

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD JOINTLY WITH THE PLANNING COMMISSION IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, AUGUST 15, 2016.

Mayor William Ehinger and Planning Commission Chairman Tim Schaiberger jointly called the meetings to order at 6:00 p.m.

Present: Mayor William Ehinger, Council Members Kim Ervans, Jim Hasty, Denise Lawrence, Dave Lucas, Tim Schaiberger, and Rusty Showalter.

Absent: None

Other officers present: City Manager Heather Grace, Treasurer/Clerk John Dantzer, Department of Public Works Superintendent Dennis Jameson, City Attorney Gabrielle Dantzer; as well as Planning Commission Members Bob David, Kara Fachting, Jan Hasty, Mike Jackson, and Dan Weiler.

All stood for the Pledge of Allegiance.

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Manager Grace updated Council on the postponed PILOT request from the Trails at West Branch Apartments and noted that the City has not received any new correspondence on any additional requests.

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO NOT APPROVE THE PILOT REQUEST AS PRESENTED BY THE TRAILS AT WEST BRANCH APARTMENTS FOR THE FOLLOWING REASONS: #1- THE REQUESTING PARTY HAS THUS FAR FAILED TO MEET THEIR BURDEN UNDER MCL 125.1415A (1); & #2- PURSUANT TO MCL 125.1415A (3) AND MCL 125.1415A (2), IT IS WITHIN THE DISCRETION OF A MUNICIPALITY TO ESTABLISH OR CHANGE, BY ANY AMOUNT IT CHOOSES, THE SERVICE CHARGE TO BE PAID IN LEIU OF TAXES BY ALL OR ANY CLASS OF HOUSING PROJECTS EXEMPT FROM TAXATION UNDER THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, PROVIDED THAT THE SERVICE CHARGE DOES NOT EXCEED THE TAXES THAT WOULD BE PAID FOR ACT, AND IN THIS INSTANCE, CITY OFFICIALS HAVE DETERMINED THAT THE PRIOR PILOT TERMS REGARDING LENGTH OF YEARS AND CALCULATION OF SERVICE CHARGESS ARE NO LONGER AGREEABLE, AND THEREFORE, CITY OFFICIALS WOULD PREFER TO LEAVE THE OPTION OPEN FOR THE OWNERS OF THE TRAILS TO PURSUE FURTHER NEGOTIATIONS WITH THE CITY MANAGER, CITY ATTORNEY, AND CITY ASSESSOR REGARDING A NEW SET OF TERMS.

Yes –Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent –None

Motion carried

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The Planning Commission tabled the approval of the minutes from their previous meeting.

The Planning Commission approved a sign variance request for Faith Alive Church.

The Planning Commission postponed a decision on a site permit until more formalized plans could be submitted.

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Manager Grace updated Council on the discussions she has had with Wausau and their plans to help with the recent water issues caused by a malfunctioning fire suppression system.

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MOTION BY SHOWALTER, SECOND BY LUCAS, TO PAY BILLS IN THE AMOUNT OF \$46,876.08.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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Manager Grace shared correspondence from the Alcona County Health Center on a request to have the West Branch Farmers Market participate in a new program called “Prescription for Health” that will allow patients in need of assistance to receive vouchers that they can use at the Farmers Market for fresh produce and the vendors would send in the vouchers to receive their payment. She further noted that there would be no cost to the City and that the Health Center would be responsible for all agreements between themselves and the Farmers Market vendors.

MOTION BY SCHAIBERGER, SECOND BY EHINGER TO APPROVE THE REQUEST FOR THE FARMERS MARKET TO PARTICIPATE IN THE “PRESCRIPTION FOR HEALTH” VOUCHER PROGRAM.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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Manager Grace read a proposal for an updated shared service agreement that the City has with West Branch Township to share costs that would add a 50/50 split of DPW Superintendent Jameson's cell phone cost since the Township uses the phone to call him when they have water/sewer issues. Manager Grace noted that this has already been talked about with Township Supervisor Ryan Veeder and he was in favor of it.

MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO APPROVE THE NEW SHARED SERVICE AGREEMENT AS PRESENTED.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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Manager Grace noted that the City received their request to appoint a delegate for the 2016 MERS Conference.

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO APPROVE KEN WALTERS AS THE CITY'S MERS CONFERENCE DELEGATE AND HEATHER GRACE AS THE ALTERNATE.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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Manager Grace presented ideas to change the current weed ordinance and asked Council if they would look at the ordinance and get any recommended changes to her.

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MOTION BY SCHAIBERGER, SECOND BY LUCAS, TO APPROVE THE MINUTES AND SUMMARY OF THE REGULAR MEETING HELD AUGUST 1, 2016.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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MOTION BY SHOWALTER, SECOND BY LUCAS, TO RECEIVE AND FILE THE JULY POLICE REPORT.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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Manager Grace shared a correspondence from MML about their annual meeting.

Member Showalter noted that he was typically the voting delegate for the City but he was no longer eligible because he is on the Board of the MML.

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO APPOINT MEMBER DENISE LAWRENCE AS THE CITY’S VOTING DELEGATE FOR THE 2016 MML CONVENTION.

Yes – Ehinger, Ervans, Hasty, Lawrence, Lucas, Schaiberger, Showalter

No – None

Absent - None

Motion carried

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City Council Member Kim Ervans asked about the blight issues in the City. Manager Grace noted that one location has been ticketed, and two other locations have been sent notices that they need to respond to. She further noted that they are trying to pick one new building each week.

City Council Member Denise Lawrence noted that the new EMS director will be introduced at the next EMS meeting.

City Council Member Jim Hasty noted the condition of the old bicycle factory and that he would like to see that addressed as a blight issue. He also asked if an issue is that the factory lies partly in the City’s

limits and partly in Ogemaw Township. Manager Grace noted that she has talked with Ogemaw Township Supervisor Denis Stephens on the issue and that they are working on trying to get the entire building annexed into the City so it would be easier to proceed.

Member Showalter noted that he would like to see someone from the Planning Commission or another board invited to the MML convention.

Planning Commission Member Dan Weiler asked about the house on the corner of Second and Wright that had siding taken down and has not yet been put up. Manager Grace noted the City would send a notice of inquiry on the property.

Planning Commission Member Bob David noted that Mike Riegler continues to move equipment and other things onto City property that abuts to land Mr. Riegler owns and noted something needed to be done about the issue especially since when he came to the Planning Commission to get approval for the building, he lied about lot lines. City Council Member Ervans noted his concern that Mr. Riegler may be living at that location and it is not zoned for residential use. Manager Grace noted that she would set up a meeting with Attorney Dantzer

City Council Member/Planning Commission Chairman Tim Schaiberger asked about the stumps at the park and if the plans to have a carving contest were still in works. Manager Grace noted that the stumps were too rotted and not able to be carved.

Manager Grace introduced the shirts that will be used for the Smiley Helpers Program and that her plans were to have anyone who donated 8 hours or more. She further noted that Kelli Collins will be in charge of the program and that all helpers would be required to sign an indemnity agreement. There was discussion held on what the required hours would be to get the shirt.

Mayor Ehinger noted the amount of work that Ausable Valley workers have done on the Children's Garden and commended them on how nice it looks.

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Mayor Ehinger adjourned the meeting at 7:15 pm.

William Ehinger, Mayor

John Dantzer, Clerk