

-- AGENDA --

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS AT WEST BRANCH CITY HALL, 121 N. FOURTH ST. ON MONDAY, APRIL 15, 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. 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
- VIII. Bids
- IX. Unfinished Business
- X. New Business
 - A. Bills payable.
 - B. Resolution 19-08
 - C. Assessor contract
 - D. Wilkins water bill adjustment
 - E. Ordinance 19-01
- XI. Approval of the minutes and summary from the meeting held April 1, 2019 as well as the minutes of the Special meeting held April 8, 2019

- XII. 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 DDA meeting held February 26, 2019
 - C. Minutes from the Planning Commission meeting held February 26, 2019 and March 12, 2019
 - D. March Police Report
- XIII. Communications
 - A. Opportunity Zone training
 - B. Michigan Land Bank demolition award press release
- XIV. Reports and/or comments
 - A. Mayor
 - B. Council Members
 - C. City Manager
 - 1. Recycle Grant
- XV. Public Comment on any item (limited to 3 minutes)
- XVI. 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	\$17,597.77
<i>BILLS AS OF 4/11/19</i>	<i>\$17,597.77</i>
<i>Additions to Bills as of</i>	<i>\$0</i>
<i>Paid but not approved</i>	<i>\$326.20</i>
TOTAL BILLS	\$17,923.97

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

Vendor Name	Amount	Description
ADAMS, JOE	10.06	BCN 2017 REBATE - REISSUE LOST CHECK
BADGER METER	273.23	CELLULAR SERVICE MARCH
BARTON'S MOBILE REPAIR & WELD	285.00	DPW REPAIR - LIGHT POLE
BELL EQUIPMENT CO	425.35	#34
CITY OF WEST BRANCH	150.91	WATER BILLS MARCH
CITY OF WEST BRANCH	930.95	MULTIPLE ACCOUNTS TAX LEIN PAYMENTS
CONSUMERS ENERGY	3,169.79	ELECTRIC
CONSUMERS ENERGY	180.76	ELECTRIC
DLL FINANCIAL SERVICES INC	70.08	POLICE COPIER
DTE ENERGY	2,287.25	GAS BILLS
FIRST ADVANTAGE	253.90	RANDOM DRUG TEST LINSSENMAN
FOSTER BLUE WATER OIL LLC	2,270.64	FUEL
GREAT LAKES TECH CONSULT LLC	227.50	IT SERVICES
GREEN ACE HARDWARE	264.91	SUPPLIES
HACH COMPANY	520.58	VARIOUS SUPPLIES
HOME DEPOT	20.10	VARIOUS SUPPLIES
MEDLER ELECTRIC CO	183.81	VARIOUS SUPPLIES
MILLER OFFICE MACHINES	484.36	COPIES CITY HALL & POLICE
MVW & ASSOCIATES INC	995.00	ASSESSOR CONTRACT MAY
NORTH CENTRAL LABORATORIES	188.29	WWTP SUPPLIES
OFFICE CENTRAL	361.08	SUPPLIES
OGEMAW COUNTY VOICE	195.00	ADS - MARCH
SAVE A LOT	51.87	VARIOUS SUPPLIES
SCHMITT TIRE & GAS	15.00	REPAIR
SELLEY'S CLEANERS	20.25	UNIFORM CLEANING
UNIFIRST CORPORATION	579.05	UNIFORMS
UNIQUE PAVING MATERIALS	724.46	COLD PATCH
UPS	11.40	WWTP SHIPPING
USA BLUE BOOK	359.63	VARIOUS SUPPLIES
VIC BOND SALES INC	656.00	VARIOUS SUPPLIES
WEST BRANCH NAPA AUTO TRUCK	286.28	VARIOUS SUPPLIES
WEST BRANCH TOWNSHIP TREASURER	6.58	QUARTERLY SURCHARGE
WEST END DISTRIBUTING	95.00	SUPPLIES
WILLARD'S EQUIPMENT CO	146.70	PARTS #50
WISE HEATING AND COOLING INC	897.00	WWTP BOILER INSPECTIONS
TOTAL		17,597.77

RESOLUTION #19-08

WHEREAS, the West Branch City Council in §51.095 and §52.39 of the City of West Branch Code of Ordinances have determined that water/sewer charges constitute a lien on the property, and

WHEREAS, §92.17 of the Code of Ordinances states that the charges for mowing noxious weeds shall be a lien against the premises,

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby acknowledges the following liens and authorizes the Clerk to place these charges on the 2019 tax roll:

Water/Sewer Charges

270 N. Burgess St.	\$265.71	329 N. Third St.	\$60.48
147 Carpenter St	\$545.85	128 N. Valley St	\$603.01
119 Fremont St	\$226.53	372 State St.	\$36.36
195 Fremont St	\$62.52	633 Court St.	\$2,253.69
327 W. Houghton Ave	\$481.39	324 W. Ripley St	\$165.71
450 W. Morrison St	\$448.59	520.5 W. Wright St. Apt. B	\$55.15
424 W. Ripley St	\$103.40	565 Progress St. Ste. A	\$181.93
217 E. Houghton Ave	\$42.54		

Mowing

§ 51.094 BILLING PROCEDURE.

Effective January 1, 2019, or as soon thereafter as may be practicable, sewer bills shall be rendered monthly during each operating year and shall represent charges for the period immediately preceding the date of rendering the bill. The bills shall be due and payable within 30 days from the date thereof and all bills not paid when due shall be deemed delinquent and a penalty shall be added thereto and become due and owing as a part thereof. The amount of the penalty for late payments shall be set at the rate of 10% of the amount of such late billing for the year 2019, and may be modified thereafter by Resolution of Council.

(Ord. 160, passed 5-18-81; Am. Ord. 10-01, passed 2-1-2010; Am. Ord 18-04, passed 12-3-18)

§ 51.095 DELINQUENT PAYMENT; LIENS, SECURITY DEPOSIT.

Connection charges and charges for sewage disposal services are made a lien on all premises served thereby, unless notice is given that a tenant is responsible, whenever any such charge against any property shall be delinquent for six months, the City official or officials in charge of the collection thereof shall certify annually, not later than May 1 of each year, to the tax assessing officer, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general taxes against such premises are collected and the lien thereof enforced. Where notice is given that a tenant is responsible for such charges and service as provided, no further service shall be rendered such premises until a cash deposit of not less than \$25 shall have been made as security for payment of such charges and service. The cash deposit required of tenants shall equal twice that amount typically charged to a similar customer for six months of service.

(Ord. 160, passed 5-18-81; Am. Ord. 02-04, passed 12-16-2002; Am. Ord 18-04, passed 12-3-18)

The above Ordinance was offered for adoption by Council Member Mike Jackson and was seconded by City Council Member Rusty Showalter, the vote being as follows:

YEAS: Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

NAYS: None

ABSENT/ABSTAIN: None

Motion carried

INTRODUCED 11/19/18

ENACTED 12/3/18

PUBLISHED 12/12/18

EFFECTIVE DATE 12/19/18

Denise Lawrence, Mayor

John Dantzer, Clerk

(F) A tap fee shall be paid by each customer making connection to the water system. Such fee shall be established by Resolution of the City Council and is intended to cover the cost of physical connection to the system and the privilege of connecting to the system.

(Ord. 70, passed 7-7-52; Am. Ord. 157, passed 12-15-80; Am. Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord. 07-06, passed 12-3-2007; Am. Ord. 09-03, passed 9-8-2009; Am. Ord. 09-05, passed 10-5-2009; Am. Ord. 10-04, passed March 15, 2010; Ord. 11-02, passed 2-21-2011; Am. Ord 18-03, passed 10-24-18)

§ 52.36 BILLING; PENALTY FOR LATE PAYMENT.

Effective January 1, 2019, or as soon thereafter as may be practicable, water bills shall be rendered monthly during each operating year and shall represent charges for the period immediately preceding the date of rendering the bill. The bills shall be due and payable within 30 days from the date thereof and all bills not paid when due shall be deemed delinquent and a penalty shall be added thereto and become due and owing as a part thereof. The amount of the penalty for late payments shall be set at the rate of 10% of the amount of such late billing for the year 2019, and may be modified thereafter by Resolution of Council.

(Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 10-02, passed 2-1-2010; Am. Ord 18-03, passed 10-24-18)

§ 52.37 FIRE HYDRANT RATES.

For water used through fire hydrants, the City shall pay a charge for each fire hydrant each year, which charge shall be paid annually in advance from the current funds of the City, or from proceeds of taxes which the City within constitutional limits, is hereby authorized and required to levy in an amount sufficient for that purpose. The amount per fire hydrant that shall be paid each year shall be \$135 for the year 2019, and may be modified thereafter by Resolution of Council.

(Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord 18-03, passed 10-24-18)

§ 52.38 SPECIAL RATES.

For miscellaneous services for which a special rate should be established, such rates shall be fixed by Resolution of the City Council.

(Ord. 185, passed 12-1-86; Am. Ord. 217, passed 7-1-92; Am. Ord. 252, passed 7-20-98; Am. Ord 18-03, passed 10-24-18)

§ 52.39 ENFORCEMENT; LIENS.

The charges for water services, which are under the provisions of Act No. 178 of the Public Acts of 1939, as amended, being M.C.L.A. §123.161 - 123.167 are made a lien on all premises served thereby, unless notice is given that a tenant is responsible, whenever any such charge against any piece of property shall be delinquent for six months. The City official, or officials in charge of the collection thereof, shall certify annually, on April 1 of each year, to the tax assessing officer of the City, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises, and the lien thereon enforced in the same manner as general City taxes against such premises are collected, and the lien thereon enforced. However, where notice is given that a tenant is responsible for such charges, as provided by Section 21, Act 94, Public Acts of Michigan, 1933, no further service shall be rendered such premises until a cash deposit of not less than \$12 shall have been made as security for payment of such charges. The cash deposit required of tenants shall equal the amount typically charged to a similar customer for six months of service.

(Ord. 185, passed 12-1-86; Am. Ord 18-03, passed 10-24-18)

§ 52.40 SHUTTING OFF OR DISCONTINUING SERVICE; TURN-ON CHARGE.

In addition to other remedies provided, the City shall have the right to shut off and discontinue the supply of water to any premises for the nonpayment of water charges when due. If such charges are not paid within 30 days after the first day of the month next succeeding the month in which such charges are billed, then water service to such premises shall be discontinued. A warning notice shall be attached to the door of the premises affected prior to actual discontinuation of service. A shut-off fee shall be added to the sum then due for notice of shut off. Water services so discontinued shall not be restored until all sums then due and owing shall be paid, plus a turn-on charge. Amounts to be charged for shut-off fees and turn-on charges shall be set by Resolution of Council.

(Ord. 185, passed 12-1-80; Am. Ord. 217, passed 7-1-92; Am. Ord 18-03, passed 10-24-18)

AGREEMENT

THIS AGREEMENT made this 1st day of July 2019, by and between CITY OF WEST BRANCH (hereinafter referred to as City) and MVW and ASSOCIATES, INC. (hereinafter referred to as ASSESSOR), whereby the parties hereto agree as follows.

ARTICLE I

Section 1. The Assessor shall comply with the provisions of the Michigan General Property Tax Act, as amended, pertaining to assessors and assessments.

Section 2. The Assessor shall use the Assessors Manual as a guideline when assessing.

Section 3. The Assessor shall consult with the county Equalization Director to establish a tax base so as to avoid the levy of a factor by the county Equalization Director or the State.

Section 4. The Assessor shall keep all records up to date and have them available for inspection at all times.

Section 5. The Assessor shall annually maintain land value rates and economic condition factors.

Section 6. The Assessor shall prepare all splits and combinations of property.

Section 7. The Assessor shall process all deeds for sales studies and make necessary changes on assessments records.

Section 8. The Assessor shall work appraisals on, and therefore assess new construction subject to ad valorem taxation within the City.

Section 9. The Assessor shall process all personal property statements and audits, if any, pertaining to same.

Section 10. The Assessor shall notify, by First Class Mail, all taxpayers whose assessment and or taxable value that has been increased over the previous year. This should be done at least (14) calendar days prior to the March Board of Review.

Section 11. The Assessor shall be required to devote the time necessary to perform the duties herein in a proper manner.

Section 12. The Assessor is not authorized to make any purchases or charge any expenditures to the City without prior approval of the City Manager or its representative.

Section 13. The Assessor shall share equal time with the City/Townships for all Board of Reviews that are covered under this agreement.

Section 14. The assessor shall attend all Tax Tribunal Hearings.

Section 15. In representing the City at Board of Review meetings, Tax Tribunal Hearings/Meetings, and other meetings with the citizens, the assessor shall act in a professional and polite manner at all times.

Section 16. The assessor shall attend the first city council meeting following the March Board of review meetings to report on Board of Review proceedings, the final assessment roll and to answer any questions council may have.

ARTICLE II

DUTIES OF THE CITY OF WEST BRANCH

Section 17. The City shall compensate MVW and Associates, Inc. at a monthly rate of \$995.00 which shall be paid by the 1st Tuesday of each month.

Section 18. The City shall compensate the Assessor for the reappraisal of parcels, per cities request, rate of \$18.00 per residential property and \$25.00 per commercial/industrial property for completing the 20% yearly property inspection per state tax commission recommendation, which shall be paid monthly as billed by MVW and Associates, Inc.

Section 19. The City shall retain ownership of all the materials, files, and records pertaining to real and personal property assessments within the City.

Section 20. The City shall furnish all materials and supplies needed by the Assessor to perform his/her duties.

ARTICLE III

CONTRACTOR

Section 21. It is the understanding of both parties that the Assessor shall be and independent contractor and, as such, shall be responsible for all taxes, withholdings, self-employment tax and, liability and any other bonds that maybe required in the performance of his/her duties.

ARTICLE IV

TOTAL AGREEMENT

Section 22. It is the intent of the parties that the provisions of the Agreement, which supersedes all prior agreements and understandings, oral or written, express or implied, between such parties, shall govern their entire relationship and shall be the sale source of employment, rights, or claims, which may be asserted by either party.

ARTICLE V
DURATION

Section 19. This agreement shall remain in full force and effect until 12:01 am. June 30, 2020 and may be renewed annually if so agreed by both parties.

IT IS SO AGREED-

X

James L. VanWormer
Vice President, MVW & Associates, INC.

X

John Dantzer
Manager, City of West Branch

ORIGINAL



City of West Branch

121 North Fourth Street • West Branch, Michigan 48661
(989) 345-0500 • Fax (989) 345-4390 • e-mail: cityhall@westbranch.com

WATER/SEWER BILL ADMINISTRATIVE ADJUSTMENT REQUEST FORM

Name and contact information of individual requesting the administrative adjustment:

Jeanne & Jim Wilkins

Name and property address for individual/entity responsible for water/sewer bill in question:

209 N 1st St, WB

Relationship/interest of party requesting the adjustment (example: property owner, tenant, office manager, etc.):

Owner

Are you requesting an administrative adjustment of the:

☐ Water portion of the bill only ☐ Sewer portion of the bill only ☒ Both the water & sewer portions

What period of time are you requesting an administrative adjustment of your bill be applied to:

January - February 2019

Has the Department of Public Works (DPW) performed an inspection of the property in question to look for possible problems/leaks, etc.? ☐ Yes ☒ No If yes, please indicate when, and describe results of the inspection:

Not necessary at that time

Please use the following two pages [attach additional pages if needed] to explain in as much detail as possible any information that you believe would assist administrators attempting to determine whether an administrative adjustment is warranted in this instance. Also, please note that due to the fact that administrative adjustment requests are investigated by the administration and the DPW, responses to requests typically take about 14-21 business days, depending upon the complexity of the issues raised in the request. However, all bills disputed via a request for administrative adjustment are held in abeyance, meaning that they are not due and owing during this period of administrative review, nor are penalties or interest accumulated during this time.

Could not be in WB due husband's stroke -
therapy. We were in Ann Arbor area from Sept. / to
Feb 1 - Checked house, all was well, heat & now.
water were fine!

Feb 20 - Returned to check house, No heat,
water was gushing to outside! Broken
water line to dishwasher (because of
expanding/contracting due to weather issues)
caused water ^(rise) in kitchen, 1 1/2 feet of
water in basement. Don't know when the
line broke.

Help! Can you please adjust this bill. Our
usual bills are approximately \$115-120.

Jeanne Wilkins

NOTE—Only ONE (1) water and/or sewer bill adjustment per water customer for the life of the water customer. This rule applies to landlords who own multiple properties as well as individual homeowners. Landlords (as well as individual homeowners) are advised to do regular inspections of their property and perform maintenance as needed to avoid unnecessary plumbing leaks, etc. Water customers are also advised to regularly inspect toilets, sinks, etc. for leaks, as proper maintenance of all internal plumbing and fixtures is the responsibility of the property owner NOT the City of West Branch.

Lance R. Wilkins
Signature of individual requesting
administrative adjustment

4-10-19
Date

If this form was mailed or faxed to you it must be returned to the City of West Branch, 121 N. Fourth St., West Branch, MI 48661 or faxed to (989) 345-4390 or scanned and emailed to cityhall@westbranch.com within three (3) business days of receipt in order to maintain status of any verbal indication that a bill would be held in abeyance during an administrative review period.

Failure to return this form with the required information within three (3) business days will cause your water/sewer bill to become immediately due and owing at the originally billed amount.

PERIOD	USAGE	BILL
March 2019	0	\$14.75
Jan-Feb 2019	122	\$2,382.88
Oct-Dec 2018	7	\$133.64
July-Sept 2018	12	\$187.56
Apr-June 2018	8	\$141.20
Jan-Mar 2018	3	\$103.40

Avg of 4 previous qtrs	7.5
Monthly	2.5
two month bill	5

JAN-FEB BILL		5,000	bill based on policy	total refund
water	\$638.06	\$26.15	\$638.06	\$0.00
sewer	\$607.56	\$24.90	\$24.90	\$582.66
sewer collection	\$185.44	\$7.60	\$7.60	\$177.84
water debt	\$158.60	\$6.50	\$158.60	\$0.00
sewer debt	\$763.72	\$31.30	\$31.30	\$732.42
water ready to service	\$19.90	\$19.90	\$19.90	\$0.00
sewer ready to serve	\$9.60	\$9.60	\$9.60	\$0.00
total	\$2,382.88	\$125.95	\$889.96	\$1,492.92

**CITY OF WEST BRANCH ADMINISTRATIVE POLICY REGARDING REQUESTS FOR
ADMINISTRATIVE ADJUSTMENTS TO WATER/SEWER BILLS:**

NOTE—Only ONE (1) water and/or sewer bill adjustment per water customer for the life of the water customer. This rule applies to landlords who own multiple properties as well as individual homeowners. Landlords (as well as individual homeowners) are advised to do regular inspections of their property and perform maintenance as needed to avoid unnecessary plumbing leaks, etc. Water customers are also advised to regularly inspect toilets, sinks, etc. for leaks, as proper maintenance of all internal plumbing and fixtures is the responsibility of the property owner NOT the City of West Branch.

- (1) For a request for an administrative adjustment to a water-sewer bill to be considered, the party responsible for the bill **MUST** fully complete and submit the proper paperwork [“Water/Sewer Bill Administrative Adjustment Request Form” which is available at West Branch City Hall and can be mailed to parties upon request by calling (989) 345-0500].
- (2) If a Water/Sewer Bill Administrative Adjustment Request Form is properly completed and turned in to West Branch City Hall before the due date of the bill in dispute, the bill that is being dispute will be held in abeyance until a decision is made regarding the request for an administrative adjustment (meaning that the amount due is put on hold and penalties and interest will not be assessed during the period in which the request is being reviewed by City Hall Administration). However, once a decision is rendered regarding a request for an administrative adjustment, said decision will be mailed to the party making the request and the amount originally due (or the new adjusted amount, if an adjustment is approved) will be immediately due and owing within seven (7) business days of the date of mailing, and penalties and interest will again begin to be assessed if the full amount is not immediately paid.
- (3) When making a determination as to whether to grant a request for an administrative adjustment to a water/sewer bill, the original assessment will be made by the City of West Branch Deputy Clerk/Treasurer, with oversight of the process provided by the City Clerk/Treasurer—Unless the amount of adjustment recommended is greater than \$700, in which case the determination must also then be approved by the City Council.
- (4) Once a decision regarding a request for an administrative adjustment is mailed, the requesting party has seven (7) days to appeal the decision in writing to the City Manager by fully completing and submitting the proper paperwork [“Appeal of Decision Regarding Request for Administrative Adjustment to Water/Sewer Bill” which is available at West Branch City Hall and can be mailed to parties upon request by calling (989) 345-0500].
- (5) If an Appeal of Decision Regarding Request for Administrative Adjustment to Water/Sewer Bill is properly completed and turned in to West Branch City Hall within seven (7) days of the mailing date of the original decision letter, the bill that is being dispute will be held in abeyance until a decision is made regarding the request for an administrative adjustment (meaning that the amount due is put on hold and penalties and interest will not be assessed during the period in which the request is being reviewed by City Hall Administration). However, once a decision is rendered by the City Manager regarding a request for an administrative adjustment, said decision will be mailed to the party making the request and the amount originally due (or the new adjusted amount, if an adjustment is approved) will be immediately due and owing within three (3) business days of the date of mailing, and penalties and interest will again begin to be assessed if the full amount is not immediately paid.

(6) Appeals of the City Manager's final decision regarding appeals may also be appealed to the City Council by either requesting in writing to appear on the agenda of a Council meeting at least three business days in advance of the Council meeting, or by appearing during the "Public Comments" section of any open meeting of the West Branch City Council. However, amounts due on disputed bills are NOT held in abeyance pending appeals to Council and penalties and interest continue to be assessed during such appeals and will only be removed if such an appeal to Council is successful and the West Branch City Council votes to direct City Hall Administration to remove said fees and interest.

(7) When making a determination as to whether a request for an administrative adjustment to a water/sewer bill should be granted, City Hall Administration should consider the following factors:

- Does there appear to have been a malfunction of City-owned equipment?
- Did the property owner exercise due care regarding their duties to properly maintain their property, including plumbing fixtures?
- Could there have been a leak, such as a leaking toilet, that caused the high water bill (which is the responsibility of the property owner)?
- If the property owner is requesting an adjustment to the sewer portion of their bill and claiming that their bill was especially high due to a leaking pipe and that the water did not go into the sewer (as opposed to a leaking toilet, where the water did go into the sewer), does the property owner have proof to validate this claim, such as a receipt from a licensed plumber evidencing a repair to a leaking water pipe?

(8) The following guidelines should apply to City Hall administration when making determinations:

- If there is evidence that there was a likely malfunction of City-owned equipment, an administrative adjustment should be granted. However, some evidence must be provided, not just claims of a malfunction.
- If the high water/sewer bill is attributable to a failure on the part of the property owner to exercise due care in their duties to properly maintain their property, including plumbing fixtures (such as ensuring against toilet leaks), administrative adjustments should not be granted.
- If the high water/sewer bill is attributable to a failure to utilize a sprinkler meter, or other similar situation, then an administrative adjustment should not be granted.
- If the high water/sewer bill is attributable to a landlord/tenant dispute, or dispute between third parties regarding authorized vs/ unauthorized use of water/sewer, an administrative adjustment should not be granted, as that is a civil matter to be worked out amongst the parties involved.
- If the high water/sewer bill is claimed to be attributable to a leaking water pipe, an administrative adjustment should not be granted UNLESS verifiable proof is presented evidencing that the excess amount of water used likely did not enter the sewer system (as opposed to the possibility that the high water/sewer bill could have actually been caused by something such as a leaking toilet, in which case the water did in fact enter the sewer system). Examples of verifiable proof that would evidence that the excess amount of water used likely did not enter the sewer system would include a receipt from a licensed plumber, along with a description of the work performed, that describes repairs made during the billing cycle in question to a water pipe that had burst whereby the leaking water did not in fact enter the sewer system.

REMEMBER—Just ONE silently leaking toilet can use as much as 21,000 gallons of water per quarter!!!

Ordinance 19-01
City of West Branch – Zoning Ordinance Amendments

That the City of West Branch ordains:

Add footnote "f" to Table 9 next to "Housing Unit, minimum square foot" and "Housing Unit, minimum dimension".

Notes to Table 9:

- e. All Dimensional Standards for the Mixed Use (MU) District shall be the same as those established for the Single Family R1 District except the front setback which shall be fifteen (15) feet.
- f. The Planning Commission shall have the authority to approve dwelling units less than the minimum dwelling unit size and minimum dwelling unit dimension stated in Table 9. No public hearing shall be required.

Public Hearing Notice

City of West Branch – Zoning Ordinance Amendments

The City of West Branch Planning Commission will hold a public hearing to recommend adoption of Ordinance 19-01 of 2019 – amendments to the zoning ordinance. The public hearing will be held West Branch City Hall at 141 N. 4th Street, West Branch, Michigan 48661 on Tuesday, March 26, 2019, at 6:00 pm. Written comments may be sent to John Dantzer at the above address prior to the public hearing. The public may appear at the public hearing in person or by counsel.

That the City of West Branch Zoning Ordinance, Chapter 3, Section 3.6, Table 9 is proposed to be amended to read as follows:

Add footnote “f” to Table 9 next to “Housing Unit, minimum square foot” and “Housing Unit, minimum dimension”.

Notes to Table 9:

- e. All Dimensional Standards for the Mixed Use (MU) District shall be the same as those established for the Single Family R1 District except the front setback which shall be fifteen (15) feet.
- f. The Planning Commission shall have the authority to approve dwelling units less than the minimum dwelling unit size and minimum dwelling unit dimension stated in Table 9. No public hearing shall be required.

Approval of Minutes

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, APRIL 1, 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: Interim Manager/Clerk/Treasurer John Dantzer, DPW Superintendent Mike Killackey, Police Chief Ken Walters, DDA Vice Chairperson Joe Clark, and Planning Vice Chairperson Bob David.

All stood for the Pledge of Allegiance.

* * * * *

Autum Hunter addressed Council to ask about having some handicap parking spots added in the parking lot off of North Fourth St. Questions were raised on who owns the area in question. It was the consensus of Council to have Mayor Frechette and City staff look at the location in question and work with Ms. Hunter on coming up with a plan that would be suitable and then Council would reconsider the issue at that time.

* * * * *

Ron Selley from Selley Cleaners addressed Council on the new utility rates and noted that the new rates would cause his business an extreme hardship and the possibility of forcing him to close. He noted that he invested over \$100,000 in machines that were as water efficient as possible. He also noted that under the previous rate structure laundromats received a discount on the sewer rates due to the large amounts of water that evaporates in the dryers and do not reach the sewer system. He asked if Council would consider adjusting his laundromat rates back to the rates they were in 2018 because he does offer a service to the area that would not be available if he were to close. Mr. Selley also noted that he was not asking for a permanent decrease in rates

Member Ehinger asked if the rates were able to be adjusted without changing the entire ordinance. Interim Manager Dantzer noted that the current ordinance did allow for Council to make special rates for services by the way of resolution.

Mayor Frechette noted that Council is planning a special meeting to discuss the City Manager opening and could look into this issue and present a resolution at that special meeting for Council to consider. Mayor Frechette noted that he would work with City staff to look further into options and be more informed on the decision.

Mr. Selley also asked about the current bill and if he needed to pay it or wait till Council decides on something. Mayor Frechette noted that Council has already approved the waiving of all late fees for this bill cycle.

Member Zimmerman recommended not having him pay until a decision is made because if he was awarded a refund then it would most likely be retroactive to the current bill. It was the consensus of Council to have him hold off on payments until a decision was made.

* * * * *

Grange Bell, on behalf of the Downtown Retail Merchants, presented the schedule for the downtown rodeo that they are planning for this summer. He noted that he did meet with Chief Walters and he did not have any issues with the plans. He also noted that similar to the past rodeo, they would need a road closure approval. Chief Walters and Interim Dantzer went over the MDOT road closure process.

MOTION BY ZIMMERMAN, SECOND BY PUGH, TO APPROVE THE ROAD CLOSURE FOR THE DOWNTOWN RODEO AS PRESENTED.

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

No – None Absent – None Motion carried

* * * * *

MOTION BY BENNETT, SECOND BY JACKSON, TO PAY BILLS IN THE AMOUNT OF \$87,821.74.

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

No – None Absent – None Motion carried

* * * * *

Chief Walters updated Council on a USDA grant and noted that typically he would apply for the grant in the fall but due to vehicle issues, he was asking Council to accelerate the timetable and apply for the grant now. He noted that the next vehicle in line for replacement is in need of some costly repairs and they would not get their money back when the sell that vehicle. Chief Walters noted he has done some initial estimates and that the cost is hopefully going to come in a little under the cost of the last vehicle purchased. He further noted that the first step of the process is to get Council approval to apply for the grant.

Member Ehinger asked if that price and grant would cover the equipment for the vehicle as well as the vehicle itself. Chief Walters noted that the total cost did include equipment and that everything in the car can be included in the grant.

Member Weiler asked on the make of the vehicle and Chief Walters noted that he was looking at both Chevy and Ford vehicles and that in the past the Fords have been the less expensive of the two but currently the Chevy Tahoe looks to be a little less so he would be looking at that model.

Member Zimmerman asked about the bid process and Chief Walters noted that they do not put the bids out locally because they use the State of Michigan bid program due to the police vehicle required specifications.

MOTION BY BENNETT, SECOND BY JACKSON, TO APPROVE CHIEF KEN WALTERS TO APPLY FOR A USDA GRANT FOR A NEW POLICE VEHICLE.

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

No – None

Absent – None

Motion carried

* * * * *

Superintendent Killackey updated Council on a grant available for non-federally aided roads. He noted that the grant would cover 50% of the cost up to \$250,000. He noted that after reviewing the requirements of the grant, he was recommending applying for the resurfacing of Columbus and Progress St. He noted that the total estimated costs was \$215,000 and it would cost the City \$107,500 plus engineering costs. He further noted that he chose these two roads because they did not need infrastructure replacements underneath them and they did not have sidewalks that may need handicap ramp work done to them which was another requirement on the grant and would not be covered by grant funds. He further noted that he would be looking at more roads for future grant cycles.

Interim Manager Dantzer noted that these roads were part of the Industrial Park West development and that the IDC Board has contributed money in the past for this type of improvement.

* * * * *

MOTION BY JACKSON, SECOND BY EHINGER, TO APPROVE RESOLUTION 19-05 AND 19-06.

RESOLUTION 19-05

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR MILLING AND RESURFACING OF PROGRESS DRIVE FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

WHEREAS, the City of West Branch is applying for \$140,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct milling and resurfacing on Progress Drive.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Mike Killackey, Superintendent, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$70,000.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with

Transportation Economic Development Fund Category B Program funding.

RESOLUTION 19-06

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR MILLING AND RESURFACING OF COLUMBUS DRIVE FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

WHEREAS, the City of West Branch is applying for \$75,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct milling and resurfacing on Columbus Drive.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Mike Killackey, Superintendent, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant’s agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$37,500.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

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

No – None Absent – None Motion carried

* * * * *

MOTION BY BENNETT, SECOND BY PUGH, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD MARCH 18, 2019, AS WELL AS THE CLOSED SESSION MINUTES FROM THE MARCH 18 MEETING, AND THE MINUTES FROM THE WORKS SESSION HELD MARCH 20, 2019.

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

No – None Absent – None Motion carried

* * * * *

MOTION BY EHINGER, SECOND BY PUGH, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY, THE MINUTES FROM THE AIRPORT BOARD MEETING HELD FEBRUARY 20, 2019, AND THE MINUTES FROM THE WASTEWATER TREATMENT PLANT AUTHORITY MEETING HELD JANUARY 16, 2019.

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

No – None

Absent – None

Motion carried

* * * * *

Mayor Frechette provided an update on the City Manager hiring process and noted that they have narrowed the applications down to seven applicants and that since then two have withdrawn their applications. He noted that they were checking on references and back grounds checks for the remaining five. He further noted the next step was to schedule a special meeting to go over those findings.

Member Zimmerman asked about the confidentiality requirements due to the fact that references have already been contacted. Mayor Frechette noted that he would like to error on the side of caution and it was his understanding that it would become public information once the interviews are scheduled.

MOTION BY PUGH, SECOND BY EHINGER, TO SCHEDULE A SPECIAL MEETING ON MONDAY, APRIL 8, 2019 AT 6:00PM.

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

No – None

Absent – None

Motion carried

Chief Walters noted that he had not done all of his background checks as he was waiting for Council approval. It was the consensus of Council to have Chief Walters finish background checks on the five applicants.

* * * * *

Interim Manager Dantzer notified Council that a purchase agreement for the old laundromat on Houghton Ave was finalized and was purchased by the City. In addition, he notified Council that the City was awarded the demolition grant it applied for from MDEQ which will pay up to \$50,000 for the tear down of that building.

Chief Walters noted that PRT Fellow Mary Bickell is now working on grants for the redevelopment of the laundromat property.

Member Ehinger asked if the City had heard from anyone on the reopening of Greenland St. Interim Manager Dantzer noted that they did hear from a neighboring land owner.

* * * * *

Mayor Frechette adjourned the meeting at 6:52 pm.

Paul Frechette, Mayor

John Dantzer, Clerk

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

No – None

Absent – None

Motion carried

* * * * *

Mayor Frechette provided an update on the City Manager hiring process and noted that they have narrowed the applications down to seven applicants and that since then two have withdrawn their applications. He noted that they were checking on references and back grounds checks for the remaining five. He further noted the next step was to schedule a special meeting to go over those findings.

Member Zimmerman asked about the confidentiality requirements due to the fact that references have already been contacted. Mayor Frechette noted that he would like to error on the side of caution and it was his understanding that it would become public information once the interviews are scheduled.

**MOTION BY PUGH, SECOND BY EHINGER, TO SCHEDULE A SPECIAL MEETING ON MONDAY,
APRIL 8, 2019 AT 6:00PM.**

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

No – None

Absent – None

Motion carried

Chief Walters noted that he had not done all of his background checks as he was waiting for Council approval. It was the consensus of Council to have Chief Walters finish background checks on the five applicants.

* * * * *

Interim Manager Dantzer notified Council that a purchase agreement for the old laundromat on Houghton Ave was finalized and was purchased by the City. In addition, he notified Council that the City was awarded the demolition grant it applied for from the Michigan Land Bank which will pay up to \$50,000 for the tear down of that building.

Chief Walters noted that PRT Fellow Mary Bickell is now working on grants for the redevelopment of the laundromat property.

Member Ehinger asked if the City had heard from anyone on the reopening of Greenland St. Interim Manager Dantzer noted that they did hear from a neighboring land owner.

* * * * *

Mayor Frechette adjourned the meeting at 6:52 pm.

Paul Frechette, Mayor

John Dantzer, Clerk

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD
MONDAY, APRIL 1, 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: Interim Manager/Clerk/Treasurer Dantzer, DPW Superintendent Killackey, Chief Walters, Planning Vice Chair David, and DDA Vice Chair Clark.

All stood for the pledge of allegiance

Autum Hunter addressed Council about adding handicap parking spots in the N. Fourth St parking lot

Ron Selley addressed Council with concerns on the new utility rates.

Grange Bell, on behalf of the Downtown Merchants, addressed Council on this year's downtown rodeo.

Council approved a road closure for the downtown rodeo.

Council approved bills in the amount of \$87,821.74

Chief Walters discussed the application for a grant for a new police vehicle.

Council approved Chief Walters to apply for a USDA police vehicle grant.

DPW Superintendent Killackey discussed a grant for road repairs.

Council approved Resolution 19-05 and 19-06, authorizing Superintendent Killackey to apply for the road grants.

Council approved the closed session and regular minutes and summary from the March 18, 2019 meetings, as well as the minutes from the work session held March 20, 2019.

Council received and filed the treasurer's report and investment summary, the minutes from the Airport Board meeting held February 20, 2019, and the minutes from the Wastewater Treatment Plant Authority meeting held January 16, 2019

Mayor Frechette, Interim Manager Dantzer, and Chief Walters gave a report

Council scheduled a special meeting for Monday, April 8, 2019 at 6:00 pm

Mayor Frechette adjourned the meeting at 6:52 pm.

SPECIAL MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, APRIL 8, 2019

Mayor Paul Frechette called the meeting to order at 6:02 pm

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: Deputy Clerk/Treasurer Michelle Frechette, Police Chief Ken Walters, DDA Member Autum Hunter, and Planning Vice Chairperson Bob David.

All stood for the Pledge of Allegiance.

* * * * *

Discussion on the water/sewer rates for Selley’s Dry Cleaners. Discussion on a monthly flat rate for water and sewer with the possibility of a percentage increase each year.

MOTION BY ZIMMERMAN, SECOND BY PUGH, TO ALLOW A \$1,000.00 FLAT RATE PER MONTH FOR WATER AND SEWER FOR TWO YEARS TO BE REVIEWED JULY 1, 2021.

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

No – None Absent – None Motion carried

* * * * *

Discussion on City Manager candidates and the results from Board Member findings. Positive and negative comments, if any, on each candidate.

MOTION BY FRECHETTE, SECOND BY BENNETT, TO INTERVIEW CANDIDITE #5.

Yes — Bennett, Frechette, Jackson, Zimmerman

No – Ehinger, Pugh, Weiler Absent – None Motion carried

Discussion on setting up interviews for Friday, April 27th and Saturday, April 28th. Mayor Frechette to call each candidate to secure their time. #1 – Sat @ 10am, #2 – Fri @ 6:15pm, #3 – Fri @ 5pm, #4 – Sat @ 12 noon, #5 – Fri @ 7:30pm. A backup date of 5:00pm on Mat 6th if needed.

* * * * *

Mayor Frechette adjourned the meeting at 7:12 pm.

SUMMARY OF THE SPECIAL MEETING OF THE WEST BRANCH CITY COUNCIL HELD
MONDAY, APRIL 8, 2019.

Mayor Frechette called the meeting to order at 6:02 p.m.

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

Absent: None

Other officers present: Deputy Clerk/Treasurer Frechette, Chief Walters, Planning Vice
Chair David, and DDA Member Hunter.

All stood for the pledge of allegiance

Council discussed water rates for laundromats

Council approved a flat rate structure for water and sewer for laundromats.

Council discussed the open City Manager position.

Council approved an interview schedule for the City Manager position

Mayor Frechette adjourned the meeting at 7:12 pm.

Consent Agenda

Bank Code		Beginning Balance 04/01/2019	Total Debits	Total Credits	Ending Balance 04/30/2019
Fund	Description				
GEN1	GEN1 - GENERAL CHECKING				
101		751,793.26	497.61	47,523.70	704,767.17
150	CEMETERY PERPETUAL CARE	20,540.20	0.00	0.00	20,540.20
209	CEMETERY FUND	10,731.55	688.74	533.73	10,886.56
248	DDA OPERATING FUND	65,608.91	0.00	7,509.00	58,099.91
251	INDUSTRIAL PARK FUND	7,526.13	0.00	44.88	7,481.25
276	HOUSING RESOURCE FUND	201,147.55	1,075.71	0.00	202,223.26
318	SEWER DEBT FUND	220,710.41	21,327.97	144.10	241,894.28
319	WATER DEBT FUND	55,042.53	4,623.11	13.43	59,652.21
371	COLLECTION REPLACEMENT FUND	30,895.55	0.00	0.00	30,895.55
372	PLANT REPLACEMENT FUND (R&I)	8,949.26	14.47	0.02	8,963.71
390	SEWER FUND	229,772.90	21,729.01	18,220.50	233,281.41
391	WATER FUND	147,530.46	26,356.24	3,866.56	170,020.14
392	WATER REPLACEMENT FUND	282,139.28	0.00	0.00	282,139.28
393	SEWER COLLECTION	54,606.21	5,084.67	471.10	59,219.78
361	EQUIPMENT FUND	165,328.61	5,588.70	1,817.51	169,099.80
704	PAYROLL CLEARING	(6.78)	35,339.12	35,339.12	(6.78)
705	IRONS PARK ENTERTAINMENT FUND	3,590.55	200.00	0.00	3,790.55
707	YOUTH SAFETY PROGRAM	2,371.62	150.00	1,109.00	1,412.62
714	RECYCLING CENTER	8,249.18	356.00	515.57	8,089.61
	GEN1 - GENERAL CHECKING	2,266,527.38	123,031.35	117,108.22	2,272,450.51
M/LST	MAJOR/ LOCAL STREETS				
202	MAJOR STREET FUND	565,107.98	18,071.21	6,863.53	576,315.66
203	LOCAL STREET FUND	370,081.90	6,074.12	3,683.64	372,472.38
	MAJOR/ LOCAL STREETS	935,189.88	24,145.33	10,547.17	948,788.04
PAY	PAYROLL				
704	PAYROLL CLEARING	11,311.91	35,339.12	32,853.87	13,797.16
	PAYROLL	11,311.91	35,339.12	32,853.87	13,797.16
CHEM	SAVINGS				
101		435,918.09	0.00	0.00	435,918.09
150	CEMETERY PERPETUAL CARE	1,679.62	0.00	0.00	1,679.62
251	INDUSTRIAL PARK FUND	20,877.47	0.00	0.00	20,877.47
371	COLLECTION REPLACEMENT FUND	2,376.56	0.00	0.00	2,376.56
391	WATER FUND	26,202.66	0.00	0.00	26,202.66
392	WATER REPLACEMENT FUND	19,602.71	0.00	0.00	19,602.71
393	SEWER COLLECTION	783.50	0.00	0.00	783.50
361	EQUIPMENT FUND	103,350.68	0.00	0.00	103,350.68
714	RECYCLING CENTER	1,047.30	0.00	0.00	1,047.30
	SAVINGS	611,838.59	0.00	0.00	611,838.59
TAX	TAXES				
701	TAX AGENCY	1,146.47	0.00	0.00	1,146.47
	TAXES	1,146.47	0.00	0.00	1,146.47
	TOTAL - ALL FUNDS	3,826,014.23	182,515.80	160,509.26	3,848,020.77

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH
FROM 04/01/2019 TO 04/30/2019
FUND: ALL FUNDS
INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 04/01/2019	Total Debits	Total Credits	Ending Balance 04/30/2019
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

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY
HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET,
TUESDAY, FEBRUARY 26, 2019.

Chair Fabbri called the meeting to order at 12:00 pm.

Present: Joanne Bennett (arrived at 12:02), Joe Clark, Samantha Fabbri, Autum Hunter,
Sandy Rabidue (arrived at 12:02), Ken Walters, Cathy Zimmerman

Absent: Mike Cozad

Others present: Secretary John Dantzer, PRT Fellow Mary Bickell, Planning Vice-Chair Bob
David, EDC Director Mandi Chasey, and John Iacoangeli from Beckett and Raeder.

* * * * *

Cathy Zimmerman was sworn in as a member of the DDA

* * * * *

**MOTION BY FABBRI, SECOND BY WALTERS, TO EXCUSE MEMBER COZAD FROM
THE MEETING**

Yes – Clark, Fabbri, Hunter, Walters, Zimmerman

No – None Absent – Bennett, Cozad, Rabidue Motion carried

* * * * *

**MOTION BY WALTERS, SECOND BY CLARK, TO APPROVE THE MINUTES FROM
THE MEETINGS HELD JANUARY 22, 2019, FEBRUARY 4, 2019 AND THE JOINT
DDA MEETING HELD JANUARY 24, 2019.**

Yes – Clark, Fabbri, Hunter, Walters, Zimmerman

No – None Absent – Bennett, Cozad, Rabidue Motion carried

* * * * *

**MOTION BY ZIMMERMAN, SECOND BY WALTERS, TO APPROVE THE INVOICE
FROM INK & THREAD LLC FOR \$54.00 AND THE INVOICE FROM THE OGEMAW
COUNTY HERALD FOR \$41.50.**

Yes – Bennett, Clark, Fabbri, Hunter, Rabidue, Walters, Zimmerman

No – None Absent – Cozad Motion carried

* * * * *

Chairperson Fabbri updated the Board on discussions with the Chamber of Commerce and Member Clark updated on discussions with the Ogemaw Fair Board for the sale of the showmobile. The Board discussed the possibility of keeping the showmobile instead of selling it and looking at different options for set up and tear down to help save costs.

MOTION BY BENNETT, SECOND BY CLARK, TO POSTPONE THE SALE OF THE DDA SHOWMOBILE.

Yes – Bennett, Clark, Fabbri, Hunter, Rabidue, Walters, Zimmerman

No – None

Absent – Cozad

Motion carried

* * * * *

Chairperson Fabbri also went over the new DDA folders.

MOTION BY ZIMMERMAN, SECOND BY HUNTER, TO AUTHORIZE PAYMENT TO OFFICE CENTRAL FOR COPIES PROVIDED FOR THE DDA MEMBER FOLDERS UPON SUBMITTAL OF AN INVOICE.

Yes – Bennett, Clark, Fabbri, Hunter, Rabidue, Walters, Zimmerman

No – None

Absent – Cozad

Motion carried

* * * * *

Member Clark reminded the Board on his caution to appoint new business owners to the DDA Board so they can focus on their business.

* * * * *

MOTION BY BENNETT, SECOND BY RABIDUE, TO APPROVE THE RECOMMENDATION OF ERIN RESTEINER TO THE DDA BOARD

Yes – Bennett, Clark, Fabbri, Hunter, Rabidue, Walters, Zimmerman

No – None

Absent – Cozad

Motion carried

* * * * *

John Iacoangeli led the Board on discussion for changes to the Downtown Development Plan. Discussion revolved around combining some of the projects headings into one property acquisition project heading, the removal of projects that were completed since the

last update, adding streetscape improvements for the expanded district, the possibility of expanding the district, parking lots, the addition of a redevelopment project heading, shared pathways, special events/promotions, parking lots, a public art area, downtown speaker system, and electronic charging stations.

Discussion also revolved around designating the downtown as a Historical Preservation District, the Mainstreet Program, and Trail Town designation.

* * * * *

At 1:00 Member Zimmerman left

At 1:10 Member Bennet left

* * * * *

Chairperson noted she would move the March meeting to the Police Station due to the Council Chambers being used by the Board of Review.

* * * * *

PRT Fellow Bickell updated the Board on the Consumers Grant and asked for suggestions on having a community block party. An idea of expanding the downtown Super Rodeo was discussed.

* * * * *

At 1:30 Member Hunter left.

* * * * *

A communication from Miller Canfield was shared.

A MSU Extension Placemaking charrette institute was shared.

* * * * *

Chair Fabbri adjourned the meeting at 1:40 pm.

City of West Branch Planning Commission

Meeting Minutes for February 26, 2019

Meeting called to order at 6:00pm by Vice-Chairman Bob David

Roll Call – Present – Kara Fachting, Bob David, Mike Jackson and Jan Hasty – Absent – Lisa Jensen, Cori Lucynski and Evelyn Schenk

Pledge of Allegiance

Public Hearings – None

Additions to Agenda – None

Public Comment – None

Approval of Minutes – There were no corrections for the January 22 or February 4, 2019 minutes.

Motion by Bob David, second by Mike Jackson to approve the January 22 and February 4, 2019 minutes as written. Ayes – All.

Site Plans – Brenden Stephenson of Stephenson and Company was present requesting a setback variance of 15' for his proposed new building on the corner of 2nd Street and Wright Street. He will be removing both existing buildings on the property.

Motion by Mike Jackson, second by Bob David to amend the current zoning ordinance front setback requirement in mixed use to 15'. Ayes - All

Nicole Fonger of Great Bentley Rentals was present requesting a variance to the minimum home sq ft requirement of 600'. She would like to have a 400sq ft home.

Motion by Kara Fachting, second by Mike Jackson to amend the current zoning ordinance minimum home sq ft requirement of 600 sq ft to allow the Planning Commission to hear the variance request for minimum home sq ft and to make an allowance instead of applicants going to the Zoning Board of Appeals for a variance. Ayes - All

Sign Permits – None

Unfinished Business –

Denise Cline was present and worked with Commission members on the table of permitted uses & special uses. We started on page 5 and worked through page 9. We will work on Chapter 7 next time Denise is present.

New Business –

Denise Cline requested clarification from the Commission regarding setbacks for R1 & R2 Districts. Are the current setbacks realistic? She requested we think about what we want in the new ordinance and bring it up at our next meeting and discuss it with the full board.

There are four items that need to be added to our Master Plan:

1. Rental Inspection Program - We are considering the necessity. We give it a medium timeframe. City Council is the responsible party.
2. Community Development - Already completed. Add to Master Plan as participating and ongoing. The Community Development Board is the responsible party.
3. Green Zoning - Incorporate into zoning as appropriate. It is short term. Planning Commission is the responsible party.
4. MDOT - Recommended adding access management standards for M-55 and other high traffic city streets. It is long-term. Planning Commission is the responsible party.

Motion by Kara Fachting, second by Bob David to adopt the Master Plan with the changes made above as well as resolution 19-01PC. Ayes - All

Chapter 7 - Supplemental Regulations is tabled until next meeting.

Motion by Bob David, second by Mike Jackson to excuse Cori Lucynski from this meeting and any April meetings for medical reasons. Ayes - All

Motion by Kara Fachting, second by Jan Hasty to request a letter be sent to Evelyn Schenk from the Planning Commission stating she has violated the attendance requirement per the by-laws by having to many unexcused absences. Ayes - All

Motion by Bob David, second by Mike Jackson to send the application of Ken Kish to city council for appointment to the Planning Commission if and when a seat becomes available. Ayes - All

Communications – On April 13, 2019 from 9am-4:30pm at MSU Extension there will be a class on Placemaking & Public Engagement. Vice-Chair Bob David recommended all Planning Commission members attend and let city hall know you want registered by April 1, 2019.

Vice-Chairman Report – Rite Aid containers were used for a complete building refurbish all while remaining open to the public. They have done a great job.

Member Reports –

Hasty – None

Jackson – None

Fachting – None

Meeting was adjourned at 8:24pm per Vice-Chairman Bob David.

Meeting minutes taken and typed by Kara Fachting

City of West Branch Planning Commission

Meeting Minutes for March 12, 2019

Meeting called to order at 6:00pm by Vice-Chairman Bob David

Roll Call – Present – Kara Fachting, Bob David and Mike Jackson – Absent – Lisa Jensen, Cori Lucynski, Jan Hasty and Evelyn Schenk

Pledge of Allegiance

Public Hearings – None

Additions to Agenda – None

Public Comment – None

Approval of Minutes – Unable to hear without a quorum.

Site Plans – SVS Vision - Unable to hear without a quorum. Mike would like to discuss with Denise Cline if an applicant is not changing anything exterior, they should not need to come to the planning commission. Maybe change the format of permitting to allow administrative approval.

Sign Permits – Dairy Queen - Unable to hear without a quorum.

Unfinished Business – Article 7 - keep going through at home until next meeting.

New Business – 2018 Annual Report - discussed with John Dantzer who will get our recommendations to Michelle Frechette who is working on the 2018 report.

Communications – None

Vice-Chairman Report – None

Member Reports –

Jackson – None

Fachting – None

Meeting was adjourned at 6:27pm per Vice-Chairman Bob David.

Meeting minutes taken and typed by Kara Fachting



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: police@westbranch.com

4/10/2019

Honorable Mayor and Council,

This is the March month end report. The department handled 121 complaints for the month of March and further made five misdemeanor arrests and one felony arrest.

Fund raising for our bicycle safety program is winding down, we have raised roughly \$3,000 for the program. Between helmets, bicycle prizes, and materials we will spend approximately \$2,000. The remainder of any monies carries over to the Halloween safety program.

During the month of March, we further completed our annual joint agency Active Shooter Training. Myself and Cpl. Adams, have been running the program for all departments countywide for two years now. Last year's training was at Surline and this year's was at Ogemaw Heights. My intent is to expose all Law Enforcement and EMS to every school and large workplace in the county over the next few years. I understand that numerous schools are not within the city, but bear in mind, should an emergency ever occur all agencies will be required to respond and provide mutual aide. For inter-department training, we will also be conducting active shooter training at a city facility this summer as well.

Respectfully,

A handwritten signature in black ink, appearing to be "K. Walters", written over a horizontal line.

Chief Kenneth W. Walters

Offense Count Report

Page: 1

Report Criteria:

Start Offense	End Offense		
01000	99009		
MARCH 2019	TOTAL 2019	TOTAL 2018	TOTAL 2017
03/01/2019-03/31/2019	01/01/2019-03/31/2019	01/01/2018-12/31/2018	01/01/2017-12/31/2017

Offense	Description	MARCH 2019	TOTAL 2019	TOTAL 2018	TOTAL 2017
11001	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	0	1	1
11004	SEXUAL PENETRATION ORAL/ANAL CSC3	0	0	0	2
11007	SEXUAL CONTACT FORCIBLE CSC2	0	0	1	1
11008	SEXUAL CONTACT FORCIBLE CSC4	0	0	5	4
12000	ROBBERY	0	0	0	1
13001	NONAGGRAVATED ASSAULT	1	4	15	18
13002	AGGRAVATED/FELONIOUS ASSAULT	0	0	1	2
13003	INTIMIDATION/STALKING	0	2	2	2
22001	BURGLARY - FORCED ENTRY	1	1	4	3
22002	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	0	1	0
22003	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	1	2
23003	LARCENY - THEFT FROM BUILDING	0	0	7	3
23005	LARCENY - THEFT FROM MOTOR VEHICLE	0	7	2	1
23007	LARCENY - OTHER	1	3	10	9
24001	MOTOR VEHICLE THEFT	0	0	1	0
25000	FORGERY/COUNTERFEITING	0	0	0	1
26001	FRAUD - FALSE PRETENSE/SWINDLE/CONF	0	0	0	1
26002	FRAUD - CREDIT CARD/ATM	1	1	2	0
26006	FRAUD - BAD CHECKS	0	0	2	1
27000	EMBEZZLEMENT	0	0	1	1
29000	DAMAGE TO PROPERTY	1	2	10	8
30002	RETAIL FRAUD - THEFT	0	0	8	12
35001	VIOLATION OF CONTROLLED SUBSTANCE	0	1	3	7
36004	SEX OFFENSE - OTHER	0	0	4	0
37000	OBSCENITY	0	0	0	1
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	0	1	1
38002	FAMILY - NONSUPPORT	0	0	1	0
38003	FAMILY - OTHER	0	0	1	0
41002	LIQUOR VIOLATIONS - OTHER	0	0	0	1
42000	DRUNKENNESS	0	0	2	2
48000	OBSTRUCTING POLICE	0	0	1	0
50000	OBSTRUCTING JUSTICE	2	8	65	69
53001	DISORDERLY CONDUCT	0	1	1	3
53002	PUBLIC PEACE - OTHER	0	0	0	1
54001	HIT & RUN MOTOR VEHICLE ACCIDENT	2	4	9	10
54002	OUIL OR OUID	1	1	7	7
54003	DRIVING LAW VIOLATIONS	3	6	37	51
55000	HEALTH AND SAFETY	6	13	38	40
57001	TRESPASS	0	0	6	3
58000	SMUGGLING	0	1	0	0
70000	JUVENILE RUNAWAY	1	1	1	2
70004	Juvenile Issues	0	0	1	1
73000	MISCELLANEOUS CRIMINAL OFFENSE	2	2	2	8
90001	Vehicle Lockouts	10	28	112	133
90002	Motorist Assists	2	10	29	21
90003	Assist E.M.S.	15	45	146	167

Offense Count Report

Report Criteria:

Start Offense	End Offense		
01000	99009		
MARCH 2019	TOTAL 2019	TOTAL 2018	TOTAL 2017
03/01/2019-03/31/2019	01/01/2019-03/31/2019	01/01/2018-12/31/2018	01/01/2017-12/31/2017

Offense	Description	MARCH 2019	TOTAL 2019	TOTAL 2018	TOTAL 2017
90005	City Ordinance Violations	1	6	37	16
90006	Prisoner Transports	0	0	0	1
90007	Parking Complaints	0	1	1	7
90008	ANIMAL COMPLAINTS	0	1	13	17
90009	Maplewood Manor Alarm / Criminal History Checks	0	0	1	0
91001	Delinquent Minors	0	0	9	15
91002	Runaway	0	0	0	2
91004	Abandoned Vehicle	0	0	0	5
92003	Walk Away (Ment. & Host.)	1	1	3	2
92004	Insanity	1	5	11	15
93001	PROPERTY DAMAGE ACCIDENT/PI	4	17	45	43
93002	Accident, Non-Traffic	2	4	17	14
93004	Parking Violations	0	0	1	0
93006	Traffic Policing	3	5	11	6
93007	Traffic Safety Public Relations	2	4	8	0
93008	Inspections/Investigations -Breathalyzer	1	1	4	2
94001	Valid Alarm Activations	0	0	3	2
94002	False Alarm Activations	9	21	59	74
95001	Accident, Fire	1	2	3	3
95003	Inspection, Fire	0	3	0	0
95004	Hazardous Condition	0	1	9	0
97001	Accident, Traffic	0	0	0	1
97003	Accident, Other Shooting	0	0	0	1
97006	Accident, All Other	0	1	0	0
98003	Inspections/Investigations -Property	1	2	5	9
98004	Inspections/Investigations -Other	0	1	2	1
98006	Civil Matters/Family Disputes	6	12	47	58
98007	Suspicious Situations/Subjects	14	29	168	182
98008	Lost/Found Property	3	3	16	17
98009	Inspections/Investigations -Drug Overdose	0	1	1	0
99001	Suicide	0	0	1	1
99002	Natural Death	0	1	1	4
99003	Missing Persons	0	0	1	2
99007	PR Activities	0	0	17	14
99008	General Assistance	20	48	287	234
99009	General Non-Criminal	3	7	23	28
Totals:		121	318	1345	1377

Communications



OPPORTUNITY ZONES (OZ): There's No Place Like Home!

PROGRAM SCHEDULE:

Lapeer- ISD
April 12th 1-4 p.m.

Fremont- Public Library
April 22nd 1-4 p.m.

Escanaba- Bay College
May 8th 1-4 p.m.

Grayling- Kirtland Campus
May 13th 1-4 p.m.

Mt. Pleasant- Mid MI College
May 13th 1-4 p.m.

COST:
Free

TO REGISTER:
<http://events.anr.msu.edu/OZ/>

CONTACT:
Eric Walcott, 517-353-9106
walcott3@msu.edu



WHO SHOULD ATTEND:

Elected and appointed officials, local government staff,
and local business representatives

DESCRIPTION:

Do you have an Opportunity Zone in your community? This half-day workshop will help local leaders understand how Opportunity Zones can benefit their community and learn how to develop a marketing strategy to attract the type of development they want.

SPONSORS:

A special thanks to



National Charrette Institute
MICHIGAN STATE UNIVERSITY



MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Persons with disabilities have the right to request and receive reasonable accommodations.

What will be covered:

- Overview of what Opportunity Zones are and how they work
- What does a marketing strategy look like?
- How to identify potential sites in your opportunity zone
- Developing a list of community assets
- Defining what you want to attract
- Crafting a marketing strategy

Those that participate will be able to:

- Explain what an Opportunity Zone is and how they were selected
- Understand what the potential community impacts of Opportunity Zones
- Explore how to market Opportunity Zones

Please note: Individual participants are welcome to attend but to maximize the value of the workshop it is recommended that communities send teams made up of elected officials, appointed officials, staff, and business representatives from communities with Opportunity Zones.

FAQ:

Q. What is an Opportunity Zone?

An Opportunity Zone is an economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as Opportunity Zones if they have been nominated for that designation by the state and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation of authority to the Internal Revenue Service.

Q. Where are Michigan's Opportunity Zones?

There are Opportunity Zones throughout the state. A map of Opportunity Zones can be found on the [Michigan State Housing Development Authority website](#)

WHERE ARE MICHIGAN'S
OPPORTUNITY ZONES?



Q. What is the purpose of Opportunity Zones?

Opportunity Zones are an economic development tool—that is, they are designed to spur economic development and job creation in distressed communities.

Q. How do Opportunity Zones spur economic development?

Opportunity Zones are designed to spur economic development by providing tax benefits to investors. First, investors can defer tax on any prior gains invested in a Qualified Opportunity Fund (QOF) until the earlier of the date on which the investment in a QOF is sold or exchanged, or Dec. 31, 2026. If the QOF investment is held for longer than 5 years, there is a 10% exclusion of the deferred gain. If held for more than 7 years, the 10% becomes 15%. Second, if the investor holds the investment in the Opportunity Fund for at least ten years, the investor is eligible for an increase in basis of the QOF investment equal to its fair market value on the date that the QOF investment is sold or exchanged.

For more details on Opportunity Zones, check out the rest of this IRS FAQ at <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>

This overview also provides a helpful summary:

<https://www.enterprisecommunity.org/download?fid=8856&nid=6212>

MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Jeffrey W. Dwyer, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned. Persons with disabilities have the right to request and receive reasonable accommodations.

Accommodations for persons with disabilities may be requested by contacting Eric Walcott at 517-353-9106 at least one week prior to the event to make arrangements. Requests received after this time will be fulfilled when possible.



Michigan Land Bank Fast Track Authority

MICHIGAN LAND BANK / PRESS RELEASES

Michigan Land Bank awards nine communities \$350,000 to eliminate blight, grow and thrive

Recipients of the Michigan Rural Community Demolition Grant announced

Contact: Gabby Abel
517-294-9552

LANSING, Mich. – Nine communities will receive a total of \$350,000 to help eliminate blight, the Michigan Land Bank Fast Track Authority announced Tuesday.

"Giving smaller communities the opportunity and resources to grow and thrive is a great way to ensure they can take part in the revitalization happening across our state," Michigan Land Bank Director Josh Burgett said. "I'm proud to award funding to these nine communities for projects that will serve as a vehicle for positive change."

The Michigan Rural Community Demolition Grant was made available to county land banks and local units of government to help communities remove vacant and abandoned structures from their neighborhoods, allowing them to prepare for future developments that spark business investment and provide job opportunities for residents.

Grants totaling \$350,000 will be awarded to the following Michigan communities:

- Village of Ontonagon
- Bessemer
- Houghton County Land Bank
- Ironwood
- City of Harbor Beach
- Ontonagon Township
- Manistee County Land Bank
- West Branch
- City of Newaygo

"This investment will help these growing rural communities eliminate blighted structures and replace them with new developments," said state Sen. Jim Stamas, R-Midland, who spearheaded the funding in the budget last year. "I look forward to seeing the positive impact this funding will have in bringing new job opportunities to these communities and improving the lives of area families and workers."

Proposals were evaluated based on their anticipated impact in promoting public safety, enhancing economic development, public and private investment in the project and alignment with the community vision or other placemaking efforts.

Three of the nine communities (Village of Ontonagon, West Branch and Manistee) are participating in Project Rising Tide, a program run by the Talent and Economic Development Department of Michigan to provide at-risk communities with the tools needed to design and build a successful economic framework. In addition to the resources and assistance from Project Rising Tide, grants will continue to help these communities establish long-term sustainable changes to bring about overall prosperity. The Michigan Land Bank will be available to assist these communities to help with future planning, resource acquisition, as well as planning for future developments.

To learn more about their efforts to improve communities across the state, visit [Michigan.gov/LandBank](https://www.michigan.gov/LandBank).

###

[Michigan.gov Home](#) [FOIA](#)

[Policies](#) [Michigan News](#) [ADA](#)

Copyright 2019 State of Michigan

Reports

Mayor

Council

City Manager

**Public
Comment
-Any
Topic**

Adjournment