stephens, second by Pugh, to approve Resolution 21-01

RESOLUTION #21-01

WHEREAS, the percentage of ownership for each municipality is determined by the total gallons of usage based on a calendar year starting July 1, 2020 to June 30, 2021; and

WHEREAS, the budget is approved before June 30, 2021 and was therefore based on the percentage of ownership as determined by the usage percentages as of June 30, 2020; and

WHEREAS, the 2020-2021 percentages have been calculated and have changed since last fiscal year, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch Area Wastewater Treatment Plant Authority hereby adopts the following budget amendments:

	BUDGET	AMENDED
REVENUE		
625.100 Sewer Debt Revenue – City of West Branch	332,469	337,194
625.200 Sewer Debt Revenue-West Branch Township	124,573	122,265
625.300 Sewer Debt Revenue-Ogemaw Township	37,958	35,541

664.400 Interest Income	730	730
674.100 Contribution – City of West Branch	12,943	13,126
674.200 Contribution – West Branch Township	4,850	4,760
674.300 Contribution – Ogemaw Township	1,478	1,384
TOTAL REVENUE	515,000	515,000

EXPENDITURES		
TOTAL EXPENDITURES	515,000	515,000

ANTICIPATED CARRY OVER	0	0
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Yes –Dantzer, Pugh, Stephens No – None Absent –Frechette, Morris

Motion carried

* * * * *

Superintendent Robb went over upgrades needed to aging computer equipment at the wastewater plant.

Motion by Stephens, second by Pugh, to approve the purchase of computer and SCADA upgrades as requested from the Reserve and Replacement account not to exceed \$10,720.20

Yes –Dantzer, Pugh, Stephens No – None Absent –Frechette, Morris

Motion carried

* * * * *

Motion by Stephens, second by Dantzer, to approve the minutes from the meeting held June 9, 2021.

Yes –Dantzer, Pugh, Stephens No – None Absent –Frechette, Morris

Motion carried

* * * * *

Member Dantzer gave the Treasurer's report

* * * * *

Superintendent Robb went over the PFAS biosolids report, EPA communication on the 2021 discharge monitoring report, and 2021 sludge report. Superintendent Robb also noted wastewater worker, Joe Weber, passed his A license test.

* * * * *

Chairperson Stephens adjourned the meeting at 4:15 p.m.

REGULAR MEETING OF THE WEST BRANCH PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, ON TUESDAY, NOVEMBER 9, 2021.

Vice Chairperson Bob David called the meeting to order at 6:05 p.m.

Present: Bob David, Yvonne DeRoso, Josh Erickson, and Mike Jackson

Absent: Kara Fachting, Cori Lucynski, and Rusty Showalter

Others officers in attendance: City Manager John Dantzer

All stood for the Pledge of Allegiance.

AT 6:07 pm, Vice Chairperson David opened the public hearing to take comment on the special use permit submitted by Lapham’s and Associates on behalf of Mid-Michigan Health Systems for the construction of a walk-in clinic and doctors offices at the location of the old hospital on Houghton Ave.

Scott Bell of Lapham’s presented plans on the walk-in clinic

No one in attendance wished to speak on the special use permit

MOTION BY JACKSON, SECOND BY DEROSO, TO CLOSE THE PUBLIC HEARING.

Yes — David, DeRoso, Erickson, and Jackson

No – None Absent – Fachting, Lucynski, and Showalter Motion carried

Kelly Jones of Showroom Auto Detailing and Scott Bell of Lapham’s presented a site permit to add a lean-to to the back of Ms. Jones’s building.

MOTION BY JACKSON, SECOND BY ERICKSON, TO APPROVE THE SITE PLAN SUBMITTED BY SHOWROOM AUTO DETAILING AS PRESENTED TO ALLOW THE ADDITION OF A LEAN-TO TO THEIR BUILDING.

Yes — David, DeRoso, Erickson, and Jackson

No – None Absent – Fachting, Lucynski, and Showalter Motion carried

MOTION BY DAVID, SECOND BY JACKSON, TO APPROVE THE MINUTES FROM THE REGULAR MEETING HELD OCTOBER 12, 2021

Yes — David, DeRoso, Erickson, and Jackson

No – None

Absent – Fachting, Lucynski, and Showalter

Motion carried

MOTION BY JACKSON, SECOND BY ERICKSON, TO APPROVE THE SPECIAL USE PERMIT FOR MID-MICHIGAN HEALTH SYSTEMS TO ALLOW FOR THE CONSTRUCTION OF A WALK IN CLINIC AND DOCTORS OFFICES AT THE PROPERTIES WITH THE FOLLOWING PROPERTY ID #S

052-207-011-00	052-207-039-50	052-207-051-00
052-207-054-00	052-207-040-10	052-207-043-00
052-207-011-50	052-207-055-00	052-207-040-00

Yes — David, DeRoso, Erickson, and Jackson

No – None

Absent – Fachting, Lucynski, and Showalter

Motion carried

MOTION BY JACKSON, SECOND BY DEROSO, TO EXCUSE MEMBER FACHTING FROM THE MEETING.

Yes — David, DeRoso, Erickson, and Jackson

No – None

Absent – Fachting, Lucynski, and Showalter

Motion carried

Vice Chair David noted how well the S. Fourth St road project turned out, how well the new leaf vacuum worked, how nice the town looked, and how nice the Township seasonal banners looked.

Member Jackson spoke on the Meijer's construction and noted the zoning amendments were approved at the last City Council meeting.

Member DeRoso gave an update on the City properties for sale and other real estate activity in the area.

Member Erickson noted the remodel of the old Little Reds building had begun and commented on how nice the new sidewalks and downtown looks.

Meeting was adjourned at 6:20 pm

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY
HELD IN PERSON AND VIRTUALLY AT THE WEST BRANCH CITY HALL, 121 N FOURTH ST.
ON TUESDAY, OCTOBER 26, 2021.

The meeting was called to order by Chairperson Samantha Fabbri at 12:03 pm.

Present: Anthony Bair (virtual-West Branch COVID), Joanne Bennett, Joe Clark (virtual-West Branch COVID), Samantha Fabbri, Autum Hunter, and Sandy Rabidue.

Absent: Erin Resteiner, Ken Walters, and Cathy Zimmerman.

Others present: City Manager John Dantzer

* * * * *

**MOTION BY RABIDUE, SECOND BY HUNTER, TO EXCUSE MEMBERS RESTEINER,
WALTERS, AND ZIMMERMAN FROM THE MEETING.**

Yes – Bair, Bennett, Clark, Fabbri, Hunter, and Rabidue

No – None Absent – Resteiner, Walters, and Zimmerman Motion carried.

* * * * *

**MOTION BY FABBRI, SECOND BY BENNETT, TO APPROVE THE MINUTES FROM
THE MEETING HELD SEPTEMBER 28, 2021.**

Yes – Bair, Bennett, Clark, Fabbri, Hunter, and Rabidue

No – None Absent – Resteiner, Walters, and Zimmerman Motion carried.

* * * * *

The Board went over the monthly treasurer's report.

Chairperson Fabbri updated the Board on a recent meeting she attended with Manager Dantzer and John Iacoangeli from Beckett & Raeder to go over funding options for the streetscape plan.

Chairperson Fabbri also noted her concern, that as leaders in the community, they need to be encouraging and positive in their outreach to the community in regards to the Houghton Ave. reconstruction and road diet plan.

Member Bennett voiced her support of Chairperson Fabbri's thoughts.

Member Rabidue spoke on the Fireman's Memorial and shared a thank you from Nancy Griffin for helping water the flowers at the Memorial.

Member Rabidue also discussed the option to add wintergreens in the downtown flower beds. It was the consensus of the board to have Member Rabidue look into some decoration ideas.

Member Hunter asked about looking further into the historical district designation for the downtown. She further noted that her husband, Darrin Hunter, at the request of the Board, has done some research on the program and offered to continue to work on the program if the Board wanted to look into it further. The board discussed there were still lots of questions on the program and it was the consensus to continue to gather information. Member Bair shared some information on research he did and the board noted they would like to hear from Mr. Hunter on what he found during his research of the program.

Member Bair noted his agreement with Chairperson Fabbri's thoughts on the road reconstruction and stressed the importance of education in the community.

Member Clark noted his concerns with the historical designation and noted the downtown is currently a mixture of historic and new elements.

Manager Dantzer presented a rough draft of a façade improvement program as well as some programs from other communities. It was noted the information was provided so the board could start to think about and discuss what they would like to see for their plan.

Manager Dantzer also gave an update on the Christmas decorations.

* * * * *

The meeting was adjourned at 12:49 pm.



West Branch Police Department

Chief Kenneth W. Walters

130 Page St.

West Branch, Michigan 48661

Phone: 989-345-2627 Fax: 989-345-0083

E-mail: waltersk@westbranch.com

12/8/2021

Honorable Mayor and Council,

This is the November month end report. For the month of November, the department handled 80 Law Enforcement complaints. The number of monthly complaints was down approximately by 35 compared to most months. I attribute this mostly to reduced staffing levels as we were hit relatively hard towards the end of the month with illness and Covid within the department.

Although the number of complaints were down, major crimes were up for the month. Officers handled six felony class investigations. To highlight a few, Officers were dispatched to Mid-Michigan E.R. for a combative patient. The male subject attempted to fight and disarm one of our officers. He was quickly subdued and taken into custody. Late November 27th, Officers located a subject attempting to break into a business. Upon contact with the subject, he attempted to flee and then fight with Officers. The subject was subdued and taken into custody. Lastly, late on November 30th, an individual reported that while driving down Houghton Ave, a vehicle approaching from the opposite direction, shot a firearm at his vehicle striking the driver's side window. This incident is currently under investigation.

Through donations and grants, the department has taken in \$4,200 for the Shop with a Hero program that will take place on December 15th. In collaboration with the Sheriff's Office, over \$10,000 was raised.

Respectfully,

A stylized, handwritten signature in black ink, consisting of several sweeping, connected strokes.

Chief Kenneth W. Walters

Offense Count Report

Page: 1

Report Criteria:

Start Offense	End Offense		
01000	99009		
NOVEMBER 2021	TOTAL 2021	TOTAL 2020	TOTAL 2019
11/01/2021-11/30/2021	01/01/2021-11/30/2021	01/01/2020-12/30/2020	01/01/2019-12/30/2019

Offense	Description	NOVEMBE 2021	TOTAL 2021	TOTAL 2020	TOTAL 2019
11001	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	1	0	0
11002	SEXUAL PENETR'N PENIS/VAGINA CSC3	0	0	2	0
11008	SEXUAL CONTACT FORCIBLE CSC4	0	1	1	1
13001	NONAGGRAVATED ASSAULT	3	19	27	22
13002	AGGRAVATED/FELONIOUS ASSAULT	0	3	2	0
13003	INTIMIDATION/STALKING	0	1	3	5
20000	ARSON	0	0	1	1
22001	BURGLARY - FORCED ENTRY	0	1	1	2
22002	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	1	2	0
22003	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	2	3
23002	LARCENY - PURSE SNATCHING	0	2	0	0
23003	LARCENY - THEFT FROM BUILDING	0	2	7	3
23005	LARCENY - THEFT FROM MOTOR VEHICLE	1	9	3	7
23007	LARCENY - OTHER	1	9	11	10
24001	MOTOR VEHICLE THEFT	0	1	0	0
25000	FORGERY/COUNTERFEITING	0	1	0	1
26001	FRAUD - FALSE PRETENSE/SWINDLE/CONF	0	0	1	1
26002	FRAUD - CREDIT CARD/ATM	0	0	1	3
26003	FRAUD - IMPERSONATION	0	1	0	0
26005	FRAUD - WIRE	1	1	0	0
29000	DAMAGE TO PROPERTY	0	14	15	9
30002	RETAIL FRAUD - THEFT	0	0	3	3
35001	VIOLATION OF CONTROLLED SUBSTANCE	0	3	2	2
36002	SEXUAL PENETR'N NONFORCIBLE OTHER	0	0	0	1
36004	SEX OFFENSE - OTHER	0	2	0	1
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	2	0	0
38003	FAMILY - OTHER	0	1	0	0
41002	LIQUOR VIOLATIONS - OTHER	0	1	0	1
42000	DRUNKENNESS	0	1	0	1
48000	OBSTRUCTING POLICE	1	4	3	0
49000	ESCAPE/FLIGHT	0	0	0	1
50000	OBSTRUCTING JUSTICE	2	22	29	48
52001	WEAPONS OFFENSE - CONCEALED	0	0	1	0
52003	WEAPONS OFFENSE - OTHER	1	2	1	0
53001	DISORDERLY CONDUCT	0	1	4	7
53002	PUBLIC PEACE - OTHER	0	0	0	1
54001	HIT & RUN MOTOR VEHICLE ACCIDENT	0	0	6	14
54002	OUIL OR OUID	1	3	6	6
54003	DRIVING LAW VIOLATIONS	0	7	24	34
55000	HEALTH AND SAFETY	0	0	0	14
57001	TRESPASS	1	18	18	11
58000	SMUGGLING	0	0	0	1
70000	JUVENILE RUNAWAY	0	0	4	2
70001	Incorrigible	0	0	1	1
70004	Juvenile Issues	0	3	0	0
73000	MISCELLANEOUS CRIMINAL OFFENSE	0	3	15	6

Offense Count Report

Report Criteria:

Start Offense	End Offense		
01000	99009		
NOVEMBER 2021	TOTAL 2021	TOTAL 2020	TOTAL 2019
11/01/2021-11/30/2021	01/01/2021-11/30/2021	01/01/2020-12/30/2020	01/01/2019-12/30/2019

Offense	Description	NOVEMBE 2021	TOTAL 2021	TOTAL 2020	TOTAL 2019
90001	Vehicle Lockouts	5	83	102	127
90002	Motorist Assists	0	12	13	35
90003	Assist E.M.S.	12	112	105	204
90005	City Ordinance Violations	0	29	41	32
90007	Parking Complaints	0	2	1	5
90008	ANIMAL COMPLAINTS	2	12	5	8
90009	Maplewood Manor Alarm / Criminal History Checks	0	0	0	4
91001	Delinquent Minors	0	13	3	3
91002	Runaway	0	2	0	2
91003	K-9 Assists	2	5	0	0
91004	Abandoned Vehicle	0	2	3	4
92003	Walk Away (Ment. & Host.)	2	5	4	1
92004	Insanity	1	30	34	28
93001	PROPERTY DAMAGE ACCIDENT/PI	4	46	43	53
93002	Accident, Non-Traffic	3	32	16	20
93004	Parking Violations	0	1	1	0
93006	Traffic Policing	0	21	9	16
93007	Traffic Safety Public Relations	0	33	13	9
93008	Inspections/Investigations -Breathalyzer	0	1	4	1
94001	Valid Alarm Activations	0	3	3	0
94002	False Alarm Activations	2	55	50	87
95001	Accident, Fire	0	0	1	4
95003	Inspection, Fire	0	3	0	3
95004	Hazardous Condition	0	4	2	6
97003	Accident, Other Shooting	0	0	1	0
97006	Accident, All Other	0	2	2	1
98000	Other Types Not Listed	0	0	0	1
98002	Inspections/Investigations -Motor Vehicles	0	0	1	3
98003	Inspections/Investigations -Property	0	7	8	11
98004	Inspections/Investigations -Other	0	6	5	6
98006	Civil Matters/Family Disputes	0	77	81	66
98007	Suspicious Situations/Subjects	11	167	191	149
98008	Lost/Found Property	0	13	10	14
98009	Inspections/Investigations -Drug Overdose	0	3	2	4
99001	Suicide	0	0	1	1
99002	Natural Death	0	5	6	5
99003	Missing Persons	0	0	0	1
99004	Natural Disaster	0	0	1	0
99007	PR Activities	0	1	22	6
99008	General Assistance	20	265	204	271
99009	General Non-Criminal	3	34	56	31
Totals:		79	1226	1240	1445

Communications



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RACHAEL EUBANKS
STATE TREASURER

December 03, 2021

Approval

Municipality Code: 652020

Fiscal Year Ended: 6/2021

Report ID Number: 124152

Dear Chief Administrative Officer:

Thank you for submitting a Qualifying Statement for City of West Branch to the Michigan Department of Treasury on November 8, 2021. Based upon the information provided in the Qualifying Statement, we have determined that the municipality is in material compliance with the criteria identified in Section 303(3) of Public Act 34 of 2001.

The municipality is now authorized to issue municipal securities under this Act without further approval from the Department. This authorization will remain in effect for six months plus 30 business days after the end of your next fiscal year, or when the Department has made a new determination, whichever occurs first.

Within 15 business days after the issuance of a municipal security, you will need to upload with the Department a [Treasury Website \(Security Report\)](#) and the documents required in [Michigan Legislature Website \(Section 319\)](#) of Public Act 34 of 2001.

If you would like to speak with a member of our team, please email our office at Treas_MunicipalFinance@Michigan.gov.

Sincerely,

Rod Taylor, Administrator
Community Engagement and Finance Division

Reports

Mayor

Council

City Manager

Board openings

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The City currently has terms expiring for the Planning Commission and Zoning Board of Appeals. If you are interested in serving on either Board, please drop off the applications that can be found below to City Hall, 121 N. Fourth St., West Branch, MI 48661 by Thursday, December 9th at 4:30 pm

The Planning Commission is a 3 year term. For a complete job description, please click [HERE](#). For a Planning Commission application, please click [HERE](#)

The Zoning Board of Appeals is a 3 year term. For a complete job description, please click [HERE](#). For a Zoning Board of Appeals application, please click [HERE](#).

Location

City of West Branch

121 N. 4th Street

West Branch MI 48661

Ph. (989) 345-0500 | Fax (989) 345-4390

Office Hours are Monday - Friday

8:00am to 4:30pm

The City of West Branch, the West Branch Area Wastewater Treatment Plant Authority, and the USDA are all equal opportunity

Map



Media



Click here for our Facebook page

Financial Dashboard

Title VI Non-Discrimination PlanFOIA Policy

2020 Water Quality Report

Other Useful links:

[Project Rising Tide](#)

[Chamber of Commerce Events](#)

**Public
Comment
-Any
Topic**

Adjournment