

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY FEBRUARY 20, 2017.

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

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

Absent: Jim Hasty and Tim Schaiberger

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

All stood for the Pledge of Allegiance.

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Manager Grace read the following Proclamation and presented it to Jan Hasty.

PROCLAMATION #17-3

WHEREAS, James Hasty was very dedicated to the citizens of the City of West Branch as Council Member for Ward I, and

WHEREAS, James served diligently on the West Branch City Council from September 11, 2014 through February 20, 2017, and

WHEREAS, the City could always depend on James to give of his time for the citizens of the City of West Branch, and

WHEREAS, James thought of the City needs before he thought of his own needs, and

WHEREAS, the West Branch City Council would like to recognize and remember James Hasty and his untiring and dedicated service to the City of West Branch,

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby recognizes and honors James Hasty and the legacy he left on this twentieth day of February 2017.

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As an addition to the agenda, Manager Grace shared a letter from Lois Bergquist noting her interest in being a part of the Planning Commission. Manager Grace further noted that they have received notice of interest from other people. She further noted that there currently is not a seat open but that there could be an opening after the next meeting. It was the consensus to have the interested parties appear at the

Planning Commission first and then the Commission could present their suggestion to Council for appointment.

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Lynette Wood from the Caring Pregnancy Center presented a Charitable Gaming License for approval to hold a fundraising golf outing.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace noted that there has been progress made in selling the last vacant lot in the Industrial Park but nothing has been finalized yet.

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MOTION BY SHOWALTER, SECOND BY LUCAS, TO PAY THE BILLS IN THE AMOUNT OF \$67,624.81

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace noted that there has been inquires about the City Wide Garage Sale weekend and she wanted to get Council opinion on which weekend they would like to hold it so it would not interfere with any other events.

Member Showalter noted that it used to be on the same weekend as the Fly-in and that they wanted to move it so that both events could be attended.

Manager Grace noted that the Surline School Fun Run is in June also and that it creates some difficulties with closing off parts of the streets, having all of the fun run participants, and the extra traffic for the garage sale on the same weekend.

MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO HOLD THE 2017 CITY WIDE GARAGE SALE ON JUNE 24, 2017.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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A letter was submitted from the EDC asking for the City to contribute to the EDC as it had in the past.

Member Lucas asked if it had been budgeted for and Manager Grace noted that it had been.

MOTION BY LUCAS, SECOND BY SHOWALTER, TO APPROVE THE CONTRIBUTION TO THE EDC FOR SERVICES THEY PROVIDE TO THE CITY IN THE AMOUNT OF \$2,000.00

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace submitted a Cable Franchise Fee Agreement contract that would require the cable provider to pay the City franchising fees. She noted that the City has an option to charge up to 5% for a cable franchise fee percentage and up to 2% for a (PGE) Public Government and Education Channel fee. She noted that it is applied to only the video portion of their service and that payments are made to the City quarterly. She noted that the Public Government and Education channel money could only go to capital expenditures for public education government channels. She noted that it is a 10-year agreement and that there was no fee agreed upon at the last contract.

Member Lucas asked if the fee is passed onto the consumer. Manager Grace noted that the cable provider can and that based on calculations provided by the City’s Charter representative based on similar sized communities, if a 5% maximum was chosen, it would raise the bill approximately 74 cents per household and would raise approximately \$2,000 per quarter for the City’s revenue.

Manager Grace noted the reason behind this was to allow municipalities to compensate and regulate their road right of ways. Manager Grace also noted that municipalities have been advised to start preparing for different telecommunication companies wanting to put mini towers in the right of way for the eventual roll out of driverless cars. Manager Grace noted that she would recommend to use the funds, if approved, to join the Protec group that was discussed at a previous meeting that would help with road right of way issues.

Member Showalter noted that while it would increase bills slightly, it might be the most economical way to deal with the potential right of way issues that may come up and would prefer to be proactive in dealing with these issues.

Member Bennett noted that it could be used to update the City's cable channel and make it more of an educational channel.

MOTION BY LUCAS, SECOND BY WEILER, TO APPROVE THE CABLE FRANCHISE AGREEMENT AS PRESENTED WITH A 5% CABLE FRANCHISE FEE.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY LUCAS, TO APPROVE THE CABLE FRANCHISE AGREEMENT AS PRESENTED WITH AN 0% PGE FEE.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace noted that due to the passing of Council Member James Hasty, the Council would have to declare the Ward 1 seat vacant and would have 30 days from the date of the meeting to appoint a replacement or a special election would have to be held.

MOTION BY SHOWALTER, SECOND BY LUCAS, TO DECLARE WARD 1 VACANT.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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MOTION BY LUCAS, SECOND BY SHOWALTER, TO ACCEPT LETTERS OF INTENT WITH A DEADLINE OF MARCH 7, 2017 AT 4:30 PM AND HOLD A WORK SESSION ON MARCH 9, 2017 AT 6:00 TO INTERVIEW INTERESTED PARTIES AND TO HOLD A SPECIAL MEETING ON MARCH 9, 2017 AT 6:30 TO APPOINT SOMEONE TO FILL THE OPEN SEAT OF WARD 1.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO APPROVE THE MINUTES AND SUMMARY FROM THE CITY COUNCIL MEETING HELD FEBRUARY 6, 2017 AS WELL AS THE CLOSED SESSION MINUTES FROM OCTOBER 3, 2016; NOVEMBER 17, 2016; JANUARY 3, 2017; AND FEBRUARY 6, 2017.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY, AS WELL AS THE MINUTES FROM THE JOINT DDA MEETING HELD SEPTEMBER 22, 2016 AND THE AIRPORT BOARD MEETING HELD JANUARY 17, 2017.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace shared the results from the recent lead and copper testing of the City’s water and noted that the City is below the action level mark and that according to our DEQ representative are very good compared to most communities.

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Member Bennett noted that she was at recent MML conference and that it was very educational and would encourage all Members to attend them whenever possible.

Member Showalter noted that the Capital Conference is coming up and encouraged Members to attend.

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Manager Grace shared the budget that was approved by the West Branch Airport noting a budget for 2016-2017 of \$103,776 and a City contribution of \$46,699.00

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Mayor Lawrence noted that she was at the last Fabulous Fridays meeting and that there was still nothing scheduled as of yet. They also discussed having the City involved in this year's Flag Day ceremony. Mayor Lawrence noted that she would be willing to seek donations to have a hot dog roast and would like to get the Veterans involved in the ceremony.

Member Showalter noted that in past years they announced the Victorian Court and that the City should reach out to them to see if they would like to be involved.

It was the Consensus of Council to be involved in the Flag Day ceremony.

Mayor Lawrence noted that she also attended the Business After Hours at Chemical Bank.

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Manager Grace went over recommendations submitted by the Planning Commission for changes to Major/Local street designations, Truck Routes designations, and changes to the some of the road right of way accesses.

It was noted that the first recommendation was to eliminate parking in front of residential properties on the East side of Second St. and the West side of North Third St. in order to meet Major Street requirements and safety concerns. Manager Grace also noted that if a City is found to have roads that are not in compliance, the State could withhold MTF funds.

The second recommendation was to change Hansen Road and Progress St. to Major Streets. Manager Grace noted that if roads qualify for Major Streets are designated as such then you could get more money from the State to help with upkeep of the roads.

The third recommendation was to change Lindsay St to a one-way from First to Fifth and add a sidewalk due to safety concerns for students walking to and from school. Manager Grace further noted that they do have grants available with a zero match to build sidewalks for student issues.

The fourth recommendation was to designate Columbus St as a Truck Route due to the factory that is at the end of the street.

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MOTION BY WEILER, SECOND BY SHOWALTER, TO CHANGE HANSEN ROAD AND PROGRESS ST. TO MAJOR STREETS.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Council discussed the elimination of parking on the East side of S. Second St. and the West side of North Third St in front of residential lots.

Member Weiler noted that they City would lose approximately 14 parking spots but also noted his concern for safety when people are parked on both sides and vehicles are coming from both ways.

Member Bennett noted that they could look and see if there were any statistics on accidents in those areas.

Member Showalter asked about how they would educate the public and it was noted that signage would be placed in those locations as well as new curb striping and painting.

MOTION BY LAWRENCE, SECOND BY WEILER TO ELIMINATE PARKING ON THE EAST SIDE OF SOUTH SECOND ST. AND THE WEST SIDE OF SOUTH THIRD ST. IN FRONT OF RESIDENTIAL LOTS.

Yes – Lawrence, Lucas, Showalter, Weiler

No – Bennett

Absent –Hasty and Schaiberger

Motion carried

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Manager Grace noted street side parking concerns on State St. as well, especially because that road is a truck route.

Member Showalter noted his concern for street side parking on State St. as well and that it has caused issues with semi’s trying to turn ~~on~~ off of N. Valley St onto State.

Lois Bergquist spoke and noted her concern for safety and that parking should not be allowed on State St.

Council discussed when these would go into effect and that it would have to be after the appropriate signage and painting have been completed.

MOTION BY SHOWALTER, SECOND BY BENNETT, TO ELIMINATE STREET SIDE PARKING ON STATE STREET FROM FAIRVIEW RD. TO FIRST ST.

Yes – Bennett, Lawrence, Lucas, Showalter, Weiler

No – None

Absent –Hasty and Schaiberger

Motion carried

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Council discussed making Lindsay St. a one way street.

Member Showalter noted that he would like to see a public hearing on the issue to get citizens thought.

Bob David spoke to Council on his concern that children are walking in the street to get to and from school and that it would be much safer if they could have the sidewalk for them to use.

It was the consensus of Council to hold a public hearing on March 20, 2017 to take comments on changing Lindsay St to a one-way street.

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Council discussed adding Columbus St as a truck route. It was the consensus to not add Columbus St as a truck route.

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Manager Grace noted that there was discussion at the Planning Commission to not allow trucks to use Lindsay St since it is not able to be brought up to a Class A, Major street specifications because it is not wide enough. She further noted that they also discussed not allowing trucks to use Houghton Ave if the State no longer recognizes trunk lines within Cities and the City does in fact take over the ownership and maintenance of Houghton Ave. She further noted that if that was the case, they could possibly look at redoing the downtown area at that time and would talk to the State about providing funds to help with the cost of it since if we would be taking over the maintenance cost of the street. She further noted that they were aware that this would cause

somewhat of a hardship to the heavy load haulers and that they would have to come up with alternate plans so they could get around the City.

Eugene Zapczynski spoke on his concern for not allowing heavy trucks on Houghton Ave.

Bob David spoke to Council on potential alternate routes.

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Elaine Urban addressed Council on the potential 4H special election and it was noted that this was a County issue and the City had no say in holding the election.

Glenda Colclassure addressed Council and asked if the City had any plans for the vacant land that they recently obtained in the Hughey Subdivision. Manager Grace noted that they did not currently have any plans but may look into trading the lot for other land that may be able to be used for snow storage.

Lois Bergquist submitted pictures to Council of horses plowing the City sidewalks as it was done in the past and was mentioned at a recent Council meeting by the late Council Member James Hasty.

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Mayor Lawrence adjourned the meeting at 7:45 pm.

Denise Lawrence, Mayor

John Dantzer, Clerk