

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF THE WEST BRANCH CITY HALL, 121 N. FOURTH STREET ON MONDAY, MARCH 16, 2020.

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

Present: Mayor Paul Frechette, Council Members Joanne Bennett, Mike Jackson, Chris Powley, Ellen Pugh, Rusty Showalter, and Cathy Zimmerman.

Absent: None

Other officers present: City Manager Frank Goodroe, Clerk/Treasurer John Dantzer, Public Works Superintendent Mike Killackey, Planning Vice Chair Bruce Bob David, Deputy Clerk/Treasurer Michelle Frechette, DDA Vice Chair Joe Clark, and Police Chief Ken Walters.

All stood for the Pledge of Allegiance.

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At 6:01 Mayor Frechette opened the public hearing to take comment on the creation of a Brownfield Development Authority.

No one in the public wish to speak on the subject and at 6:02 Council voted to close the public hearing.

MOTION BY FRECHETTE, SECOND BY JACKSON, TO CLOSE THE PUBLIC HEARING

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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A notice that the City Police Department was awarded grants for an AED from both the McLaren Foundation and Mid-Michigan Foundation as well as awarded \$7,500 from the Enbridge Group for the purchase of AED devices. An estimate was submitted for the purchase of three AED devices and a sole source vendor request was submitted to purchase the AED's from Coro Medical Supply because it is the same company the County EMS uses and the importance of keeping all of the device that all first responders use the same. Manager Goodroe also noted training of these devices for City staff would be upcoming.

MOTION BY FRECHETTE, SECOND BY ZIMMERMAN, TO ACCEPT THE GRANTS AND DONATIONS FOR THE AED DEVICES AND APPROVE THE SOLE SOURCE VENDOR REQUEST TO PURCHASE AEDS DEVICES FROM CORO MEDICAL NOT TO EXCEED \$7,500.00

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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MOTION BY BENNETT, SECOND BY SHOWALTER, TO PAY BILLS IN THE AMOUNT OF \$76,653.56.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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Clara Clark spoke to Council on a grant opportunity from AARP to improve the alley way between Sun Spa and Ink and Thread. Ms. Clark noted that she would be working with Kelli Collins on the submission of the grant.

MOTION BY ZIMMERMAN, SECOND BY POWLEY, TO APPROVE THE SUBMISSION OF THE AARP GRANT

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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Manager Goodroe gave an economic development overview presentation including discussion on the Redevelopment Ready Communities, Project Rising Tide, a formal Economic Development Strategy from the Vision Keepers Group, and goal setting session. Manager Goodroe also went over a new economic development position, new departments for the budget, and the budget amendments required.

Member Zimmerman noted her concern about some of the money for the economic development position coming from the DDA before they approved it.

Joe and Clara Clark spoke on their support of the idea of the economic development position.

It was the consensus of the Council to not include revenue from the DDA at this time and to instead transfer those funds from the IDC.

MOTION BY JACKSON, SECOND BY PUGH, TO APPROVE THE ADDITION OF AN ECONOMIC DEVELOPMENT POSITION.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

Clerk Dantzer noted he would submit a formal budget resolution to account for the new position at an upcoming meeting.

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MOTION BY BENNETT, SECOND BY JACKON, TO APPROVE THE SUBMISSION OF A FELLOWSHIP APPLICATION.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

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MOTION BY FRECHETTE, SECOND BY SHOWALTER, TO POSTPONE THE APPROVAL OF BUDGET AMENDMENTS.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

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MOTION BY JACKSON, SECOND BY SHOWALTER, TO APPROVE RESOLUTION 20-05

RESOLUTION #20-05

THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby authorize the transfer of up to 25% of the Act 51 money from Major Street to Local Street.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

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MOTION BY FRECHETTE, SECOND BY POWLEY, TO APPROVE RESOLUTION 20-06

RESOLUTION #20-06

WHEREAS, City staff compares the year to date actual with the budgeted amount of all revenue and expenditures monthly; and

WHEREAS, during the review it was determined that the revenues and expenses in Fund 101, General Fund, the revenues in Fund 203, Local Steet, the revenues in Fund 248, DDA, will exceed their budget, and

WHEREAS, the revenues in Fund 101, general fund, were understated in administrative fees on current taxes, and police department grants due to being awarded a grant for AED devices and the expenditures in the police department for the purchase of those devices that were not budgeted for, and

WHEREAS, the revenues in Fund 203, Local Street were underestimated in interest income, and ,

WHEREAS, the revenues in Fund 248, DDA were underestimated in miscellaneous income

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby adopts the following budget amendments:

GL NUMBER	DESCRIPTION	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET
Fund 101 – General Fund			
Revenues			
Dept 000.000			
101-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	974,795.00	974,795.00
101-000.000-404.400	CURRENT PROPERTY TAX REFUSE	195,046.00	195,046.00
101-000.000-446.400	PENALTIES AND INTEREST CUR.TA	9,496.00	9,496.00
101-000.000-448.400	ADMINISTRATIVE FEES ON CUR.TA	31,350.00	32,000.00
101-000.000-477.400	CABLE TV FRANCHISE FEES	0.00	41,367.00
101-000.000-540.400	MDOT FEDERAL REVENUE	0.00	0.00
101-000.000-564.400	INDUSTRIAL PARK	2,000.00	2,000.00
101-000.000-573.400	LOCAL COMMUNITY STABILIZATION SHARE	0.00	0.00
101-000.000-574.400	SALES (STATUTORY)	26,544.00	26,544.00
101-000.000-575.400	REVENUE SHARING (CONSTITUTIONAL)	181,176.00	181,176.00
101-000.000-577.400	LIQUOR LICENSE	3,494.00	4,250.00
101-000.000-580.400	FRANCHISE FEE REVENUE	41,367.00	0.00
101-000.000-590.400	SEWER FUND ADMINISTRATION	60,000.00	60,000.00
101-000.000-590.401	SEWER COLLECTION ADMIN.	16,000.00	16,000.00
101-000.000-591.400	WATER FUND ADMINISTRATION	20,000.00	20,000.00
101-000.000-592.400	LOCAL STREET ADMIN. FEE	4,400.00	4,400.00
101-000.000-593.400	MAJOR STREET ADMIN. FEE	9,500.00	9,500.00
101-000.000-594.400	CEMETERY ADMIN. FEE	1,000.00	1,000.00
101-000.000-597.400	DDA ADMINISTRATIVE	6,000.00	6,000.00
101-000.000-634.400	GRANT	20,000.00	95,000.00
101-000.000-634.401	GRANT - ECONOMIC ADVANCEMENT	0.00	0.00
101-000.000-638.400	PROJECT INCOME	0.00	0.00
101-000.000-642.400	SALES OF LOTS	0.00	0.00
101-000.000-661.400	MOTOR VEHICLE FUND	12,000.00	12,000.00
101-000.000-664.400	INTEREST INCOME	6,500.00	6,500.00

101-000.000-671.400	CONTRIBUTIONS	0.00	0.00
101-000.000-672.400	VETERAN BANNER CONTRIBUTIONS	0.00	6,500.00
101-000.000-695.080	LAND CONTRACT PROCEEDS	0.00	0.00
101-000.000-695.400	MISCELLANEOUS	15,859.00	15,859.00
101-000.000-695.405	REFUSE RECYCLING DONATIONS	5,083.00	5,083.00
Total Dept 000.000		1,641,610.00	1,724,516.00

Dept 301.000 - POLICE DEPARTMENT

101-301.000-578.400	IN-SERVICE TRAINING	400.00	450.00
101-301.000-634.400	GRANT	10,000.00	17,500.00
101-301.000-654.400	TRAFFIC BUREAU	1,925.00	1,925.00
101-301.000-655.400	ACCIDENT REPORTS	450.00	450.00
101-301.000-656.400	DISTRICT COURT FINES	4,000.00	4,000.00
101-301.000-693.400	NSF FEES	0.00	0.00
101-301.000-695.400	MISCELLANEOUS	1,550.00	1,550.00
101-301.000-695.401	MISC. ED. & TRAINING 302	650.00	650.00
101-301.000-695.406	POLICE SAFETY INCOME	0.00	0.00
101-301.000-695.407	FORFEITURE FUNDS	400.00	400.00
Total Dept 301.000 - POLICE DEPARTMENT		19,375.00	26,925.00

TOTAL REVENUES		1,694,785.00	1,785,891.00
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Expenditures

Dept 301.000 - POLICE DEPARTMENT

101-301.000-702.700	PROMOTION/BONUS	0.00	0.00
101-301.000-703.700	SALARIES AND WAGES	202,980.00	202,980.00
101-301.000-703.701	SHIFT PREMIUM	0.00	0.00
101-301.000-704.700	WAGES - PART-TIME	350.00	600.00
101-301.000-705.700	CHIEF OF POLICE	64,790.00	64,790.00
101-301.000-706.700	COMMUNITY POLICING	100.00	100.00
101-301.000-708.700	SICK LEAVE PAYOUT	500.00	250.00
101-301.000-710.700	OVERTIME	8,500.00	8,500.00
101-301.000-710.701	OT SHIFT PREMIUM	0.00	0.00
101-301.000-712.700	U.N.I.T. (WAGES)	0.00	0.00
101-301.000-713.700	EMP. HEALTH OPTION	6,000.00	6,000.00
101-301.000-713.701	OTHER HEALTH BENEFITS	600.00	600.00
101-301.000-714.700	MANDATORY MEDICARE	4,435.00	4,435.00
101-301.000-715.700	SOCIAL SECURITY (EMPLOYER)	18,950.00	18,950.00
101-301.000-716.700	BC/BS HEALTH INSURANCE PREMIU	22,790.00	27,000.00
101-301.000-717.700	LIFE INSURANCE PREMIUM	890.00	890.00
101-301.000-718.700	MERS RETIREMENT (EMPLOYER)	39,905.00	39,905.00
101-301.000-718.701	EMPLOYER DEFERED COMP.	6,095.00	6,095.00

101-301.000-719.700	LONG TERM DISABILITY	2,620.00	2,620.00
101-301.000-720.700	WORKERS COMPENSATION PREMIUM	7,040.00	7,040.00
101-301.000-722.700	ADMINISTRATIVE SALARY & WAGES	33,430.00	29,220.00
101-301.000-724.700	UNEMPLOYMENT INS. BENEFIT	50.00	50.00
101-301.000-727.700	OPERATING SUPPLIES	4,500.00	4,500.00
101-301.000-782.700	ADMINISTRATION	0.00	0.00
101-301.000-801.700	CONTRACTUAL SERVICES	15,000.00	10,975.00
101-301.000-811.700	MEMBERSHIP AND DUES	325.00	325.00
101-301.000-817.700	UNIFORMS	5,000.00	5,000.00
101-301.000-850.700	GRANT EXPENDITURES	0.00	7,500.00
101-301.000-853.700	TELEPHONE/RADIO COMMUNICATION	4,000.00	4,000.00
101-301.000-941.700	EQUIPMENT RENTAL	9,000.00	9,000.00
101-301.000-955.700	DATA PROCESSING	0.00	4,225.00
101-301.000-956.700	EXPENSES	2,000.00	1,800.00
101-301.000-956.702	POLICE SAFETY EXPENSE	0.00	0.00
101-301.000-956.707	FORFEITURE EXPENSE	750.00	750.00
101-301.000-957.700	EDUCATION AND TRAINING LOCAL	8,000.00	8,000.00
101-301.000-957.701	EDUCATION 302	1,200.00	1,200.00
101-301.000-968.700	STING	3,000.00	3,000.00
101-301.000-977.700	CAPITAL ACQUISITIONS	0.00	0.00
Total Dept 301.000 - POLICE DEPARTMENT		472,800.00	480,300.00

TOTAL EXPENDITURES	1,694,785.00	1,780,657.00
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Fund 101:

TOTAL REVENUES	1,694,785.00	1,785,891.00
TOTAL EXPENDITURES	1,694,785.00	1,780,657.00
NET OF REVENUES & EXPENDITURES	0.00	5,234.00

Fund 203 - LOCAL STREET FUND

Revenues

Dept 000.000

203-000.000-570.400	ACT 51 - STATE OF MICHIGAN	66,079.00	66,079.00
203-000.000-634.400	GRANT	70,000.00	70,000.00
203-000.000-664.400	INTEREST INCOME	600.00	700.00
203-000.000-680.400	TRANSFER FROM MAJOR STREET	48,741.00	48,741.00
203-000.000-695.400	MISCELLANEOUS	0.00	0.00
Total Dept 000.000		185,420.00	185,420.00

TOTAL REVENUES	185,420.00	185,520.00
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Expenditures		
Dept 000.000		
TOTAL EXPENDITURES	234,161.00	234,161.00
Fund 203 - LOCAL STREET FUND:		
TOTAL REVENUES	185,420.00	185,520.00
TOTAL EXPENDITURES	234,161.00	234,161.00
NET OF REVENUES & EXPENDITURES	(48,741.00)	(48,641.00)

Fund 248 - DDA OPERATING FUND			
Revenues			
Dept 000.000			
248-000.000-400.400	TAX INCREMENT FINANCING	46,083.00	54,600.00
248-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	14,500.00	20,000.00
248-000.000-408.400	PERSONAL PROPERTY TAX LOSS REIMBURSE	0.00	33,700.00
248-000.000-634.400	GRANT	45,000.00	45,000.00
248-000.000-664.400	INTEREST INCOME	250.00	520.00
248-000.000-672.400	VETERAN BANNER CONTRIBUTIONS	0.00	0.00
248-000.000-695.400	MISCELLANEOUS	400.00	800.00
Total Dept 000.000		106,233.00	154,620.00

TOTAL REVENUES	106,233.00	154,620.00
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Expenditures		
Dept 000.000		
TOTAL EXPENDITURES	106,233.00	153,950.00

Fund 248 - DDA OPERATING FUND:		
TOTAL REVENUES	106,233.00	154,620.00
TOTAL EXPENDITURES	106,233.00	153,950.00
NET OF REVENUES & EXPENDITURES	0.00	670.00

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

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MOTION BY BENNETT, SECOND BY SHOWALTER, TO APPROVE RESOLUTION 20-07

RESOLUTION 20-07

-City OF West Branch

RESOLUTION ESTABLISHING A
BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE CITY OF WEST BRANCH
AND APPOINTING BOARD MEMBERS PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF
THE STATE OF MICHIGAN OF 1996, AS AMENDED

At a regular meeting of the City of West Branch, Council of the City of West Branch located at 121 N. 4th Street, West Branch, Michigan, Ogemaw County, Michigan, on the 16th of March, at 6:00 p.m.

PRESENT:

ABSENT:

MOTION BY:

SECONDED BY:

WHEREAS, the City of West Branch, Council of the City of West Branch, by Resolution adopted on the 2nd of March, 2020, (the "Resolution of Intent"), determined that it is in the best interest of the public to facilitate the implementation of Brownfield Plans relating to the identification and treatment of environmentally distressed, functionally obsolete and/or blighted areas so as to promote revitalization within the municipal limits of City of West Branch and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the City of West Branch (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended the (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the Council of the City of West Branch held a public hearing, notice of which was given as required by Section 4(2) of the Act on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the City of West Branch and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Council of the City of West Branch desires to proceed with the establishment of the Authority for the City of West Branch within the municipal limits of which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

Now therefore, be it resolved that:

1. **Authority Created.** Pursuant to the authority vested in the City Council by the Act, the authority is hereby established and shall be known as the City of West Branch Brownfield Redevelopment Authority.

2. **Supervision of the Authority.** The Authority shall be under the supervision and control of a board (the "Board") appointed by the Mayor of the City of West Branch, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the City Council. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
3. **Jurisdiction of the Authority.** The Authority shall exercise its powers within the area of the City of West Branch and those areas as to be further determined.
4. **Powers and Duties of the Authority.** The Authority shall have the powers and duties to the full extent as provided and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare a Brownfield Plan for eligible property pursuant to Section 13 of the Act and submit the plan to the City Council for consideration pursuant to Section 14 of the Act.
5. **Bylaws and Rules of the Authority.** The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the City Council in care of the Clerk of the City of West Branch ("Clerk"). The Authority's bylaws and rules shall be subject to the approval of the City Council; provided, however, that if the City Council fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the City Council for all purposes.
6. **Director's Bond.** In the event the Board elects to employ a director as authorized by Section 6(1) of the Act, the director, before entering upon the duties of his office, shall, in addition to any other requirements of law, post a bond in the penal sum of \$500,000 with a deductible payable to the Authority for the use and benefit of the Authority, which shall be approved by the Board and filed with the Clerk. The premium on the bond furnished by the director shall be deemed to be an operating expense of the Authority, payable from funds available to the Authority for expenses of operation.
7. **Form of Approvals.** Except as may otherwise be provided by the Act or other applicable law, approvals by the City Council of all matters pertaining to the Authority or its Board shall be by resolution.
8. **Severability.** Should any section, clause or phase of this Resolution be declared by the courts invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
9. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
10. **Publication.** The Clerk is hereby directed to file a true and complete copy with the Michigan Department of State, Office of the Great Seal, promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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Council discussed options and time table for the sale of the M-30 land.

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Mayor Frechette spoke on the recent executive order issued by the Governor and went over cancelled events.

Manager Goodroe went over adjustments for City staff and properties in response to the Governor’s executive orders and the COVID 19 virus.

Member Showalter spoke on the possibility of adding temporary time restricted parking in front of the food businesses to allow for easier takeout orders if parking is deemed to be an issue. Chief Walters spoke on the issue and noted he would monitor the situation.

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MOTION BY SHOWALTER, SECOND BY JACKSON, TO APPROVE THE MINUTES AND SUMMARY OF MINUTES FROM THE MEETING HELD MARCH 2 AND THE MINUTES OF THE FEBRUARY 29 WORK SESSION.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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MOTION BY ZIMMERMAN, SECOND BY POWLEY, TO RECEIVE AND FILE THE TREASURER’S REPORT AND INVESTMENT SUMMARY; THE MINUTES FROM THE PLANNING COMMISSION MEETINGS HELD JANUARY 14, JANUARY 28, AND FEBRUARY 3, 2020; AND THE MINUTES FROM THE DDA BOARD MEETINGS HELD JANUARY 27 AND FEBRUARY 3, 2020.

Yes — Bennett, Frechette, Jackson, Powley, Pugh, Showalter, Zimmerman

No – None

Absent – None

Motion carried

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Communications from Charter Cable were shared.

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Member Bennett wished Mayor Frechette a happy birthday, noted the upcoming OAR roundtable will probably need to be cancelled, and noted the concern to watch out for the elderly during this time.

Member Jackson noted the need for people to remain calm and to understand retail issues including the shortages has not been caused by the workers.

Superintendent Killackey gave an update on the bucket truck purchase and noted the inspection did not pass and they would not purchasing the vehicle. Mr. Killackey also noted the closing of the park bathrooms until further notice.

Chief Walters updated Council that the department has purchased additional protective equipment in case it were needed.

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Mayor Frechette adjourned the meeting at 8:05 pm.

Paul Frechette, Mayor

John Dantzer, Clerk