

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, JUNE 5, 2017.

Mayor Denise Lawrence called the meeting to order at 6:03 p.m.

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

Absent: Council Member 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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As an addition to the agenda, Manager Grace submitted a bid in the amount of \$405 yearly premium for legal malpractice insurance that Council wanted her to look into that would cover the Manager for legal work performed to decrease the amount of work needed to be sent to the City attorney.

Member Showalter noted that the City would be able to recoup that cost pretty quickly by not sending everything out to the City attorney.

MOTION BY BENNETT, SECOND BY LUCAS, TO APPROVE THE BID NOT TO EXCEED \$405 ANNUALLY FOR MALPRACTICE INSURANCE WITH A \$100,000 MAXIMUM COVERAGE PER OCCURRENCE AND \$300,000 AGGREGATE MAXIMUM WITH A \$0 DEDUCTIBLE.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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As another addition to the agenda, Manager Grace updated Council on the health insurance renewal. She noted that the options of including orthodontics on the dental insurance and optical insurance were looked at and quoted. She noted that due to the current younger work force and changes in policies and procedures, the current rates are much lower than they used to be and these additional coverages would not increase the annual premium much. She further noted that she would not recommend adding this coverage to the personnel policy but offering it as an optional coverage which can be renewed or eliminated yearly based on the budget.

MOTION BY LAWRENCE, SECOND BY LUCAS, TO APPROVE THE ORTHODONTICS 1,000 INSURANCE PLAN AND THE OPTICAL INSURANCE 12/12/12 PLAN FOR ONE YEAR WITH THE OPTION OF IT BEING EXTENDED ON A YEARLY BASIS BASED ON THE BUDGET.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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Glenda Colclassure asked about the legal malpractice insurance coverage approved and asked if the City Manager receives any additional pay above the salary when performing those duties. Manager Grace noted that she does not receive anything additional.

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Vicki Seltz Barnes addressed Council and asked to hold a pole and window decorating contest for the Relay for Life and that she would be responsible for making sure the decorations are taken down.

MOTION BY SHOWALTER, SECOND BY LUCAS, TO ALLOW A POLE AND WINDOW DECORATING CONTEST FOR THE RELAY FOR LIFE.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY BENNETT, TO APPROVE PROCLAMATION 17-06

Proclamation # 17-06

WHEREAS, each American Cancer Society Relay For Life event gives everyone an opportunity to fight cancer and help save more lives, and

WHEREAS, Relay For Life is the signature fundraising event for the American Cancer Society to help fund research and provide programs to assist cancer patients and their families, as well as our local communities, and

WHEREAS, Relay For Life events celebrate cancer survivors and caregivers coming together to be recognized for their personal fights against this disease that has taken too much, and

WHEREAS, there is a special Luminaria Ceremony at dusk to honor the memories of those who have lost their battle, celebrate those who have won, and support those whose fight continues, and

WHEREAS, the Relay For Life of Ogemaw County will be held at Irons Park in West Branch, Michigan on Saturday, July 15 from 11 a.m. - 11 p.m. for the purpose of meeting the aforementioned objectives:

NOW, THEREFORE, BE IT PROCLAIMED, that July 1 - 31, 2017 is Relay For Life of Ogemaw County month in the City of West Branch and shall be dedicated to fight against cancer, and

BE IT FURTHER PROCLAIMED, that the City Clerk is directed to install this record in the permanent record of the City of West Branch, so that future West Branch citizens may look back with pride at community involvement in this signature event.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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Pete Fabbri , on behalf of the Fabulous Fridays group, addressed Council and requested road closures on June 16 from 4:30pm-9:00pm, June 30 from 5:00pm-9:00pm, and on Sept. 16 from 10:00pm-4:00pm.

Manager Grace noted that they have seen some additional requirements for road closures and that they would ask MDOT to approve the times based on the request submitted but that they may need to alter the length of the closures.

MOTION BY SHOWALTER, SECOND BY BENNETT, TO ALLOW THE ROAD CLOSURES AS PRESENTED.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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Bridgett Charles, on behalf of the Recreation Committee, submitted plans to Council to have a Luau with fire dancers downtown on July 7 and requested funds not to exceed \$1,500 for this event. Manager Grace noted that they do have a line item in the budget called community promotions which is to be used for these types of events. Ms. Charles also went over plans for other events that they are working on including a battle of the bands, and a country hoedown.

MOTION BY BENNETT, SECOND BY SHOWALTER, TO APPROVE THE LUAU FOR JULY 7 AND APPROVE \$1,500 IN FUNDING TO BE ALLOCATED FOR THE EVENT.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY LUCAS, TO PAY THE BILLS IN THE AMOUNT OF \$186,194.70

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent –Schaiberger

Motion carried

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Council reviewed a water bill adjustment request submitted by Robert Thomas. Mr. Thomas was not in attendance to answer any questions. Manager Grace went over the policy and discussed issues that they have had with this property owner and recommended denying the request.

MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO DENY THE WATER BILL ADJUSTMENT REQUEST SUBMITTED BY ROBERT THOMAS IN ORDER TO INVESTIGATE THE CIRCUMSTANCES OF THE REQUEST MORE AND BECAUSE THERE ARE POTENTIAL HEALTH VIOLATIONS OCCURING AT THIS LOCATIONS.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent – Schaiberger

Motion carried

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A request for the waiver of fees for the peddlers/solicitors/vendor license was submitted by the Summer Music Series.

Member Weiler asked if this has been waived in the past and it was noted that it has been and that typically it is for most charitable or fraternal organizations.

MOTION BY BENNETT, SECOND BY LAWRENCE, TO APPROVE THE WAIVER OF FEES FOR THE PEDDLERS LICENSE TO THE SUMMER MUSIC SERIES.

Yes – Bennett, Lawrence, Lucas, Showalter, Tuttle, Weiler

No – None

Absent – Schaiberger

Motion carried

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Council reviewed information on parcels that were foreclosed by Ogemaw County. Manager Grace noted that the City had the right of first refusal to purchase the properties.

MOTION BY LAWRENCE, SECOND BY SHOWALTER, TO POSTPONE THE DECISION ON THE FORECLOSED PROPERTY UNTIL THE NEXT MEETING.

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

No – None

Absent –Schaiberger

Motion carried

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MOTION BY LAWRENCE, SECOND BY WEILER, TO RESCHEDULE THE REGULAR MEETING SCHEDULED FOR MONDAY, JULY 3 TO WEDNESDAY, JULY 5 AT 6:00 PM.

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

No – None

Absent –Schaiberger

Motion carried

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MOTION BY LAWRENCE, SECOND BY LUCAS, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD MARY 15, 2017.

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

No – None

Absent –Schaiberger

Motion carried

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MOTION BY SHOWALTER, SECOND BY LAWRENCE, TO RECEIVE AND FILE THE TREASURERS REPORT AND INVESTMENT SUMMARY AS WELL AS THE AIRPORT MINUTES FROM THE MEETING HELD APRIL 19, 2017 AND THE STING REPORTS.

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

No – None

Absent –Schaiberger

Motion carried

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A communication on the Headlee court case update was shared with Council.

A letter updating the Department of Treasury assessing audit was shared.

A letter inviting participation in a revenue sharing session from the Michigan House of Representatives was shared.

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Member Lucas shared some concerns on Brookside Cemetery including upkeep and that several headstones are tilted. Member Showalter noted that in the past they have addressed that issue and based on his memory, they contacted the family and if the family was willing to pay for a foundation, then the City would remove the headstone and reset it on the foundation.

Member Showalter noted that the blight enforcement is starting to work and that you can see the improvements to several properties.

Member Showalter also noted that he will be attending the MML summer retreat.

Member Showalter further noted that the flags will be out downtown by Flag day.

Member Bennet asked about the possibility of removing some of the ducks because they seem to be getting overly populated and is concerned for their health and safety. Manager Grace noted they can look into applying for a permit to remove some of the ducks.

Member Bennett asked about the status of the DPW opening. Manager Grace noted that they are looking at applications at the next department head meeting and that they do have one interview already set up.

Member Weiler asked about the status of the no parking zones that were approved at a previous meeting. Manager Grace noted that Chief Walters and Acting DPW Superintendent Brindley were jointly working on it and the orders for the signs needed would take place after July 1 so it falls in the next fiscal year.

Member Weiler also noted that some of the trash cans in the parks are starting to fall apart and that they look bad. Manager Grace noted that this was one issue that they were going to discuss at the next DDA meeting as well as she does have money budgeted to replace some of the cans in the next fiscal budget which begins July 1. She noted that she would be bringing some options and recommendations to Council for approval after the start of the fiscal year.

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Mayor Lawrence reminded everyone of the Fridays at West Branch meetings on Wednesday mornings and the upcoming Flag Day ceremony.

Mayor Lawrence noted that 205 Fitness will be shutting down after July 1.

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Manager Grace updated Council on a water project that the City is working on to record and monitor valve exercising and hydrant flushing.

Manager Grace updated Council on a zoning issue with a telecommunication tower in West Branch Township that is providing internet service to parts of the City including the Industrial Park.

Member Weiler asked about the timetable and plans to get the Smiley water tower redone. Manager Grace noted that they are working on the RFP's for bids on the tower inspections that are required. Member Weiler noted that the City should look into renting space on top of the tower.

Manager Grace noted that a letter of resignation was submitted by Member Showalter for the Chair of the DDA and that they would be accepting applications to fill open seats in the DDA. She thanked Member Showalter for his many years of service to that Board.

Manager Grace noted that the applicants for the open seat on the Planning Commission would be submitted at the next Council meeting for approval.

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Darlene Jones addressed Council on parking issues throughout the downtown and the need for additional no parking paintings/markings.

Dave Golden addressed Council on the speaking limit policy passed and that he was not in favor of having any limits to the amount of time people are allowed to speak at meetings.

Dave Golden also addressed Council on his concern for the lack of transparency in dealing with the salary increases that were approved.

Pete Fabbri, on behalf of the Retail Merchants, noted that they will be having a meeting to organize a plan to pull people together to come up with a plan to help draw businesses to the downtown area and invited members of Council to attend.

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Mayor Lawrence adjourned the meeting at 8:07 pm.

Denise Lawrence, Mayor

John Dantzer, Clerk