

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, AUGUST 7, 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, and Chief Ken Walters.

All stood for the Pledge of Allegiance.

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As an addition to the agenda, City Manager Grace discussed the option of having a work session to host a seminar/training on fraud prevention which would be held at the Police Department on Thursday, August 31 at 6:00 pm which would be attended by City employees as well as Council.

**MOTION BY SHOWALTER, SECOND BY WEILER, TO SCHEDULE A WORK SESSION FOR THURSDAY, AUGUST 31 AT 6:00 PM AT THE WEST BRANCH POLICE DEPARTMENT TO HOST A SEMINAR ON FRAUD PREVENTION.**

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

**No – None**

**Absent –None**

**Motion carried**

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Jason Stroebel addressed Council on the noise ordinance asking them to consider to allow exclusions for downtown businesses when it comes to time limits.

Manager Grace noted they did have some rough drafts of ordinance options but they could be altered still and have a final draft written and voted upon at the next meeting, if needed.

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Christopher Powley OF 229 S. Sixth St. addressed Council with a water bill adjustment appeal request. He noted that he did have a leak that caused an excessive amount of water to be used and therefore a large water bill. He noted he did recently redo all of the plumbing in his house; however, the leak was at the tailpiece that is attached to the water meter that is provided by the City. Mr. Powley presented pictures of the water leak during the explanation.

Mayor Lawrence asked where the water went and Mr. Powley noted he has a floor drain in the basement that the water went out of.

Mayor Lawrence asked Clerk/Treasurer Dantzer how he initially came up with the adjustment amount. Clerk/Treasurer Dantzer noted he took an average of the previous four quarters to get an average gallons of usage and refunded the sewer portions of the bill due to the fact that the water that was leaking did not go into the City's sewer system.



No – None

Absent –None

Motion carried

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**MOTION BY SHOWALTER, SECOND BY TUTTLE, TO ALLOW CITY ATTORNEY DANTZER TO CONTINUE NEGOTIATIONS FOR SETTLEMENT.**

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

No – None

Absent –None

Motion carried

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Council discussed the following two proposed options of changes to the noise ordinance with different options of times for noise violations. Manager Grace noted the two main differences between the two options presented was that one of them would have earlier quiet time limits during the school year. The two options were as follows:

**ORDINANCE 17-01 (OPTION 1)**

AN ORDINANCE TO AMEND SECTION 95.2 ENTITLED "NOISE" OF THE CITY OF WEST BRANCH CODE OF ORDINANCES.

THE CITY OF WEST BRANCH ORDAINS:

SECTION 1: Section 95.2 of the City of West Branch, Michigan Code of Ordinances is hereby amended to read as follows:

**§ 95.2 PROHIBITED NOISES.**

(a) Generally. It is unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. Any violation of the enumerated acts below constitutes a civil infraction subject to the fines and penalties enumerated in § 10.99 of this Code, or as otherwise established by Council resolution.

(b) Enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this article, but this enumeration is not exclusive:

(1) Homs, signaling devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place, except as a danger warning, the creation by means of any such signaling device of any unreasonably loud or harsh sound, the sounding of any such device for an unnecessary and unreasonable period of time, the use of any horn, whistle or other device operated by engine exhaust, and the use of any such signaling device when traffic is for any reason held up;

(2) Radios, stereos, etc. Except as otherwise permitted by the City Council or the City Manager, as hereinafter prescribed , the use, operation or permitting the use or operation of any radio or receiving set, musical instrument, stereo, or other machine or device designed for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of others in the vicinity, or with a volume louder than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which the device is operated and who are voluntary listeners. The operation of any of the above-named devices between the hours of 11:00

p.m. and 7:00 a.m. on Friday and Saturday and between the hours of 10:00 p.m. and 7:00 am Sunday through Thursday or in such a manner that the noise is plainly audible at a distance of 50 feet from the source of the noise will be prima facie evidence of a violation of this subsection;

(3) Loudspeakers, amplifiers for advertising. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or to attract attention of the public to any building or structure;

(4) Yelling, shouting. Except as otherwise permitted by the City Council or the City Manager, as hereinafter provided, yelling, shouting, hooting, whistling, or singing on the public streets or any other public place, between the hours of 11:00 p.m. and 7:00 a.m. on Friday and Saturday and between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity;

(5) Engine exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or other motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises;

(6) Defect in vehicle or load. The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, or in such manner as to create loud and unnecessary grating, grinding, rattling or annoyance;

(7) Loading or unloading; opening boxes. Creation of a loud and excessive noise in connection with loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and containers;

(8) Construction or repair of buildings. The erection (including excavation, demolition, alteration or repair) of any building other than between the hours of 7:00 a.m. and 8:00 p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the City Council or the City manager, which may be granted for a period not to exceed three days or less while the emergency continues and which may be renewed for periods of three days or less while the emergency continues. If the City manager determines that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets or highways between the hours of 8:00 p.m. and 7:00 a.m., and if he further determines that loss or inconvenience will result to any party in interest, he may grant permission for the work to be done during the hours of 8:00 p.m. and 7:00 a.m. upon application. If the City Council or the City Manager shall determine that such work does actually impair the public health and safety, then such permit may be revoked by the City Council or the City manager;

(9) Schools, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church, hospital, or court while the same is in session, which interferes with the work of the institutions or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a street upon which a school, hospital or church or court is located;

(10) Hawkers and peddlers. Shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood;

(11) Drums for commercial purposes. The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show or sale by creation of noise;

(12) Transportation of materials. The transportation of any material over the streets and other public places so as to cause loud noises or so as to disturb the peace and quiet of such streets;

(13) Pile drivers, hammers, etc. The operation between the hours of 7:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoists or other appliances, the use of which is attended by loud or unusual noise;

(14) Blowers, fans, engines. The operation of any noise created by any blower or power fan or

any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from the blower is muffled and the engine is equipped with a muffler device sufficient to deaden the noise.

(15) Compression release engine braking; "Jake braking." Noise created by semis or other vehicles due to compression release engine braking, or "Jake braking."

(c) Approval from City Council or City Manager.

(1) Any person, firm, or entity proposing to conduct any activity or operate any sound producing device which is reasonably expected to produce a sound or occur at a time in violation of this section shall apply to the City Manager for a permit to allow such conduct or the use of such device. In determining whether to issue such permit, the City Council or the City Manager shall consider:

- a. The date and time of the proposed conduct;
- b. The location of the proposed conduct;
- c. The nature and proximity of other dwellings and/or uses;
- d. The type of proposed conduct and/or the type of device proposed to be used; and
- e. The purpose for such conduct or the use of such device.

(2) The foregoing permit process shall apply only to those noises prohibited under subsections (b) (2) and (b) (4) above. Any permit issued by the City Manager shall specify the date, time, location, and duration of the permitted activity. The City Council or the City Manager may impose such other restrictions or conditions upon the issuance of such permit as it may deem appropriate and/or necessary in the interests of the public health and welfare.

(16) Animal Noises. The keeping of any animal, which by causing frequent or long, continued noise, shall disturb the comfort or repose of ordinary sensibility.

*(Ord 15-04, passed 09-01-2015; Am. Ord 17-01, passed XXXX) Penalty, see § 10.99*

## SECTION 2: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

(AM. Ord 17-01, passed XXXX)

## SECTION 3: REPEALER

All former Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

(AM. Ord 17-01, passed XXXX)

## § 95.99 EFFECTIVE DATE; PUBLICATION

This ordinance shall become effective upon publication of a notice in a newspaper circulated in the City, stating the date of the enactment and the effective date of the Ordinance, a brief notice as to the subject matter of this ordinance, and such other facts as the City Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection both on the City website and at City Hall.

## ORDINANCE 17-01 (OPTION 2)

AN ORDINANCE TO AMEND SECTION 95.2 ENTITLED "NOISE" OF THE CITY OF WEST BRANCH CODE OF ORDINANCES.

THE CITY OF WEST BRANCH ORDAINS:

SECTION 1: Section 95.2 of the City of West Branch, Michigan Code of Ordinances is hereby amended to read as follows:

**§ 95.2 PROHIBITED NOISES.**

(a) Generally. It is unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. Any violation of the enumerated acts below constitutes a civil infraction subject to the fines and penalties enumerated in § 10.99 of this Code, or as otherwise established by Council resolution.

(b) Enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this article, but this enumeration is not exclusive:

(1) Homs, signaling devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place, except as a danger warning, the creation by means of any such signaling device of any unreasonably loud or harsh sound, the sounding of any such device for an unnecessary and unreasonable period of time, the use of any horn, whistle or other device operated by engine exhaust, and the use of any such signaling device when traffic is for any reason held up;

(2) Radios, stereos, etc. Except as otherwise permitted by the City Council or the City Manager, as hereinafter prescribed, the use, operation or permitting the use or operation of any radio or receiving set, musical instrument, stereo, or other machine or device designed for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of others in the vicinity, or with a volume louder than is necessary for convenient hearing for the person or voluntary listeners. The operation of any of the above-named devices between the hours of 11:00 p.m. and 7:00 a.m. on Friday and Saturday year round; between the hours of 10:00 p.m. and 7:00 am Sunday through Thursday for the months of June, July, and August; and between the hours of 9:00 p.m. and 7:00 a.m. Sunday through Thursday for the months of January, February, March, April, May, September , October, November, and December or in such a manner that the noise is plainly audible at a distance of 50 feet from the source of the noise will be prima facie evidence of a violation of this subsection;

(3) Loudspeakers, amplifiers for advertising. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or to attract attention of the public to any building or structure;

(4) Yelling, shouting. Except as otherwise permitted by the City Council or the City Manager, as hereinafter provided, yelling, shouting, hooting, whistling, or singing on the public streets or any other public place, between the hours of 11:00 p.m. and 7:00 a.m. on Friday and Saturday year round; between the hours of 10:00 p.m. and 7:00 am Sunday through Thursday for the months of

June, July, and August; and between the hours of 9:00 p.m. and 7:00 a.m. Sunday through Thursday for the months of January, February, March, April, May, September, October, November, and December or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity;

(5) Engine exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or other motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises;

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*(AM. Ord 17-01, passed XXXX)*

## **SECTION 3: REPEALER**

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## **§ 95.99 EFFECTIVE DATE; PUBLICATION**

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Manager Grace noted that the two options did include recommendations submitted by the Planning Commission.



Member Showalter Schaiberger noted that he likes option 1 best but they need to make sure there are exceptions for the downtown businesses.

Mayor Lawrence noted that she likes option 1 as well.

Member Showalter noted he thought they had talked about allowing exceptions by resolution of City Council.

Clerk/Treasurer Dantzer noted that that wording was already included in the two options in the last sentence of 95.2 (a)

Manager Grace noted that there could be an option of having different time requirements based on the zoning of the area.

Member Bennett agreed that she would like to see time limits based on zoning so the downtown businesses that have music would not be affected.

Manager Grace noted they would need to consider if they want to address those issues preemptively and put it in the ordinance or address them as they come up with the passing of resolutions.

Mayor Lawrence noted that people would expect to have more noise if they are living closer to the downtown businesses and they shouldn't create an ordinance that would limit how someone can run their business because of noise concerns.

Member Weiler noted that this has gone on long enough and would like to see one of the options introduced and approved tonight. He further noted that he thought option 1 was the best option.

Member Showalter noted he thought option 2 was the best option and the reason this even came to Council was because of the complaint that the music was too loud and kids were having trouble getting to sleep for school even though they lived in an area zoned residential. He further noted he has no problem with our downtown district having live entertainment and that people in that area should expect to hear ample amount of noise but if you have people moving into the area and picking ~~and~~ a residential area and they can't get their kids to sleep for school, then there is a problem.

Member Bennett noted she was in favor of option 2 as well because it addressed the issue that they were dealing with.

Manager Grace noted she has not seen any ordinance written like this, but she could look at writing into the ordinance who could file the complaint.

Member Showalter noted that in his opinion the protection needs to be on the resident not the business.

Mayor Lawrence noted they need to make sure any issues that come up are addressed with the owner of the business and asked if they have reached out to the business owner where the original complaint was made to see if they know about the issue.

Planning Commission member Bob David noted at their meeting, they did speak with both the band and the resident that started the complaint and they were going to work together to fix the issue and that this would not be an issue if that would have been the first step and all of this work would not have been needed. He further noted the more you try to limit businesses the more it is going to hurt their livelihood.

Member Showalter noted the City Council job description was to keep peace and order among all citizens which would include both residential and business residents.

Eric Young noted they could make an exemption based on the hours of operation of the business.

Member Lucas noted he would like to see the exemption for downtown businesses only and not the entire general business district.

Member Weiler noted he like the idea of allowing an exemption if the noise is made while the business is open because it may encourage some of the other downtown businesses to stay open longer. He further asked for Chief Walters input.

Chief Walter noted that they would enforce whatever was passed but in all of his time working for the City, he doesn't ever remember a complaint from music coming from a downtown business.

Mayor Lawrence noted she liked option 1 because option 2 had too many different times.

Member Weiler noted option 1 was the recommended option of the Planning Commission.

Member Bennett noted it was the distance from the source of the noise not just the time that is the main issue.

Manager Grace noted she could change the wording of the or distance of 50' and take out the or.

Member Bennett noted that if that change was made she would be alright with option 1

Member Showalter noted that the he would be alright with the new wording as well.

It was the consensus of Council to have Manager Grace rewrite the ordinance based on option 1 with the rewording of the section that talks about the 50' distance.

\* \* \* \* \*

A letter was submitted asking to hold a wedding ceremony in Irons Park on August 25, 2018 at 2:00 pm.

**MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO ALLOW IRONS PARK TO BE USED FOR A WEDDING ON AUGUST 25, 2018 at 2:00 pm.**

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

**No – None**

**Absent –None**

**Motion carried**

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Resolution 17-13 was presented and noted that it is an update to Resolution 17-12 and fixed a mathematical error on the previous Resolution.

**MOTION BY SCHAIBERGER, SECOND BY BENNETT, TO APPROVE RESOLUTION 17-13**

**RESOLUTION #17-13**

**WATER AND SEWER RATES**

**WHEREAS, the West Branch City Council is authorized by Ordinance to set water and sewer rates by resolution, and**

**WHEREAS, the rates are established to cover all financial obligations of the water system and the sewer system, and**

**WHEREAS, the West Branch City Council and staff have performed an in depth review of the rate structures;**

**NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby sets rates for the water and sewer systems as follows:**

**Water O & M**

- 1. First 10,000 gallons or any part thereof (minimum charge) \$22.30**
- 2. Over 10,000 gallons \$2.23/thousand**

**Water Debt**

- 1. \$1.30/thousand gallons**

**Sewer O & M**

- 1. First 10,000 gallons or any part thereof (minimum charge) \$49.80**
- 2. Over 10,000 gallons \$4.98/thousand**

**Sewer Collection**

- 1. First 10,000 gallons or any part thereof (minimum charge) \$7.80**
- 2. Over 10,000 gallons \$.78/thousand**

**Sewer Replacement and Improvement**

- 1. First 10,000 gallons or any part thereof (minimum charge) \$.82**
- 2. Over 10,000 gallons \$.08/thousand**

**Sewer Debt**

- 1. \$6.26/thousand gallons**

**FURTHER BE IT RESOLVED, that in order to maintain financial stability in the water and sewer funds the West Branch City Council hereby establishes a 1% increase annually on October 1 for the Water O & M rates, Sewer O & M rates, Sewer Collection rates, Sewer Replacement & Improvement rates.**

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

**No – None**

**Absent –None**

**Motion carried**

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Linda Kotrys on behalf of Claws and Paws submitted a special event permit for a Dog Days of Summer event to be held downtown on August 25, 2017 from 5-9 pm. It will feature games, a pet parade, adoptions, pet chiropractor, pet photographer, nail clippings, agility course, dog races, and much more. She noted last year they did not ask for a road closure and it created some issues with that many dogs and children that close to the cars driving so they would like to request one for this year to make it a great and safe event. She further noted they will be working with the local animal shelter on this.

Member Weiler asked if this was the same event held at the park in the past. It was noted the event in the park is the Mutt March and it is put on by a different organization. He noted he had concerns using a street closure for this when they could do it without.

**MOTION BY SHOWALTER, SECOND BY BENNETT, TO APPROVE THE SPECIAL EVENT FOR PAWS AND CLAWS TO HOLD THE DOG DAYS OF SUMMER EVENT ON AUGUST 25, 2017 FROM 5-9 PM AND TO APPROVE THE ROAD CLOSURE FOR THE EVENT AS WELL FOR THE SAME TIMES.**

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

**No – Weiler**

**Absent –None**

**Motion carried**

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**MOTION BY LUCAS, SECOND BY SHOWALTER, TO APPOINT DENISE LAWRENCE AS VOTING DELEGATE FOR THE 2017 MML CONFERENCE AND JOANNE BENNETT AS ALTERNATE.**

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

**No – None**

**Absent –None**

**Motion carried**

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**MOTION BY BENNETT, SECOND BY SHOWALTER, TO APPROVE MANAGER HEATHER GRACE AS THE EMPLOYER DELEGATE, STEVE MORRIS AS THE EMPLOYEE DELEGATE, AND DAN ROBB AS THE EMPLOYEE ALTERNATE DELEGATE FOR THE 2017 MERS MEETING.**

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

**No – None**

**Absent –None**

**Motion carried**

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**MOTION BY SHOWALTER, SECOND BY TUTTLE, TO POSTPONE REAPPOINTMENT OF THE OPEN SEATS OF THE ZONING BOARD OF APPEALS UNTIL A JOB DESCRIPTION CAN BE DEVELOPED AND A JOB POSTING IS NOTICED ACCORDING TO RRC REQUIREMENTS.**

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

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

\* \* \* \* \*

Manager Grace submitted a copy of the County Hazard Mitigation Plan. She further noted it was the plan developed with herself and Chief Walters as the City representatives on emergency potential and how to deal with those emergency type situations.

**MOTION BY BENNETT, SECOND BY SCHAIBERGER, TO APPROVE THE COUNTY MITIGATION PLAN AS SUBMITTED.**

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

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

\* \* \* \* \*

**MOTION BY SCHAIBERGER, SECOND BY BENNETT, TO APPROVE THE MINUTES WITH CORRECTIONS AND SUMMARY FROM THE MEETING HELD JULY 17, 2017 AND THE MINUTES FROM THE WORK SESSION ON JULY 31, 2017.**

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

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

\* \* \* \* \*

Member Showalter noted he just read that Roscommon just got their water tower spot blasted and repainted at a cost of \$80,000 and noted that amount was much less than quotes the City has received in the past.

Manager Grace noted the City is continuing to work on getting the Smiley Tower cleaned or painted and will look into the company that Roscommon used. Manager Grace also noted she is currently working on a grant package in the hopes to get money to pay for the repairs.

**MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; THE MINTUES FROM THE DOWNTOWN DEVELOPMENT AUTHORITY MEETINGS HELD DECEMBER 20, 2016, JANUARY 24, 2017, MARCH 28, 2017, MAY 23, 2017, AND JUNE 27, 2017; THE MINUTES FROM THE WASTEWATER TREATMENT PLANT**

**AUTHORITY MEETING HELD APRIL 18, 2017; THE MINUTES FROM THE AIRPORT BOARD MEETINGS HELD MAY 17, 2017 AND JUNE 21, 2017, AND THE OGEMAW FIRE BOARD MINUTES FROM THE MEETING HELD APRIL 18, 2017.**

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

**No – None**

**Absent –None**

**Motion carried**

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A communication on the DEQ drinking water revolving fund public hearing was shared.

A communication from Charter Cable was shared.

A communication on MERS pension reform was shared.

The Sting newsletter was shared.

A Relay for Life thank you was shared.

A St. Joe flyer for their 100 year anniversary was shared.

A PTO Color Run thank you was shared. Manager Grace commended Chief Walters and his department for their work on this event.

Manager Grace asked for recommendations on locations City Council would like to see trees planted because the City received a grant from Consumers Energy for 25 trees.

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Member Schaiberger reminded everyone of the Victorian Art Fair this weekend, the downtown Victorian Stroll this Friday, and the Ogemaw County Fair coming up.

Member Lucas noted a pothole in the parking lot behind the West Branch Café and noted the City should look and make sure it is not responsible for damage caused by meter leaks in resident’s homes. Manager Grace noted she would look into that issue.

Member Bennett noted the house next to Morris Clark on N. Third St is in violation of the lawn ordinance.

Member Showalter noted the entrance to the Riverwalk near Branhams needs cleaned up.

Member Bennett noted she attended the recent downtown merchant webcast and that it was a great event and encouraged others to attend. She noted the next meeting was August 22 at 6:00 pm at the West Branch Police Department.

Mayor Lawrence noted the Fabulous Fridays Victorian Stroll this Friday and the Hometown Hoedown concert this Saturday from 5-8 pm.

Mayor Lawrence noted she received a letter from the group in charge of the community garden behind the Episcopal Church thanking the City for putting picnic tables in their park. She further noted the Chamber of Commerce has also asked about putting a picnic table in front of their building because people like to sit in the shade there.

Manager Grace noted the Fireman Memorial rededication will be on August 28<sup>th</sup> at 6 pm.

Manager Grace noted she recently talked with MDOT representatives and the City is tentatively scheduled to be on the list for a complete redesign and reconstruct for 2023 and that it could possibly happen sooner if the City is able to get everything ready before that. She further noted she is going to begin working with MDOT on the design of it starting in six weeks and that the City will begin doing a lot of community outreach for what they would like the downtown to look like.

Manager Grace noted the City is continuing to work towards updating meters within the City.

Chief Walters presented the new level four bullet proof vests that were recently purchased for officers from forfeiture fund sales. He noted these are to be used in active shooter scenarios.

Chief Walters noted he and Officer Joe Adams has recently completed training to receive the master level certification in active shooter tactics. He noted it has taken years for them to get this certification and now can be instructors. He noted that his intent is to get everyone in the Department trained to at least a level one and that they will be one of the first departments in the State to accomplish that.

Chief Walter noted he will be planning a mock disaster training for employees as well as City Council and the Planning Commission.

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Michael Pyszora addressed Council and noted he recently attended Mackinaw City with his Troup 944 Boy Scouts as part of the Governor's Honor Guard. He noted he served on flag duty and guard duty. He further noted he has attended the Council meeting and has taken notes as part of his work toward getting his Eagle merit citizenship and community badge.

Jason Stroebel addressed Council with his concern over a local smoke shop selling a drug called Kratom which is legal but is causing addiction problems.

Jason Stroebel also addressed concerns with the steps at the parking lot off of N. Third St.

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Mayor Lawrence adjourned the meeting at 8:45 pm.

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Denise Lawrence, Mayor

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John Dantzer, Clerk