

-- 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 WEDNESDAY, AUGUST 8, 2018, 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 request is then approved by either the Mayor or a majority vote of Council. All in attendance are asked to please remove hats and/or sunglasses during meetings and to silence all cell phones and other electronic devices. Due to recent complaints from those in attendance trying

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

[DISCLAIMER: Views or opinions expressed by City Council Members or employees during meetings are those of the individuals speaking and do not represent the views or opinions of the City Council or the City as a whole.]

[NOTICE: Audio and/or video may be recorded at public meetings of the West Branch City Council.]

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Hearing
- V. Additions to the agenda
- VI. Public Comment on Agenda Items Only (limited to 3 minutes)
- VII. Scheduled Matters from the Floor
 - A. Bruce Reetz – County Update
 - B. Mandi Chasey – EDC and affordable housing webinar update
 - C. Rachel Smego – Library in Irons Park
- VIII. Bids
- IX. Unfinished Business
 - A. 911 Invoice

- X. New Business
 - A. Bills payable.
 - B. Approval of DDA bylaws
 - C. Possible reschedule of the meeting on Labor Day
 - D. Northland Area Federal Credit Union Tent in the park request
 - E. Water adjustment request for 219 N. Valley St
 - F. Approval of Victorian Art Fair special event permit
- XI. Approval of the minutes and summary from the Meeting held July 16, 2018
- 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 Music in the park meeting held May 15, 2018
 - C. Minutes from the Planning Commission meeting held July 10, 2018
 - D. Minutes from the Airport Board meeting held June 20, 2018
 - E. Minutes from the EMS meeting held June 21, 2018
 - F. Minutes from the Fire Board meeting held April, 17, 2018
 - G. Minutes from the Board of Review meeting held July 16, 2018
- XIII. Communications
 - A. Rodeo sponsorship
 - B. Airport Capital Improvements
 - C. Charter Cable lineup change
 - D. MML Convention Reminder and Annual Meeting Notice
 - E. MML Blog updates
 - F. MidMichigan Health Groundbreaking ceremony

G. T.R. McTaggerts 50 years in business Invitation

H. Sting communication

I. MDEQ Wellhead Protection Plan approval.

J. MERS meeting invitation

XIV. Reports and/or comments

A. Mayor

B. Council Members

C. City Manager

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



A Rural Approach to
AFFORDABLE HOUSING August 23, 2018
@2:30-4:00 PM

AUG 23 Affordable Housing
Public · Hosted by Ogemaw County EDC

Interested Invite

Thursday, August 23 at 2:30 PM - 4:00 PM EDT

Michigan Works!
2389 S M 76, West Branch, Michigan 48661 Show Map

2 Going · 10 Interested
Share this event with your friends



Ogemaw County EDC Affordable Housing
Like This Page · 22 hrs ·



Go to Page

Rachel Smego would like to speak to Council about hosting a library in Irons Park.

Bids

Unfinished Business

Included is the original invoice that was received from the County along with the description of how they determined how to bill each municipality for the 911 services. I also included the minutes from the meeting in November when it was originally discussed and that it would be looked into later because the payment was not due until September 30, 2018. Chief Walters is off on vacation this week but we will be meeting Monday to go over this and will be reaching out to other municipalities as well as the EMS to see if they anticipate paying their portions. Once we talk with them, we will provide Council with a recommendation if the City should pay their portion at the meeting on Wednesday.

OGEMAW COUNTY TREASURER

DWIGHT MC INTYRE

P O Box 56

West Branch MI. 48661

989-345-0084

Fax 989-345-4939

10/02/2017

To **John Dantzer**
City of West Branch Clerk
121 N Fourth St
West Branch, MI 48661

QUANTITY	DESCRIPTION		AMOUNT
	City share of 911		5,270.07
SUBTOTAL			5,270.07
TOTAL DUE			5,270.07

Make all checks payable to: Ogemaw County

If you have any questions concerning the calculation of the amount billed,

call: Amy (989) 345-2911

DWIGHT MCINTYRE
OGEMAW COUNTY TREASURER
806 W. HOUGHTON AVENUE-ROOM 103
P.O. BOX 56
WEST BRANCH, MICHIGAN 48661
mcintyred@ocmi.us

PH: 989-345-0084

FAX: 989-345-4939

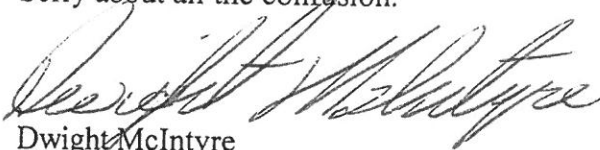
October 9, 2017

RE; 911 BILLING

To alleviate confusion on how the 911 billing was determined, I am enclosing a sheet that shows how the amounts were calculated, and a copy of a page, out of the contract, all townships and cities signed that justifies the billings.

Payment on this Bill is due by September 30, 2018, thank you.

Sorry about all the confusion.



Dwight McIntyre
Ogemaw County Treasurer

Municipality	Population	Percentage	\$ Amount
Churchill	1603	7.2613%	\$3,949.4744
Cummings	796	3.6057%	\$1,961.1863
Edwards	1390	6.2964%	\$3,424.6846
Foster	821	3.7190%	\$2,022.7813
Goodar	493	2.2332%	\$1,214.6543
Hill	1584	7.1752%	\$3,902.6622
Horton	997	4.5162%	\$2,456.4105
Klacking	617	2.7949%	\$1,520.1658
Logan	581	2.6318%	\$1,431.4689
Mills	4291	19.4374%	\$10,572.1738
Ogemaw	1118	5.0643%	\$2,754.5305
Richland	956	4.3305%	\$2,355.3946
Rose	1409	6.3825%	\$3,471.4968
West Branch T.	2628	11.9043%	\$6,474.8713
Rose City	653	2.9580%	\$1,608.8626
City of W.B.	2139	9.6893%	\$5,270.0722
SUM	22076	100.0000%	\$54,390.8900
Ogemaw County	22076		

Total amount to divide \$54,390.89

Ogemaw Co General Fund \$177,786.00

Ogemaw Co EMS \$95,609.11

TOTAL \$327,786.00

that it is billing within the District. Any service supplier who fails to collect such funds and timely remit them as provided in this Plan and Act, or to provide the reasonable accounting required hereby may be enjoined by the County Circuit Court from providing communication services to service users within the District and the 9-1-1 Board is authorized to sue such service supplier in the Circuit Court to obtain such injunctive relief and/or damage relief for the amount of unremitted surcharge that the service supplier should have provided to the County.

In the event that millage and/or 9-1-1 operational surcharge revenues are insufficient to cover the costs of financing the Central Dispatch, the County Board is authorized to negotiate fees for primary PSAP services rendered to public safety agencies and other emergency service providers dispatched by the Central Dispatch, and if such fees cannot be negotiated, to set them at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the public or private safety agencies. Furthermore, the County Board is authorized to set a service user fee at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the service user or on his or her behalf or on behalf of a person or entity receiving the benefit of the emergency public and/or private services. The County Board may impose such fees through resolution or implementing ordinance, including authorization to the State of Michigan District Court system to collect such fees from the party adjudicated at fault for creating the emergency service condition through civil and criminal infraction proceedings. The County Board may authorize the initiation of civil court proceedings to collect any such service user fee.

3) **Past Plans or Amendments**

These provisions are intended to modify, amend, supersede and replace any and all prior Plan or Plan Amendment. This Plan may be amended in any manner and at any time consistent with the Act.

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, NOVEMBER 6, 2017.

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

Present: Mayor Denise Lawrence and Council Members Joanne Bennett, Dave Lucas, Tim Schaiberger, Rusty Showalter, Aaron Tuttle, and Dan Weiler.

Absent: None

Other officers present: City Manager Heather Grace, Treasurer/Clerk John Dantzer, Police Chief Ken Walters.

All stood for the Pledge of Allegiance.

* * * * *

As an addition to the agenda, Jeff Loomis of Huron National Bank introduced himself and gave Council a brief summary of the history and focus of the bank.

* * * * *

Korey Kripili of the West Branch Rec Center submitted a special event permit to hold a Turkey Trot on Thanksgiving morning.

Manager Grace went over safety concerns and Chief Walters went over his concerns as well.

MOTION BY SHOWALTER, SECOND BY LAWRENCE TO APPROVE THE SPECIAL EVENT PERMIT AS PRESENTED BY THE WEST BRANCH REC CENTER CONTINGENT UPON DISCUSSION AND APPROVAL OF THE PLAN WITH CHIEF WALTERS.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent –None

Motion carried

* * * * *

Jason Stroebel, on behalf of the DDA, updated Council on the most recent DDA meeting which included discussion on signs in the downtown windows, purchasing benches for downtown, having one joint meeting with the Planning Commission every quarter, changing the date of the December meeting, getting bids on a ramp for the parking lot off of N. Third St., and looking at the resurfacing of parking lots.

* * * * *

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO APPROVE BILLS IN THE AMOUNT OF \$313,536.35.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent –None

Motion carried

* * * * *

Manager Grace introduced resolutions to repeal the current Planning Commission ordinance and replace it with a new one that would be in line with current State law.

Members Schaiberger and Bennett asked if the current Planning Commission was made aware of the changes and noted their concern that the current Board members were able to still continue on the Board. Manager Grace noted as long as they all fit into the current City representative segments that were submitted by Council and are noted in the ordinance then they could be all reappointed but that they would need to fill out an application for reapproval.

MOTION BY SHOWALTER, SECOND BY LUCAS, TO INTRODUCE RESOLUTION 17-03

MEMBER SHOWALTER AMENDED HIS MOTION TO INTRODUCE RESOLUTION 17-03 AND 17-04, SECOND BY SCHAIBERGER

ORDINANCE 17-03

AN ORDINANCE TO REPEAL SECTIONS 32.015, 32.016, 32.017, 32.018, 32.019, 32.020, 32.021, 32.022, 32.023, 32.024, 32.025, 32.026, 32.027, 32.028, 32.029, & 32.030 OF THE CITY OF WEST BRANCH CODE OF ORDINANCES.

THE CITY OF WEST BRANCH ORDAINS:

Sections §§ 32.015, 32.016, 32.017, 32.018, 32.019, 32.020, 32.021, 32.022, 32.023, 32.024, 32.025, 32.026, 32.027, 32.028, 32.029, and 32.030 of Chapter 32 entitled "DEPARTMENTS, COMMISSIONS AND BOARDS" are hereby repealed.

ORDINANCE 17-04

AN ORDINANCE TO AMEND CHAPTER 32 OF THE CITY OF WEST BRANCH CODE OF ORDINANCES ENTITLED: "DEPARTMENTS, COMMISSIONS AND BOARDS."

THE CITY OF WEST BRANCH ORDAINS:

§32.031 - Creation/Establishment; powers and duties.

There shall be a City of West Branch Planning Commission as contemplated in Section 4.20 of the City Charter, and also pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq., hereinafter referred to as the Commission with the powers

and duties as therein set forth and as hereinafter provided. This ordinance shall be officially known and described as the "City of West Branch Planning Commission Ordinance." Thus, the City of West Branch Planning Commission is hereby established in and for the City of West Branch such that it shall have all the powers and duties authorized and directed by the City Charter and by the Michigan Planning Enabling Act 33 of 2008, as amended (MCL 125.3801 *et seq.*), as well all the powers and duties authorized and directed by the Michigan Zoning Enabling Act 110 of 2006, as amended (MCL 125.3101, *et. seq.*).

§ 32.032 - Composition;Membership.

(A) Membership of the planning commission shall be as set forth in the City Charter, and as required pursuant to the Michigan Planning Enabling Act 33 of 2008- with the caveat that the provision in § 4.20 of the City Charter indicating that the City Manager shall serve as a member of the City Planning Commission is hereby found to be invalid by operation of law, due to the interpretation that the City Manager ' s simultaneous service as the both a City Planning Commissioner and the City's Zoning Administrator is prohibited by the Incompatible Public Offices Act, 1978 PA 566, MCL 15.181, *et seq.*

(B) The Commission shall consist of a total of nine members, each of whom must be individually appointed by the Mayor and subject to approval by a majority vote of the members of the City Council.

(C) The membership of the Commission shall consist of qualified electors of the City of West Branch, except that no greater than two Commission members may be individuals who are not qualified electors of the City of West Branch but are qualified electors of another local unit of government

(D) Commission members shall not hold any elected office or employment with the City of West Branch, unless such member is an *ex-officio member* as contemplated in section (E) below.

(E) The Commission may have up to three *ex-officio members*, consisting of the following individuals: at least one, but up to two, representative members of the West Branch City Council; the Mayor of the City of West Branch, if the Mayor so desires (note that the Mayor may choose to serve on the Commission either in addition to, or in place of, one of the two representative members of the West Branch City Council-provided that the total number of *ex officio* members never exceeds 1/3 of the total membership of the Commission).

(F) *Ex-Officio* members shall have the same rights, duties, powers, and responsibilities as non-*ex-officio* members- with the only difference being that the term of service for *ex-officio* members shall be the length of their corresponding term of office, as opposed to the three-year terms of office that shall generally apply to all other *non-ex-officio* Commission members.

(G) After an individual's appointment and before reappointment, each Commission member shall attend training for Commission members, pursuant to Section 32.034 of this Ordinance.

(H) Members shall be appointed for three-year terms. However, when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of 1/3 of all Commission members will expire each year. If a vacancy occurs,

the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of 1/3 of all commission members continue to expire each year.

(I) The membership of this Commission shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of the City of West Branch, in accordance with the major interests as they exist in the City of West Branch, as follows:

- I. one member representing the "Recreation" segment of the community;
2. one member representing the "Education" segment of the community;
3. one members representing the "Public Health" segment of the community;
4. two members representing the "Government" segment of the community;
5. one member representing the "Transportation" segment of the community;
6. one member representing the "Industry" segment of the community;
7. one member representing the "Commerce" segment of the community; and
8. one member representing the "Residential" segment of the community; for a total of nine members in all.

(J) When appointing members to this Commission, the Mayor and City Council shall attempt, whenever possible, to make the membership of this Commission proportionally representative of the important geographic and interest segments of the City of West Branch, which may consist of, for example, the various different types of zoned districts in the community.

(K) The membership of this Commission shall also be, to the extent practicable, representative of the entire geography of the City of West Branch, as a secondary consideration to the representation considerations set forth in sections 32.032(1) and (K) of this Ordinance.

(L) Commission members are required to meet the conditions provided for each individual member throughout Section 32.032 of this Ordinance, except that the geographical location considerations described in § 32.032(K) of this Ordinance may be considered optional. As such, the representation requirements and considerations set forth in this Ordinance shall be considered by Council in the following order of priority: first, § 32.032(1); second, § 32.032(J), and third, § 32.032(K).

(M) Neither the Mayor nor a representative member from the City Council shall serve as the chair of the Commission.

§ 32.033 - Liaisons.

(A) The Commission, in its Bylaws, may name "liaisons" to the Commission. The purpose of liaisons is to provide certain City of West Branch and Downtown Development Authority officials the ability to participate in discussion with the Commission in addition to speaking in public participation, and nothing else. At a minimum liaisons shall include:

1. City of West Branch staff involved in the planning and zoning process, including the City Zoning Administrator, as well as all Deputy Zoning Administrators.
2. The City Manager.
3. The City Attorney.

Liaisons may also include:

4. A representative from the City of West Branch Downtown Development Authority.
5. A representative from the City of West Branch Zoning Board of Appeals.

§ 32.034 - Training.

(A) Appointed members of the Commission shall be required to attend educational programs designed for training members of Michigan planning commissions if the adopted City of West Branch budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. Nothing in this paragraph shall prohibit a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the City Council. However, the member shall be ineligible for reappointment at the conclusion of the term of office if they did not attend training. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.

§ 32.035- Members, Appointment and Terms.

(A) In September of each year, the Clerk for the City of West Branch shall determine which members' terms of office expire during that fiscal year, and shall determine what organizations qualify to nominate members and shall contact, by first class mail, those organizations to solicit nominations.

(B) In October of each year, if the City Clerk has not received at least two nominations for each office, then the Clerk shall discard those applications shall place an advertisement in the newspaper or similar publication with circulation within the City of West Branch, as well as place an advertisement on the City website, informing the public of opening on the Commission and seeking additional applications.

(C) In November of each year, the City Council shall consider the applications and nominations received, and the Mayor shall make appointments to the Commission which must be confirmed by a majority vote of the City Council, for three year terms of office which shall end on November 30, at 9:00 a.m. of the respective year.

§ 32.036 - Removal from Office.

(A) The City Council may remove a member of the Commission for misfeasance, malfeasance,

of nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Failure to attend Commission meetings as required by the City Charter shall be considered nonfeasance in office, i.e., missing three meetings in a row or missing 25% or more of all meetings within a given fiscal year shall be considered nonfeasance in office.

(B) It shall be the duty of the Secretary of the Commission to track attendance of Commission members and also to file a written report with the City Clerk and the City Council anytime a Commission member misses three regular meetings in a row or misses 25% or more of meetings within a given fiscal year.

§ 32.037 - Membership; Vacancies.

(A) The Mayor and City Council shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

§ 32.038 - Membership; Transition.

(A) The transition from the previous City of West Branch Planning Commission and the Commission established in this Ordinance shall take place as soon as practicable following the effective date of this Ordinance. The Mayor and the City Council shall appoint all members of the Commission as specified in Section 32.032(B) of this Ordinance in the first instance at the first City Council meeting held following the effective date of this Ordinance. The terms of office of the previous Planning Commission members shall terminate upon appointment of new members as specified here.

(B) All other aspects of this Ordinance shall have immediate effect.

§32.039 - Membership; Compensation.

(A) All members of the Commission shall serve as such with compensation equal to the amount of twenty-five dollars per meeting. Mileage and travel expenses shall only be paid in the event of attendance at a training event, in which case the twenty-five dollar per diem payment is not paid.

§ 32.040 - Meetings.

(A) The Commission shall meet at least once every month and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said Commission (note that attendance of *ex officio* members does count towards the existence or non-existence of a quorum).

(B) The affirmative vote of 2/3 of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or

recommendation for adoption, of any plan or amendment to a plan.

§ 32.041 - Powers and Duties.

(A) The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*).

(B) Should the Board of Commissioners of Ogemaw County of Ogemaw so choose, the Commission shall be designated as a metropolitan county planning commission, pursuant to section 37(1) of P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3837(1); in which case the Planning Commission shall serve as a coordinating agency for all planning committees or commissions that are now or may be within the County of Ogemaw.

(C) The Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts; provided that permission to submit grant applications has first been received by either the City Manager or the West Branch City Council.

§ 32.042 - Staff.

(A) The City of West Branch may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the West Branch City Council. This authority shall be delegated to the City Manager. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(B) The appointment of a planning director and/or other such employees shall be subject to the same hiring policies, provisions of law, employment policies, employee roster, employee or union contracts, if any, as govern other employees of the City of West Branch.

(C) Should the City Manager so desire, the City Manager may appoint a current City employee to serve part-time in the role of planning director, on top of their other duties, provided that said employee is duly compensated for their services as planning director.

(D) Employees that are assigned to work with the Commission shall follow the directives of the Commission in matters of planning and zoning public policy issues, but shall not be subject to Commission directives concerning employment provisions of law, employment policies, employment roster, employee or union contracts, if any.

§ 32.043 - Meetings; Records.

(A) The Commission shall adopt Bylaws for the transaction of business and the Secretary of the

Commission shall keep a records of its resolutions, transactions, findings, and determinations, which records shall be a public record. The Commission shall hold not less than four regular meetings each year, and by resolution shall determine the time and place of meetings. The business that the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act, MCL 15.261 to 15.275.

§ 32.044 - Approval, Ratification, and Reconfirmation.

(A) All official actions taken by all City of West Branch Planning Commissions preceding the Commission created by the ordinance are hereby approved, ratified, and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Commission created by this Ordinance, and shall be deemed a continuation of any previous City of West Branch Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

§ 32.045 - Officers.

(A) The Planning Commission shall elect its Chairperson and Secretary from among the appointed members and shall establish and fill such other of its offices as it may determine.

(B) The term of each officer shall be one year with eligibility for re-election as set forth in the Planning Commission bylaws.

(D) It shall be the duty of the Chairperson to lead all Commission meetings. It shall be the duty of the Secretary to record minutes for the Commission and provide them to the City Clerk in a timely matter compliant with the Michigan Open Meetings Act, as amended. It shall also be the duty of the Secretary to ensure compliance with Michigan's Freedom of Information Act in relation to any requests for minutes of the Commission.

(E) Neither the Chairperson nor the Secretary of the Commission shall be entitled to additional pay, other than the standard twenty-five dollar per meeting payment, absent a resolution of City Council authorizing such additional payment and establishing the amount of any such additional payment.

§ 32.046 - Rules; records

The Commission shall adopt bylaws for the transaction of business in conformity with Act 33 of the Public Acts of 2008, as amended (M.C.L.A. 125.3801 et seq.) and the Commission Secretary shall keep a public record of its resolutions, transactions, findings and determinations. A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, MCL 15.231 to 15.246.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent –None

Motion carried

* * * * *

Manager Grace went over current State issues involving unfunded OPEB and pension funds. She noted that currently the City has enough money set aside in a committed fund for its OPEB liability but that according to the State it is 0% funded because it is not set up in a certified trust. She recommended opening a trust account with MERS that would allow the City to put those committed funds into it and by doing that would show the City as 100% funded.

**MOTION BY BENNETT, SECOND BY SCHAIBERGER, TO APPROVE RESOLUTION 17-18 AND
CHOOSE THE MERS DIVERSIFIED BOND PORTFOLIO AS THE INITIAL INVESTMENT FUND.**

RESOLUTION 17-18

WHEREAS, the Municipal Employees' Retirement System ("MERS") Plan Document of 1996, effective October 1, 1996, authorized the Municipal Employees' Retirement Board ("Board") to establish additional programs including but not limited to Defined Benefit and Defined Contribution programs (MERS Plan Document Section 71(2)(a)); and the Municipal Employees Retirement Act of 1984, Section 36(2)(a) as amended by 1996 PA 220, MCL 38.1536(2)(a));

WHEREAS, the Board has previously authorized MERS establishment of a retiree health funding vehicle ("RHFV" or "Program"), which a participating municipality or court, or another eligible public employer that is a political subdivision of the State which constitutes a "municipality" under MERS Plan Document Section 2(23); MCL 38.1502b(2) ("Eligible Employer"), may adopt for its Eligible Employees;

WHEREAS, MERS has been determined by the Internal Revenue Service to be a tax qualified "governmental plan" and trust under Section 401(a) of the Internal Revenue Code of 1986, and all trust assets within MERS reserves are therefore exempt from taxation under Code Section 501(a) (IRS Letter of Favorable Determination dated June 15, 2005).

WHEREAS, the Board has established a governmental trust under Section 115 of the Internal Revenue Code (the "Trust Fund") to hold the assets of the RHFV, which Trust Fund shall be administered under the discretion of the Board as fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed Program Administrator;

WHEREAS, 1999 PA 149, the Public Employee Health Care Fund Investment Act, MCL 38.1211 et seq. ("PA 149") provides for the creation by a public corporation of a public employee health care fund, and its administration, investment, and management, in order to accumulate funds to provide for the funding of health benefits for retirees and beneficiaries;

WHEREAS, a MERS health care trust fund constitutes a governmental trust established by a public corporation ("municipality") as an Eligible Employer, provided that all such employers shall be the State of Michigan, its political subdivisions, and any public entity the income of which is excluded from gross income under Section 115 of the Internal Revenue Code; provided

further, that the health care trust shall not accept assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code;

WHEREAS, the Board acts as investment fiduciary for the pooled assets of each MERS participating municipality and court enrolled in MERS Defined Benefit Plan, Defined Contribution Plan, and Hybrid Plan, on whose behalf MERS performs all plan administration and investment functions, and such participating municipalities and courts have full membership, representation and voting rights at the MERS Annual Meeting as provided under Plan Section 78; MCL 38.1545.

WHEREAS, the Board also acts as investment fiduciary for those participating employers who are non MERS participating municipalities and courts that have adopted the MERS Health Care Savings Program, Retiree Health Funding Vehicle, 457, or Investment Services Program, and such entities are not accorded membership, representation or voting rights provided to MERS participating municipalities and courts at the MERS Annual Meeting under Plan Section 78; MCL 38.1545.

WHEREAS, adoption of this Uniform Resolution (the "Uniform Resolution") by the Eligible Employer is necessary and required in order that the benefits available under the MERS Retiree Health Funding Vehicle may be extended;

WHEREAS, this Uniform Resolution has been approved by the Board under the authority of 1996 PA 220, MERS Plan Document Section 71(2) (a), MCL 38.1536(2) (a), declaring that the Board "shall determine . . . and establish" all provisions of the Retirement System. The MERS RHFV shall not be implemented with respect to any Eligible Employer unless in strict compliance with the terms and conditions of this Resolution, the Trust Document, and Trust Agreement.

- It is expressly agreed and understood as an integral and nonseverable part of extension or continuation of coverage under this Uniform Resolution Adopting MERS Retiree Health Funding Vehicle that Section 43 of the MERS Plan Document shall not apply to this Uniform Resolution, its administration or interpretation.
- In the event any alteration of the language, terms or conditions stated in this Uniform Resolution Adopting MERS Retiree Health Funding Vehicle is made or occurs under MERS Plan Document Section 43 or other plan provision or other law, it is expressly recognized that MERS and the Board, as fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty: to administer (or to have administered) the MERS RHFV or its Trust Fund; or to continue administration.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts the MERS PA 149 Health Care Trust Fund as provided below.

I. MERS RETIREE HEALTH FUNDING VEHICLE

EFFECTIVE November 6, 2017, the MERS Retiree Health Funding Vehicle is hereby adopted by the West Branch City Council.

CONTRIBUTIONS shall be made only by the Eligible Employer, remitted to MERS by the Eligible Employer, and credited to the Eligible Employer's separate fund within the trust sub-fund for MERS RHFV. As this Plan is funded solely by employer, on a cash or actuarial basis as determined by the employer, there is no requirement for a Participation Agreement establishing the schedule of contributions.

INVESTMENT of funds accumulated and held in the Fund shall be held in a separate reserve and invested on a pooled basis by MERS subject to the Public Employee Retirement System Investment Act ("PERSIA"), 1965 PA 314, as provided by MERS Plan Document Section 76; MCL 38.1539, and PA 149.

THE ELIGIBLE EMPLOYER shall abide by the terms of MERS RHFV, including all investment, administration, and service agreements, and all applicable provisions of the Code and other law. It is affirmed that no assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code shall be transferred to, or accepted by, MERS

II. IMPLEMENTATION DIRECTIONS FOR MERS AS RHFV INVESTMENT FIDUCIARY AND TRUSTEE

(A) The governing body of this Eligible Employer desires that all assets placed in its MERS RHFV (as a sub-fund within all pooled Trust Funds with MERS) be administered by MERS, which shall act as investment fiduciary with all powers provided under Public Employee Retirement System Investment Act, PA 149, all applicable provisions of the Internal Revenue Code and other relevant law.

(B) The governing body desires, and MERS upon its approval of this Resolution agrees, that all funds accumulated and held in the MERS RHFV Trust Fund shall be invested and managed by MERS within the collective and commingled investment of all funds held in trust for all Eligible Employers.

(C) The RHFV is designed as a PA 149 compliant trust. All assumptions, including the rate of investment return used in any OPEB valuation, are the responsibility of the employer in conjunction with any advice they may obtain from their health care actuary and/or auditor, if any. The Employer acknowledges and affirms the responsibility for selecting the investment option(s) from the MERS investment funds for their RHFV account.

The Participating Employer makes the following initial fund election (subsequent changes may be made by the RHFVC Investment Change Form #RH-602). Percentage of assets to be invested in fund selected:

PORTFOLIOS BUILT FOR YOU (Stocks/Bonds)		FUNDS TO BUILD YOUR OWN PORTFOLIO	
MERS Total Market Portfolio	%	Large Cap Stock Index	%
MERS Global Stock Portfolio (100/0)	%	Mid Cap Stock Index	%
MERS Capital Appreciation Portfolio (80/20)	%	Small Cap Stock Index	%
MERS Established Market Portfolio (60/40)	%	International Stock Index	%
MERS Balanced Income Portfolio (40/60)	%	Emerging Market Stock	%
MERS Capital Preservation Portfolio (20/80)	%	Short-Term Income	%
MERS Diversified Bond Portfolio (0/100)	100%		

All allocations must use a whole percentage, and the total percentage of amount allocated must equal 100%. Please refer to the Fund Summary Sheets for information regarding each investment option, including potential redemption fees, and restrictions (www.mersofmich.com).

(D) Changes in the fund choices or allocations made in paragraph (C) may be made in writing using the designated MERS form addressed to the MERS RHFV Program Administrator and shall be made by the designated employer contacts, consisting of the City Clerk/Treasurer (ongoing fund elections may be made either through your online account or by the RHFV Investment Change Form #RH-602).

(E) All monies in the MERS RHFV Trust Fund (and any earnings thereon, positive or negative) shall be held and invested for the sole purpose of paying health care benefits for the exclusive benefit of “Eligible Employees” who shall constitute “qualified persons” who have retired or separated from employment with the Eligible Employer, and for any expenses of administration, and shall not be used for any other purpose, and shall not be distributed to the State.

(F) The Eligible Employer will fund its MERS RHFV Trust sub-fund to provide funds for health care benefits for “Eligible Employees” who shall constitute “qualified persons.” Participation in and any coverage under RHFV shall not constitute nor be construed to constitute an “accrued financial benefit” under Article 9 Section 24 of the Michigan Constitution of 1963, nor shall any contribution method for Eligible Employer funding other than “pay as you go” cash funding be required or imposed, and all benefits, rights, and obligations conferred by or arising under RHFV shall be as provided under the RHFV documents.

(G) The Eligible Employer generically designates police officers per union contract as “Eligible Employees” who shall constitute “qualified persons,” to receive retiree health care benefits subsidized under the MERS RHFV trust sub-fund. Groups may include any dependent(s) as specified in your bargaining agreement and/or personnel policy (provide copies of any governing agreement or other policy):

(H) The Eligible Employer may designate the appropriate employer contacts who shall direct payment of fund monies for the benefit of the Eligible Employees identified in paragraph (G) under any retiree health care benefit program, including, but not limited to, MERS HCSP; make investment allocations of the Employer's fund assets within MERS-approved funds to the extent authorized in paragraph (C); receive necessary reports, notices, etc.; shall act on behalf of the Eligible Employer; and may delegate any administrative duties relating to the Fund to appropriate departments.

SECTION 3. EFFECTIVENESS OF THIS RESOLUTION

This Resolution shall have no legal effect until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under MERS Plan Document Section 71(2)(a), 1999 PA 149 and other relevant laws, and this Resolution have been met. Upon MERS determination that all necessary documents have been submitted, MERS shall record its formal approval upon this Resolution, and return a copy to the Eligible Employer's designated primary contact. In the event an amendatory resolution or other action by the Eligible Employer is required by MERS, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the Program Administrator if necessary). Section 86 of the MERS Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent –None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY BENNETT, TO APPROVE RESOLUTION 17-19.

RESOLUTION #17-19

WHEREAS, in reviewing the revenues and expenditures on a monthly basis it was discovered that the General Fund will exceed their projected expenditures, and

WHEREAS, the expenditures in the General Fund will be exceeded due a pay down of MERS debt, and

WHEREAS, the expenses of the pay down will be funded from the assigned MERS paydown amount, and

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby amends the budget in Fund 101 General Fund as follows:

	Budget	Amended
TOTAL REVENUE	1,640,451	1,640,451

EXPENDITURES

900.000 Bad Debt

999.702 Debt Cancellation	0	0
999.704 OPEB Catch Up	2,500	2,500
999.706 MERS Catch up	5,000	105,000
Total Bad Debt Expense	7,500	31,400

TOTAL EXPENSES	1,698,113	1,798,113
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Excess Expenditures	(57,662)	(157,662)
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Assigned MERS Paydown	100,000	0
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* * * * *

MOTION BY LAWRENCE, SECOND BY SCHAIBERGER, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD OCTOBER 16, 2017.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

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

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY, A BUDGET AMENDMENT, THE DOWNTOWN DEVELOPMENT AUTHORITY MEETINGS HELD AUGUST 22, 2017 AND SEPTEMBER 26, 2017, AND THE AIRPORT BOARD MEETING HELD SEPTEMBER 20, 2017.

Yes — Bennett, Lawrence, Lucas, Schaiberger, Showalter, Tuttle, Weiler

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

Information on the additional fund request from the County for 911 was shared. Manager Grace noted that the invoice was not due for nearly a year and that she would recommend waiting to see what the EMS decision was going to be since they were a large portion of the additional funds.

A thank you from the Ogemaw County Genealogical & Historical Society was shared.

* * * * *

Member Showalter updated Council on his most recent MML Board meeting and that they are pushing to get things done before the State government goes into lame duck at the end of the year with their main focus being on municipal finance reform. He also updated Council on next year's annual MML convention.

Member Bennett noted that in the new Planning Commission ordinance, it requires members to attend trainings and encouraged Council members to commit to the same requirement.

Member Bennett also noted that the West Branch Initiative group is looking to have a Christmas market crafting event downtown during the Christmas parade and may look at using the Showmobile for carolers.

Member Schaiberger updated Council on the Ogemaw Kids Club and reminded everyone about the Kiwanis variety show.

Mayor Lawrence updated Council on the recent Christmas for Kids meeting she attended and that they are looking at a possible merger with Toys for Tots with the stipulation that any local money donated would go to local families.

Mayor Lawrence updated Council on the recent Airport Board meeting and noted that their audit is coming up.

Mayor Lawrence updated Council on the recent Fire Board meeting and noted they are working on their budget and further noted that Deputy Chief Jim Clark submitted his resignation due to work restraints.

Mayor Lawrence updated Council on the recent EMS meeting and noted their discussion of the additional 911 funds invoice that they received,

Mayor Lawrence noted she also attended the grand opening of Anna's Treasures downtown, the Chambers Cocktails and Connections, the Ogemaw County food pantry meeting and noted the City would be helping with food baskets, as well as the MSU extension 100 year celebration.

Mayor Lawrence also noted the next West Branch Summer Music Series meeting is coming up as well as the next Recreation meeting is coming up. Manager Grace noted the Children's Museum Committee will be at the next Recreation meeting to see about getting their idea for a Children's Museum added to the five year recreation plan.

Mayor Lawrence reminded everyone about the grand opening for Bubbles and Burritos and that she wanted to pass on a thank you she received from someone who wanted to thank the police department for their help in getting an abandoned vehicle moved.

Manager Grace updated Council on her most recent MDOT meeting and that the City is anticipated to have their downtown reconstruction project on the calendar for 2023 and that it is currently waiting for final approval from the State in June.

Manager Grace also noted her recent meeting with the Ogemaw Road Commission and the Federal road aid money that the City would be receiving to redo Fairview Road and N. Valley Street. She also noted that she is looking into special assessments rules.

Manager Grace noted recent court cases involving tax issues with big box companies.

* * * * *

Chief Walters noted he would be working on the hosting of the food pantry food baskets and that the Police Department looks forward to hosting that every year, updated Council on the Halloween Safety program they put on at Surline and noted he is looking into expanding and doing more of those types of programs, and presented Council with a check for \$125 for Christmas for Kids that the Police Department raised.

* * * * *

Dave Golden asked about the food baskets that were discussed earlier and asked if Council would look into a sound amplification system to make it easier to hear what they are saying during meetings.

* * * * *

Mayor Lawrence adjourned the meeting at 7:17 pm.

Denise Lawrence, Mayor

John Dantzer, Clerk

New Business

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

BILLS	\$100,629.55
<i>BILLS AS OF 8/2/18</i>	<i>\$100,629.55</i>
<i>Additions to Bills as of</i>	<i>\$0</i>
<i>Paid but not approved</i>	<i>\$0</i>
TOTAL BILLS	\$100,629.55

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

Vendor Name	Amount	Description
ADVANCED CHEMICAL & SUPPLY INC	137.75	WWTP SUPPLIES
ARNOLD SALES	190.11	DPW SUPPLIES
AUSABLE VALLEY CMH	706.90	RECYCLING, WBPD & CITY HALL CLEANING
BS & A SOFTWARE	2,745.00	ANNUAL MAINTENANCE FEE
BUNTING SAND & GRAVEL PRO INC	78.47	STONE - WATER
CHARTER COMMUNICATIONS	319.92	PHONE INTERNET CITY HALL & DPW
CINTAS	102.56	WWTP SUPPLIES
CITY OF WEST BRANCH	537.93	WATER/SEWER BILLS
CONSUMERS ENERGY	5,642.44	ELECTRIC BILLS
DTE ENERGY	271.37	GAS
ELIASON LAW OFFICE	630.00	LEGAL SERVICES
ENERGY SPECIALTIES GROUP	10,119.40	LIGHTING PROJECT
ENERGY SPECIALTIES GROUP INC	7,178.00	LIGHTING PROJECT M/L
ENVIRONMENTAL SYSTEMS RESEARCH INST	400.00	GIS ANNUAL MAINTENANCE
FINISHED CONCRETE INC	900.00	N 3RD ST PARKING LOT STEPS - PARTIAL
FOSTER BLUE WATER OIL LLC	3,302.02	FUEL
GRAINGER	23.70	WWTP SUPPLIES
HACH COMPANY	285.72	WWTP SUPPLIES
HAVILAND	5,175.00	WWTP SUPPLIES
INK & THREAD LLC	9.00	PLANNING NAME PLATE
KILLACKEY, MICHAEL	13.08	MILEAGE REIMBURSEMENT
KIRTLAND COMMUNITY COLLEGE	125.00	ANNUAL FIREARMS RANGE USAGE FEE
M SUPPLY CO	120.20	WWTP SUPPLIES
MCMURRY, PAUL & AMAND	137.25	UB refund for account: 002082
MERS OF MICHIGAN	16,940.34	RETIREMENT JULY
MVW & ASSOCIATES INC	995.00	ASSESSOR CONTRACT AUGUST
MVW & ASSOCIATES INC	4,410.00	INSPECTION 20% RESIDENTIAL & 20% COMMERCIAL
OGEMAW COUNTY EQUALIZATION	3,572.95	ANNUAL MAINTENANCE FEE
OGEMAW COUNTY HERALD ADLINER	58.90	AD
PARAGON LABORATORIES INC	270.00	WWTP SUPPLIES
PEPSI COLA	196.48	POP FOR IRONS PARK MACHINES
PITNEY BOWES	34.99	MONTHLY METER FEE
PREIN & NEWHOF	220.00	WWTP SERVICE
REPUBLIC SERVICES 237	9,520.73	GARBAGE JULY & RECYCLING
SAVE A LOT	322.00	VARIOUS CHARGES
SBAM PLAN	15,515.87	BCN AUGUST & HEATHER FAMILY
SBAM PLAN	436.61	BCN AUGUST M/L
SHELL	35.33	POLICE FUEL
TRACTOR SUPPLY CREDIT PLAN	198.96	VARIOUS SUPPLIES
TREETOP PRODUCTS INC	2,582.60	GARBAGE BINS FOR IRONS PARK - ART FAIR
UNUM LIFE INSURANCE CO OF AMERICA	841.34	LT ST DISABILITY
UPS	15.24	WWTP SHIPPING
UPS	3.60	SHIPPING
USA BLUE BOOK	1,063.61	WATER & WWTP SUPPLIES
VERIZON WIRELESS	154.30	CELL PHONES
VIC BOND SALES INC	35.33	VARIOUS SUPPLIES
VILLAGE QUIK LUBE	851.63	POLICE REPAIR
VILLAGE QUIK LUBE	41.90	REPAIRS
VISA	1,009.40	BL ACCOUNT 00101155-10000000
VISA	413.82	BL ACCOUNT 00101155-10000000
WASTE MANAGEMENT INC	185.43	WWTP DUMPSTER
WELLS FARGO FINANCIAL LEASING	1,500.30	BS & A SOFTWARE
WEST BRANCH AUTOMOTIVE	52.07	VARIOUS SUPPLIES

TOTAL 100,629.55

CITY OF WEST BRANCH
DOWNTOWN DEVELOPMENT AUTHORITY
BY-LAWS

ARTICLE I: NAME

- 1.1 The name of this Authority is the Downtown Development Authority of the City of West Branch (DDA, Authority).

ARTICLE II: PURPOSE

- 2.1 The purpose of the DDA is established by the Downtown Development Authority Act 197 of the Public Acts of Michigan of 1975 (Act), and includes, but not limited to, the correction and prevention of deterioration in the downtown district, the encouragement of historic preservation, the creation and implementation of development plans in the downtown district and the promotion of economic growth therein.

ARTICLE III: BOUNDARIES

- 3.1 The geographic boundaries of the DDA district are depicted in the attached Exhibit A.

ARTICLE IV: BOARD OF DIRECTORS

- 4.1 Board of Directors. The business and affairs of the DDA shall be managed by its Board of Directors (Board).
- 4.2 Members. The Board shall consist of the Mayor and eight (8) members as provided by the Act. The members shall be appointed through the Mayor's recommendation, subject to approval by City Council (Council) and shall hold office for the terms provided in Act 197. All members shall hold office until the member's successor is appointed.
- 4.2.1 A majority of the members shall be persons having an interest in property located within the DDA's district.
- 4.3 Terms. The term of each DDA member shall be four (4) years with an option for reappointment. All members shall hold office until their successors are appointed.
- 4.4 Removal. Pursuant to notice and an opportunity to be heard, a member or officer may be removed by a majority vote of the Board whenever in its judgement, the best interests of the DDA would be served. An officer may resign from office and still remain a member of the Board.
- 4.5 Attendance. If a Board member misses three (3) consecutive regular meetings of the DDA or twenty-five percent (25%) of regular meetings in any fiscal year, the member may be removed

from the Board unless such absence is excused by the Board. If removal is deemed appropriate, the member will receive notice and an opportunity to be heard.

- 4.6 Conflict of Interest. A Board member who has any interest in any matter before the DDA shall disclose his/her interest prior to the DDA taking any action with respect to the matter; which disclosure shall become a part of the record of the DDA's official proceedings. Any member making such disclosure, shall then refrain from participating in the Authority's decision making processes relative to such matter.

4.6.1 In the event a member isn't sure whether he/she is in a conflict of interest position, the remaining members of the DDA, by a majority vote, shall decide whether or not a conflict of interest exists. Any such decision shall be binding and final.

- 4.7 Election of Officers. Officers shall be elected by a majority vote of the Board. The term of office shall be for one (1) year and begin at the close of the Annual Meeting at which they are elected. No member shall hold more than one office at a time.

- 4.8 Officers. Officers of the Board shall be a Chairperson, Vice-Chairperson, Treasurer and Secretary. All officers shall be members of the Board, with the exception of the Secretary. The officers of the Board shall be elected by the Board

4.8.1 Chairperson. The Chairperson shall preside at all meetings of the Board and shall discharge the duties as presiding officer. The Chairperson shall have the general powers and duties of supervision and management of the Board.

4.8.2 Vice-Chairperson. In the absence of the Chairperson or the event of inability to serve as Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson.

4.8.3 Treasurer. The Treasurer shall review a monthly statement of all revenues and expenses with the assistance of City Officials. The fiscal year of the DDA shall be the same as that of the City. Funds shall not be disbursed for any expense (invoices, bills, etc.) of the DDA until after the Board's approval of said expense.

4.8.4 Secretary. The Secretary shall record all votes, take minutes and shall maintain accurate records of all proceedings of the DDA.

4.8.5 Legal Counsel. The Board may retain legal counsel of their choice to advise the Board in the proper performance of its duties, to represent the DDA in actions brought by or against the DDA or for any other reason deemed necessary by the Board.

ARTICLE V: MEETINGS

- 5.1 Regular Meetings. Regular meetings of the Board will be held at least once each month.

- 5.2 Special Meetings. Special meetings of the Board may be called by the Chairperson or three members by written request to the Board Secretary with at least 24 hours' notice (written, email or voicemail) to each member of the Board.

- 5.3 Annual Meeting. An annual meeting shall be held once per year in or around March for the purpose

of the election of officers, strategic planning, and budget planning.

5.4 Work Session. The Board may convene a work session devoted exclusively to the exchange of information relating to municipal affairs.

5.4 Public Meetings. All meetings shall be held in accordance with the Open Meetings Act.

5.5 Closed Meetings. Closed meetings may be called under the conditions outlined in the Open Meetings Act. If a closed meeting is called, all applicable procedures will be followed as outlined in the Open Meetings Act.

5.6 Quorum. A quorum shall consist of a majority of the serving Board members.

5.5.1 If a quorum is not present, the Board may discuss matters of interest, but can take no action until the next regular or special meeting

5.7 Duty to Vote. All members of the Board shall have the duty to vote on matters before the DDA and shall not abstain on any matter except where there is a conflict of interest. If no member states opposition to the motion, it shall be deemed to have passed unanimously and shall be so recorded. In the event a member votes "no", a roll call shall be conducted.

ARTICLE VI: COMMITTEES

6.1 The Board may have committees. Committees shall be established by the Board and listed by name and with a definition of their purpose and scope. Committee members will be members of the Board. Special committees may be established for a specific period of time by the Chair or by a resolution of the Board which specifies the task of the special committee and the date of its dissolution.

ARTICLE VII: ANNUAL PLAN

7.1 Annual Plan. The DDA, consistent with the Act, will prepare an annual plan and include:

7.1.1 The amount and source of revenue in the account.

7.1.2 The amount in any bond reserve account.

7.1.3 The amount and purpose of expenditures from the account.

7.1.4 The amount of principal and interest on any outstanding bonded indebtedness.

7.1.5 The initial assessed value of the project area.

- 7.1.6 The captured assessed value retained by the authority.
- 7.1.7 The tax increment revenues received.
- 7.1.8 The number of jobs created as a result of the implementation of the TIF plan.
- 7.1.9 Any additional information the governing body or the state tax commission considers necessary.

ARTICLE VIII: GENERAL

8.1 Effective Date. These By-Laws shall become effective upon approval of the City Council.

8.2 Amendment of By-Laws. These By-Laws may be amended by the DDA at any regular meeting, provided that all members have received an advance copy of the proposed amendment(s) prior to the meeting at which such amendments are to be considered.

Adopted by the City of West Branch Downtown Development Authority on _____, 2018.

Chairperson, Samantha Fabbri

Approved by the City Council of the City of West Branch on _____, 2018.

City Clerk/Treasurer, John Dantzer

EXHIBIT A

Beginning at the southeast corner of Lot 9, Block 12, of the recorded plat of D. Wright and Co. Addition to the City of West Branch; thence north along the east line of said block to a point 41.0 feet north of the southeast corner of Lot 8, Block 12, thence west to a point intersecting the southerly line of Lot 8, thence northwesterly along Lot 8, to the southwest corner of the alley; thence west along the south line of Lot 12, Block 12, to the center of Second Street; thence south along said center line to a point 17.0 feet south of Lot 3, Block 3 of the recorded plat of R.H. Weidemann and Co. Addition to the City of West Branch; thence west along said line to the west side of the alley; thence north along the west side of alley to a point 44.0 feet north of the southeast corner of Lot 9, thence west along said line to the centerline of Third Street; thence south along centerline to a point in line with the north line of Lot 1, Block 2, thence west along said line to the west side of alley; thence south along west side of alley 30.0 feet; thence west along said line to the west right-of-way line of Fourth Street; thence north to the northeast corner of Lot 2, Block 1; thence west along said line to the east side of alley; thence north along the east side of alley to the mid point of Lot 5, Block 1, thence east to a point in the centerline of Fourth Street; thence south 57.0 feet; thence east 129.5 feet; thence north to the line of Lot 9, thence east to the west line of alley; thence north along west line of alley to West Branch of Rifle River; thence northwesterly along said river to the centerline of Fourth Street, thence south along centerline to a point eight feet south of north line of Lot 7, Block 9, of the recorded plat of D. Wright and Co. Addition to the City of West Branch, thence to the east right-of-way line of Fifth Street to the northwest corner Lot 5, Block 9, thence east along the north line of Lot 5, to a point 50.0 feet west of the right-of-way of Fourth Street; thence north to the north line of Lot 2, Block 9, thence west to the centerline of Fifth Street; thence south to a point in line with the north line of Block 4, of the recorded plat of R.H. Weidemann and Co. Second Addition to the City of West Branch; thence west to a point midway on the north line of Lot 11, Block 3, thence north 33.0 feet; thence north $18^{\circ}23'10''\text{E}$ 110.3 feet to the right-of-way of railroad spur; thence northwesterly along said railroad spur to the centerline of Seventh Street; thence south along centerline to a point 70.0 feet north of the northeast corner of Lot 1, Block 2, of the recorded plat of R.H. Weidemann and Co. Second Addition to the City of West Branch; thence westerly to the northeast corner of Lot 10, Block 2; thence south along said east side of Lot 10, 37.0 feet; thence west to the centerline of Eighth Street; thence south to the north right-of-way of Houghton Avenue; thence west to the midpoint of Lot 2, Block 1; thence north 66.0 feet parallel with the east and west boundaries; thence northwesterly to the northwest corner of Lot 2; thence north to the northeast corner of Lot 10, Block 1; thence west to the easterly right-of-way of M-30 extended north; thence south along said right-of-way to the centerline of Houghton Avenue; thence east to a point in the centerline of Eighth Street; thence south along centerline of Eighth Street to a point intersecting with the south line of Lot 1, Block 2, of the recorded plat of the City of West Branch; thence east to the northwest corner of said Lot 9, Block 2; thence south along the west line to the southwest corner of said lot thence east along the south line of Lot 9, 66.0 feet; thence north to the southwest corner of Lot 8, Block 2, thence east to the northwest corner of Lot 9, Block 4; thence south to the southwest corner of Lot 10, Block 4; thence east to the centerline of Fifth Street; thence south to a point in line with the north right-of-way of Wright Street; thence east to the southeast corner of Lot 6, Block 7; thence north to the southwest corner of Lot 10, Block 7; thence east to the centerline of Second Street; thence north along centerline to a point intersecting with the south line of Lot 1, Block 8; thence east to the southeast corner of Lot 2, Block 8; thence south to the southwest corner of Lot 9; thence east to the southeast corner of Lot 9; thence north along First Street and the center of West Branch of the Rifle River to the north right-of-way of Houghton Avenue; thence east to the place of beginning.

Change September 3rd meeting
until September 4th



July 26, 2018

Mr. John Dantzer
Clerk/Treasurer
West Branch, MI 48661

Dear Mr. Dantzer:

This correspondence is to request the use of a portable party tent at Iron's Park on Sunday, August 26, 2018 for our annual company picnic. We will be using the large pavilion and surrounding area. However, in case of rain we would like to be able to have a 20x40 party tent on site. A professional, licensed rental company will be supplying the tent. Thank you for considering our request.

Sincerely,

Tamara Austin
Executive Assistant
Northland Area Federal Credit Union
989-739-1401 Ext. 4209



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:

Van Sheltroun

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

219 N Valley

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

Trustee

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:

April thru June 2018

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:

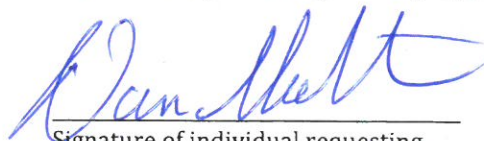
Please use the following two pages [attach additional pages if needed] to explain in as much detail as possible any information that you believe would assist administrators attempting to determine whether an administrative adjustment is warranted in this instance. Also, please note that due to the fact 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.

Once a determination regarding a request for administrative adjustment is made, the requestor will be notified in writing as to the final decision, at which time the amount determined to be due and owing will be due at that time.

Went to inspect basement found that the relief valve on the hot water furnace had malfunctioned and water was pouring out of pipe. I contacted Hach Heating & AC and valve was replaced on 7-9-18

Jim M

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.



Signature of individual requesting
administrative adjustment

Date

7-18-18

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.

[illegible]

HACHT HEATING & A/C, INC.

NAME <i>Van Shultsman</i>		DATE <i>7/9/</i>
STREET <i>219 W. Valley</i>		DATE ORDERED / /
CITY	STATE	DATE SCHEDULED / /
MAKE	MODEL	NO. 006208
SERIAL NUMBER		
JOB LOCATION		PHONE <i>389</i>
<i>ORIGINAL COMPLAINT</i>		WK. PHONE <i>5378</i>
		CELL OR E-MAIL
PARTS WARRANTY All parts as recorded are warranted as per manufacturer specifications. LABOR GUARANTEE The labor charge as recorded here relative to the equipment serviced as noted, is guaranteed for a period of 30 days. We do not, of course, guarantee other parts than those we supply. If repairs later become necessary due to other defective parts, they will be charged separately.		<input type="checkbox"/> WARRANTY <input type="checkbox"/> CONTRACT <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> NORMAL <input type="checkbox"/> RES <input type="checkbox"/> COMM <input type="checkbox"/>
		PARTS \$

Additional Parts Listing On Back of Plu 3	TOTAL PARTS ⇒⇒
--	----------------

Found Bad Refret Value. Replaced + Cycled
System is running good.

Pol \checkmark # 1072

Thanks
Mike

MATERIALS	\$ 25.00
REFRIGERANT ADDED	\$

219 N. Valley St.

			recommended	
	Current Bill	Avg of last 4 quarters	adjusted bill	refund amount
Water	\$202.93	\$22.30	\$202.93	\$0.00
Sewer	\$453.18	\$49.80	\$49.80	\$403.38
Sewer collection	\$70.98	\$7.80	\$7.80	\$63.18
Sewer R&I	\$7.28	\$0.82	\$0.82	\$6.46
Water debt	\$118.30	\$0.00	\$118.30	\$0.00
Sewer debt	\$569.66	\$0.00	\$0.00	\$569.66
TOTAL	\$1,422.33	\$80.72	\$379.65	\$1,042.68

Current usage 91
average usage 0

Included is the current bill amount that was caused by a water leak in the basement. Because the water did not enter our sewer system, I have recommended to adjust the sewer portions of the bill to the average of the last 4 quarters. I did not adjust the water because the water was actually pumped out of our wells and the cost to produce that water was incurred. However, Council could decide to refund some of the water portions as well if they would like.

The recommended refund amount of \$1,042.68 is more than \$700 maximum amount that is allowed to be handled administratively which is why it is being submitted to Council.



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: VICTORIAN ART FAIR
Event Date: AUGUST 11 & 12, 2018 Start Time: Aug. 11th 9am End Time: Aug 12 4pm
Name of Sponsoring Organization: WEST BRANCH CREATIVE ARTS ASSOC
Address: 124 N 4th St WEST BRANCH MI 48661
Contact Person: MARCIA YOUNG Phone Number: 989 345 1333
Describe the purpose of this event: ARTS & CRAFTS SHOW

Point of Assembly: _____

Proposed Route (start to finish, attach route diagram): _____

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 ☒

Chief of Police

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

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.

mm
Initials of Applicant

Marcia Young
Signature

7/26/18
Date

For Office Use Only:

Permit Approved – Yes / No

Manager / Clerk Signature



"City with a Smile"

Approval of Council Minutes & Summary

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, JULY 16, 2018.

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

Present: Mayor Denise Lawrence and Council Members Joanne Bennett, Mike Jackson, Tim Schaiberger, Aaron Tuttle, and Dan Weiler.

Absent: Council Member Rusty Showalter

Other officers present: Treasurer/Clerk John Dantzer, DDA Chairperson Samantha Fabbri, DPW Superintendent Mike Killackey, and Police Chief Ken Walters.

All stood for the Pledge of Allegiance.

* * * * *

MOTION BY SCHAIBERGER, SECOND BY BENNETT, TO EXCUSE MEMBER SHOWALTER FROM THE MEETING.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

As an addition to the agenda Chief Walters updated Council on blight issues at 404 W. Houghton Ave. and a legal opinion was shared from Attorney Dantzer.

MOTION BY SCHAIBERGER, SECOND BY BENNETT, TO AUTHORIZE THE CITY MANAGER TO INITIATE ENFORCEMENT OF THE DANGEROUS BUILDINGS ORDINANCE THROUGH NOTICE OF HEARINGS TO THE OWNER, SEEKING DEMOLITION OF THE DANGEROUS BUILDING AND SEND THE OWNER NOTICE THROUGH REGISTERED MAIL THAT ALTERNATIVELY THE CITY WOULD BE WILLING TO ENTER INTO NEGOTIATIONS FOR PURCHASE OF THE PROPERTY FOR FAIR VALUE.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

Bids were reviewed for striping throughout the City.

MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO AWARD THE CITY STRIPING BID TO NORTHERN SEAL COATING NOT TO EXCEED \$2,750.00

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

Bids were reviewed for City wide lighting upgrades throughout the City.

Mike Goebel of Energy Specialties Group and Pat McNulty addressed Council on the bids.

MOTION BY JACKSON, SECOND BY LAWRENCE, TO AWARD THE CITY LIGHTING BID TO ENERGY SPECIALTIES GROUP INC NOT TO EXCEED \$40,382.75 AND CONTINGENT UPON THE ESTIMATED REBATES OF \$13,628.39 BEING CONSISTENT WITH THE FINAL REBATES RECEIVED.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

Bids were reviewed for the City Attorney and Clerk Dantzer noted that a sole source vendor request was submitted to bypass the formal bidding process and award the bid to Eliason and Dantzer Law due to the fact that they were currently working on several projects for the City and that the hiring of a new attorney in the middle of them would be counterproductive and more costly. In addition, the rate was not increased from the rate approved in the previous fiscal year.

MOTION BY BENNETT, SECOND BY JACKSON, TO APPROVE THE SOLE SOURCE VENDOR REQUEST AND AWARD THE CITY ATTORNEY BID TO ELIASON AND DANTZER LAW AT A RATE OF \$75/HOUR

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

MOTION BY LAWRENCE, SECOND BY SCHAIBERGER, TO PAY BILLS IN THE AMOUNT OF \$60,184.74

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

MOTION BY LAWRENCE, SECOND BY SCHAIBERGER, TO APPOINT CORINE LUCYNSKI TO THE TRANSPORTATION SEGMENT OF THE PLANNING COMMISSION WITH THE TERM TO END 11/30/19

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

MOTION BY LAWRENCE, SECOND BY SCHAIBERGER, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD JULY 2, 2018.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; ADMINISTRATIVE BUDGET AMENDMENTS 9927 AND 9931; MINUTES FROM THE PLANNING COMMISSION MEETING HELD JUNE 26, 2018; MINUTES FROM THE DDA MEETING HELD MAY 22, 2018; MINUTES FROM THE EMS MEETING HELD MAY 17, 2018; MINUTES FROM THE ELECTION COMMISSION MEETING HELD JULY 11, 2018; AND THE JUNE POLICE REPORT.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Tuttle, Weiler

No – None

Absent – Showalter

Motion carried

* * * * *

Consumers Energy notices of public hearing were shared.

A Department of Licensing and Regulatory Affairs was shared.

City of Escanaba “Dark Store Theory” support letter was shared.

* * * * *

Member Weiler commended the City DPW for quick response to a City tree that fell on his home during the last storm.

Member Jackson noted how nice the City looked downtown in comparison to some Cities he had just visited.

Mayor Lawrence noted some of the flower locations downtown were not being kept up and asked who was responsible for those flower beds.

* * * * *

DDA Chair Samantha Fabbri addressed Council with a concern on an invoice that was billed to the DDA. It was the consensus of Council to have City staff look further into the issue.

Pete Fabbri addressed Council with an update on the potential to host Back to the Bricks in 2019.

William Ehinger addressed Council with a noise concern on S. First St.

* * * * *

Chief Walters noted that he will be attending an Economic Development Workshop and that he recently met with school Superintendent Phil Mikulski on possible changes to the parking plan of the Surline Elementary and Middle school.

* * * * *

Mayor Lawrence adjourned the meeting at 7:27 pm.

Denise Lawrence, Mayor

John Dantzer, Clerk

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY
COUNCIL HELD MONDAY, JULY 16, 2018.

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

Present: Mayor Lawrence, Council Members Bennett, Jackson, Schaiberger, Tuttle, and Weiler.

Absent: Council Member Showalter

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

All stood for the pledge of allegiance.

Council excused Member Showalter from the meeting.

Council authorized the City Manager to initiate enforcement of the dangerous building ordinance.

Council awarded a bid for City striping to Northern Seal Coating not to exceed \$2,750

Council awarded a bid for City wide lighting to Energy Specialties Group not to exceed \$40,382.75 contingent upon \$13,628.39 in rebates.

Council approved a sole source vendor request and award the City Attorney Bid to Eliason and Dantzer Law.

Council approved bills in the amount of \$60,184.74.

Council appointed Corine Lucynski to the Planning Commission.

Council approved the minutes and summary from the regular meeting held July 2, 2018.

Council received and filed the Treasurers Report and Investment Summary as well as administrative budget amendments; the minutes from the Planning Commission meeting held June 26, 2018; the minutes from the EMS meeting held May 17, 2018; minutes from the DDA meeting held May 22, 2018; and the minutes from the Election Commission meeting held July 11, 2018.

Communication were shared.

Members Weiler and Jackson, Mayor Lawrence, and Chief Walters gave a report.

DDA Chair Fabbri addressed a DDA issue with Council

Pete Fabbri gave Council a 2019 Back to the Brick update.

William Ehinger addressed Council about a noise concern.

Mayor Lawrence adjourned the meeting at 7:27 pm.

Consent Agenda

08/02/2018 09:47 AM

User: MICHELLE

30. Westborough City

CASH SUMMARY BY BANK FOR WEST BRANCH

FROM 08/01/2018 TO 08/31/2018

Bank Code		Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
Fund	Description				
GEN1	GEN1 - GENERAL CHECKING				
101		509,021.08	0.00	23,522.66	485,498.44
150	CEMETERY PERPETUAL CARE	19,007.98	0.00	0.00	19,007.98
209	CEMETERY FUND	(614.49)	400.00	2,082.62	(2,297.11)
248	DDA OPERATING FUND	54,853.63	0.00	783.11	54,070.52
251	INDUSTRIAL PARK FUND	3,008.30	0.00	212.42	2,795.88
276	HOUSING RESOURCE FUND	190,053.92	0.00	0.00	190,053.92
318	SEWER DEBT FUND	76,461.87	1,064.65	0.00	77,526.52
319	WATER DEBT FUND	9,136.60	234.00	0.00	9,370.60
571	COLLECTION REPLACEMENT FUND	30,816.95	0.00	0.00	30,816.95
572	PLANT REPLACEMENT FUND (R&I)	8,640.02	17.90	0.00	8,657.92
590	SEWER FUND	176,384.90	1,100.04	8,902.87	168,582.03
591	WATER FUND	115,423.63	503.51	3,176.27	112,750.85
592	WATER REPLACEMENT FUND	281,421.43	0.00	0.00	281,421.43
593	SEWER COLLECTION	56,155.40	172.29	1,141.79	55,185.90
561	EQUIPMENT FUND	127,033.35	6,935.75	127.97	133,841.13
704	PAYROLL CLEARING	(36,482.76)	36,482.76	0.00	0.00
705	IRONS PARK ENTERTAINMENT FUND	1,569.21	0.00	0.00	1,569.21
707	YOUTH SAFETY PROGRAM	744.73	0.00	0.00	744.73
714	RECYCLING CENTER	5,769.16	0.00	0.00	5,769.16
	GEN1 - GENERAL CHECKING	1,628,404.91	46,910.90	39,949.71	1,635,366.10
M/LST	MAJOR/ LOCAL STREETS				
202	MAJOR STREET FUND	517,327.86	0.00	2,627.47	514,700.39
203	LOCAL STREET FUND	364,476.68	0.00	841.33	363,635.35
	MAJOR/ LOCAL STREETS	881,804.54	0.00	3,468.80	878,335.74
PAY	PAYROLL				
704	PAYROLL CLEARING	45,332.87	0.00	35,007.97	10,324.90
	PAYROLL	45,332.87	0.00	35,007.97	10,324.90
CHEM	SAVINGS				
101		435,303.91	0.00	0.00	435,303.91
150	CEMETERY PERPETUAL CARE	1,673.13	0.00	0.00	1,673.13
251	INDUSTRIAL PARK FUND	20,850.21	0.00	0.00	20,850.21
571	COLLECTION REPLACEMENT FUND	2,368.13	0.00	0.00	2,368.13
591	WATER FUND	26,116.74	0.00	0.00	26,116.74
592	WATER REPLACEMENT FUND	19,549.14	0.00	0.00	19,549.14
593	SEWER COLLECTION	781.16	0.00	0.00	781.16
561	EQUIPMENT FUND	103,283.58	0.00	0.00	103,283.58
714	RECYCLING CENTER	1,041.42	0.00	0.00	1,041.42
	SAVINGS	610,967.42	0.00	0.00	610,967.42
TAX	TAXES				
701	TAX AGENCY	1,363.95	0.00	0.00	1,363.95
	TAXES	1,363.95	0.00	0.00	1,363.95
	TOTAL - ALL FUNDS	3,167,873.69	46,910.90	78,426.48	3,136,358.11

08/02/2018 09:48 AM
User: MICHELLE
DB: Westbranch City

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH
FROM 08/01/2018 TO 08/31/2018
FUND: ALL FUNDS
INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
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	114,255.00	0.00	0.00	114,255.00
004.400	CERTIFICATE OF DEPOSIT D	114,822.11	0.00	0.00	114,822.11
	CEMETERY PERPETUAL CARE	229,077.11	0.00	0.00	229,077.11
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	929,077.11	0.00	0.00	929,077.11

May 15, 2018 Music in the Park Committee Meeting

Present: Phil, Dawn, Jeff, Patti, Carol, Jack, absent Bridget, Dottie and Jim

Secretary Report: Minutes from the April 17, 2018 read without changes. Carol/Jack approved minutes.

Treasurer's Report: Bridget was absent today but had the Treasurers report and the flyers available at this meeting.

Business Report: Jeff purchased a Music in the Park hat. Jeff reported that he has 3 of 4 sandwich boards done and asked about placement. Phil stated they are placed at Diebold Agency (M-30 & Houghton Ave.), Valley St & Houghton Ave. (NW corner), FUMC, (corner of Fairview & State) and Refinery Rd & M-76. Jeff will store sandwich boards in off season. Phil and Jeff will place the sandwich boards. Jack and Jeff are still working on the facebook page for Music in the Park. Jeff reported that he went to the Ad-Liner and fees for advertising remain the same. There was some confusion regarding whether the cost for advertising was for one week or two. Jeff will check on that. Advertising with half page \$350, 1/4 page \$175, insert \$35 per 1000, banner on the bottom of the Herald \$75.00. Dawn suggested a clip and save with the 1/4 page. Jeff will check on that. Members agreed to have 1/4 page advertising for \$175 in the Ad-Liner on June 23 and July 14 publication. Jack needs to connect with a gal from Merchantile regarding signage. Members took their share of flyers for distribution June 10-14th. Jack east on M-55, Carol-Rose City area, Jeff- business loop, Patti-downtown and west on M-55 and south on M-30, Macintyres- St. Helen. Carol will place tents in restaurants and will make contact with WBMI for service announcement. Jeff stated restaurant placemats are advertising our schedule and wondered if this info wasn't from the Chamber of Commerce. Patti has connected with the TEAM.

No future meeting date was scheduled. Members agreed if discussion is needed we would communicate through email.

Patti DeMatio, secretary

City of West Branch Planning Commission Minutes for
July 10, 2018

Held at West Branch City Hall, 121 N. Fourth St

I. Called to order 6:05pm

II. Roll Call - Present- Denise Lawrence, Dan Weiler, Kara Fachting, Lisa Jensen, Bob David, Evelyn Schenk, Jan Hasty. Absent – Mike Jackson Also Present – ~~Corey~~ Cori Lucynski

III. Pledge of Allegiance

IV. Public Hearings – none

V. Additions to Agenda * Motion by David, second by Jensen to excuse Mike Jackson from the Meeting(added due to illness as correction). All in favor, none opposed. Motion carried.

VI. Public Comment - none

VII. Site Plan Review - none

VIII. Sign Permit - none

IX. Unfinished Business - none

X. Other New Business - Discussion of size of Planning Board. *Motion by Fachting, second by Weiler to reduce the size of the planning board from nine members to seven members. All in favor, none opposed. Motion carried. Chair David will send to Council. Mayor Lawrence will bring to City Council on July 17, 2018. (Added as correction: went over section 3.33 signs of proposed zoning at length)

XI. Approval of Minutes - *Motion by Schenk, second by David to approve the minutes of Planning Commission meeting held on June 26, 2018. All in favor, none opposed. Motion Carried.

XII. Communications - none

XIII. Reports and/or Comments – chair David shared that his son Chris is battling cancer, and thanked members for their support. The members welcomed Corey Lucynski to the Planning board, pending approval by Council. No other reports.

XIV. Public comment - none

XV. Adjournment 7:14 pm.

Next Planning Commission meeting to be held on July 24, 2018 at 6:00 pm. Will be meeting with Denise Kline from NEMCOG to work on Master Plan

Minutes taken and typed by Lisa Jensen, Planning Secretary 2018

The West Branch Community Airport Board met on this date in the Conference Room, West Branch Community Airport Terminal, West Branch, Michigan. Chairman Ron Quackenbush called the meeting to order at 1:00 p.m.

Present: Ron Quackenbush, Craig Scott, Gary Klacking, Mike Jackson, Karen Michael, Ben Evergreen, Terry Hodges, and Denise Lawrence.
Absent - Heather Grace.

Motion by Jackson, second by Klacking, the minutes of the May 16, 2018 meeting be approved as noted. Voice vote. Ayes – all. Motion carried. [6-1-#1]

Motion by Jackson, second by Hodges, claims in the amount of \$16,915.62 be approved for payment. Voice vote. Ayes – all. Motion carried. [6-1-#2]

Ben Evergreen, Airport Manager, gave the financial report. The combined account balance is \$248,199.12. Ben answered questions from the board. The hangers are full at this time.

Ben stated the airport consultant contract needs to be approved by the board. **Motion by Klacking second by Quackenbush, the Airport Board approve the Mead Hunt airport consultant contract in the amount of \$193,670.48. Voice vote. Ayes – all. Motion carried. [6-1-#3]**

Ben stated the airport fly in was a success. There were 22 planes on hand.

He informed the board the airport managers training was good. 36 persons attended the training.

Motion by Quackenbush, second by Jackson, the meeting be adjourned. Voice vote. Ayes – all. Motion carried. [6-1-#4]

Chairman Quackenbush adjourned the meeting at 1:20 p.m.

Minutes by Gary R. Klacking
Board Secretary

THE REGULAR MEETING OF THE OGEMAW COUNTY EMS AUTHORITY BOARD HELD THURSDAY, JUNE 21, 2018 AT 4:30 AT 2872 HANSEN ROAD, WEST BRANCH, MI 48661

MEETING CALLED TO ORDER AT 4:30 PM BY CHAIRMAN BRUCE REETZ

PLEDGE OF ALLEGIANCE

ROLL CALL: BRUCE – YES, DANNY – YES, DAVE – YES, DENISE – YES, LISA – NO

ABSENT: LISE COTTON, MILLS TOWNSHIP

APPROVAL OF THE MAY 17, 2018 MINUTES

MOTION BY DANNY, SECOND BY DAVE TO APPROVE THE MEETING MINUTES FROM MAY 17, 2018.
MOTION CARRIED

NO CORRESPONDENCE

APPROVAL OF CLAIMS AND ACCOUNTS

MOTION BY DAVE, SECOND BY DENISE TO APPROVE THE CLAIMS AND ACCOUNT IN THE AMOUNT OF \$75,046.20. MOTION CARRIED

6.1 BID SUBMITTAL – PRINTS

TOM BENJAMIN WENT OVER PRINTS AND SPEC SHEETS WITH THE AUTHORITY BOARD. DIRECTOR SPENCER WILL BE PUTTING THE REQUEST FOR BIDS IN THE OGEMAW HERALD AND WILL RUN THE AD FOR 3 WEEKS. BIDS WILL BE DUE JULY 18, 2018 BY 4:30 PM.

7.1 DISPATCH AUTHORITY BALLOT LANGUAGE APPROVAL

DIRECTOR SPENCER STATED THAT THE BOARD OF COMMISSIONERS HAD APPROVED THE BALLOT LANGUAGE FOR DISPATCH THE PREVIOUS THURSDAY. DISCUSSION WAS HELD WHETHER EMS WAS GOING TO MAKE THEIR PAYMENT FOR 911 USER FEES PER THE RESOLUTION THAT THE AUTHORITY HAD GIVEN TO THE BOC NOW THAT THE BALLOT LANGUAGE WAS APPROVED STATING THAT THE MILLAGE WAS FOR THE AUTHORITY FOR 911/DISPATCH UPON PASSING.

MOTION BY DAVE, SECOND BY DENISE TO APPROVE THE ONE-TIME PAYMENT OF THE 911 USER FEE TO THE COUNTY OF OGEMAW IN THE AMOUNT OF \$95,609.11.

ROLL CALL VOTE: BRUCE – YES, DANNY – YES, DAVE -YES, DENISE – YES, LISA – ABSENT.

MOTION CARRIED.

DIRECTOR SPENCER PRESENTED THE FLEET AND LIABILITY INSURANCE RENEWAL. DANNY MORRISON EXPRESSED HIS FEELINGS ON WANTING TO PUT THE INSURANCE OUT FOR BID. DIRECTOR SPENCER STATED THAT NEXT YEAR SHE WOULD RUN AN AD IN THE PAPER IN APRIL TO GET BID RENEWALS PRIOR TO THE NEW POLICY PERIOD.

MOTION BY DAVE, SECOND BY DAN TO APPROVE THE FLEET AND LIABILITY INSURANCE RENEWAL EXCLUDING DATA/CYBER INSURANCE IN THE AMOUNT OF \$47,879. MOTION CARRIED.

NEXT MEETING WILL BE JULY 19, 2018 AT 4:30 PM. MEETING ADJOURNED AT 5:30 PM.

Ogemaw Fire Department

April 17, 2018

Members Present:

Mike Babcock

Denis Stephens

Ryan Veeder

Gerald Lehman

Denise Lawrence

Others Present: Brent Banning, Todd Thompson

Motion by lehman supported by Lawrence to approve minutes of January 16,2018

Unanimously approved

Treasurers report was accepted

Motion by Babcock supported by Veeder to have secretary-treasurer check local banks

To secure best interest rates. Unanimously approved

Motion by Lehman supported by Lawrence to approve bills for February thru April

2018. Unanimously approved

Next meeting scheduled for July 17, 2018 at 5:00 P.M.

Meeting adjourned at 6:00 P.M.

**MINUTES
City of West Branch
121 N Fourth St
2018 July Session**

July Board of Review

July 16, 2018 West Branch City Hall 121 N Fourth St.
Meeting called to order @ 1:00pm

I Roll Call Kenneth Kish & Tom Hornbacher absent Dale Peters, also present
Assessor Van Wormer

II Public Comment

Opened @ 1:00 pm Closed @ 1:20 pm

III Petition/ Appeal Log

<u>Petition #</u>	<u>Protested item</u>	<u>Decision</u>
1 052-900-575-00 Shared Care	Late Personal	Granted
2 052-900-710-00 Superior	Late Personal	Granted
3 052-900-048-00 Mainstreet	Late Personal	Granted
4 052-660-025-25 Hughey	2017 PRE	Granted
5 052-461-006-00 Folse	2017 PRE	Granted
6 052-302-002-00 Marshall	2016 PRE	Granted
7 052-115-007-00 Foter	2018 PRE	Granted
8 052-154-001-01 Shortage	2018 PRE	Granted

Close of 2018 July Board of Review Session

Closed on July 16, 2018 @ 1:20 pm

Respectively Submitted,

James Van Wormer, Recording Secretary

Communications

2018 Rodeo Sponsorship Options

Sponsorship: _____

LEVEL	DESCRIPTION	AMOUNT
Gold <input type="checkbox"/>	<ul style="list-style-type: none"> • Banner on Interior of Rodeo Arena • Mentioned in Paper Ad • Mentioned on Radio Ad • Mentioned on Social Media Channels 	\$500.00
Silver <input type="checkbox"/>	<ul style="list-style-type: none"> • Spot on Banner at Event • Mentioned in Paper Ad • Mentioned on Radio Ad • Mentioned on Social Media Channels 	\$250.00
Branze <input type="checkbox"/>	<ul style="list-style-type: none"> • Spot on Banner at Event • Mentioned in Social Media Channels 	\$100.00
Supporter <input type="checkbox"/>	<ul style="list-style-type: none"> • Listed on Banner at Event • Mentioned in Social Media Channels 	\$25 to \$99.00

Make check payable to: **WBARMA**

Send check to: 224 W. Houghton Ave., West Branch, MI 48661

If you have any questions regarding sponsorship, please contact:

Kathy Collins - 989-450-6163

Grange Bell - 989-745-8355

Contact: _____

Phone: _____

Email: _____

Sponsor Signature: _____

THANK YOU FOR YOUR SUPPORT!

MICHIGAN STATE BLOCK GRANT PROGRAM
AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP) FY-2018 to FY-2022

Airport Name: West Branch Community Airport Airport Identifier: Y31 Date prepared: 8/18/17
Associated City: West Branch, MI Prepared By: Mead & Hunt, Ben Hoover
Sponsor: Ogemaw County & City of West Branch Sponsor email & phone: Ben Evergreen, evergreenben@yahoo.com, (989) 345-1453

Development Year	Project Description	Federal Entitlements	Federal Apportionment	Federal Discretionary	State	Local	Total
	Carryover- \$175,700						
2017	Construct Pavement Marking and Crack Sealing	\$36,900			\$2,050	\$2,050	\$41,000
	Carryover- \$288,800						
2018	Design T-Hangar	\$31,500			\$1,750	\$1,750	\$35,000
	Carryover- \$407,300						
2019	Construct T-Hangar	\$346,500			\$19,250	\$19,250	\$385,000
	Carryover- \$210,800						
2020	Update Airport Layout Plan	\$162,000			\$9,000	\$9,000	\$180,000
2020	Construct Pavement Marking and Crack Sealing	\$54,000			\$3,000	\$3,000	\$60,000
	Carryover- \$144,800						
2021	Design Perimeter Fence	\$63,000			\$3,500	\$3,500	\$70,000
	Carryover- \$231,800						
2022	Construct Perimeter Fence	\$381,800	\$572,200		\$53,000	\$53,000	\$1,060,000
	Carryover- \$0						



July 13, 2018

T1 P171 *****AUTO**ALL FOR AADC 480
City of West Branch
121 N. Fourth Street
West Branch, MI 48661-1217



Dear Franchise Official:

Charter Communications ("Charter") is making changes to our channel lineup for customers in City of West Branch.

- *Aplauso TV* will replace *El Garage Network* on Charter Latino Tier, channels 358 & 857. *El Garage Network* has ceased their transmission and is no longer available.

As always, please feel free to contact me by phone at (810) 652-1422 should you have any questions on this matter.

Sincerely,

Karen Coronado

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

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[Send to a friend](#)

Share: [f](#) [Twitter](#)



Huge Selection of Breakouts and Musical Reception!

Sept. 20-22

Amway Grand & Devos Place

Grand Rapids, Michigan

[Get the details](#) and [register today!](#)

Breakouts

At this year's Convention, our partnership with Michigan Association of Planning gives us double the power! One of the benefits is a wider array of breakout sessions than ever before.

Attendees will be able to choose from over 40 sessions, including:

- Amazon: Michigan's Wake-up Call or the Beginning of the End?
- HR Up in Smoke: The Intersection between Marijuana Legalization and Employment Law
- Improving the Tone and Quality of our Civic Discourse
- Social Media Pitfalls and Upsides for Communities



Tons of breakouts and musical reception at Convention!

Page 2 of

- Game of Floods
- And much more!

Foundation Reception

During registration, remember to get your tickets to the MML Foundation fundraising reception on Sept. 21, sponsored by KeyBank, Vanguard Public Affairs, and Midwest Strategy Group. It's a great chance to relax, connect, and give. We'll even have Midwest Dueling Pianos for a great time!



Please join us in Grand Rapids, Sept. 20-22, for a once-in-a-lifetime Convention experience!.

[Get the details](#) and [register today!](#)

Email management

The Michigan Municipal League respects your right to privacy.

[Click here to unsubscribe](#)

If you no longer wish to receive any type of email notice from the Michigan Municipal League, [click here](#).

Michigan Municipal League, 1675 Green Road, Ann Arbor, MI 48105

Email Marketing by ActiveCampaign

July 18, 2018

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Grand Rapids, September 20-22, 2018. The League's "Annual Meeting" is scheduled for 3:45 pm on Friday, September 21 in Ambassador Ballroom West at the Amway Grand Plaza Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document.

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by August 21, 2018.

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than August 21, 2018.

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus the deadline this year for the League to receive resolutions is **August 21, 2018**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.

Further, “Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof.”



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Thursday, September 20 at Amway Grand Plaza Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Catherin Bostick-Tullius

President

Commissioner, City of Lapeer



Daniel P. Gilmartin

Executive Director & CEO



Treasury Publishes Overview of Recent PPT Law Changes

Posted on July 16, 2018 by Chris Hackbarth

In response to a number of issues that had come to light in recent months with the administration and reimbursement process for the new Personal Property Tax system, MML worked closely with Treasury to develop many of the amendments that were included in House Bill 5086 recently signed by Governor Snyder as Public Act 247 of 2018.

Key changes within this bill eliminate the confusing annual loss recalculation process, provide for an error correction process and associated reimbursements, updates the millage rate base year, and provides for a dedicated (and increased) stream of revenue for those municipalities receiving fire protection grant dollars for hosting state facilities, among other changes.

Following the Governor's signature of this legislation, Treasury distributed the following communication as they work to implement the changes in advance of the reimbursements scheduled for later this fall...

On June 27, 2018, Governor Snyder signed into law Public Acts 247 and 248 of 2018. These Acts make significant changes to the Local Community Stabilization Authority Act (LCSA Act) and the calculation of personal property tax (PPT) reimbursements. The attached document (pdf linked below) provides further detail regarding the amendments to the LCSA Act.

The Michigan Department of Treasury is working to update the content on the Personal Property Tax Reimbursements website to reflect the amendments to the LCSA Act.

Please direct any questions regarding the amendments and the changes to the PPT reimbursement calculation process to TreasORTAPPT@michigan.gov or 517-373-2697. Additional information is also available on our website at www.michigan.gov/pptreimbursement.

- [Overview+of+2018+LCSA+Act+Amendments.pdf](#)

Chris Hackbarth is the League's director of state & federal affairs. He can be reached at 517-908-0304 and chackbarth@mml.org

SHARE THIS:

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Legislature Wraps Up Action on State Budget

Posted on June 12, 2018 by Chris Hackbarth

Late this afternoon, both chambers completed action on the state's omnibus budget bill for the coming fiscal year. Senate Bill 848 combined each of the departmental conference reports that had been approved over the course of the past week. Included in this omnibus bill are numerous line items or programs of interest to municipalities:

General Government/Revenue Sharing:

- The budget maintains \$6.2 million in supplemental revenue sharing payments that cities and villages received as an increase in the current year budget. The Governor had originally proposed removing this increase entirely and the House budget chair worked to ensure these dollars remained in the upcoming budget. Additionally, \$5.8 million that has been included in recent budgets to bring 100 townships and one city back into the statutory distribution was also continued in this budget. Counties maintained their current year appropriation level and then were given an additional \$1 million in supplemental funding. Both our \$6.2 million and the county \$1 million supplemental amounts were written with boilerplate language that ties those dollars to pension, OPEB, or general debt expenses, unless the local unit has no such expenses.
- This budget also reduces the payment threshold for local units to qualify for a statutory revenue sharing payment. Under current law, only communities eligible for payments in excess of \$4500 would receive a CVT revenue sharing payment, this budget allows payments to go out to any community eligible for at least \$1000, resulting in about 48 additional villages and townships being eligible for a statutory payment.
- Constitutional revenue sharing payments are expected to rise, based upon economic activity related to the sales tax. An additional \$21.5 million (2.6% increase) is expected to flow to Constitutional payments in the coming budget, subject to actual collections.
- The Governor's proposal to distribute any remaining Personal Property Tax funds left after all units have received 100% reimbursements as an additional revenue sharing payment (approximately \$70 million) was not included in the final budget agreement. These PPT reimbursement dollars will continue to be distributed in the same manner as the past two years, but will only be available to cities, villages, townships, counties, and community colleges (see LARA budget summary below).
- A new boilerplate section within the Treasury budget (Section 940) calls for the department to investigate the cost of having residents file their Principal Residence Exemption forms directly with the state as opposed to the local unit.
- Regional Prosperity grants were increased by \$1.5 million.

MDOT Budget:

- Following the positive economic and revenue news the state received during last month's Consensus Revenue Estimating Conference, \$300 million in additional General Fund (one-time) is being added to this budget. This addition will provide \$65.4 million more to city and village road budgets.
- \$150 million of new money is expected due to the road funding package. This increase combined with growth in gas tax and registration fees will result in \$43.4 million new dollars for cities and villages.
- Between these two additions, \$108.8 million more will be available for city and villages roads in the coming budget.
- A new Community Service Infrastructure Fund has been created within the Transportation Economic Development Fund (TEDF) providing \$3 million in on-going funding. This fund will provide matching grants of up to \$250,000 for construction and preservation of streets in cities and villages with a population less than 10,000. Additional legislation will be required to implement this new grant program.
- The budget includes \$2 million for a rail project, repairing the line from Ann Arbor to Traverse City. (one-time funding)
- A \$1.5 million increase in local bus operating funding was also provided.

LARA budget:

- This budget provides nearly full funding of the \$84+ million of indigent defense commission plan costs for locals that serve as court funding units. This appropriation represents a significant increase from the Governor's original \$46 million reimbursement proposal. Also dropped from the Governor's original plan was his proposal to charge court funding units a per capita amount as part of their local cost share. This concept was dropped completely by the Legislature. Boilerplate associated with the \$84 million in grants specifies that local indigent defense systems are not required to implement or maintain standards if sufficient funding is not provided through grants as described in the Act. Additional changes relative to indigent defense commission plan implementation were adopted as part of HB 5985 earlier today.
- Traditionally, the LARA budget has also included a line item for fire protection grants to local units that host certain state facilities (approx \$10 million in FY18). Due to the elimination of Driver Responsibility Fee revenue, this grant program is no longer funded through the LARA budget. Going forward, these grants will be supported by a segment of Personal Property Tax funds remaining after all eligible local unit reimbursements have gone out at 100%. HB 5908 was passed out of the Senate today with language funding fire protection grants at \$13.6 million. While the earmarked amount is less than the Governor's original \$15 million recommendation, the \$13.6 million represents the historic high water mark for these grants.
- Local law enforcement will receive a \$1.2 million increase in liquor law enforcement grants as a result of increased liquor license fee revenues.

DEQ Budget:

- The Governor had originally proposed an increase in the state's solid waste tipping fee and a water user fee to fund clean up and remediation, recycling grants, and infrastructure improvements. Neither of those fee proposals made it into this budget.
- Renewing Michigan's Environment Program: \$25 million for environmental site remediation and redevelopment including vapor intrusion and PFAS. These dollars will help offset the loss of Clean Michigan Initiative bond funding as the revenues from those bonds are no longer available. (one-time)
- Grants for the remediation and redevelopment of sites contaminated by lead paint received \$2 million.
- Recycling grants were increased by \$1 million to expand the Recycling Initiative program. This program builds partnerships with stakeholders to increase the number of counties with access to recycling; promotes regional collaboration; provides education and technical assistance; and develops a measurement system to quantify recycling participation.

DNR Budget:

- \$4 million in increased camping fee revenue and recreation passport sales will support numerous recreation investments, including additional support for Recreation Passport local grants.

Pending the Governor's signature, the budget will take effect October 1, 2018.

Chris Hackbarth is the League's director of state & federal affairs. He can be reached at 517-908-0304 and chackbarth@mml.org.

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This entry was posted in **EVIP, Grant Opportunity, Infrastructure, Legislative Link Articles, Municipal Finance, Personal Property Tax, Revenue sharing, Road funding, Transportation, Transit, Water, Environment** by **Chris Hackbarth**. Bookmark the **permalink** [<http://blogs.mml.org/wp/inside208/2018/06/12/legislature-wraps-up-action-on-state-budget/>].

U.S. Supreme Court hands down major victory for local government

Posted on June 21, 2018 by Matt Bach

The Michigan Municipal League is excited about today's historic U.S. Supreme Court decision regarding the ability of states to collect sales tax on internet purchases.

For too long, internet based companies have reaped the economic benefits of doing business in our state without making the investments in local services that domiciled businesses have made.

This is an issue that the League has long advocated for as the current system penalizes business that have made an investment in our state and provide critical local funding. This will ensure that all business doing business in Michigan are treated equally, and more importantly this will provide critical revenues that can be invested in local services and infrastructure. The decision was made on a somewhat nontraditional 5-4 vote, with Justices Kennedy, Ginsburg, Alito, Thomas, and Gorsuch siding with the majority.

The following is a brief synopsis of the decision by Lisa Soronen of the State and Local Legal Center (SLLC):

In *South Dakota v. Wayfair* the Supreme Court ruled that states and local governments can require vendors with no physical presence in the state to collect sales tax. According to the Court, in a 5-4 decision, "economic and virtual contacts" are enough to create a "substantial nexus" with the state allowing the state to require collection.

In 1967 in *National Bellas Hess v. Department of Revenue of Illinois*, the Supreme Court held that per its Commerce Clause jurisprudence, states and local governments cannot require businesses to collect sales tax unless the business has a physical presence in the state.

Twenty-five years later in *Quill v. North Dakota* (1992), the Supreme Court reaffirmed the physical presence requirement but admitted that "contemporary Commerce Clause jurisprudence might not dictate the same result" as the Court had reached in *Bellas Hess*.

Customers buying from remote sellers still owe sale tax but they rarely pay it when the remote seller does not collect it. Congress had the authority to overrule *Bellas Hess* and *Quill* but never did so.

In March 2015 Justice Kennedy wrote a concurring opinion stating that the "legal system should find an appropriate case for this Court to reexamine *Quill*." Justice Kennedy criticized *Quill* in *Direct Marketing Association v. Brohl* for many of the same reasons the State and Local Legal Center (SLLC) stated in its amicus brief in that case. Specifically, internet sales have risen astronomically since 1992

and states and local governments are unable to collect most taxes due on sales from out-of-state vendors.

Following the 2015 Kennedy opinion a number of state legislatures passed laws requiring remote vendors to collect sales tax in order to challenge Quill. South Dakota's law was the first ready for Supreme Court review. It requires out-of-state retailers to collect sales tax if they annually conduct \$100,000 worth of business or 200 separate transactions in South Dakota.

In an opinion written by Justice Kennedy the Court offered three reasons for why it was abandoning the physical presence rule. "First, the physical presence rule is not a necessary interpretation of the requirement that a state tax must be 'applied to an activity with a substantial nexus with the taxing State.' Second, Quill creates rather than resolves market distortions. And third, Quill imposes the sort of arbitrary, formalistic distinction that the Court's modern Commerce Clause precedents disavow."

While the dissenting Justices, in an opinion written by Chief Justice Roberts, would have left it to Congress to act, Justice Kennedy opined the Court should be "vigilant" in correcting its error. "Courts have acted as the front line of review in this limited sphere; and hence it is important that their principles be accurate and logical, whether or not Congress can or will act in response."

To require a vendor to collect sales tax the vendor must still have a "substantial nexus" with the state. The Court found a "substantial nexus" in this case based on the "economic and virtual contacts" Wayfair has with the state. A business could not do \$100,000 worth of business or 200 separate transactions in South Dakota "unless the seller availed itself of the substantial privilege of carrying on business in South Dakota."

Finally, the Court acknowledged that questions remain whether "some other principle in the Court's Commerce Clause doctrine might invalidate the Act." But the Court cited to three features of South Dakota's tax system that "appear designed to prevent discrimination against or undue burdens upon interstate commerce. First, the Act applies a safe harbor to those who transact only limited business in South Dakota. Second, the Act ensures that no obligation to remit the sales tax may be applied retroactively. Third, South Dakota is one of more than 20 States that have adopted the Streamlined Sales and Use Tax Agreement."

Tillman Breckenridge, Bailey Glasser, and Patricia Roberts, William & Mary Law School Appellate and Supreme Court Clinic, wrote the SLLC amicus brief which the following organizations joined: the National Governors Association, the National Conference of State Legislatures, the Council of State Governments, the National Association of Counties, the National League of Cities, the United States Conference of Mayors, the International City/County Management Association, the International Municipal Lawyers Association, the Government Finance Officers Association, National Public Labor Relations Association, the International Public Management Association for Human Resources, National State Treasurers Association, National School Boards Association, AASA, the School Superintendents Association, the National Association of Elementary School Principals, and the Association of School Business Officials International.

Please Join Us

Groundbreaking Ceremony for MidMichigan Medical Center – West Branch Emergency Department

Remarks by Robert McGrail, president, MidMichigan Medical Center – West Branch; J. Daniel Stoneback, board chairman, MidMichigan Medical Center – West Branch; and Diane Postler-Slattery, president and CEO, MidMichigan Health.

Immediately following the brief ceremony light refreshments will be served.

Wednesday, August 15, 2018 ■ 9 a.m.

17,505 square foot facility | Located in the Medical Center's ED parking lot | Opening: Spring 2019



M | **MidMichigan Health**
UNIVERSITY OF MICHIGAN HEALTH SYSTEM



Join us

FOR AN OPEN HOUSE

CELEBRATION

SEPTEMBER 19, 2018

2PM-6PM

Join our families and grab a bite to eat!

219 N FRONT STREET

STANDISH, MI, 48658

KINDLY RSVP BY AUGUST 19

MONICAS@TRMCTAGGART.COM

989-946-7161



July 2018

STING

scoop

Quarterly Newsletter

Online at www.stingnarcotics.com

APRIL – JUNE 2018
HAPPENINGS

GLADWIN / Gladwin

Purchased/Seized 10 grams Marijuana

IOSCO / Reno Township

Purchased/Seized .5 grams Crack Cocaine

IOSCO / Reno Township

Purchased/Seized 11.3 grams Crack Cocaine

ROSCOMMON / Roscommon Township

Purchased/Seized 22.6 grams of Meth

IOSCO / Alabaster Township

Purchased/Seized 3 grams Cocaine

OGEMAW / Rose City

Purchased/Seized 5 Suboxone/Buprenorphine HCL pills

**Working
your County -
taking drugs
and
pushers off
your streets.**

Law Enforcement Sensitive



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHUR
DIRECTOR

July 30, 2018

VIA EMAIL

Ms. Heather Grace, City Manager
City of West Branch
121 North Fourth Street
West Branch, Michigan 48661

WSSN: 07010

Dear Ms. Grace:

SUBJECT: Ogemaw County WSSN: 07010

Congratulations! You are commended for your efforts in updating the city of West Branch Wellhead Protection Plan. We encourage you to keep the program viable by continuing to update it as changes occur within the wellhead protection area.

If you have any questions, comments, or need assistance implementing your program, you may contact me at 989-705-3420; berndtj1@michigan.gov; or by mail at DEQ, Drinking Water and Municipal Assistance Division, Environmental Health Section, Source Water Unit, 2100 West M-32, Gaylord, Michigan 49735.

Sincerely,

Jason Berndt, Environmental Quality Specialist
Source Water Unit
Environmental Health Section
Drinking Water and Municipal Assistance Division

jb/jt

cc: Ms. Kelly Hon, MRWA
Mr. Matt Gamble, DEQ
Mr. Daryl Gotham, DEQ

NOTIFICATION

GRAND RAPIDS
AMWAY GRAND PLAZA HOTEL
OCTOBER 4 – 5, 2018
RETIREMENT
CONFERENCE



SIGN UP EARLY!

Register today

WWW.MERSOFMICH.COM



EARLY BIRD PRICING

Register by **August 17** to receive the discounted rate of **\$175/person**

After August 17: **\$250/person**

Online registration will close September 21



BOOK YOUR HOTEL ROOM

MERS has secured a discounted group rate of \$161/night at the Amway Grand. To make your reservation, contact the hotel directly at **(800) 253-3590** and mention the MERS Conference. The deadline to reserve a room at the discounted rate is **Friday, September 7**.



Please note! Due to ArtPrize, the hotel will book up quickly. We encourage you to make your reservation as soon as possible to ensure availability.

See you in
Grand Rapids!

YOU'RE INVITED

to attend the 2018 Retirement Conference in Grand Rapids where we'll take a deeper look at the important retirement topics affecting you and your municipality. You'll have the opportunity to network with your peers, meet MERS staff, and share ideas, stories and solutions. Whether you administer MERS benefits for your organization or simply participate in one of our plans, this is a great way to learn more about current trends and the future of retirement.



TOPICS INCLUDE

UNDERSTANDING
YOUR MERS PLAN



PLAN
DESIGNS



INVESTING
STRATEGIES



FINANCIAL
WELLNESS



HEALTHCARE IN
RETIREMENT



LEGISLATION &
POLICY UPDATES



NEED CREDIT?

We'll be offering continuing education credits through SHRM and HRCI for HR professionals as well as credits for CPAs. More information coming soon.



ARTPRIZE



ArtPrize, an international art contest held annually in Grand Rapids, will be in full swing during our conference. During your down time, we encourage you to check out some of the most unique and beautiful art exhibits you'll find anywhere in the world, and vote for your favorites!

LET'S LOOK AT THE NUMBERS



400+
ATTENDEES



200
MUNICIPALITIES
REPRESENTED



30
SPEAKERS



35
SESSIONS AND
NETWORKING
OPPORTUNITIES

NEVER BEEN BEFORE? YOU'RE NOT ALONE

45%
OF ATTENDEES IN
2017 WERE FIRST-
TIMERS

ATTENDEES SAY THESE ARE THE TOP 3 REASONS TO ATTEND



EDUCATION



NETWORKING



SPEAKERS

WHO SHOULD ATTEND



Appointed and
elected officials



Human
Resources staff



Finance staff



Plan
Participants



I constantly learn something new when I attend the retirement conference. From keeping up with changes to getting ideas from other groups, I always walk away with something worthwhile. Also, it's great to meet the MERS staff we deal with on a regular basis and interact with other members throughout the state.

— 2017 CONFERENCE ATTENDEE

Reports

Mayor

Council

City Manager

**Public
Comment
-Any
Topic**

Adjournment