

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIRTUALLY IN THE COUNCIL CHAMBERS OF THE WEST BRANCH CITY HALL, 121 N. FOURTH STREET ON MONDAY, NOVEMBER 15, 2021.

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

Present: Mayor Paul Frechette, Council Members Carol Adair, Mike Jackson (via Zoom), Ellen Pugh, Rusty Showalter, and Cathy Zimmerman.

Absent: Council member Joanne Bennett

Other officers present: City Manager John Dantzer, City Clerk Amanda Stang, DPW Superintendent Mike Killackey, County Commissioner Mark Surbrook and City Police Officer Lane Matthews.

All stood for the Pledge of Allegiance.

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County Commissioner Mark Surbrook updated Council on the night patrol stating that it should start up on November 28th.

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MOTION BY SHOWALTER, SECOND BY ZIMMERMAN, TO EXCUSE COUNCIL MEMBER BENNETT FROM THE NOVEMBER 15, 2021 MEETING.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY SHOWALTER, SECOND BY ZIMMERMAN, TO APPROVE THE HEALTH INSURANCE BIDS FROM MESSA AND THE LIFE AND DISABILITY BIDS FROM DIEBOLD INSURANCE.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY ZIMMERMAN, SECOND BY PUGH, TO APPROVE BILLS IN THE AMOUNT OF \$467, 898.50.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY JACKSON, SECOND BY SHOWALTER, TO EXCUSE MAYOR FRECHETTE FROM THE MEETING HELD NOVEMBER 1, 2021.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY SHOWALTER, SECOND BY ADAIR, TO APPROVE THE INTRODUCTION OF ORDINANCE 21-04, TITLE 13.

ORDINANCE 21-04

The City of West Branch ordains:

Title 13

OFFENSES

Chapter 1. In General

- Sec. 13-1. Disorderly conduct.
- Sec. 13-2. Impeding normal flow of vehicular or pedestrian traffic by loitering.
- Sec. 13-3. Curfew for minors. Parental
- Sec. 13-4. neglect of minors.
- Sec. 13-5. Petty larceny.
- Sec. 13-6. Larceny by conversion.
- Sec. 13-7. Larceny by false personation.
- Sec. 13-8. Larceny; rented property.
- Sec. 13-9. Retail fraud.
- Sec. 13-10. Drawing on insufficient funds.
- Sec. 13-1 I. Buying, receiving, possessing, or concealing, stolen, embezzled, or converted money, goods, or property.

Chapter 2. Weapons Offenses

- Sec. 13-31. Definition.
- Sec. 13-32. Carrying, using and discharging of weapons.
- Sec. 13-33. Exceptions.
- Sec. 13-34. Issuance of permits; conditions.
- Sec. 13-35. Penalty.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY PUGH, SECOND SHOWALTER, TO APPROVE RESOLUTION 21-25, MDARD GRANT.

RESOLUTION NO. 21-25

WHEREAS, Governor Whitmer has made it a priority to focus on water infrastructure to protect the public health, environment, and economy in the State of Michigan, and

WHEREAS, the City of West Branch currently has two water wells that supply water to the residents and businesses of the City, and

WHEREAS, the City currently does not have a treatment plant needed to treat the City’s water supply and provide safe and reliable water, and

WHEREAS, the City recognizes the need for a treatment plant in order to supply the residents and business of the City with safe, reliable, and affordable water, and

WHEREAS, the City also recognizes the need for an additional well in order to have an increased capacity needed to support business, industrial, tourism, and agribusiness growth, and

NOW THEREFORE IT BE RESOLVED, the West Branch City Council hereby recognizes the vital need of a water treatment plant and new well and supports the submission of a grant application to the Michigan Department of Agriculture and Rural Development for grant funds to assist with the construction of a water treatment plant in order to have increased water capacity and the ability to supply the region with safe, affordable, and reliable water.

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

No – None

Absent – Bennett

Motion carried

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MOTION BY SHOWALTER, SECOND BY ADAIR, TO APPROVE RESOLUTION 21-26 FOURTH ST. BUDGET AMENDMENT.

RESOLUTION #21-26

WHEREAS, City budgeted for the replacement of water line and road reconstruction on S. Fourth St. from Wright St through Morrison St; and

WHEREAS, the expenses in Fund 203, Local Street Fund and Fund 592, Water Replacement Fund, were increased to account for the larger bid for the work on S. Fourth than budgeted for, and

WHEREAS, the final invoice came in lower than the bid, 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 203 - LOCAL STREET FUND			
Revenues			
Dept 000.000			
203-000.000-570.400	ACT 51 - STATE OF MICHIGAN	77,000.00	77,000.00
203-000.000-634.400	GRANT	0.00	0.00
203-000.000-664.400	INTEREST INCOME	400.00	400.00
203-000.000-680.400	TRANSFER FROM MAJOR STREET	58,250.00	58,250.00
203-000.000-695.400	MISCELLANEOUS	0.00	0.00
Total Dept 000.000		135,650.00	135,650.00
TOTAL REVENUES		135,650.00	135,650.00
Expenditures			
Dept 451.000 - CONSTRUCTION			
203-451.000-703.700	SALARIES AND WAGES	500.00	500.00
203-451.000-710.700	OVERTIME	0.00	0.00
203-451.000-714.700	MANDATORY MEDICARE	7.00	7.00
203-451.000-715.700	SOCIAL SECURITY (EMPLOYER)	31.00	31.00
203-451.000-718.700	MERS RETIREMENT (EMPLOYER)	2.00	2.00
203-451.000-720.700	WORKERS COMPENSATION PREMIUM	5.00	5.00
203-451.000-724.700	UNEMPLOYMENT INS. BENEFIT	0.00	0.00
203-451.000-801.700	CONTRACTUAL SERVICES	76,260.00	65,000.00
203-451.000-941.700	EQUIPMENT RENTAL	250.00	250.00
203-451.000-956.700	EXPENSES	0.00	0.00

Total Dept 451.000 - CONSTRUCTION	77,055.00	65,795.000
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TOTAL EXPENDITURES	135,630.00	124,370.00
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Fund 203 - LOCAL STREET FUND:

TOTAL REVENUES	135,650.00	135,630.00
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TOTAL EXPENDITURES	135,630.00	124,370.00
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NET OF REVENUES & EXPENDITURES	20.00	11,280.00
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Fund 592 - WATER REPLACEMENT FUND

Revenues

Dept 000.000

592-000.000-664.400 INTEREST INCOME	0.00	0.00
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592-000.000-675.400 TRANSFER FROM WATER FUND	200,000.00	200,000.00
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TRANSFER FROM ARPA FUNDS		52,345.00
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Total Dept 000.000	200,000.00	252,345.00
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TOTAL REVENUES	200,000.00	252,345.00
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Expenditures

Dept 000.000

592-000.000-801.700 CONTRACTUAL SERVICES	226,345.00	221,000.00
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592-000.000-994.700 BOND	20,260.00	20,260.00
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592-000.000-995.700 INTEREST DUE ON BONDS	5,740.00	5,740.00
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Total Dept 000.000	252,345.00	247,000.00
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TOTAL EXPENDITURES	252,345.00	247,000.00
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Fund 592 - WATER REPLACEMENT FUND:

TOTAL REVENUES	252,345.00	252,345.00
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TOTAL EXPENDITURES	252,345.00	247,000.00
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NET OF REVENUES & EXPENDITURES	0.00	5,345.00
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Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO APPROVE PROCLAMATION 21-03, KIWANIS BENCHES.

PROCLAMATION #21-03

WHEREAS, Kiwanis International is one of the largest service organizations in the world with more than 551,000 members of all ages and abilities in more than 80 nations; and

WHEREAS, the members of Kiwanis Club of West Branch are devoted to improving the world, one child and one community at a time by seeking primacy to the human and spiritual rather than the material values of life; and

WHEREAS, in addition to improving the lives of children in the City of West Branch and in communities around the world, Kiwanis club members promote the development of community leaders, positive role models, intercultural understanding and cooperation, and opportunities for fellowship, personal growth, professional development and community service; and

WHEREAS, the first Kiwanis club started its service in Detroit, Michigan in 1915; and the Kiwanis Club of West Branch was formed in 1935; and

WHEREAS, the Kiwanis Club of West Branch graciously volunteered to redo the City benches throughout the town for the betterment of our community; and

WHEREAS, the service provided by the Kiwanis Club of West Branch will continue to have a positive impact on our community and citizens; and

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and the West Branch City Council does hereby offer our sincere thanks and appreciation for this project as well as the gracious service provided to the City over their many years of service to our community.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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Resolution 21-27, LSRC was added as an addition to the agenda, under New Business, Item G.

MOTION BY ADAIR, SECOND BY PUGH, TO APPROVE RESOLUTION 21-27, LSRC, ADDITION TO THE AGENDA.

RESOLUTION NO. 21-27

WHEREAS, Lake State Railway Company (LSRC) operates the rail line that runs through the City of West Branch, and

WHEREAS, the Lake State Railway is submitting applications for the Consolidated Rail Infrastructure and Safety Improvement (CRISI) grant, and

WHEREAS, previous CRISI grants awards have been instrumental in LSRC's quest to bring the northern part of the rail system into the modern era of rail transportation, and

WHEREAS, LSRC's new application will help further improve and help support their growing customer base on rail lines serving the northern part of the lower peninsula in Michigan, and

NOW THEREFORE IT BE RESOLVED, the West Branch City Council hereby offers their full support of the Lake State Railway Company's Consolidated Rail Infrastructure and Safety Improvement grant in order to provide benefits that will provide dramatic improvements in the condition and safety standpoint of the track and signal system.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY SHOWALTER, SECOND BY PUGH, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD NOVEMBER 1, 2021.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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MOTION BY SHOWALTER SECOND BY JACKSON, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; APPROVE THE PLANNING COMMISSION MINUTES FROM THE MEETING HELD OCTOBER 12, 2021; APPROVE THE MINUTES FROM THE OGEMAW COUNTY TRANSPORTATION TASK FORCE MEETING HELD NOVEMBER 1, 2021; AND THE OCTOBER MONTH END POLICE REPORT.

Yes – Adair, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None

Absent – Bennett

Motion carried

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Communications from the Ogemaw County Herald and The Ogemaw Voice were shared.

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Council Member Showalter noted that he has been working with members of legislature on part of the infrastructure bill that pertains to the weight increase of semi-trucks. He was happy to announce the weight increase had been denied.

DPW Superintendent Killackey informed Council that DPW has begun salting for the season and has been busy putting things away and setting up for the ice rink.

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Mayor Frechette adjourned the meeting at 6:35 PM.

Paul Frechette, Mayor

Amanda Stang, City Clerk