

-- 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, JUNE 3, 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 City Council.]

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Swearing in of Manager Goodroe
- V. Public Hearing
  - A. 425 Agreement
- VI. Additions to the agenda
- VII. Public Comment on Agenda Items Only (limited to 3 minutes)
- VIII. Scheduled Matters from the Floor
- IX. Bids
- X. Unfinished Business
  - A. MERS addendum to Manager's contract
- XI. New Business
  - A. Bills
  - B. Optimist Steak Fry special event permit
  - C. Optimist Fishing derby special event permit
  - D. Authorized signers

- E. Street administrator
- F. Industrial Development Corporation
- G. Schedule work session with Jim Tischler of the Michigan Land Bank
- H. Resolution 19-13 budget amendment
- I. Sale of office couch
- XII. Approval of the minutes and summary from the regular meeting held May 20, 2019
- 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 Planning Commission meeting held April 23, 2019
  - C. Minutes from the DDA meeting held April 23, 2019 and May 10, 2019
- XIV. Communications
  - A. MERS
  - B. Charter update
- XV. Reports and/or comments
  - A. Mayor
  - B. Council
  - C. Manager
- XVI. Public comment any topic
- XVII. Adjournment

**Call to Order**

**Roll Call**

**Pledge of  
Allegiance**

# Public Hearings

### NOTICE OF PUBLIC HEARING

The West Branch City Council will hold a public hearing on Monday, June 3, 2019 at 6:01 p.m. in the Council Chamber of City Hall, 121 N. Fourth St. The purpose of the hearing is to take public comment on a proposed PA 425 agreement between Ogemaw Township and the City of West Branch pertaining to property located at the northwest corner of North Eighth St. and Greenland St. Any questions concerning this public hearing can be directed to West Branch City Hall at (989) 345-0500.

John Dantzer  
West Branch City Clerk

## 425 AGREEMENT

Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the City of West Branch, a Michigan Municipal Corporation of 121 N 4<sup>th</sup> Street, West Branch, Michigan (hereinafter CITY) and the Township of Ogemaw, Ogemaw County a Michigan General Law Township, of 1990 Gray Road, West Branch, Michigan (hereinafter TOWNSHIP).

WITNESSETH:

WHEREAS, certain areas within TOWNSHIP adjacent to the CITY as more particularly hereinafter described, are in need of blight remediation and development, and

WHEREAS, the development of this property would promote economic progress within both the CITY and TOWNSHIP by increasing the probability of such development and the creation of additional employment and tax base as well as cash flow within both the CITY and TOWNSHIP, and

WHEREAS, the CITY has in existence the ability to handle blight remediation and development opportunities to this property and is willing to provide such services under the terms and conditions of the within contract, and

WHEREAS, the CITY and the TOWNSHIP have reviewed the provisions of Act 425 of 1984 [CL 124.21 etc.; MSA 4.4087(21, etc.)], Act 35 of 1951, as amended (CL 124.1, etc.; MSA 5.4081), and Act 8 of 1967 [(Extra Session) CL 124.531, etc.; MSA 5.4087(1, etc.)] pertaining to interlocal agreements, intergovernmental transfers of functions and responsibilities, and transfers of property for economic development projects and consider them useful and applicable to the purposes of the within agreement.

NOW THEREFORE pursuant to the authority contained in the Michigan Public Acts and in consideration of the covenants and conditions hereinafter contained, it is hereby agreed by and between the parties as follows:

1. The "area" within the TOWNSHIP described below and made a part hereof, is hereby transferred from the jurisdiction of the TOWNSHIP to the jurisdiction of the CITY, subject to the terms and conditions of this Agreement.

Real Property described as:

Parcel 011-024-049-00

12/81 3040911 OG-24 43 SEC 24 T22N R1E. 4.33 A COM 248 FT N OF SE COR SEC 24 TH N 552.08 FT N 52 DEG 17' W 267.14 FT N 66 DEG 13' W 75.74 FT S 478.24 FT W 14.75 FT S 251.2 FT E 296.84 FT TO POB.

2. Upon the transfer the CITY agrees to make available all CITY services now available to residents and property owners within the CITY, in the same manner and subject to the same conditions, limitations and fees applicable to residents within the CITY. Any construction or improvements to furnish such services shall be performed by the

CITY within a reasonable time and under conditions and limitations as are applicable for similar construction and improvements throughout the City.

3. Upon the transfer the CITY shall have full authority and municipal jurisdiction over said property in the same manner as though the property were unconditionally a part of the CITY, including, but not limited to, the right and power of taxation, levy of special assessments, police and fire protection responsibility and all CITY ordinance enforcement authority.
4. During the period of this agreement, CITY shall pay from tax revenues to TOWNSHIP \$3.00 per \$1,000 of Taxable Value of said territory on any and all taxable property located thereon (real and personal property). And The CITY shall pay from tax revenues to TOWNSHIP \$3.88 per \$1000 for Road Bond Repayment Obligation through the year 2021. All payments shall be made by the CITY to the TOWNSHIP within 30 days after the receipt of the same and shall be accompanied by the calculations pertinent thereto. It is understood and agreed between the parties that the foregoing payments are for the purpose of compensating the TOWNSHIP for lost revenues resulting from the transfer of the property to the CITY.
5. No other division of assets or liabilities between the CITY and TOWNSHIP shall result or be required because of this agreement.
6. This agreement shall continue in effect until January 1, 2069, at the end of which period said real estate shall be automatically transferred to the CITY to remain a part of its jurisdiction.
7. The Township Board and the City Council shall hold at least one public hearing within its jurisdiction upon the within Agreement before executing the same, preceded by notice complying with the requirements of the Michigan Open Meetings Act.

IN WITNESS WHEREOF the parties hereto have executed the within Agreement the day and date first above written.

Signed in the presence of:

CITY OF WEST BRANCH

By: \_\_\_\_\_  
Paul Frechette, Mayor

By: \_\_\_\_\_  
John Dantzer, Clerk

TOWNSHIP OF OGEMAW

By: \_\_\_\_\_  
Denis Stephens, Supervisor

By: \_\_\_\_\_  
Tracy Tuner, Clerk

# **PARCEL MASTER DATA SHEET**

Printed: 05/30/2019 11:12:19 AM

\*\* Information herein deemed reliable but not guaranteed. \*\*

<b>Parcel ID &amp; Location</b> Parcel Number: 052-619-013-20 201 N EIGHTH ST CITY OF WEST BRANCH City of West Branch		<b>Parcel Unit Codes</b> Tax Unit: 052 Village: Zone:		<b>Parcel Data</b> Acres: 0.0000    Liber: Section: 619    Page: Township: 22N Range: 02E	
<b>Owner of Record</b> CHERRY ROBERT E 52820 S YORKTOWN CT CHESTERFIELD MI 48051		<b>Property Location Address</b> 201 N EIGHTH ST WEST BRANCH MI 48661		<b>Tax Bill Name &amp; Address</b> CHERRY ROBERT E 52820 S YORKTOWN CT CHESTERFIELD MI 48051	
<b>2018 CVR/Final Values</b> Assessed\$: \$45,300 / \$45,300 Prior Assessed\$: \$51,600 / \$51,600 Assessment Changes\$: (\$6,300) / (\$6,300) Equalization Factor: 1.00000 / 1.00000 State Equal. Value\$: \$45,300 / \$45,300 Taxable Value\$: \$45,300 / \$45,300 Tax Exemption: 0.0000 % / 0.0000 %		<b>Standard District Codes</b> Parcel Type Code: R Property Class: 301 Prior Class Code: 000  School District: 65045 Debt School District:  Last Appraisal Date:		<b>District Codes</b> KCC WBLIB	
<b>DDA &amp; IFT/CFT Information</b>		<b>Parcel Split History</b> Parent Parcel: Date of Split: Transfer Date: Last Sale Date: Purchase Price: \$0.00			

## **Parcel Description**

CWB-19 LNP-13 11/81 2016 REMAINDER FROM SPLIT OF 052-619-013-00  
 SEC 19 T22N R2E. 4.77 A M/L  
 COM AT SW CORNER OF SECTION TH N 00 DEG 30'00" E 409.7 FT ALONG W SEC LINE TO POB TH S 89 DEG 06'00" E 201.99 FT TH S 61 DEG 06'00" E 70.32 FT TH S 89 DEG 06'00" E 33.00 FT TH S 00 DEG 30'00" W 161.7 FT TH S 89 DEG 06'00" E 33.00 FT TH N 00 DEG 30'00" E 442.68 FT TH S 89 DEG 06'00" E 263.85 FT TH N 00 DEG 30'00" E 247.91 FT TH N 38 DEG 06'30" W 98.15 FT TH S 65 DEG 17'30" W 523.29 FT TH N 52 DEG 17'00" W 74.07 FT TH S 00 DEG 30'00" W 390.38 FT TO POB. AND THAT PART OF W'LY 16.5 FT OF N SEVENTH STREET ADJACENT TO SAID PARCEL. EXC N'LY EXTENTION OF 8TH STREET & EXC GREENLAND STREET.

## **Tax Bill Summary**

Tax Period: W18		Tax Bill Nbr: 000907			
Assessed\$:	\$45,300	Last Paid\$:	\$0.00	Total Tax\$	\$780.16
Equalized\$:	\$45,300	Last Activity:		AdminFee\$:	\$7.80
Taxable\$:	\$45,300	Yet Due\$:	\$787.96	Tax Bill\$:	\$787.96
PRE/QAg%:	0.00 %				
PRE/QAg\$:	\$0				
				LSO	407.70
				SCHL DEBT	72.93
				COUNTY	95.63
				ISD	40.13
				COLLEGE	100.98
				LIBRARY	18.12
				COUNTY	44.67


Tax Period: S18		Tax Bill Nbr: 000907			
Assessed\$:	\$45,300	Last Paid\$:	\$0.00	Total Tax\$	\$1,789.33
Equalized\$:	\$45,300	Last Activity:		AdminFee\$:	\$17.89
Taxable\$:	\$45,300	Yet Due\$:	\$1,807.22	Tax Bill\$:	\$1,807.22
PRE/QAg%:	0.00 %				
PRE/QAg\$:	\$0				
				SET	271.80
				LSO	407.70
				SCHL DEBT	42.58
				COUNTY	276.48
				LOCAL	790.77



# Untitled Map

Write a description for your map.

## Legend

 201 N 8th St



## CONDITONAL LAND USE TRANSFER (PA 425)

Public Act 425 of 1984, as amended, is the conditional land use transfer statute that allows two or more municipalities the option of conditionally transferring land to one another. PA 425 came into being because annexation is legally difficult, tends to pit neighbor against neighbor, and because important economic development projects for regions became victims of a lack of annexation cooperation.

A conditional land use agreement allows municipalities involved in land negotiation great flexibility. Land transfer is sometimes needed for properties that lack infrastructure necessary to support economic development projects. The agreement should provide the least expensive infrastructure possible to the proposed site. PA 425 has also been used to gain economic incentive tools that only core or distressed communities can offer toward support of economic development projects.

### WHO IS ELIGIBLE?

Cities, villages or townships may voluntarily enter conditional land transfer agreements. The agreements are normally between cities and townships but there have been city-to-city and township-to-township agreements.

### HOW DOES IT WORK?

Two or more municipalities agree to develop a conditional transfer of land agreement. It may be for a specific economic development project or it may be done to prepare the property for future economic development. Incremental agreements may also be reached that outline areas that will fall under a PA 425 agreement (the agreement itself will actually be written and prepared), but it will not be implemented until a point in the future.

The agreement must include the following points:

- The municipality to which the land is being transferred.
- The length of the contract, which can be 1–50 years.
- Agreements typically last 50 years. However, any year

can be agreed upon. Some suggest that the length should match the length of the bond needed for the infrastructure improvements.

- The methods by which the contract may be terminated by either municipality prior to the stated date of termination. For instance, language may include that if the project does not occur within two years of the PA 425 agreement being signed, the land will automatically revert back to its original status.
- Specific arrangements for sharing the tax revenue or any other revenue. Agreements can also include a clause that cities will guarantee a payment equal to whatever final millage rate is agreed upon even if something were to occur during the life of the agreement that may eliminate personal property tax laws in the state. In addition, other revenue sources, including city income tax or other city fees, could be negotiated.
- The adoption of ordinances and their enforcement by or with the assistance of the respective municipalities.
- The way in which purchases shall be made and contracts entered into.
- The way of responding to liabilities that might be incurred through the life of the agreement and insuring against such liability.
- The manner of employing and managing personnel required to complete the actual economic development project.
- The local unit that will have jurisdiction over the transferred land upon the expiration of the agreement.

### WHAT IS THE PROCESS?

Once the written agreement is completed, each municipality's governing board must hold a public hearing on the agreement. Notice of the Public Hearing must abide by the Open Meetings Act No. 267. A majority of each governing board, from each municipality, must then formally approve the agreement.

An agreement cannot take effect if any of the following conditions occur:

- If a majority of the Board or Council from either municipality calls, by resolution, for a public referendum on the agreement, then the agreement cannot take effect until a majority of the citizens of that municipality vote and approve of the agreement.
- If, within 30 days after the public hearing, a petition= signed by more than 20% or more of the registered voters residing within the proposed property for conditional land transfer is filed with the local clerk in which the property is located, a public referendum on the agreement shall then be held in that municipality.
- If no registered voters reside within the proposed conditional land transfer property and, if 30 days after the public hearing a petition is signed by persons owning 50% or more of the property that will be transferred, a public referendum on the agreement will be held in that municipality.

Otherwise, the PA 425 agreement takes immediate and complete effect and must be filed with the County Clerk and the Secretary of State.

Zoning changes, the addition of an Industrial Development District for future tax abatements under PA 198, as well as agreeing upon which building department, planning department, code enforcement, police department, fire department and/or any other municipal services provided to the property, should be agreed upon. Zoning changes and the creation of districts can all be included in the PA 425 agreement, thus avoiding lengthy and necessary public hearings for all of these additional steps. They all can be fully addressed and discussed, by the public, during the public hearing for the PA 425 agreement.

To conclude, PA 425 agreements:

- Allow neighbors to remain neighbors
- Smartly develops property from a more regional perspective
- Increases everyone's revenue
- Creates jobs which lead to more people paying taxes, shopping at local businesses and sending their kids to schools in both municipalities

- Opens a door to more dialogue and cooperation with a region

#### WHY WOULD A COMMUNITY WANT TO CONSIDER A PA 425 AGREEMENT?

PA 425 is a win-win for all participating municipalities. Typically, a township may have available land for economic development, but not the infrastructure or funds to provide that infrastructure. Available and viable infrastructure may exist very nearby in another municipality that has already been paid for or is under utilized. From a regional and cost perspective, it makes sense to utilize infrastructure that already exists.

A municipality may have adequate infrastructure, but not have the necessary land for economic development. Thus, the project must locate on the available land elsewhere and the municipality loses out on generating any new revenue. The project may provide jobs to residents and prospective residents to shop, live and invest in the community. None of these conditions will occur for a municipality if the project does not take place.

To entice the township to allow the property to become conditionally transferred, the neighboring municipality should provide infrastructure and/or other services and economic incentives to the property. In addition, a township will typically receive more than 1 mill of revenue, paid by the city to the township over a 1–50 year period of time. Thus, the township's revenues are increased from what they ever could have been while the city also enjoys new revenue. Businesses and residents in both municipalities should enjoy direct benefit. At the end of the agreed upon length of the PA 425 agreement, the land will either revert back to the original municipality or transfer to the neighboring municipality.

#### SUPPORTING STATUTE

Public Act 425 of 1984 - Conditional Land Use Transfer Agreements

#### CONTACT INFORMATION

For more information, contact the MEDC Customer ContactCenter at 517.373.9808.

# **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	\$115,939.21
<i>BILLS AS OF 5/30/19</i>	<i>\$115,939.21</i>
<i>Additions to Bills as of</i>	<i>\$0</i>
<i>Paid but not approved</i>	<i>\$0</i>
<b>TOTAL BILLS</b>	<b>\$115,939.21</b>

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

Vendor Name	Amount	Description
CITY OF WEST BRANCH	7,500.00	DDA 2ND MAINTENANCE PAYMENT
CONSUMERS ENERGY	100.75	ELECTRIC
GRAINGER	75.96	WWTP SUPPLIES
HACH COMPANY	442.51	WWTP SUPPLIES
MERCANTILE BANK	60,925.00	CAPITAL IMPROVEMENT BOND PAYMENT
MERS OF MICHIGAN	16,886.54	RETIREMENT MAY
MRWA	937.50	MAY 2019 GROUND WATER PREENTATION
NORTH CENTRAL LABORATORIES	261.18	WWTP SUPPLIES
OGEMAW COUNTY HERALD ADLINER	104.90	ADS
QUALITY GARAGE DOORS	310.00	WWTP SERVICE
REPUBLIC SERVICES 237	12,936.24	GARBAGE SERVICES MAY
STATE OF MICHIGAN	100.00	TREASURY FILING FEE FOR WATER INFRASTRUCTURE BOND
SUMMIT COMPANIES	678.95	ANNUAL INSPECTION FIRE EXTINGUISHERS & 6 NEW WWTP
TRANSCEND	12,757.14	BC BS JUNE
TRANSCEND	422.54	BC BS JUNE
TRI TERRA	1,500.00	BASELINE ENVIRONMENTAL ASSESSMENT 404 W HOUGHTON AVE
<b>TOTAL</b>	<b>115,939.21</b>	





# City of West Branch

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

## Special Event Permit

Event Name: Fishing Derbys

Event Date: 6-8-19 Start Time: 8 End Time: NOON

Name of Sponsoring Organization: Optimist

Address: 2254 W. M-55

Contact Person: Terrye Edwards Phone Number: \_\_\_\_\_

Describe the purpose of this event: Fishing Derbys for Kids

Point of Assembly: Irons park River

Proposed Route (start to finish, attach route diagram): river / 19 park.

In an effort to help your event run smoothly you must make sure the following departments are aware of and/or can staff your event. **Please obtain signatures from each department listed advising us that they are aware:**

West Branch City Police - services NOT needed ☒ arrangements have been made ☐

[Signature]  
Chief of Police

Ogemaw County Posse - services NOT needed ☒ arrangements have been made ☐

[Signature]  
Chief of Police

The applicant for a Special Event Permit and any other persons, organizations, firms or corporations on whose behalf the corporation is made, by filing this Permit, do represent, stipulate, contract and agree that they will jointly and severally indemnify and hold the City of West Branch harmless against liability for any and all claims for damage to property, injury to or death of persons arising out of or resulting from the issuance of this Permit or the conduct of the Event or its participants.

[Signature]  
Signature

Initials of Applicant

5-30-19  
Date

For Office Use Only:

Permit Approved – Yes / No

\_\_\_\_\_  
Manager / Clerk Signature



"City with a Smile"

## Clerks notes

1. We will need to have a motion to change the names of users and authorized signers on the bank accounts. In the past, this has always been the Manager, Clerk/Treasurer, Mayor, and Mayor Pro Tem.

The motion would need to say something along the lines of I make a motion to name Frank E. Goodroe, Paul Frechette, John Dantzer, and Mike Jackson as authorized depositors and signers for checks and bank withdrawals on all accounts at Chemical Bank, PNC Bank, and Mercantile Bank

2. We will need to appoint Manager Goodroe as the City's street administrator.

The motion just needs to simply say that the Council appoints Manager Frank Goodroe to serve as the City of West Branch Street Administrator.

### 3. Board membership

**Airport Board.** The airport agreement calls for the City members to be two members of City Council and the City Manager. We would not need to have a motion for appointment to this board.

**Industrial Development Corporation (IDC).** I have not found anything that states the Manager is to be a member of this board so I would recommend having Manager Goodroe's appointment to the board be submitted by Mayor Frechette and then approved by vote of the Council.

**Wastewater Treatment Plant Authority (WWTPA)** – The articles of incorporation calls for the manager and a council member. We would not need a motion for appointment to this board.

### 4. Schedule or work session to speak with Jim Tischler of the Michigan Land Bank.

Mr. Tischler along with our PRT Rep John Iacoangeli met with myself, Chief Walters, and Fellow Mary Bickell after the last Project Rising Tide meeting to talk about the use of land banks in communities. It was a very informative meeting and he offered to come back and speak with Council as well as being able to meet Manager Goodroe to go over the use of Land Banks and how using them can help the City with the possible funding of projects. He asked that I get some dates from Council and he would be happy to come back and speak to everyone and answer questions. Based on the brief overview of the program, I think it would be a very beneficial meeting for the City in order to help with new development or redevelopment of existing properties. The Michigan Land Bank is the same group that we received the demolition grant for the teardown of the laundromat.

**3. AIRPORT BOARD:** There is hereby established a joint City and County Airport Board which shall be known as the "West Branch Community Airport Board". All business, operations, and transactions shall be conducted and carried out under such name, hereinafter referred to as the "Board".

The Board shall consist of seven (7) members; three (3) member of the Board are to be appointed by the City of which shall be two (2) members of the West Branch City Council and the City Manager, and three (3) members to be appointed by the County which shall be two (2) members of the Ogemaw County Board of Commissioners and the County Clerk. The seventh (7<sup>th</sup>) member of the Board shall be appointed by both the City Council and the County Board of Commissioners. If a member of the Board does or moves from the City or county, the position shall be deemed vacant and the respective governing body/bodies shall make appointment to fill said vacancy for the balance of the term. Terms of Board Members shall be for two (2) years; members shall serve at the will of the respective governing body/bodies making said appointment and may be removed by the appointing body/bodies under such procedures as the body/bodies shall determine. As terms of the aforesaid members expire or as vacancies occur, City and/or County shall make appointments to fill their respective vacancies.

The Board shall annually elect officers including a Chairman, Vice-Chairman and Secretary from its members.

The Airport Manager shall serve as Treasurer of the Board but is not a member in any capacity of the Board.

Terms of the above officers shall be for one (1) year and officers shall be elected annually thereafter. The Board shall meet monthly on the same day and time as determined by the Board. Special meetings may be held at the call of the Chairman or any two (2) board members pursuant to such regulations and rules as the Board may adopt. The Board shall comply with the State of Michigan Open Meetings Act.

A quorum for the purpose of the transaction of business by the Board shall be four (4) members, and to adopt any measure there must be at least a majority vote of those present.

**4. BUDGET:** The Board shall make an annual report to the City and County governing bodies by March 1<sup>st</sup> of each year and shall include a proposed budget for the ensuing fiscal year which shall be balanced, and include at a minimum the follows:

ESTIMATED REVENUES divided as follows:

1. Federal and State Grants
2. Contribution from City
3. Contribution from County
4. Other Revenue

## RESOLUTION #19-13

WHEREAS, City staff compares the year to date actual with the budgeted amount of all revenue and expenditures monthly; and

WHEREAS, during the review it was determined that the revenues and expenditures in Fund 101, General Fund; Fund 203, Local Street, Fund 248 DDA operating, and Fund 318 Sewer Debt will exceed their budget, and

WHEREAS, the revenues in Fund 101, general fund were understated in property taxes, statutory sales, revenue sharing, liquor licenses, interest income, and miscellaneous income, and the revenues were overstated in franchise fee revenue, sales of lots, and the expenditures were understated in the municipal properties due to the purchase of real property and the replacement of windows in City Hall, and

WHEREAS, the expenditures in the Fund 203, Local Street fund were understated in winter maintenance due to a heavy winter snowfall, and

WHEREAS, the revenues in Fund 248, DDA were understated in property taxes and miscellaneous income due to funds received from West Branch and Ogemaw Township DDA for the development of a joint downtown development plan, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby adopts the following budget amendments:

### FUND 101 – General Fund

Fund 101 -	GENERAL FUND	BUDGET	AMENDED
Revenues			
Dept 000.000			
101-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	935,505.00	939,400.00
101-000.000-404.400	CURRENT PROPERTY TAX REFUSE	186,458.00	186,458.00
101-000.000-446.400	PENALTIES AND INTEREST CUR.TA	11,000.00	11,150.00
101-000.000-448.400	ADMINISTRATIVE FEES ON CUR.TA	31,000.00	32,200.00
101-000.000-477.400	CABLE TV FRANCHISE FEES	39,500.00	41,400.00
101-000.000-540.400	MDOT FEDERAL REVENUE	2,000.00	2,000.00
101-000.000-564.400	INDUSTRIAL PARK	2,000.00	2,000.00
	LOCAL COMMUNITY STABILIZATION		
101-000.000-573.400	SHARE	14,800.00	14,800.00
101-000.000-574.400	SALES (STATUTORY)	26,544.00	28,260.00
101-000.000-575.400	REVENUE SHARING (CONSTITUTIONAL)	179,350.00	180,852.00
101-000.000-577.400	LIQUOR LICENSE	3,600.00	3,950.00



101-000.000-580.400	FRANCHISE FEE REVENUE	79,000.00	42,000.00
101-000.000-590.400	SEWER FUND ADMINISTRATION	60,000.00	60,000.00
101-000.000-590.401	SEWER COLLECTION ADMIN.	32,000.00	32,000.00
101-000.000-591.400	WATER FUND ADMINISTRATION	20,000.00	20,000.00
101-000.000-592.400	LOCAL STREET ADMIN. FEE	4,400.00	4,400.00
101-000.000-593.400	MAJOR STREET ADMIN. FEE	9,500.00	9,500.00
101-000.000-594.400	CEMETERY ADMIN. FEE	1,000.00	1,000.00
101-000.000-597.400	DDA ADMINISTRATIVE	9,000.00	9,000.00
101-000.000-634.400	GRANT	30,000.00	30,000.00
101-000.000-634.401	GRANT - ECONOMIC ADVANCEMENT	0.00	0.00
101-000.000-638.400	PROJECT INCOME	0.00	0.00
101-000.000-642.400	SALES OF LOTS	10,000.00	0.00
101-000.000-661.400	MOTOR VEHICLE FUND	12,000.00	12,000.00
101-000.000-664.400	INTEREST INCOME	2,800.00	7,400.00
101-000.000-671.400	CONTRIBUTIONS	500.00	500.00
101-000.000-695.400	MISCELLANEOUS	10,000.00	20,000.00
101-000.000-695.405	REFUSE RECYCLING DONATIONS	5,200.00	5,200.00
Total Dept 000.000		1,717,157.00	1,695,470.00

Dept 301.000 - POLICE DEPARTMENT

101-301.000-578.400	IN-SERVICE TRAINING	400.00	400.00
101-301.000-634.400	GRANT	10,000.00	10,000.00
101-301.000-654.400	TRAFFIC BUREAU	19,750.00	2,050.00
101-301.000-655.400	ACCIDENT REPORTS	300.00	450.00
101-301.000-656.400	DISTRICT COURT FINES	2,350.00	5,000.00
101-301.000-693.400	NSF FEES	0.00	0.00
101-301.000-695.400	MISCELLANEOUS	1,550.00	1,550.00
101-301.000-695.401	MISC. ED. & TRAINING 302	650.00	650.00
101-301.000-695.406	POLICE SAFETY INCOME	0.00	0.00
101-301.000-695.407	FORFEITURE FUNDS	400.00	0.00
Total Dept 301.000 - POLICE DEPARTMENT		35,400.00	20,100.00

Dept 441.000 - PUBLIC WORKS DEPARTMENT

101-441.000-673.400	TRANSFER FROM DDA FUND	15,000.00	15,000.00
101-441.000-695.400	MISCELLANEOUS	200.00	700.00
101-441.000-695.410	MDOT REVENUE	35,000.00	35,000.00
101-441.000-695.415	OTHER GOV'T UNITS	4,000.00	4,000.00
Total Dept 441.000 - PUBLIC WORKS DEPARTMENT		54,200.00	54,700.00

Dept 721.000 - PLANNING AND ZONING

101-721.000-598.400	PLANNING DEPARTMENT ADMIN FEE	0.00	0.00
101-721.000-657.400	PLANNING AND ZONING	7,700.00	1,000.00
Total Dept 721.000 - PLANNING AND ZONING		7,700.00	1,000.00

Dept 751.000 - PARKS AND RECREATION

101-751.000-405.400	RENT REVENUE - 5120	1,600.00	1,600.00
101-751.000-409.400	VENDING MACHINES	2,200.00	2,200.00
101-751.000-634.400	GRANT	10,000.00	0.00
101-751.000-671.400	CONTRIBUTIONS	10,000.00	0.00
Total Dept 751.000 - PARKS AND RECREATION		23,800.00	3,800.00
TOTAL REVENUES		1,838,317.00	1,775,130.00

Expenditures

Dept 265.000 - MUNICIPAL PROPERTIES

101-265.000-703.700	SALARIES AND WAGES	5,400.00	5,400.00
101-265.000-710.700	OVERTIME	225.00	225.00
101-265.000-714.700	MANDATORY MEDICARE	81.00	81.00
101-265.000-715.700	SOCIAL SECURITY (EMPLOYER)	360.00	360.00
101-265.000-716.700	BC/BS HEALTH INSURANCE PREMIUM	925.00	925.00
101-265.000-718.700	MERS RETIREMENT (EMPLOYER)	77.00	77.00
101-265.000-720.700	WORKERS COMPENSATION PREMIUM	215.00	215.00
101-265.000-724.700	UNEMPLOYMENT INS. BENEFIT	30.00	30.00
101-265.000-727.700	OPERATING SUPPLIES	6,400.00	6,400.00
101-265.000-801.700	CONTRACTUAL SERVICES	13,500.00	19,400.00
101-265.000-850.701	GRANT - CAMERAS	0.00	0.00
101-265.000-853.700	TELEPHONE/RADIO COMMUNICATION	2,050.00	2,050.00
101-265.000-922.700	PUBLIC UTILITIES	21,300.00	21,300.00
101-265.000-941.700	EQUIPMENT RENTAL	2,100.00	2,100.00
101-265.000-956.700	EXPENSES	1,300.00	1,300.00
101-265.000-977.700	CAPITAL ACQUISITIONS	0.00	137,350.00
Total Dept 265.000 - MUNICIPAL PROPERTIES		53,963.00	197,213.00
TOTAL EXPENDITURES		1,675,773.00	1,819,023.00

Fund 101:

TOTAL REVENUES	1,838,317.00	1,775,130.00
TOTAL EXPENDITURES	1,675,773.00	1,819,023.00
NET OF REVENUES & EXPENDITURES	162,544.00	-43,893.00
ANTICIPATED CARRYOVER	892,096	848,203

FUND 203 LOCAL STREET

Fund 203 LOCAL STREET FUND

Revenues

Dept 000.000

203-000.000-570.400	ACT 51 - STATE OF MICHIGAN	59,059.00	61,150.00
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203-000.000-634.400	GRANT	0.00	2,000.00
203-000.000-664.400	INTEREST INCOME	352.00	925.00
203-000.000-680.400	TRANSFER FROM MAJOR STREET	40,000.00	40,000.00
203-000.000-695.400	MISCELLANEOUS	0.00	0.00
Total Dept 000.000		99,411.00	104,075.00
TOTAL REVENUES		99,411.00	104,075.00

#### Expenditures

##### Dept 451.000 - CONSTRUCTION

203-451.000-703.700	SALARIES AND WAGES	1,200.00	1,200.00
203-451.000-710.700	OVERTIME	40.00	40.00
203-451.000-714.700	MANDATORY MEDICARE	32.00	32.00
203-451.000-715.700	SOCIAL SECURITY (EMPLOYER)	31.00	31.00
203-451.000-718.700	MERS RETIREMENT (EMPLOYER)	36.00	36.00
203-451.000-720.700	WORKERS COMPENSATION PREMIUM	10.00	10.00
203-451.000-724.700	UNEMPLOYMENT INS. BENEFIT	200.00	200.00
203-451.000-801.700	CONTRACTUAL SERVICES	2,304.00	7,100.00
203-451.000-941.700	EQUIPMENT RENTAL	0.00	0.00
203-451.000-956.700	EXPENSES	0.00	0.00
Total Dept 451.000 - CONSTRUCTION		3,853.00	8,649.00
TOTAL EXPENDITURES		74,997.00	79,793.00

#### Fund 203 - LOCAL STREET FUND:

TOTAL REVENUES	99,411.00	104,075.00
TOTAL EXPENDITURES	74,997.00	79,793.00
NET OF REVENUES & EXPENDITURES	24,414.00	24,282.00
ANTICIPATED CARRYOVER	369,118	393,400

#### FUND 248 DDA OPERATING

##### Revenues

##### Dept 000.000

248-000.000-400.400	TAX INCREMENT FINANCING	42,000.00	48,000.00
248-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	13,000.00	11,000.00
248-000.000-634.400	GRANT	0.00	0.00
248-000.000-664.400	INTEREST INCOME	50.00	250.00
248-000.000-695.400	MISCELLANEOUS	0.00	5,500.00
Total Dept 000.000		55,050.00	64,750.00
TOTAL REVENUES		55,050.00	64,750.00

#### Fund 248 - DDA OPERATING FUND:

TOTAL REVENUES	55,050.00	64,750.00
TOTAL EXPENDITURES	54,565.00	54,565.00
NET OF REVENUES & EXPENDITURES	485.00	10,185.00
ANTICIPATED CARRYOVER	21,566	31,751

**FUND 318 SEWER DEBT**  
**Fund 318 - SEWER DEBT FUND**

**Revenues**

Dept 000.000

318-000.000-625.400	BILLINGS	351,428.00	420,000.00
318-000.000-626.400	PENALTIES	3,122.00	3,122.00
318-000.000-627.400	TRANSFER FROM GENERAL FUND	0.00	0.00
318-000.000-664.400	INTEREST INCOME	45.00	575.00
Total Dept 000.000		354,595.00	423,697.00

TOTAL REVENUES	354,595.00	423,697.00
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**Expenditures**

Dept 000.000

318-000.000-802.700	CONTRIBUTION EXPENSE	18,795.00	18,795.00
318-000.000-994.700	BOND	95,184.86	150,140.00
318-000.000-995.700	INTEREST DUE ON BONDS	175,954.14	175,955.00
Total Dept 000.000		289,934.00	344,890.00

TOTAL EXPENDITURES	289,934.00	344,890.00
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**Fund 318 - SEWER DEBT FUND:**

TOTAL REVENUES	354,595.00	423,697.00
TOTAL EXPENDITURES	289,934.00	344,890.00
NET OF REVENUES & EXPENDITURES	64,661.00	78,807.00
ANTICIPATED CARRYOVER	1,240,837	1,319,644

5/20/19

I would like to buy the gray couch from the manager's office since Frank does not want it in there.

Heather paid \$419 for it January 11, 2018. I would like to offer \$200.

Thank you.

*Michelle*

Michelle



**P.O. Box 235, 136 S. 5th St., West Branch, MI 48661**  
**Store Hours: Mon.-Fri. 10-6, Sat. 10-5, Sun. 11-3**

989-345-5326  
989-345-5312  
Like us on Facebook 

[www.westbranchfurnitureoutlet.com](http://www.westbranchfurnitureoutlet.com)

**Today's Date:**

10

[illegible]

1. The service received is satisfactory/condition

# **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, MAY 20, 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 City Manager/Clerk/Treasurer John Dantzer, Deputy Clerk/Treasurer Michelle Frechette, DPW Superintendent Mike Killackey, Police Chief Ken Walters.

All stood for the Pledge of Allegiance and a moment of silence.

\* \* \* \* \*

Discussion on an addition to the agenda, Resolution 19-12.

#### **RESOLUTION 19-12**

#### **AUTHORIZING AND APPROVING THE PURCHASE OF REAL PROPERTY BY LAND CONTRACT AND ITS EXECUTION BY CITY MANAGER**

**DATE: May 20, 2019**

AT A MEETING OF THE CITY COUNCIL OF THE CITY OF WEST BRANCH, MICHIGAN, HELD ON May 20, 2019, the City Council of the City of West Branch, Michigan, does hereby adopt the following resolutions:

WHEREAS The City of West Branch desires to purchase real property located at 0-M30, West Branch, Michigan 48661, described according to the attached legal description, on a land contract for the purchase price of \$225,000.00, plus interest, for future development.

THEREFORE, it is resolved by the City Council of the City of West Branch, Ogemaw County, Michigan that the Acting City Manager and other Township Officials as may be appropriate and necessary are hereby authorized to execute the attached Land Contract, or a Land Contract of similar language, subject to any reasonable amendments made by the City Attorney to protect the City's interests, and to sign all other documents and take other steps which may be appropriate and necessary to effectuate and complete closing on the property.

#### **EXHIBIT A – LEGAL DESCRIPTION**

Land situated in the Township of Ogemaw, County of Ogemaw, State of Michigan, more particularly described as:

Parcel B: Part of the North 1/2 of the Southeast 1/4 of Section 25, Town 22 North, Range 1 East, described as: Commencing at the East 1/4 corner of said Section 25; thence North 86°40'32" West along



the East-West 1/4 line, 1156.50 feet to the Point of Beginning; thence continuing North 86°40'32" West along said East-West 1/4 line 1525.60 feet to the North-South 1/4 line; thence South 00°13'44" West, along said North-South 1/4 line, 1307.91 feet to the South 1/8 line; thence South 86°33'06" East, along said South 1/8 line, 558.35 feet; thence North 00°12'14" East, parallel with said East section line, 450.00 feet; thence South 86°33'06" East, parallel with said South 1/8 line, 968.00 feet; thence North 00°12'14" East, parallel with said East section line, 861.25 feet back to the Point of Beginning. TOGETHER WITH AND SUBJECT TO a 66.00 foot wide easement for ingress/egress and the installation and maintenance of public utilities with the South and East line described as: Beginning South 00°12'14" West, along the East section line 521.55 feet from the East 1/4 corner of Section 25, Town 22 North, Range 1 East; thence North 86° 33'06" West, parallel with the South 1/8 line, 1156.64 feet; thence South 00°12'14" West, parallel with said East section line, 342.21 feet to the Point of Ending.

**MOTION BY BENNETT, SECOND BY PUGH, TO ADOPT RESOLUTION 19-12**

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

**No – None                                  Absent – None                                  Motion carried**

\* \* \* \* \*

Discussion on a special event permit from Praise in the Park to play music in the park on Sundays from 1:00pm – 2:00pm in the grassy area by the east parking lot for nine Sundays.

**MOTION BY ZIMMERMAN, SECOND BY PUGH, TO ALLOW PRAISE IN THE PARK TO HOLD THE CONCERTS IN THE PARK AS PRESENTED.**

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

**No – None                                  Absent – None                                  Motion carried**

\* \* \* \* \*

Discussion on parking lot bids to remove/replace the asphalt from the N 4<sup>th</sup> St and N 2<sup>nd</sup> St parking lots to be paid from the 202.451 line item. Dantzer’s recommendation is to go with the low bid from Mid Michigan Asphalt.

**MOTION BY JACKSON, SECOND BY WEILER, TO AWARD THE PARKING LOT BID TO MID MICHIGAN ASPHALT.**

**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 \$289,508.88.**

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

No – None

Absent – None

Motion carried

\* \* \* \* \*

Discussion on proposed 19/20 budget. Changes were made as Council requested at the work session.

**MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO APPROVE THE 2019/2020 CITY OF WEST BRANCH BUDGET**

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

No – None

Absent – None

Motion carried

\* \* \* \* \*

**MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO APPROVE PROCLAMATION 19-01**

Proclamation #19-01

WHEREAS, each year Optimist clubs from around the world take time to recognize youth in the community who contribute to a better life for all, and

WHEREAS, the West Branch Optimist Club has a proud tradition of selecting the best and brightest young people of the West Branch area to receive this prestigious award, and

WHEREAS, Thursday, May 30, 2019, the West Branch Optimist Club will bestow a formal Recognition of appreciation of the following listed youth:

Grant David  
Savannah Misiak  
Adrienne Walby  
Reese Brewer  
Somer Sappington  
Aaliyah Dantzer  
Cayden Wangler  
Casey Kloffft  
Kaitlyn Guoan  
Harper Munson  
Anastasia Kurtz  
Derek Orr  
Faith Kurtz  
Abigail Beveridge

Conrad Weber  
Hannah Beehler  
Kennedy Wangler  
Addyson Sterling  
Logan Frantz  
Adysen Kartes  
Elijah Marsh  
Addison Wangler  
Lucas Hines  
Reese Rau  
Ty Neubecker  
Cori Bertossi  
Ariana Leibold  
Reese Temple

NOW, THEREFORE, BE IT PROCLAIMED, that May 30, 2019, is Optimist International Youth Appreciation Day in the City of West Branch and that day shall be dedicated to these fine youth who represent our community with pride and dignity, and

BE IT FURTHER PROCLAIMED, that the City Clerk is directed to install this record in the permanent record of the City of West Branch, so that future West Branch citizens may look back with pride at the names of the finest youngsters of 2019.

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

#### RESOLUTION 19-10

##### RESOLUTION TO ADOPT A LOCAL PAVEMENT WARRANTY PROGRAM

WHEREAS, the Michigan Legislature (MCL 247.663) requires each city or village to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018; and

WHEREAS, the Michigan Local Agency Pavement Warranty Program was developed by the Local Agency Pavement Warranty Task Force for use by all 533 cities and villages in the format approved by the Michigan Department of Transportation in 2018; and

WHEREAS, the Michigan Department of Transportation has reviewed and approved the Michigan Local Agency Pavement Warranty Program consisting of Special Provisions (Boilerplate, Concrete, HMA, Location, Pass-Through Warranty Bond); a Warranty Bond Form and Contract Form; and Guidelines for Local Agency Pavement Warranty Programs; and

NOW THEREFORE BE IT RESOLVED, the City of West Branch hereby adopts the Michigan Local Agency Pavement Warranty Program and accompanying documents in accordance to the requirements of MCL 247.663; and

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the City of West Branch Council meeting on May 20, 2019.

#### RESOLUTION 19-11

##### RESOLUTION TO IMPLEMENT A LOCAL PAVEMENT WARRANTY PROGRAM

WHEREAS, The Michigan Legislature created a requirement (MCL 247.663) as part of the Transportation Funding Package of 2015 that requires each city and village to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018; and

WHEREAS, the City of West Branch adopted the Michigan Local Agency Pavement Warranty Program on May 20, 2019; and

WHEREAS, the City of West Branch agrees to consider a local pavement warranty on each project that includes \$2 million or more in paving-related items *and* includes any state or federal funds; and

WHEREAS, the Local Agency Pavement Warranty Program law requires each city and village to report annually on each project that includes \$2 million or more in paving-related items *and* includes any state or federal funds, whether or not a warranty was utilized in the project; and

WHEREAS, the City of West Branch agrees to implement the Michigan Local Agency Pavement Warranty Program consistent with the Guidelines for Local Agency Pavement Warranty Program document that was approved by the Michigan Department of Transportation in 2018; and which the City of West Branch adopted Implementation Policy defines the City's intent of its pavement warranty program; and

NOW THEREFORE BE IT RESOLVED, the City of West Branch hereby agrees to implement the Local Agency Pavement Warranty Program and annually report in accordance with the law.

**MOTION BY JACKSON, SECOND BY EHINGER, TO ADOPT RESOLUTION 19-10 AND RESOLUTION 19-11**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Discussion on the quilt banner. The bucket truck is in need of around \$8,000 in repairs. Killackey stated that Home Depot has one that we can rent for \$200+. Discussion on a new truck cost would be over \$150,000. Zimmerman stated to finish up with hanging the banners this year and revisit the banner program at a later date.

\* \* \* \* \*

Discussion on the proposed City Manager contract. Section 10 remove the residency stipen, Section 16 remove the general expenses information and Section 5 starting salary \$73,250. MERS option offered is the Division 10 – City Manager. Mayor Frechette is looking into another Defined Contribution option and will being an addendum for that Section to Council once reviewed.

**MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO APPROVE THE CITY MANAGER CONTRACT**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY FRECHETTE, SECOND BY JACKSON, TO CONTACT MERS TO REVIEW OTHER OPTIONS**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Discussion on the MERS contacts that are on file with MERS. We need to update to reflect new positions.

**MOTION BY JACKSON, SECOND BY ZIMMERMAN, TO REMOVE HEATHER GRANCE AND DENISE LAWRENCE FROM THE CONTACTS AND ADD FRANK GOODROE AND UPDATE MAYOR FRECHETTE AS THE HIGHEST BOARD SEAT**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY JACKSON, SECOND BY BENNETT, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD MAY 6, 2019, AS WELL AS THE CLOSED SESSION MINUTES OF THE SPECIAL MEETING HELD APRIL 27, 2019.**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

**MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY, THE MINUTES FROM THE AIRPORT BOARD MEETING HELD APRIL 17, 2019, THE APRIL POLICE REPORT, AND THE MINUTES FROM THE DOWNTOWN DEVELOPMENT BOARD MEETING HELD MARCH 26, 2019**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Jackson reminded all that the Emergency Room tour is set for Wednesday from 3:00pm – 6:00pm with the ribbon cutting at 3:30pm.

Dantzer reminded that Council need to excuse Mayor Frechette from the April 15<sup>th</sup> meeting.

**MOTION BY PUGH, SECOND BY JACKSON, TO EXCUSE MAYOR FRECHETTE FROM THE APRIL 15, 2019 COUNCIL MEETING**

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

**No – None**

**Absent – None**

**Motion carried**

Chief Walters let all know that Emergency Management group is having a drill at the old Bortz facility tomorrow from noon to 4:00pm.

Ehinger stated that the Airport Fly-in is on June 15<sup>th</sup>. And that the drill and fly-in be noticed on the City's website.

Killackey stated that the road project is going well and the USDA truck has been ordered.

It was mentioned that the City will hold an open house for Frank in June.

\* \* \* \* \*

Mayor Frechette thanked Chloe Nelson from Surline for attending and answered her question on the parking lot project.

\* \* \* \* \*

Mayor Frechette adjourned the meeting at 6:40pm.

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD MONDAY,  
MAY 20, 2019

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

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

Absent: None

Other officers present: Interim City Manager/Clerk/Treasurer Dantzer, Deputy Clerk/Treasurer Frechette, DPW Superintendent Killackey, Police Chief Walters

Council approved Resolution 19-12 authorizing a land contract execution.

Council approved a special event permit allowing nine concerts in the park Sundays from 1:00pm – 2:00pm.

Council approved the bid for N 4<sup>th</sup> and N 2<sup>nd</sup> St parking lot repairs to Mid Michigan Asphalt.

Council approved the bills in the amount of \$289,508.88.

Council approved the 2019/2020 Budget.

Council approved Proclamation 19-01 for Optimist International Youth Appreciation Day.

Council approved Resolutions 19-10 and 19-11 adopting and implementing a local pavement warranty program.

Council approved the City Manager contract for Frank E. Goodroe.

Council to review options on City Manager's MERS options.

Council updated the MERS contacts on file at MERS.

Council approved the minutes and summary from the meeting held May 6, 2019 and the closed session minutes of the special meeting held April 27, 2019.

Council received and filed the treasurer's report and investment summary, the minutes from the Airport Board meeting held April 17, 2019, the April police report and the minutes from the DDA Board meeting held March 26, 2019.

Council excused Mayor Frechette from the April 15, 2019 meeting.

Mayor Frechette adjourned the meeting at 6:59pm.

# **Consent Agenda**



05/30/2019 01:01 PM  
User: JOHN  
DD: Westbranch City

CASH SUMMARY BY BANK FOR WEST BRANCH  
FROM 05/01/2019 TO 05/31/2019

Page: 1/1

Bank Code Fund	Description	Beginning Balance 05/01/2019	Total Debits	Total Credits	Ending Balance 05/31/2019
GEN1	GEN1 - GENERAL CHECKING	683,554.83	125,141.93	249,711.94	558,984.82
101		20,558.38	0.00	0.00	20,558.38
150	CEMETERY PERPETUAL CARE	10,973.57	436.01	2,567.55	8,842.03
209	CEMETERY FUND	57,913.38	4,368.69	2,698.47	59,583.60
248	DDA OPERATING FUND	7,904.87	0.00	371.99	7,532.88
251	INDUSTRIAL PARK FUND	202,750.41	875.21	0.00	203,625.62
276	HOUSING RESOURCE FUND	272,935.60	26,725.33	239,250.18	60,410.75
318	SEWER DEBT FUND	66,144.96	6,238.58	251.55	72,131.99
319	WATER DEBT FUND	30,922.91	0.00	0.00	30,922.91
571	COLLECTION REPLACEMENT FUND	8,995.35	14.81	0.01	9,010.15
572	PLANT REPLACEMENT FUND (R&I)	240,106.29	70,984.77	45,561.01	265,530.05
590	SEWER FUND	199,233.96	260,615.86	19,255.48	440,594.34
591	WATER FUND	282,389.15	0.00	0.00	282,389.15
592	WATER REPLACEMENT FUND	64,061.63	6,352.63	4,010.09	66,404.17
593	SEWER COLLECTION	173,622.66	10,764.01	40,584.55	143,802.12
661	EQUIPMENT FUND	(6.78)	72,829.84	72,829.84	(6.78)
704	PAYROLL CLEARING	4,558.72	0.00	0.00	4,558.72
705	IRONS PARK ENTERTAINMENT FUND	1,514.73	3,000.00	0.00	4,514.73
707	YOUTH SAFETY PROGRAM	7,530.86	1,194.00	0.00	8,724.86
714	RECYCLING CENTER				
	GEN1 - GENERAL CHECKING	2,335,665.48	589,541.67	677,092.66	2,248,114.49
M/LST	MAJOR/ LOCAL STREETS	573,890.31	48,939.47	9,244.71	613,585.07
202	MAJOR STREET FUND	371,582.45	10,926.00	8,495.39	374,013.06
203	LOCAL STREET FUND				
	MAJOR/ LOCAL STREETS	945,472.76	59,865.47	17,740.10	987,598.13
PAY	PAYROLL	12,884.31	72,829.84	74,898.01	10,816.14
704	PAYROLL CLEARING				
	PAYROLL	12,884.31	72,829.84	74,898.01	10,816.14
CHEM	SAVINGS	436,071.34	0.00	0.00	436,071.34
101		1,680.63	0.00	0.00	1,680.63
150	CEMETERY PERPETUAL CARE	20,883.90	0.00	0.00	20,883.90
251	INDUSTRIAL PARK FUND	2,378.54	0.00	0.00	2,378.54
571	COLLECTION REPLACEMENT FUND	26,224.66	0.00	0.00	26,224.66
591	WATER FUND	19,618.84	0.00	0.00	19,618.84
592	WATER REPLACEMENT FUND	784.16	0.00	0.00	784.16
593	SEWER COLLECTION	103,359.16	0.00	0.00	103,359.16
661	EQUIPMENT FUND	1,048.12	0.00	0.00	1,048.12
714	RECYCLING CENTER				
	SAVINGS	612,049.35	0.00	0.00	612,049.35
TAX	TAXES	1,146.47	0.00	0.00	1,146.47
701	TAX AGENCY				
	TAXES	1,146.47	0.00	0.00	1,146.47
	TOTAL - ALL FUNDS	3,907,218.37	722,236.98	769,730.77	3,859,724.58

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH  
FROM 05/01/2019 TO 05/31/2019  
FUND: ALL FUNDS  
INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 05/01/2019	Total Debits	Total Credits	Ending Balance 05/31/2019
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

City of West Branch Planning Commission

Meeting Minutes for April 23, 2019

Meeting called to order at 6:00pm by Chairman Lucynski

Roll Call – Present – Kara Fachting, Ken Kish, Bob David, Mike Jackson, Cori Lucynski and Jan Hasty

Pledge of Allegiance

Public Hearings – None

Additions to Agenda – None

Public Comment – None

Approval of Minutes – No corrections were needed.

Motion by Mike Jackson, second by Bob David to approve the minutes as presented. Ayes – All.

Site Plans – None

Sign Permits –

McLaren Medical Center

Motion by Mike Jackson, second by Jan Hasty to grant the sign request as presented. Ayes – All

MidMichigan

Motion by Kara Fachting, second by Jan Hasty to accept the sign changes as requested. Ayes - All

Unfinished Business –

Denise Cline was present and discussed with the Commission about a few clarification issues with the Uses.

New Business –

Lisa Jensen Daycare request – Ms. Jensen was present. After much discussion amongst the Commission, Ms Jensen and Denise Cline regarding the upcoming changes to the Zoning Ordinance, Ms. Jensen decided to wait for the new zoning to be in place before she comes back to the Commission if needed regarding her request for a daycare unless the State of Michigan moves faster than anticipated. It is the consensus of the Commission to make the needed changes to the zoning that Ms. Jensen needs. Ayes – All

Article 4 District Regulations – Denise Cline was present and went over any changes, deletions or additions the Commission had regarding District Regulation.

Green Zoning – The Commission received a copy of the proposed Green Zoning for the City of West Branch. After discussion and a few changes the Commission felt the Green Zoning for the City of West Branch was ready for approval by the City Council.

Communications – A letter of resignation was received from Evelyn Shenk.

Motion by Mike Jackson, second by Jan Hasty to accept Ms. Shenks resignation from the Planning Commission.

Motion by Kara, second by Jan Hasty to recommend to City Council a replacement for the 7<sup>th</sup> empty seat on the Planning Commission. Ayes - All

Chairman Report – Noted that Hospice has vacated the buildings downtown.

Member Reports –

Hasty – Will be absent from the May 28, 2019 meeting

Jackson – City Manager interviews are this Friday and Saturday in chambers at City Hall. The tree removal at the airport is moving right along. The airport received a favorable reading on the runway service allowing more hangers to be built instead of having to put the money towards the runway.

David –Bids are open for parking lots on 4<sup>th</sup> Street and 2<sup>nd</sup> Street on the North side of town.

Kish – Attended a green energy meeting and was surprised that 70% of the grid is wind energy.

Fachting – None

Meeting was adjourned at 8:42pm per Chairman Lucynski

Meeting minutes taken and typed by Kara Fachting

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY  
HELD IN THE MEETING ROOM OF THE WEST BRANCH POLICE DEPARTMENT, 130 PAGE  
STREET, TUESDAY, APRIL 23, 2019.

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

Present: Joanne Bennett, Joe Clark, Samantha Fabbri, Autum Hunter, Sandy Rabidue  
(12:01), Erin Resteiner, Ken Walters, and Cathy Zimmerman.

Absent: Mike Cozad

Others present: Acting City Manager John Dantzer, Planning Vice-Chair Bob David, and PRT  
Fellow Mary Bickell.

\* \* \* \* \*

Chairperson Fabbri updated everyone on the downtown development plan and reminded  
everyone of the upcoming Downtown Art and Wine Walk

Member Rabidue updated everyone on the downtown flowers. The Board discussed the  
option of adding boxes or fences around the ground planters. Acting Manager Dantzer  
noted the need to make sure anything created would not create a trip hazard and that it  
could also be removed during the winter so snow removal could still take place.

Member Rabidue also asked about flag holders in the planter areas that could be a trip  
hazard. Member Clark noted they were no longer used. Acting Manager Dantzer noted the  
City will look into removing them.

Member Rabidue also asked if the City could remove a dead bush downtown.

Member Bennett discussed the possibility of having a shared spot on the internet that the  
City and the neighboring Townships could advertise vacant buildings or parcels for sale.

Member Walters updated everyone on the old laundromat demolition process. Member  
Resteiner noted that she has had several people ask her about the possibility of a splash  
pad in that location.

Member Walters also noted the deterioration of some retaining walls along Houghton Ave.  
Acting Manager Dantzer noted that those have been discussed with MDOT in the past and  
will continue to work with MDOT on getting them replaced.

Member Hunter asked about maintenance on the fountain. It was noted to reach out to Ray  
Van Goethem to consult with him on ways to improve the look of the water and on the  
replacement of the pump. Manager Dantzer noted they would reach out to Mr. Van  
Goethem.

Member Resteiner discussed a community service work project that they have started for the employees of their business.

Member Clark discussed some issues on the Riverwalk around Branhams. Acting Manager Dantzer noted the City would look into the Riverwalk and any cleanup that may be needed. Member Fabbri noted some old signs on the Riverwalk that have deteriorated.

PRT Fellow Bickell provided a branding update and updated the Board on the Consumers grant presentations.

Acting Manager Dantzer updated the Board that Ellen Pugh stopped into City Hall on behalf of Kiwanis and they have offered to share in the cost of the downtowns flags for 2019 as well as reinforce the flags.

**MOTION BY CLARK, SECOND BY FABBRI, TO APPROVE SHARING IN THE COST OF THE DOWNTOWN FLAGS WITH KIWANIS COVERING 50% OF THE COST, THE CITY COVERING 25% OF THE COST, AND THE DDA COVERING 25% OF THE COST.**

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

**No – None**

**Absent – Cozad**

**Motion carried**

Acting Manager Dantzer noted the City got a new quote on banner brackets for downtown

Acting Manager noted the option of looking at using dumpsters instead of carts downtown.

\* \* \* \* \*

Member Rabidue gave a Treasurers report.

\* \* \* \* \*

The Council discussed some projects to look into for this fiscal year.

**MOTION BY RABIDUE, SECOND BY RESTEINER, TO APPROVE COVERING 50% OF THE COST OF THE BANNER BRACKETS WITH THE CITY.**

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

**No – None**

**Absent – Cozad**

**Motion carried**

\* \* \* \* \*

Member Zimmerman left at 12:50 pm.

\* \* \* \* \*

Acting Manager Dantzer went over the rough draft budget for the upcoming 2019-2020 fiscal year. The Board discussed the additional tax revenue of adding the mileage to the new district.

\* \* \* \* \*

Member Bennett left at 1:22 pm

\* \* \* \* \*

Acting Manager Dantzer updated the DDA on their new DDA email addresses.

An opportunity zone flier was shared.

Acting Manager Dantzer noted that he has discussed the put up and tear down of the showmobile with DPW Superintendent Killackey and that they are willing to charge a lump sum fee of \$300 for set up and tear down within a 15 mile radius.

\* \* \* \* \*

Member Rabidue updated the progress on the personal property tax reimbursement.

\* \* \* \* \*

Chair Fabbri adjourned the meeting at 1:32 pm.

**SPECIAL MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY  
HELD IN THE MEETING ROOM OF THE WEST BRANCH POLICE DEPARTMENT, 130 PAGE  
STREET, FRIDAY, MAY 10, 2019.**

Chair Fabbri called the meeting to order at 5:33 pm.

Present: Joanne Bennett, Joe Clark, Mike Cozad, Samantha Fabbri, Autum Hunter, Sandy Rabidue, Erin Resteiner, Ken Walters, and Cathy Zimmerman.

Absent: None

Others present: Acting City Manager John Dantzer,

\* \* \* \* \*

The Board discussed the current proposed DDA budget

ESTIMATED REVENUES		
Dept 000.000		
248-000.000-400.400	TAX INCREMENT FINANCING	46,083
248-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	14,500
248-000.000-634.400	GRANT	45,000
248-000.000-664.400	INTEREST INCOME	250
248-000.000-695.400	MISCELLANEOUS	400
Totals for dept 000.000 -		106,233
TOTAL ESTIMATED REVENUES		106,233
APPROPRIATIONS		
Dept 000.000		
248-000.000-729.700	FLOWER PROJECT	5,000
248-000.000-750.700	RETAIL MERCHANTS	7,500
248-000.000-782.700	ADMINISTRATION	6,000
248-000.000-801.700	CONTRACTUAL SERVICES	69,133
248-000.000-935.703	SHOWMOBILE EXPENSES	300
248-000.000-948.700	TRANSFER TO GENERAL FUND	15,300
248-000.000-956.700	EXPENSES	3,000
Totals for dept 000.000 -		106,233
TOTAL APPROPRIATIONS		106,233



NET OF REVENUES/APPROPRIATIONS - FUND 248		0
BEGINNING FUND BALANCE		22,151
ENDING FUND BALANCE		22,151

**MOTION BY FABBRI, SECOND BY RABIDUE, TO APPROVE THE BUDGET AS  
PRESENTED AND SUBMIT IT TO COUNCIL FOR THEIR APPROVAL**

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

**No – None**

**Absent – None**

**Motion carried**

\* \* \* \* \*

Chair Fabbri adjourned the meeting at 5:40 pm.

# Communications

Dear Heather,

In March we communicated with you that the MERS Retirement Board, acting on the recommendations of our independent actuary, updated key economic assumptions (investment return and wage inflation). We're contacting you now to ensure you are aware that your municipality's 2018 Annual Actuarial Valuation (AAV) will be available by the end of June and will provide additional information on these changes.

We've heard your feedback that having advance notification of these changes is important to you, and this year the valuation provides you with a **projection on the impact of the economic assumption changes**. It's important to note these changes **won't impact required contributions until 2021**. We are providing you this information now to help you plan ahead.

#### Investment Return Assumption

While MERS has historically met our assumed rate of return over the long-term, expected future investment returns are likely to be lower due to lower projected returns on stock and bonds than in the past. **Based on this expectation, MERS will be reducing our investment assumption from 7.75% to 7.35%.** This adjustment reflects a change in long-term trends, and will continue to be monitored closely.

#### Wage Inflation Assumption

Wage inflation is often confused with pay or salary increases. Wage inflation, however, is an assumption that considers large-scale economic factors and is made up of both price inflation and real wage growth. In other words, wage inflation reflects overall payroll growth over the long-term. **MERS will be reducing our wage inflation assumption from 3.75% to 3.00%.**

#### Next Steps

When your municipality receives your valuation report by email, you will also be provided with additional information on resources available to you, such as:

- Tips for understanding and sharing the information found within your report
- **GASB 68** information needed by your auditors and information to assist with your statements
- Information to comply with State Reporting, as required by **PA 202**, including a guide on how to report
- A copy of the report will be available in your **Employer Portal** for easy access, and your Regional Manager is available to meet with you and any of the stakeholders at your municipality to review your report.

I also want you to be aware that later this year we will begin analyzing the demographic assumptions -- including mortality. We will communicate the results and impact of this analysis early next year.

I hear frequently about the financial challenges you are facing and how these changes may affect you. I encourage you to visit our resource page on our website at [www.mersofmich.com/employer](http://www.mersofmich.com/employer) for additional information, including a timeline of these changes. In addition, you can reach out to your Regional Manager, Matt Taylor, with any questions at 517-703-1216.

I am also available to talk with you. Just email me at [cderose@mersofmich.com](mailto:cderose@mersofmich.com).

Sincerely,



Chris DeRose  
MERS CEO



May 23, 2019



T1 P1 70 \*\*\*\*\*AUTO\*\*ALL FOR AADC 480  
 City of West Branch  
 121 N. Fourth Street  
 West Branch, MI 48661-1217

Dear Franchise Official:

Charter Communications, locally known as Spectrum, is making its customers aware that effective on or after June 23, 2019, consistent with our Terms and Conditions of Service, Spectrum will no longer provide a pro rata credit for services sold on a monthly basis that are cancelled prior to the end of the current billing month.\* Customers will be responsible for the full monthly charge for those services that are offered on a monthly subscription basis to which the customer has subscribed, regardless of the customer's termination of such monthly service prior to the conclusion of the respective subscription month.

Should you have questions related to this change, please contact me at (616) 607-2377.

Sincerely,

Marilyn Passmore  
 Director, State Government Affairs, Michigan  
 Charter Communications

\*Some limited exceptions may apply. Please see our Terms and Conditions of Service for further details (<https://www.spectrum.com/policies/terms-of-service.html>).

# **Reports**

**Mayor**

**Council**

**City Manager**

**Public  
Comment  
-Any  
Topic**

# Adjournment