

-- AGENDA --

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE HELD JOINTLY AS A SPECIAL MEETING FOR THE PLANNING COMMISSION AND DDA TO BE HELD AT THE WEST BRANCH CITY POLICE AT 130 PAGE ST. ON MONDAY, FEBRUARY 4, 2019, 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 please remove hats and/or sunglasses during meetings and to silence all cell phones and other electronic devices. Due to recent complaints from those in attendance trying to listen, audience members are kindly reminded to **please refrain from having private conversations**

while meetings are in progress—it is disruptive and NOT allowed. Unless you are a scheduled speaker from the floor or in the process of giving public comment for the record, audience members should not converse in the Council Chambers during meetings—if you feel that you must converse during a meeting, you are kindly asked to please do so in the hallway, away from the doors. 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 John Dantzer 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 West Branch City Council.]

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Hearing
- V. Additions to the agenda
- VI. Public Comment on Agenda Items Only (limited to 3 minutes)
- VII. Scheduled Matters from the Floor
 - A. Planning Commission report
 - B. DDA report
- VIII. Adjournment of DDA and Planning meetings.
- IX. Bids
- X. Unfinished Business
- XI. New Business
 - A. Bills payable.

- B. EEA Chapter 1253 West Branch Fly In banner application
- C. West Branch Orioles forever banner application
- D. Do All Inc contracts
- XII. Approval of the minutes and summary from the Meeting held January 21, 2019 as well as the minutes from the closed session during the January 21, 2019 meeting.
- XIII. Consent Agenda (These items are considered routine and can be enacted in one motion)
 - A. Treasurer's report and Investment Summary
 - B. Minutes from the Airport Board meeting held December 19, 2018
 - C. Minutes from the Wastewater Treatment Plant Authority Board meeting held September 18, 2018
 - D. Minutes from the EMS Board meeting held December 19, 2018
 - E. Minutes from the Planning Commission meeting held December 11, 2018
- XIV. Communications
 - A. Charter/Spectrum update
 - B. OCEDA resolution
- XV. Reports and/or comments
 - A. Mayor
 - 1. Appointments
 - a. DDA
 - B. Council Members
 - C. City Manager
- XVI. Public Comment on any item (limited to 3 minutes)
- XVII. Adjournment

Call to Order

Roll Call

**Pledge of
Allegiance**

Public Hearings

Additions to the Agenda

Public Comment -Agenda Items

Scheduled Matters from the Floor

Bids

Unfinished Business

New Business

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

| | |
|---------------------------------|--------------------|
| BILLS | \$33,042.61 |
| <i>BILLS AS OF 1/30/19</i> | <i>\$33,042.61</i> |
| <i>Additions to Bills as of</i> | <i>\$0</i> |
| <i>Paid but not approved</i> | <i>\$2,000.00</i> |
| TOTAL BILLS | \$35,042.61 |

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

| Vendor Name | Amount | Description |
|--------------------------------|------------------|---------------------------------------|
| ADVANCED CHEMICAL & SUPPLY INC | 135.48 | WWTP SUPPLIES |
| CHARTER COMMUNICATIONS | 449.88 | PHONE & INTERNET CITY HALL, DPW, WWTP |
| CONSUMERS ENERGY | 31.51 | ELECTRIC |
| DLL FINANCIAL SERVICES INC | 70.08 | POLICE COPIER |
| DO ALL INC | 42.52 | CITY HALL CLEANING |
| MERS OF MICHIGAN | 20,007.94 | RETIREMENT JANUARY |
| MVW & ASSOCIATES INC | 995.00 | ASSESSOR CONTRACT FEBRUARY |
| NORTH CENTRAL LABORATORIES | 192.55 | WWTP SUPPLIES |
| REPUBLIC SERVICES 237 | 9,520.73 | GARBAGE JANUARY |
| UPS | 18.01 | SHIPPING CHARGES WATER SAMPLES, ETC |
| USA BLUE BOOK | 78.61 | WWTP SUPPLIES |
| WELLS FARGO FINANCIAL LEASING | 1,500.30 | BS & A SOFTWARE - FINAL PAYMENT |
| TOTAL | 33,042.61 | |



City of West Branch

121 North Fourth Street, West Branch, Michigan 48661
Phone 989-345-0500 ☺ Fax 989-345-4390 ☺ e-mail cityhall@westbranch.com

Banner Application*

Name of Organization..... EAA Chapter 1253
Address..... 2565 Crestview Dr, West Branch
Contact Person & Phone Number..... Philip Staw 989.345.3717

Applications are subject to City Council approval and conditions.

1. "LINK LETTER" type or VINYL MESH banners only with a maximum size of 2'x35'. (NO EXCEPTIONS!!)
 2. Rendering showing color, size and design of banner must be submitted with application
 3. ALL banners MUST be in a box clearly marked with the name of the banner, contact name & phone number
 4. ALL banners MUST be picked up within 2 weeks after the event; failure to do so will result in disposal of the banner.
 5. One (1) banner per organization per year
 6. Two (2) week maximum
 7. Each placement must be approved by City Council at least two (2) weeks prior to scheduled placement
 8. One banner displayed at any one time – priority based on "first come" basis (applications accepted beginning January 1 each year)
 9. Organization holds City harmless and agrees to defend City from liability claims arising as a result of activity or event announced on banner
 10. Banners allowed May 1 – Sept. 31 (City Council may grant special requests)
 11. Meid Street only
 12. No commercial advertising allowed on banner
 13. If approved a \$100.00 fee must be paid within two weeks of approval or before banner is hung.
- ** Administration reserves the right to limit the number of banners.

Copy shown on banner..... Fly In at airport 3^d Sat in June

Banner to be displayed: FROM 6 / 10 / 19 TO 6 / 15 / 19

Philip Staw
Signature

| |
|--|
| For Office Use Only |
| Application Number..... |
| Placement of banner approved City Manager on / / |

* Conditions approved by City Council on 5/15/17

"City with a Smile!"

Called on ____ / ____ / ____



City of West Branch

121 North Fourth Street, West Branch, Michigan 48661
Phone 989-345-0500 © Fax 989-345-4390 © e-mail cityhall@westbranch.com

Banner Application*

Name of Organization..... Orioles Forever Advisory Committee
Address..... 2699 South First St.
Contact Person & Phone Number..... Nancy Griffin 989.345.0883

Applications are subject to City Manager approval and conditions.

1. "LINK LETTER" type or VINYL MESH banners only with a maximum size of 2'x35'. (NO EXCEPTIONS!!)
 2. Rendering showing color, size and design of banner must be submitted with application
 3. ALL banners MUST be in a box clearly marked with the name of the banner, contact name & phone number
 4. ALL banners MUST be picked up within 2 weeks after the event; failure to do so will result in disposal of the banner.
 5. One (1) banner per organization per year
 6. Two (2) week maximum
 7. Each placement must be approved by City Manager at least two (2) weeks prior to scheduled placement
 8. One banner displayed at any one time - priority based on "first come" basis (applications accepted beginning January 1 each year)
 9. Organization holds City harmless and agrees to defend City from liability claims arising as a result of activity or event announced on banner
 10. Banners allowed May 1 - Sept. 31 (City Manager may grant special requests)
 11. Meid Street only
 12. No commercial advertising allowed on banner
 13. If approved a \$100.00 fee must be paid within two weeks of approval or before banner is hung.
- ** Administration reserves the right to limit the number of banners.

Copy shown on banner..... Same as last year (see last yr copy)

Banner to be displayed: FROM 5.13.19 TO 5.12.19

Nancy Griffin
Signature

For Office Use Only

Application Number.....

Placement of banner approved City Manager on / /

* Conditions approved by City Council on 5/15/17

"City with a Smile!"

Called on ____ / ____ / ____



January 14, 2019

Kelli Collins
West Branch City Police
121 N 4th Street
West Branch, MI 48661

Dear Kelli,

I would like to take this moment to thank you for giving us the opportunity to serve you. We appreciate your business and your continued support of our programs.

Due to rising economic factors, Do-All, Inc. will be raising our prices soon.

It is also our duty to make sure our prices are as low as possible. We work hard to keep our price down. However, the cost of doing business is always going up: inflation, taxes, insurance, fuel prices, wages and, new benefit laws, etc.

In order to continue providing you with the high-quality service you deserve, our contract price revision will be \$12.56 per person per hour effective on April 1, 2019. Please disregard our previous quote which was to go into effect January 1, 2019 as we were expecting a larger increase in minimum wage for the first of the year.

Please review the enclosed quote, sign, date and return to my attention at Do-All, Inc., 1465 W Center Road, Essexville, MI 48732.

As always, we guarantee that you will be 100% satisfied with our services, or we will come back and fix it for free.

We appreciate the confidence you have placed in us and we look forward to providing you with the best possible service in the future.

YOU are the reason we stand strong.

Thank you.

Respectfully,

A handwritten signature in cursive script that reads "Beth A. Klosowski".

Beth A Klosowski
VP Administration

Do-All, Inc. is a private nonprofit 501(C)3

Mission Statement

Do-All will empower individuals by eliminating barriers to opportunities through employment services, community access, and advocacy.


Do-All, Inc. • 1465 W Center Road • Essexville, MI • 48732
PH (989) 894-2851 Fax (989) 894-4522



Community Contract Services

| | |
|---------------------|---|
| Company | West Branch City Police |
| Attention | Kelli Collins |
| Address (billing) | 121 N 4 th Street |
| City, State, Zip | West Branch, MI 48661 |
| Phone | 989-345-2627 |
| email | |
| Prepared By | Beth Klosowski |
| Department | Janitorial Division |
| Contact information | Phone (989)894-2851, Fax (989)894-4522, Email: bklosowski@doallinc.org |

Job Quote

| Description | Total Price | Notations |
|--|---|---|
| Contract Service Location: West Branch City Police 130 Page Street West Branch, MI 48661 | REVISED Rate schedule | 3 year schedule |
| Once monthly cleaning Duties will be general cleaning of the building to include, but not limited to, bathrooms, floors, common areas, glass surfaces. Some cleaning to be completed on an as needed basis. | 2019 \$12.56 per person per hour | Effective: April 1, 2019 |
| Supplies will be provided by the City Police. | 2020 \$12.83 per person per hour | Contract valid for three years |
| | 2021 \$13.12 per person per hour | 30 days notice required for cancellation |
| <hr/>  Beth A Klosowski VP of Administration | <hr/> Date <i>1-14-19</i> Date | |



January 14, 2019

Heather Grace
West Branch City Hall
121 N 4th Street
West Branch, MI 48661

Dear Heather,

I would like to take this moment to thank you for giving us the opportunity to serve you. We appreciate your business and your continued support of our programs.

Due to rising economic factors, Do-All, Inc. will be raising our prices soon.

It is also our duty to make sure our prices are as low as possible. We work hard to keep our price down. However, the cost of doing business is always going up: inflation, taxes, insurance, fuel prices, wages and, new benefit laws, etc.

In order to continue providing you with the high-quality service you deserve, our contract price revision will be \$12.56 per person per hour effective on April 1, 2019. Please disregard our previous quote which was to go into effect January 1, 2019 as we were expecting a larger increase in minimum wage for the first of the year.

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PH (989) 894-2851 Fax (989) 894-4522



Community Contract Services

| | |
|---------------------|--|
| Company | West Branch City Hall - RECYCLING |
| Attention | Heather Grace |
| Address (billing) | 121 N 4 th Street |
| City, State, Zip | West Branch, MI 48661 |
| Phone | 989-345-2627 |
| email | |
| Prepared By | Beth Klosowski |
| Department | Janitorial Division |
| Contact information | Phone (989)894-2851, Fax (989)894-4522, Email: bklosowski@doallinc.org |

Job Quote

| Description | Total Price | Notations |
|--|--|---|
| Contract Service Location: West Branch City Hall 121 N 4 th Street West Branch, MI 48661 | REVISED Rate schedule | 3 year schedule |
| Recycling: <ul style="list-style-type: none">➤ Every Saturday 9:00am to 1:00pm➤ Every Tuesday 2:00pm to 6:00pm | 2019 \$12.56 per person per hour | Effective: April 1, 2019 |
| | 2020 \$12.83 per person per hour | Contract valid for three years |
| | 2021 \$13.12 per person per hour | 30 days notice required for cancellation |
| <hr/>  Beth A Klosowski VP of Administration | <hr/> Date 1-14-19 Date | |

Approval of Minutes

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, JANUARY 21, 2019.

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

Present: Mayor Paul Frechette and Council Members Joanne Bennett, William Ehinger, Mike Jackson, Ellen Pugh, Dan Weiler, and Cathy Zimmerman.

Absent: None

Other officers present: City Manager Heather Grace, Clerk/Treasurer John Dantzer, DPW Superintendent Mike Killackey, Police Chief Ken Walters, Planning Commission Chair Bob David, and DDA Chair Samantha Fabbri.

All stood for the Pledge of Allegiance.

* * * * *

MOTION BY BENNETT, SECOND BY JACKSON, TO PAY BILLS IN THE AMOUNT OF \$36,769.66

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No — None

Absent — None

Motion carried

* * * * *

MOTION BY EHINGER, SECOND BY PUGH, TO APPROVE THE BANNER APPLICATIONS FOR WEST BRANCH CREATIVE ARTS ASSOCIATION FROM 7/22/19-8/10/19, FOR WEST BRANCH LITTLE LEAGUE FROM 2/11/19-2/25/19, AND FOR THE OGEMAW COUNTY RELAY FOR LIFE FROM 7/5/19-7/19/19

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No — None

Absent — None

Motion carried

* * * * *

MOTION BY JACKSON, SECOND BY PUGH, TO APPROVE THE OGEMAW COUNTY RELAY FOR LIFE SPECIAL EVENT PERMIT AND TO ALLOW FOR THE WAIVER OF THE NOISE ORDINANCE FOR ALL RELAY FOR LIFE EVENTS HELD AT THE WELLNESS PARK

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No — None

Absent — None

Motion carried

* * * * *

Member Jackson made a motion to approve Resolution 19-01 and Member Ehinger noted his recommendation to discuss the time Council meetings are held and possibly switch to 7:00 pm. With that new information, Member Jackson withdrew his motion. Council discussed the possibility of switching the start time of Council meetings. Upon discussion, Member Jackson resubmitted his motion

MOTION BY JACKSON, SECOND BY BENNETT, TO APPROVE RESOLUTION 19-01

RESOLUTION #19-01

WHEREAS, the West Branch City Charter requires that the Council adopt a resolution stating the time and place of its regular meetings, and

WHEREAS, it is recommended that this be done on an annual basis,

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council will hold its regular meetings in the Council Chamber of City Hall, 121 N. Fourth St. unless there is a motion to change the meeting location due to special circumstances, and

FURTHER BE IT RESOLVED, that all regular Council meetings will begin at 6:00 p.m. unless the Charter dictates otherwise or there is a motion to change the meeting time due to special circumstances, and

FURTHER BE IT RESOLVED, that the West Branch City Council shall meet on the 1st and 3rd Monday of each month unless there is a motion to change the meeting date due to special circumstances.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

MOTION BY PUGH, SECOND BY EHINGER, TO APPROVE RESOLUTION 19-02

Resolution # 19-02

Whereas, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development , construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for all shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

Now, therefore, be it resolved the this Honorable Body designate Heather Grace as the single Street Administrator for the City of West Branch in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

MOTION BY FRECHETTE, SECOND BY EHINGER, TO AUTHORIZE MANAGER HEATHER GRACE, CLERK/TREASURER JOHN DANTZER, MAYOR PAUL FRECHETTE, AND MAYOR PRO TEM MICHAEL JACKSON AS DEPOSITORS AND TO SIGN ALL CHECKS AND BANK WITHDRAWALS AT BANKS REQUIRING TWO SIGNATURES.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

MOTION BY FRECHETTE, SECOND BY WEILER, TO ALLOW STAFF TO BANK AT THE FOLLOWING INSTITUTIONS: CHEMICAL BANK, MERCANTILE BANK, PNC BANK, HURON COMMUNITY BANK, AND NORTHLAND AREA FEDERAL CREDIT UNION.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

An updated section for the personnel policy dealing with marijuana in the work place was presented.

MOTION BY ZIMMERMAN, SECOND BY WEILER, TO APPROVE THE UPDATED DRUG POLICY TO THE PERSONNEL POLICY AS PRESENTED WITHOUT GOING TO THE CITY ATTORNEY FOR REVIEW.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

MOTION BY JACKSON, SECOND BY BENNETT, TO APPROVE THE MINUTES WITH CORRECTIONS AND THE SUMMARY FROM THE MEETING HELD JANUARY 7, 2019 AS WELL AS THE MINUTES FROM THE WORK SESSION HELD JANUARY 14, 2019

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

MOTION BY JACKSON, SECOND BY PUGH, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; INTERFUND BUDGET AMENDMENT 10205; THE MINUTES FROM THE AIRPORT BOARD MEETING WITH CORRECTIONS HELD DECEMBER 19, 2018; THE MINUTES FROM THE OGEMAW FIRE BOARD MEETING HELD DECEMBER 12, 2018; AND THE MINUTES FROM THE PLANNING COMMISSION MEETING HELD DECEMBER 11, 2018.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

* * * * *

A Charter/Spectrum update was shared

A Chamber of Commerce update was shared.

A reminder that the joint meeting with the Planning Commission and DDA will be held at 6:00 pm on February 4 at the police station.

* * * * *

MOTION BY ZIMMERMAN, SECOND BY JACKSON, TO REAPPOINT TOM HORBACHER TO THE BOARD OF REVIEW WITH A TERM TO EXPIRE 12/31/21 AND TO APPOINT MICHAEL PUGH TO THE BOARD OR REVIEW TO FILL THE REMAINDER OF A TERM TO EXPIRE 12/31/19.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

* * * * *

MOTION BY FRECHETTE, SECOND BY EHINGER TO APPOINT RALPH DINSE TO THE LIBRARY BOARD WITH NO TERM EXPIRATION.

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None Absent – None Motion carried

* * * * *

Mayor Frechette noted that he attended his first EMS meeting with former Mayor Denise Lawrence and that he will serve as the City’s voting representative on that Board moving forward.

* * * * *

Member Jackson updated Council on the West Branch Housing Study that was performed for the City as part of Project Rising Tide.

Member Bennett noted how well the ice rink is being used and the new location is working out well.

Manager Grace presented a list of the current members of the new 911 Authority Board.

Manager Grace updated Council on a grant opportunity for the Summer Music Series and to add a gaga ball pit in Irons Park and that decision on the awarding of the grant should be coming soon.

Member Zimmerman shared a letter from Kirtland on a meeting being conducted to ask the community for ideas on how their current empty building in West Branch could be used to serve the community.

Member Ehinger noted the possibility of a new restaurant coming to town.

* * * * *

Manager Grace entered into the record her consent to go into closed session pursuant to MCL 15.268 (a)

MOTION BY FRECHETTE, SECOND BY JACKSON TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (a)

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

COUNCIL WENT INTO CLOSED SESSION AT 6:37 PM

COUNCIL RETURNED FROM OPEN SESSION AT 7:25 PM

* * * * *

MOTION BY BENNETT, SECOND BY JACKSON TO GO BACK INTO OPEN SESSION

Yes — Bennett, Ehinger, Frechette, Jackson, Pugh, Weiler, Zimmerman

No – None

Absent – None

Motion carried

* * * * *

Mayor Frechette adjourned the meeting at 7:25 pm.

Paul Frechette, Mayor

John Dantzer, Clerk

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY
COUNCIL HELD MONDAY, JANUARY 21, 2019.

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

Present: Mayor Frechette, Council Members Bennett, Ehinger, Jackson, Pugh, Weiler, and Zimmerman.

Absent: None

Other officers present: Manager Grace, Clerk/Treasurer Dantzer, DPW Superintendent Killackey, Chief Walters, Planning Chair David, and DDA Chair Fabbri.

All stood for the pledge of allegiance

Council approved bills in the amount of \$36,769.66.

Council approved banner applications for the West Branch Creative Arts, Little League, and Relay for Life

Council approved a special event permit for Relay for Life

Council approved Resolution 19-01 to set the time and place of the regular meetings.

Council approved Resolution 19-02 naming the City street administrator.

Council approved the authorized depositors and signers for the City

Council approved the authorized banking institutions for City funds.

Council approved an updated section of the personnel policy

Council approved the minutes with corrections and summary from the meeting held January 7, 2019 and the minutes from the work session held January 14, 2019.

Council received and filed the treasurer's report, investment summary, budget amendments, the minutes with corrections from the Airport Board meeting held December 19, 2018; the minutes from the Ogemaw Fire Board held December 12, 2018; and the minutes from the Planning Commission meeting held December 11, 2018

Communications were shared.

Council approved the appointments of Tom Hornbacher and Michael Pugh to the Board of Review, Ralph Dinse to the Library Board, and Mayor Frechette to the EMS Board.

Members Jackson, Bennett, Zimmerman, Ehinger, and Manager Grace gave reports.

Council voted to go into closed session pursuant to MCL 15.268(a)

Council voted to return to open session.

Mayor Frechette adjourned the meeting at 7:25 pm.

Consent Agenda

CASH SUMMARY BY BANK FOR WEST BRANCH
FROM 01/01/2019 TO 01/31/2019

| Bank Code | | Beginning Balance 01/01/2019 | Total Debits | Total Credits | Ending Balance 01/31/2019 |
|-----------|-------------------------------|------------------------------------|-----------------|------------------|---------------------------------|
| Fund | Description | | | | |
| GEN1 | GEN1 - GENERAL CHECKING | | | | |
| 101 | | 984,832.38 | 64,776.13 | 150,604.69 | 899,003.82 |
| 150 | CEMETERY PERPETUAL CARE | 20,507.50 | 0.00 | 0.00 | 20,507.50 |
| 209 | CEMETERY FUND | 11,842.92 | 443.61 | 929.24 | 11,357.29 |
| 248 | DDA OPERATING FUND | 64,585.90 | 463.03 | 1,180.00 | 63,868.93 |
| 251 | INDUSTRIAL PARK FUND | 7,908.77 | 341.24 | 255.23 | 7,994.78 |
| 276 | HOUSING RESOURCE FUND | 196,975.92 | 1,048.71 | 0.00 | 198,024.63 |
| 318 | SEWER DEBT FUND | 104,651.91 | 28,234.58 | 122.72 | 132,763.77 |
| 319 | WATER DEBT FUND | 30,096.34 | 5,954.30 | 23.58 | 36,027.06 |
| 571 | COLLECTION REPLACEMENT FUND | 30,846.37 | 0.00 | 0.00 | 30,846.37 |
| 572 | PLANT REPLACEMENT FUND (R&I) | 7,059.22 | 654.99 | 2.28 | 7,711.93 |
| 590 | SEWER FUND | 223,899.57 | 30,088.45 | 60,187.14 | 193,800.88 |
| 591 | WATER FUND | 149,210.04 | 13,914.64 | 17,637.73 | 145,486.95 |
| 592 | WATER REPLACEMENT FUND | 281,690.17 | 0.00 | 0.00 | 281,690.17 |
| 593 | SEWER COLLECTION | 47,704.77 | 5,255.06 | 4,157.97 | 48,801.86 |
| 561 | EQUIPMENT FUND | 87,235.33 | 21,472.93 | 12,216.54 | 96,491.72 |
| 704 | PAYROLL CLEARING | (39,302.33) | 117,605.86 | 78,310.31 | (6.78) |
| 705 | IRONS PARK ENTERTAINMENT FUND | 1,887.16 | 25.00 | 0.00 | 1,912.16 |
| 707 | YOUTH SAFETY PROGRAM | 300.31 | 0.00 | 0.00 | 300.31 |
| 714 | RECYCLING CENTER | 6,674.24 | 958.00 | 550.10 | 7,082.14 |
| | GEN1 - GENERAL CHECKING | 2,218,606.49 | 291,236.53 | 326,177.53 | 2,183,665.49 |
| MAJ/LST | MAJOR/ LOCAL STREETS | | | | |
| 202 | MAJOR STREET FUND | 575,533.12 | 30,353.32 | 19,919.35 | 585,967.09 |
| 203 | LOCAL STREET FUND | 378,767.54 | 7,115.46 | 6,160.81 | 379,722.19 |
| | MAJOR/ LOCAL STREETS | 954,300.66 | 37,468.78 | 26,080.16 | 965,689.28 |
| PAY | PAYROLL | | | | |
| 704 | PAYROLL CLEARING | 47,778.16 | 78,303.53 | 114,656.35 | 11,425.34 |
| | PAYROLL | 47,778.16 | 78,303.53 | 114,656.35 | 11,425.34 |
| CHEM | SAVINGS | | | | |
| 101 | | 435,633.94 | 0.00 | 0.00 | 435,633.94 |
| 150 | CEMETERY PERPETUAL CARE | 1,677.63 | 0.00 | 0.00 | 1,677.63 |
| 251 | INDUSTRIAL PARK FUND | 20,865.60 | 0.00 | 0.00 | 20,865.60 |
| 571 | COLLECTION REPLACEMENT FUND | 2,372.73 | 0.00 | 0.00 | 2,372.73 |
| 591 | WATER FUND | 26,160.39 | 0.00 | 0.00 | 26,160.39 |
| 592 | WATER REPLACEMENT FUND | 19,572.07 | 0.00 | 0.00 | 19,572.07 |
| 593 | SEWER COLLECTION | 782.24 | 0.00 | 0.00 | 782.24 |
| 561 | EQUIPMENT FUND | 103,337.28 | 0.00 | 0.00 | 103,337.28 |
| 714 | RECYCLING CENTER | 1,045.62 | 0.00 | 0.00 | 1,045.62 |
| | SAVINGS | 611,447.50 | 0.00 | 0.00 | 611,447.50 |
| TAX | TAXES | | | | |
| 701 | TAX AGENCY | 1,146.47 | 299,096.36 | 299,096.36 | 1,146.47 |
| | TAXES | 1,146.47 | 299,096.36 | 299,096.36 | 1,146.47 |
| | TOTAL - ALL FUNDS | 3,833,279.28 | 706,105.20 | 766,010.40 | 3,773,374.08 |

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH
 FROM 01/01/2019 TO 01/31/2019
 FUND: ALL FUNDS
 INVESTMENT ACCOUNTS

| Fund Account | Description | Beginning Balance 01/01/2019 | Total Debits | Total Credits | Ending Balance 01/31/2019 |
|--------------|--------------------------|---------------------------------|--------------|---------------|------------------------------|
| 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 | 114,701.74 | 0.00 | 0.00 | 114,701.74 |
| 004.400 | CERTIFICATE OF DEPOSIT D | 115,271.06 | 0.00 | 0.00 | 115,271.06 |
| | CEMETERY PERPETUAL CARE | 229,972.80 | 0.00 | 0.00 | 229,972.80 |
| 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 | 100,000.00 | 0.00 | 0.00 | 100,000.00 |
| | INDUSTRIAL PARK FUND | 200,000.00 | 0.00 | 0.00 | 200,000.00 |
| 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 | 929,972.80 | 0.00 | 0.00 | 929,972.80 |

Airport Board Minutes
12/19/2018

Present: Manager Evergreen, Voting Members Quackenbush, Scott, Grace, Hodges, and Lawrence, and Karen Michael and Katie Lawrence.

Approval of Minutes from 11/21/18 – Scott moved, Hodges supported.
Ayes – all Nays – none.
Motion carried

Bills – Jackson moved to approve, Hodges supported.
Ayes – all Nays – none.
Motion carried

Mead & Hunt invoice – Hodges moved to pay, Jackson supported.
Ayes – all Nays – none.
Motion carried

End of Year report given by Manager Evergreen

Manager's Contract – motion by Scott, Jackson supported, to renew Ben Evergreen as Airport Manager in a new 3-year contract with current pay + \$3K + 2% annual increase for each of 3 years, Airport responsible for maintenance of fuel tanks and will get profits, Evergreen agrees to operate in exchange for the + \$3K.
Ayes – all Nays – none.
Motion carried

Motion by Jackson, Scott supported to add Craig Scott, Michael Jackson, Heather Grace, and Gary Klacking as signatories and authorized users for the following local banking institutions: Mercantile Bank, Chemical Bank, Northland Area Federal Credit Union, and Huron Community Bank.
Ayes – all Nays – none.
Motion carried

Adjourn at 1:37 p.m.

WEST BRANCH AREA WASTEWATER TREATMENT PLANT AUTHORITY

A regular meeting of the West Branch Area Wastewater Treatment Plant Authority was held on Tuesday, September 18, 2018 at the West Branch City Hall.

Chairman Stephens called the meeting to order at 3:33 p.m.

Present: Heather Grace, City of West Branch; Denis Stephens, Ogemaw Township; Dan Weiler, City of West Branch and Jim Delahanty, West Branch Township.

Absent: None

Others in attendance: John Dantzer, Secretary/Treasurer and Dan Robb, City of West Branch Wastewater Superintendent

* * * * *

Motion by Grace, Second by Delahanty, to add pending litigation to the agenda as new business.

Yes – Delahanty, Grace, Stephens, Weiler No – None Absent – None

Motion carried

* * * * *

Motion by Stephens, Second by Grace, to approve the minutes from the meetings held June 19, 2018 and September 6, 2018.

Yes – Delahanty, Grace, Stephens, Weiler No – None Absent – None

Motion carried

* * * * *

Motion by Grace, Second by Weiler, to approve the quarterly insurance bill to Diebold Insurance in the amount of \$3,199.00

Yes – Delahanty, Grace, Stephens, Weiler No – None Absent – None

Motion carried

* * * * *

An invoice from Energy Specialties Group was submitted and WWTP Superintendent Robb noted the pumps were not switched out yet and there was a discrepancy in the total amount due.

Motion by Grace, Second by Weiler, to have City staff look into discrepancies on the light upgrade invoice from Energy Specialties Group.

Yes – Delahanty, Grace, Stephens, Weiler

No – None

Absent – None

Motion carried

* * * * *

Member Grace noted the City attorney was currently on maternity leave and did not have the updated indemnification agreement completed yet. It was the consensus to continue to work with the existing agreements until the new one is completed.

* * * * *

Chairman Stephens noted information that was sent to the Authority's attorney on the pending litigation and the members discussed details of the litigation.

* * * * *

Motion by Grace, Second by Delahanty, to authorize the signing of the USDA Authorization Agreement for Preauthorized Payments.

Yes – Delahanty, Grace, Stephens, Weiler

No – None

Absent – None

Motion carried

* * * * *

Motion by Grace, Second by Delahanty, to approve budget amendment 18-01

BUDGET AMENDMENT 18-01

| | BUDGET | AMENDED |
|--|----------------|----------------|
| REVENUE | | |
| 625.100 Sewer Debt Revenue – City of West Branch | 328,950 | 328,950 |
| 625.200 Sewer Debt Revenue-West Branch Township | 140,760 | 140,760 |
| 625.300 Sewer Debt Revenue-Ogemaw Township | 40,290 | 40,290 |
| 674.100 Contribution – City of West Branch | 12,255 | 12,512 |
| 674.200 Contribution – West Branch Township | 5,244 | 4,877 |
| 674.300 Contribution – Ogemaw Township | 1,501 | 1,611 |
| TOTAL REVENUE | 529,000 | 529,000 |
| EXPENDITURES | | |
| TOTAL EXPENDITURES | 529,000 | 529,000 |

ANTICIPATED CARRY OVER

0

0

Yes – Delahanty, Grace, Stephens, Weiler

No – None

Absent – None

Motion carried

* * * * *

WWTP Superintendent Robb went over the recent rate study that was done with the help of Michigan Rural Water. Discussion was held on trying to coordinate rates for different things so that they would be the same as much as possible for all three municipalities. Discussion also involved on how much should be budgeted each year for capital improvements.

* * * * *

Motion by Stephens, Second by Grace, to receive and file the Treasurer's Report.

Yes – Delahanty, Grace, Stephens, Weiler

No – None

Absent – None

Motion carried

* * * * *

Chairman Stephens adjourned the meeting at 4:42 pm

**REGULAR MEETING OF THE OGEMAW COUNTY EMS AUTHORITY BOARD WAS HELD AT THE
OGEMAW COUNTY EMS AUTHORITY BUILDING ON DECEMBER 19, 2018 at 4:30 P.M.**

Present: Denise Lawrence, City of West Branch, Danny Morrison, Cummings Township, Bruce Reetz, Ogemaw County, Dave Reasner, City of Rose City, Lisa Cotton, Mills Township

Others Present: Trista Spencer-Director, Gail Seder-Administrative Assistant, Jeramie Brookins-Employee, Cindy Scott-Stephenson & Company Auditor

Chairman Reetz called the meeting to order at 4:30 p.m. with the pledge of allegiance.

Roll Call: Bruce – Yes, Danny-Yes, Dave – Yes, Lisa-Yes, Denise – Yes

Motion by Dave, supported by Danny, all in favor to approve the November 14, 2018 minutes. Motion carried.

CORRESPONDENCE:

No Correspondence to review.

CLAIMS & ACCOUNTS:

Motion by Dan to approve the Claims and Accounts in the amount of \$74,069.84. Supported by Dave, all in favor, motion carried. Roll Call: Danny-Yes, Dave – Yes, Lisa-Yes, Denise – Yes, Bruce – Yes.

OLD BUSINESS:

None.

NEW BUSINESS:

Cindy Scott from Stephenson & Company P.C. explained the 2017-2018 Audit Report. (see attached Audit) Cindy recommended putting a 5-year plan in place, to show future plans and expenses for EMS.

Motion by Lisa, supported by Dave, to approve the 2017-2018 Audit. Roll Call: Danny-Yes, Dave – Yes, Lisa-Yes, Denise – Yes, Bruce – Yes. Motion carried.

PUBLIC COMMENT:

Dan has found a piece of property for sale on Rifle River Trail, across from the Mills Station. A five-acre parcel that the owner ^{might} ~~would~~ be willing to separate and sell two acres to EMS for the construction of a new Mills Station facility.

Board members need to start thinking about setting up a committee to put a 5-year plan in place, starting in January.

Bruce discussed the County Committee of the Whole meeting that he attended today and that the County Board may be looking into taking legal action against the Townships that have not paid the E-911 fee that was due in September.

ADJOURNMENT:

Motion made by Lisa to adjourn at 5:20 p.m. Supported by Dave. All in favor, motion carried.

Meeting Adjourned at 5:20 P.M.

The next meeting will be Thursday, January 17, 2019 at 4:30 p.m.

Mw/gs/board mtg/12-19-18 minutes

CITY OF WEST BRANCH, MICHIGAN
MINUTES OF PLANNING COMMISSION MEETING HELD ON
DECEMBER 11, 2018

PRESENT: KARA FACHTING
DENISE LAWRENCE
LISA JENSEN
JANET HASTY

ROBERT DAVID
CORINE BROWN-LUCYNSKI
EVELYN SCHANK
MICHAEL JACKSON

ABSENT: DANIEL WEILER

GUESTS: KENNETH EARLE
JAYSON STROEBEL

CALL TO ORDER

PUBLIC HEARING

- No public hearing scheduled.

READING AND APPROVAL OF MINUTES

- Motion by Michael Jackson to approve the minutes as corrected of the meeting held on November 27, 2018. Seconded by Janet Hasty. Motion carried and supported by all members present.

ADDITIONS TO AGENDA (If anyone has an item that they would like to be added to the agenda they would bring it up here and ask the Chair if the item may be added to the agenda or can be added to the next meeting's agenda).

- Resignation of secretary position by Lisa Jensen. Ms. Jensen announced that because of time constraints with her employment she was unable to continue as the secretary for the Planning Committee effective immediately. Kara Fachting indicated that although she had prepared the minutes during Ms. Jensen's absences in the past, she is not interested in the appointment to the secretary position. Denise Lawrence indicated that she would take the minutes for the current meeting with the understanding that the position would be brought up at the next regularly scheduled Planning Commission (January 8, 2019) meeting for discussion and a vote by all members.

OLD BUSINESS

- Logger's Depot. Ken Earle and Jayson Stroebel were present representing Logger's Depot with respect to a letter they received about the placement of a non-conforming flag in front of their business. Mr. Earle indicated that the flag was purchased and placed in front of Logger's Depot in a rush to keep customers downtown following the recent closing of the Downtown Café. The café did quite a good breakfast business and brought many people downtown early in the morning. Mr. Earle and Mr. Stroebel were concerned that with the unexpected closing of the café, many potential customers would be drawn out of the downtown business area and go to other restaurants outside the downtown area. Mr. Earle acknowledged that neither he nor his business manager, in their haste to provide a breakfast business, obtained a proper permit from the City prior to placing the flag outside of Logger's Depot, however their main concern at the time was to keep a business open downtown that would cater to the early morning breakfast clientele and, honestly, they totally forgot about obtaining a permit for the flag. Logger's Depot had never had a breakfast business prior to the closing of the

Downtown Café and it was the sole intent of Logger's Depot to keep those customers downtown and provide a good breakfast menu that was lacking as soon as possible. Chairman Robert David clarified the sign ordinance/permit procedures and Mr. Earle and Mr. Stroebel both indicated that once they were notified by the City of the permit requirements they immediately filed the proper documentation. Mr. Earle and Mr. Stroebel both indicated that they are very happy with the breakfast business at Logger's Depot and are confident that this new part of their business has brought/kept visitors in downtown West Branch. Mr. Earle and Mr. Stroebel were thanked for bringing another opportunity to the downtown area and were wished further and continued success.

Corine Lucynski made a motion to allow Logger's Depot to continue the use of their sign/flag for an additional 90 days beginning January 1, 2019, to allow the public an opportunity to be acquainted with the breakfast menu now being served in the business. Said sign/flag does not have to be brought in every night. The motion also included that Logger's Depot shall be permitted to keep their "sandwich board" sign out in front of their business during the day, but that sign shall be removed from the sidewalk after the close of each business day. Evelyn Schank supported the motion. Motion carried and supported by all members present.

NEW BUSINESS

- 2017/2018 Downtown Development Plan. Motion by Michael Jackson to table discussion on the 2017/2018 Downtown Development Plan until the next regularly scheduled Planning Commission meeting regarding the *Table of Permitted Uses &*

Special Land Uses. Corine Lucynski supported the motion. Motion carried and supported by all members present.

- Prices/fees for Permits, etc. Discussion was held regarding fees charged by the City for permits. It is unknown at this time what other municipalities and local townships/cities charge for their permits. Motion by Robert David to table discussion of prices/fees to be charged by the City for various permits until a city employee or member of Planning Commission can conduct research and report back to the board. Michael Jackson supported the motion. Motion carried and supported by all members present.

ANNOUNCEMENTS/REPORTS BY BOARD MEMBERS

- Robert David informed those present that he recently visited with previous Planning Commission member Shirley McClenahan and informed her of what was currently going on with the Planning Commission.
- Michael Jackson: No comments
- Denise Lawrence: No comments
- Kara Fachting: No comments
- Lisa Jensen: No comments
- Corine Lucynski: No comments
- Evelyn Schank: Member Schank advised the Planning Commission that she will be out of the State of Michigan and unable to attend the Planning Commission meetings for the months of January, 2019; February, 2019; March, 2019; April, 2019; and May, 2019.
- Janet Hasty: Member Hasty advised the Planning Commission that she will be out of town and unable to attend the Planning Commission meetings for the months of January, 2019; and February, 2019.

FUTURE AGENDA ITEMS: (List any suggested agenda items that are to be tabled for the next meeting).

- Election of Officers
- Fee/price schedule
- Table of Permitted Uses & Special Land Uses

NEXT MEETING: The next scheduled meeting of the West Branch Planning Commission will be held on **Tuesday, January 08, 2019, at 6:00 p.m.**

ADJOURNMENT: Motion by Michael Jackson to adjourn the meeting at 7:47 p.m. Motion supported by Janet Hasty. Motion carried and supported by all members present.

MINUTES PREPARED BY: Denise Lawrence denisedlawrence@gmail.com

Communications



January 21, 2019

City of West Branch
121 N. Fourth Street
West Branch, MI 48661

Dear Franchise Official:

At Charter (locally known as Spectrum), we continue to enhance our services, offer more of the best entertainment choices and deliver the best value. We are committed to offering our customers with products and services we are sure they will enjoy. Containing costs and efficiently managing our operations are critical to providing customers with the best value possible. Like every business, Charter faces rising costs that require occasional price adjustments. As a result, effective on or after February 21, 2019 pricing will be adjusted for residential video service:

- Broadcast TV Surcharge from \$9.95 to \$11.99

We remain committed to providing an excellent experience for our customers, in your community and in each of the communities we serve. If you have any questions about this change, please feel free to contact me at (810) 652-1422.

Sincerely,

Karen Coronado

Karen Coronado
Manager, Charter State Government Affairs, Michigan
Charter Communications


OGEMAW COUNTY CLERK
GARY R. KLACKING

CAREN PIGLOWSKI
ADMIN. ASSISTANT

COUNTY OF OGEMAW
34th JUDICIAL CIRCUIT

17 January 2019

TO: ALL CITY/TOWNSHIP CLERKS

FROM: GARY R. KLACKING 

RE: OCEDA – RESOLUTION TO ESTABLISH

Enclosed please find a copy of the "Agreement to Establish an Ogemaw County Emergency Dispatch Authority".

This is your file copy. Should the need arise you may contact this office for an additional copy.

Cc: File

**AGREEMENT
TO ESTABLISH AN OGEMAW COUNTY
EMERGENCY DISPATCH AUTHORITY**

This Agreement is made by and between the Participating Municipalities as defined herein.

PURPOSE

The Participating Municipalities desire to create a legal entity to be known as the "Ogemaw County Emergency Dispatch Authority" ("OCEDA"), which will be responsible for the dispatch of emergency police, fire and ambulance services throughout all geographical portions of Ogemaw County, Michigan, that are subject to the political control of the Public Municipalities and Supporting Entities, as defined herein.

RECITALS

WHEREAS, the Michigan Constitution of 1963, Art. 7, §28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common with each other and which each might exercise separately; and

WHEREAS, the Urban Cooperation Act of 1967, being MCL §124.501 et seq. ("UCA"), and the Intergovernmental Transfer of Functions and Responsibilities Act, give effect to the Constitutional provision by providing that public agencies may enter into Interlocal agreements to carry out their respective functions, powers and authority; and

WHEREAS, on April 24, 1991, the Ogemaw County Board of Commissioners adopted a 911 Service Plan, as amended, pursuant to the Emergency Telephone Service Enabling Act, being MCL §484.1101 et seq. ("911 Act"), and

WHEREAS, it is the intent of the parties that all current employees of the respective PSAP are offered the opportunity to continue employment with the Authority with no reduction to the employees' wages and benefits; and

WHEREAS, OCEDA, when created, will be charged with the responsibility of operating a central communications system including an early warning entry point and emergency services telephone answering system for participating Local Governmental Units and County and other supporting agencies or entities as determined by the Governing Board of Directors;

NOW THEREFORE, in consideration of the mutual promises contained in this agreement, the Parties agree as follows:

CREATION

OCEDA is hereby created, under the authority of the Urban Cooperation Act, MCL §124.501 et seq, the OCEDA located at 205 S Eighth St, West Branch MI 48661.

SECTION I **DEFINITIONS**

As used in this Agreement, the following terms shall have the following meanings:

- 1.1 "Authority" refers to the Ogemaw County Emergency Dispatch Authority as created herein and also referred to as OCEDA.
- 1.2 "Board" refers to the OCEDA Governing Board described in this Agreement.
- 1.3 "Budget" refers to the annual operating budget showing anticipated expenditures and revenues adopted by the Board in compliance with the Uniform Budget and Accounting Act, P.A. 621 of 1978 as amended.
- 1.4 "Director" refers to the person hired by the Board to serve as its Chief Administrative Officer and who shall serve at the pleasure of the Board.
- 1.5 "Fiscal year" refers to the period of time in which the Budget shall be effective.
- 1.6 "Legislative body" refers to the governing body of each participating municipality.
- 1.7 "Operating Costs" refers to the cost of operating the Ogemaw County Emergency Dispatch Center including personnel, wages, fringe benefits, insurance, health, light, utilities, janitorial services, rent, maintenance agreements, repairs and other costs as indicated in the Authority's Annual Operating Budget.
- 1.8 "Participating agencies" refers to the law enforcement agencies, fire departments and emergency services of participating or benefitting municipalities.
- 1.9 "Participating Municipalities" refers to the County of Ogemaw and Churchill Township.
- 1.10 "Properly convened meeting" refers to a Board meeting where a majority of the appointed members are present, and which the subject of proper notice to each member was as provided in OCEDA's bylaws.
- 1.11 "Proper vote" refers to vote of the members at a properly convened meeting, which results in a simple majority of those members present and voting. Voting requirements in excess of a simple majority for all or certain subject may be required through the OCEDA bylaws.
- 1.12 "Supporting Entities" refers to all municipalities and other legal entities that operated Participating Agencies within Ogemaw County.
- 1.13 "Technical Advisory Committee" refers to the advisory committee described in this Agreement.

- 1.14 "Telephone Surcharge" refers to a surcharge on all eligible telephones as legislatively authorized by P.A. 196 of 1991, MCL §484.1101 et seq., as subsequently amended.
- 1.15 "Year End Contribution Figures" refers to the financial contribution figures, annually calculated by the auditors, for all Participating Municipalities.
- 1.16 "9-1-1 Plan" refers to the Final 9-1-1 Service Plan adopted by the Ogemaw County Board of Commissioners on April 24, 1991, as amended, pursuant to MCL §484.1101 et seq.

SECTION II **GOVERNANCE**

2.1 STATUS

OCEDA, through its Board, shall be a legal entity separate and independent from the Participating Municipalities, as authorized by Michigan's Emergency Services Authorities Act, MCL §124.601 et seq. ("Act 57") or – secondarily if Act 57 should become unavailable—the UCA, MCL §124.501 et seq. ("UCA"). Act 57 or the UCA shall serve as the enabling authority for this Agreement and OCEDA. OCEDA shall have the right to sue and be sued in its own name and its goals, objectives and actions shall be in pursuit of its unique interests. If authorized by law, OCEDA shall have the right to incur debt in the amounts authorized by law. Notwithstanding the above, OCEDA is not a joint venture and none of the Participating Municipalities shall be liable for any of OCEDA's legal or equitable obligations, including but not limited to any of its debts or liabilities.

2.2 ADMINISTRATION

2.2A ADMINISTRATIVE GOVERNING BOARD

2.2A(1) Composition

The general policies governing OCEDA shall be established by an Administrative Governing Board ("Board") of seven (7) members, each serving four (4) year terms, to be composed of one (1) representative from the Ogemaw County Board of Commissioners as appointed by that entity; one (1) citizen at large appointed by the Board; and one (1) representative from each of the districts of the Ogemaw County Board of Commissioners as appointed by the local units of government within each of those districts. It is the intent of this Agreement that such appointments be made from elected or appointed officials, but not limited to those individuals. The selection shall be the individual decision as described above. All Members shall serve without recompense provided by the Authority, although nothing herein shall prohibit the appointed body from offering per diems or other compensation consistent with its policies on service to appointed bodies. Each appointing district or board may remove a member at its discretion or will before his or her term shall expire.

2.2A(2) Powers

In addition to general policy-making authority and other powers conferred herein, the Board is authorized to perform the following functions for OCEDA in order to facilitate the purpose of this Agreement:

- (a) Enter into contracts;
- (b) Acquire, hold or dispose of property;
- (c) Construct, manage, or operate buildings or improvements;
- (d) Contract with Participating Municipalities or Supporting Entities to provide manpower, equipment or administrative services;
- (e) Receive and administer grants, gifts, bequests, or assistance funds;
- (f) Incur debts and liabilities;
- (g) Approve OCEDA's annual Budget;
- (h) Approve all OCEDA expenditures;
- (i) Contract with the Participating Municipalities and Supporting Entities for the provision of central dispatch and record services;
- (j) Hire, employ and terminate personnel, including an OCEDA Director;
- (k) Adopt and revise from time to time bylaws for itself and for the Technical Advisory Committee; and
- (l) Exercise such other authority as is necessary for the operation of OCEDA not inconsistent with the Act, Act 57, UCA, the Ogemaw County 9-1-1 Plan, and other applicable Michigan law or this Enabling Agreement.

Notwithstanding the above, the authority of the Board shall be limited to OCEDA and its funds and the Board shall not have the authority to bind, commit or encumber the funds of the Participating Municipalities or Supporting Entities, nor incur any debt, expenditure or liability that is binding on them. OCEDA shall not possess the power to levy any type of tax or issue any type of bond in its own name.

2.2A (3) Exercise of Authority

The Board shall meet at least quarterly. The Board may meet more frequently at its discretion. If the Board approves, members may meet via Skype, telephone, or other electronic or digital means. At the first meeting of the year, the Board shall elect a Chairperson, Vice-Chairperson, Secretary and Treasurer from its membership. No later than the first meeting in its Fiscal Year, the Board shall adopt a Budget for the ensuing Fiscal Year. Powers shall be exercised upon a proper vote at a properly convened meeting. Each member shall be entitled to one (1) vote. The Board will follow the requirements of Michigan's Open Meetings' Act.

2.2A (4) Board Chairperson

The Board Chairperson elected at the first meeting of the year shall preside over meetings of the Board, serve as the public spokesperson for the OCEDA and will coordinate activities of the Board, OCEDA Director and TAC, and cause minutes of each Board and TAC meeting to be kept and distributed to each member. The Board Chairperson, however, shall not exercise any authority independent of the Board or its express authorization.

2.2A (5) Board Vice-Chairperson

The Board Vice-Chairperson elected at the first meeting of the year shall exercise the authority of the Board Chairperson in the latter's absence.

2.2A (6) Board Treasurer

The Treasurer appointed by the Board at its first yearly meeting shall supervise the collection and disbursement of funds as directed by the Board and this Agreement. A treasurer's report shall be presented and/or mailed to each Board member prior to each regular board meeting.

2.2B TECHNICAL ADVISORY COMMITTEE

2.2B (1) Composition

The OCEDA Technical Advisory Committee ("TAC") shall consist of seven members and such ex-officio members as the Board shall from time to time identify and appoint. The Technical Advisory Committee shall consist of one representative from each of the following agencies who may be appointed, from time to time, by said agency and may be removed at the discretion of the agency that made the appointment. All members of the TAC shall be police, fire, dispatch or EMS professionals. The Board Chairperson and the OCEDA Director shall serve as ex-officio members of this Committee and the Board Chairperson shall serve as the Chairperson of the TAC. However, the Board Chairperson shall only vote upon a tie vote of the other TAC members. Each agency listed below may appoint one primary representative and one alternate. The alternate may act only in absence of the primary representative.

- (a) Ogemaw County Department of Emergency Management
- (b) Ogemaw County Sheriff's Office
- (c) West Branch City Police Department
- (d) Rose City Police Department
- (e) Ogemaw County Fire Chief's Association
- (f) Ogemaw County EMS Authority
- (g) Michigan State Police

Upon a two-thirds vote of its members serving, the Board may change the number and the public agencies represented on the TAC.

2.2B (2) Powers

The TAC shall be charged with creating OCEDA operational policies and procedures, excluding personnel and budgetary policies.

2.2B (3) Meetings

The TAC shall meet at least quarterly and more often if necessary. Each member shall serve without Authority recompense and shall be entitled to one vote. Meetings of the Technical Advisory Committee shall be conducted in accordance with the Open Meetings Act. No action shall be taken except at a properly convened meeting upon a proper vote of the TAC members. Notwithstanding the above, if the TAC approves, members may meet via Skype, telephone, or other electronic or digital means and may vote via e-mail, provided the vote is recorded in the minutes and announced at the meeting.

2.2B (4) Law Enforcement Information Network

Any other provision in this Agreement notwithstanding, a committee composed of all the law enforcement personnel on TAC is hereby established with management control as provided under any federal or state statute or regulation governing the Law Enforcement Information Network (LEIN) or similar state, federal or regional law enforcement information sharing network systems. Such management control shall extend to the configuration, access and usage on computers, terminals, or other related equipment that is used to gain access to these systems, and all personnel either operating or having access to such equipment.

SECTION III OPERATIONS

3.1 PERSONNEL

OCEDA shall have the authority to employ its own personnel. Hiring and firing decision-making may be delegated by the Board through written resolution to the OCEDA Director or other Board designee. OCEDA in its start-up phase shall maintain qualified, current dispatchers from the Participating Municipalities and pay salaries and benefits consistent with the UCA's requirements where functions are transferred.

The Authority Board is charged with the discretion to determine wages and benefits and negotiate union contracts in compliance with Michigan law. In addition to supervisory responsibilities, the Director shall prepare the annual Budget covering all costs for the operation of OCEDA for submission to the Board. The OCEDA Director shall keep an accurate accounting of the financial operations of the OCEDA and shall report regularly to the Board regarding financial and budgetary condition of OCEDA.

3.2 OCEDA DIRECTOR

The Board shall hire a Director who shall be an at-will employee who serves at the Board's pleasure and may be terminated without notice, with or without cause. The Board shall set the compensation for the Director on an annual basis. The Director shall be responsible for all those duties as determined by the Board, which generally will include the following responsibilities:

3.2A to hire, employ and terminate OCEDA personnel, subject to Board policies and procedures;

3.2B for the day to day operations of the OCEDA within such policies as set by the Board and TAC;

3.2C to prepare and submit for final Board approval an annual budget in the time frame set by the Board;

3.2D to keep an accurate accounting of the OCEDA's financial operations and to report to the Board at each regularly scheduled meeting on its financial condition;

3.2E to prepare and post the agenda and notice of all Board and committee meetings;

3.2F to cause minutes of all Board and committee meetings to be kept and distributed to each member of the Board and committee.

3.2G to perform such other duties as the Board may from time to time assign.

3.3 LIABILITIES

OCEDA may contract for all appropriate insurance with an insurance company or may contract for inclusion by a Participating Municipality in the municipality's insurance coverage. Notwithstanding the above, OCEDA's participation in any program of self-insurance will require approval of all Participating Municipalities.

OCEDA must secure and maintain comprehensive general liability insurance, and worker's compensation and employer's liability insurance. The minimum liability level limits for such insurance shall be:

Worker's Compensation – Statutory

Employer's Liability - \$100,000 each person

Comprehensive General Liability - \$2,000,000 each person and \$2,000,000 each occurrence for bodily injury and \$2,000,000 each occurrence and \$2,000,000 aggregate for property damage

OCEDA must indemnify its Board members and any Participating Municipality or Supporting Entity against any general losses, damages or liabilities due to the service and activities of the OCEDA or participation in OCEDA up to OCEDA's liability insurance policy limits. Nothing herein shall limit the ability of the Board to secure insurance in levels higher than stated above or obtaining additional types of insurance in its discretion.

3.4 CENTRAL DISPATCH

OCEDA will be assigned by the 911 Plan and is assigned by this Enabling Agreement the responsibility of operating a central dispatch and emergency service telephone answering system for the Participating Municipalities and Supporting Entities in the central dispatch program within the geographic borders of Ogemaw County.

The intention of this Agreement is that OCEDA will serve as the primary PSAP for all portions of Ogemaw County. The Board may contract for certain administrative services from one or more of the Participating Municipalities and/or Supporting Entities.

SECTION IV **FISCAL ADMINISTRATION**

4.1 FINANCING

Due to their fiscal stability and inherent equity, dedicated millage and telephone operational surcharge funding are the preferred methods for funding OCEDA's operations. However, if such funds are not available or are insufficient to finance OCEDA, the Board shall develop an equitable funding formula among the Supporting Entities.

4.2 BUDGET

For each fiscal year, the Board shall adopt a Budget, which shall generally segregate anticipated revenues into accounts designed to cover expected expenditures. The Budget shall balance anticipated revenues with expected expenditures and contingency accounts. No expenditure may be authorized if it will result in an actual budgetary account deficit or is at a rate, which will eventually lead to an actual budgetary account deficit prior to the end of the fiscal year. The Board shall amend the Budget to meet deviations in expected revenues or authorized expenditures. In the event that millage, operational surcharge or other non-member funding is insufficient, the Board will present the legislative bodies of each of the Participating and/or Supporting Entities with timely budgetary projections and estimates so that it has an opportunity to adequately plan for its contribution in its own annual budget.

4.3 DEPOSITORY

The Board shall designate a depository which shall be a federally or state regulated bank or savings institution, and establish therein accounts wherein the treasurer shall deposit all OCEDA revenues. OCEDA shall comply with all applicable Michigan law regarding the investment, holding and reporting of funds. The treasurer's signature and that of at least one other person designated by the Board shall be required before the depository may release any OCEDA funds.

4.4 EXPENDITURES

The Board must approve all OCEDA expenditures. Notwithstanding the foregoing, the OCEDA Director may approve expenditures for OCEDA operations in an amount not to exceed \$2,000 ("Pre-authorized Ceiling") prior to Board approval, provided there are existing appropriations in the Budget, including the specific line-item if relevant, to cover the expenditure. The Board may increase or decrease the Pre-authorized Ceiling of \$2,000, provided it does so by a two-thirds vote of all Board members appointed and serving that the new Pre-authorized Ceiling is recorded in its minutes. At each Board meeting, the OCEDA must present for ratification all expenditures made under the Pre-authorized Ceiling since the last Board meeting.

4.5 ANNUAL AUDIT

All OCEDA finances and expenditures shall be subject to a complete annual audit, which will include an unqualified audit opinion to be performed by a certified public accountant. As part of the audit, the auditors shall calculate the financial contribution of each Participating municipality to OCEDA for that year including reasonable dollar quantification for all in-kind services provided by the Participating Municipality to OCEDA. These figures, entitled "year-end contribution figures", shall be used in determining the historical contribution of each Participating Municipality as detailed in Section V, entitled "Dissolution". Any Participating Municipality shall be credited in its year-end calculation figures with any millage funds, which it levies and appropriates to the OCEDA for the latter's use. The chief fiscal officer of each Participating Municipality may review the documentation and utilized work papers generated with each annual audit. A copy of the Annual Audit shall be submitted to the legislative body of each Participating Municipality. The legislative body of each Participating Municipality shall

also have the right to request other financial information regarding OCEDA's Budget, funds and expenditures. The Director shall respond to such a request within 10 business days. The Board at its next meeting shall review any denial of information to a municipality by the Director.

SECTION V **DISSOLUTION**

In the event this Agreement is terminated and OCEDA is dissolved, after reasonable wind-up expenses are deducted, each Participating Municipality active in OCEDA at the time of dissolution shall be entitled to a portion of OCEDA's assets, according to its historical contribution to OCEDA, by adding all of its year-end contribution figures together and dividing that sum by the total of all year-end contribution figures of all active Participating Municipalities in OCEDA. For purposes of this paragraph, Ogemaw County shall receive credit for all countywide millage and/or operational surcharge received by the Authority pursuant to the Act and any voter approved operational surcharge under the Act. The resulting percentage shall be multiplied by OCEDA's net assets to achieve the Participating Municipality's share.

OCEDA will be dissolved by resolution of all Participating Municipalities or the withdrawal of any number of Participating Municipalities that leaves no more than one (1) Participating Municipality as a party to this Agreement.

SECTION VI **PARTICIPATION AND ANNUAL MEETING**

Any village, city or township located in Ogemaw County that is a participating "public agency" under the County's existing 911 Plan may become a Supporting Entity in OCEDA by signing a Service Agreement with OCEDA.

A Supporting Entity may withdraw from OCEDA by resolution of its legislative body and compliance with the requirements for withdrawal in the Act, this Agreement and any Service Agreement that it has signed with OCEDA.

OCEDA shall hold an annual meeting for all Participating Municipalities and Supporting Entities to discuss the general operation of the central dispatch operations.

SECTION VII **MISCELLANEOUS**

5.1 MERGER

This Agreement constitutes the complete expression of the agreement between the Participating Municipalities on these subjects and there are no other oral or written agreements or understandings between the entities concerning OCEDA. Any prior agreements or understandings on the matters addressed in this Agreement are hereby rescinded, revoked or terminated. This Agreement may only be modified or amended by subsequent written agreement approved by its legislative body and executed by a two-thirds majority of the Participating Municipalities.

5.2 SEVERABILITY

This Agreement shall be interpreted in a manner consistent with applicable law. If any portion is held to be illegal, invalid or unenforceable, the remainder of the Agreement shall be deemed severable and shall remain in full force and effect.

5.3 TERM

This Agreement shall become effective on the date the second Participating Municipality executes it. It shall remain in effect indefinitely, unless terminated by resolution approved by two-thirds of the Participating Municipalities, or if the OCEDA is removed from the 911 Plan as the primary public safety answering point, or if only one of the Participating Municipalities has not withdrawn pursuant to Section 5.4, below.

5.4 WITHDRAWAL

Any Participating Municipality may withdraw from OCEDA and terminate its participation in this Agreement, provided it gives all remaining Participating Municipalities written notice two (2) years in advance of its withdrawal. Any withdrawing Municipality shall forfeit assets dedicated to the Authority and any portion of the fund balance or equity in the Authority, including its historical contribution figures, unless the Board by unanimous vote of the members then serving decides otherwise.

5.5 AMENDMENT

This Agreement may be amended if the legislative bodies of all of the Participating Municipalities adopt a resolution approving the amendment.

IN WITNESS WHEREOF, the parties have executed this Agreement at West Branch, MI

COUNTY OF OGEMAW

Bruce Reetz

Bruce Reetz , Chairman

1-10-19

Date

Ogemaw County Board of Commissioners

Gary Klacking

Gary Klacking

1-10-19

Date

County Clerk

TOWNSHIP OF CHURCHILL

Michael Babcock

Michael Babcock

1-15-19

Date

Supervisor

Reports

Mayor

Council

City Manager



City of West Branch

121 N. Fourth St., West Branch, MI 48661

Phone 989-345-0500 ☎ Fax 989-345-4390 ☎ email cityhall@westbranch.com

APPLICATION FOR OPEN CITY BOARD OR COMMISSION POSITION

Application for: DDA Board/Commission

Name Cathy Zimmerman

Address 500B Annie WB

Phone 312-0078 (cell/phone)

Email zimmermanca3@yahoo.com

City Resident? Yes ☒ No ☐ How Long? 15

Please list any previous City appointments or offices Council - ~~2000-2002~~

Please list any relevant employment or professional activities _____

Other community affiliations/activities you feel would be a benefit to this position _____

Are you aware of the meeting schedule for this Board or Commission, and are you available to attend regularly scheduled meetings?

Aware of schedule? Yes ☒ No ☐ Can attend? Yes ☐ No ☐ Unsure ☐

Why are you interested in serving of the City Board or Commission? _____

What talents or experience would you bring to the position? _____

What are your primary interests in City Government and City services? _____

Please relate any special goals you may have for the City _____

Any other information you wish to provide for Mayor and Council consideration? _____

Cathy Zimmerman
Signature

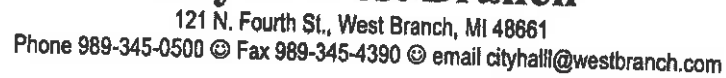
1/02/19
Date

Thank you for your interest in serving as a volunteer Board or Commission member.

Appointments to City Council advisory Board and Commissions are nominated by the Mayor and confirmed by consent of the City Council. If you are applying for a specific and currently open position, you will be notified of City Council's decision once it is made.

If you are submitting an application to be considered in the future as openings occur, you will be contacted by City staff when the vacancy is announced in order to confirm your interest in this specific opportunity.

Upon appointment, you will be required to stop by City Hall to complete a W-4, MI W-4 and an I-9 form along with supplying a copy of your driver's license and social security card or a copy of your passport.



Downtown business owner. West Branch native – looking to be a contribution to the community

What talents or experience would you bring to the position? _____

20+ years in leadership and management of small and large businesses. Effective communicator, consensus builder, critical thinker/strategist, and project manager

What are your primary interests in City Government and City services? _____

I'm simply looking to be a contribution to the community. I will help wherever I can.

Please relate any special goals you may have for the City _____
Based on my recent experience with opening a business downtown, I would like to see West Branch move toward being highly business friendly with a thriving downtown business community.

Any other information you wish to provide for Mayor and Council consideration? _____

Mike Cozad

Signature

1/2/2019

Date

Thank you for your interest in serving as a volunteer Board or Commission member.

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Public Comment -Any Topic

Adjournment