

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBER OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, MAY 19, 2014

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

Present: Mayor Todd Thompson, Council Members William Ehinger, Kim Ervans, Denise Lawrence, Chad Lucas, Timothy Schaiberger, and Rusty Showalter

Absent: None

Other officers present: City Manager Tom Youatt, Clerk/Treasurer Jane Tennant, Police Chief Rodger Williams, and Assessor Jim VanWormer

All stood for the Pledge of Allegiance.

MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO ADOPT THE FOLLOWING:

PROCLAMATION #14-1

WHEREAS, each year Optimist clubs from around the world take time to recognize youth in the community who contribute to a better life for all, and

WHEREAS, the West Branch Optimist Club has a proud tradition of selecting the best and brightest young people of the West Branch area to receive this prestigious award, and

WHEREAS, Thursday, May 29, 2014, the West Branch Optimist Club will bestow a formal recognition of appreciation of the following listed youth:

Calvin Beck	Ian Bellinger	Carson Bragg	Colton Bragg
Hannah Cline	Rebecca Egan	J. Todd Frank	Tessa Frank
Olivia Getzinger	Alyson Hintz	Lorna Hoffman	Amanda Jackson
Jordan Kartes	Samantha Kartes	Margaret Kearns	Alexander Kennedy
Faith Kurtz	Ariana Leibold	Darby Richards	Kylie Sperow
Reese Temple	Emilee Wilkins	Kyle Winter	Emma Kalyn Withers
Savannah Withers	Jason Wood	Aaron Zettel	Brady Zettle
Blake Sumer			

NOW, THEREFORE, BE IT PROCLAIMED, that May 29, 2014 is Optimist International Youth Appreciation Day in the City of West Branch and that day shall be dedicated to these fine youth who represent our community with pride and dignity, 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 the names of the finest youngsters of 2014.

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

No – None

Motion carried

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MOTION BY LAWRENCE, SECOND BY LUCAS, TO APPROVE THE MINUTES AND SUMMARY OF THE REGULAR MEETING HELD MAY 5, 2014.

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

No – None

Motion carried

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MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO RECEIVE AND FILE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD APRIL 8, 2014; WASTEWATER TREATMENT PLANT AUTHORITY MEETING HELD MAY 1, 2014; APRIL POLICE REPORT; AND APRIL TREASURER'S REPORT.

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

No – None

Motion carried

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Council read the letter from John Resteiner thanking City staff for coordinating the hanging of the banner for the Ogemaw Kids Club event.

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MOTION BY THOMPSON, SECOND BY SCHAIBERGER, TO ACCEPT MANAGER YOUATT'S RESIGNATION WITH REGRET.

Yes – Ervans, Lawrence, Lucas, Schaiberger, Thompson

No – Ehinger, Showalter

Motion carried

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Jim VanWormer, Assessor, reviewed the decrease in State Equalized Value and Taxable Value for 2014. Council Member Ervans asked about the details of uncapping a property. Mr. Van Wormer explained the process.

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Tracy Goodsell, Fireworks Committee representative, was present. She updated the Council on the fundraising events and asked that the Council consider giving a donation to the fireworks.

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MOTION BY THOMPSON, SECOND BY LAWRENCE, TO APPOINT ROBERT DAVID TO THE PLANNING COMMISSION TO FILL THE UNEXPIRED TERM OF DARRIN HUNTER.

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

No – None

Motion carried

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Council Member Lawrence reported on the 911 board meeting and the new tornado sirens installed in the County.

Council Member Showalter reported that the Committee that was established to look at the Police Department met and they will have a recommendation for Council at Council's next meeting.

Council Member Schaiberger stated that it appears that there will be a special hospital board meeting on June 2 so he may not be at the Council meeting that night.

Manager Youatt reported that there will be a ribbon cutting ceremony on May 30 for the bandstand. He noted that Joel Sheltroun would play his saxophone and the Miss Victorian court will be introduced.

Manager Youatt reported that the two street lights on Court St. have been installed – one by The Brook and the other at Hansen Rd. He also reported that we have our new plow truck.

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MOTION BY LUCAS, SECOND BY SCHAIBERGER, TO APPROVE THE APRIL FINANCIAL STATEMENT.

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

No – None

Motion carried

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MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO APPROVE THE BILLS IN THE AMOUNT OF \$186,152.76.

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

No – None

Motion carried

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Council reviewed the lot split request from Chris Tecmire for 350 and 352 N. Second St.

MOTION BY SCHAIBERGER, SECOND BY EHINGER, TO APPROVE THE LOT SPLIT REQUEST FROM CHRIS TECMIRE FOR 350 AND 352 N. SECOND ST. AND PRESENTED AND RECOMMENDED BY THE PLANNING COMMISSION.

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

No – None

Motion carried

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MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO APPROVE THE METRO ACT PERMIT EXTENSION FROM AT&T AND AUTHORIZING MANAGER YOUATT TO SIGN THE REQUEST.

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY SCHAIBERGER, TO APPROVE THE THIRD PARTY ADMINISTRATOR CONTRACT WITH BAY AREA HOUSING AND AUTHORIZING MAYOR THOMPSON TO SIGN SAID CONTRACT.

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

No – None

Motion carried

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MOTION BY SCHAIBERGER, SECOND BY LAWRENCE, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLUTION #14-10

WHEREAS, the West Branch City Council in §51.095 and §52.39 of the City of West Branch Code of Ordinances have determined that water/sewer charges constitute a lien on the property, and

WHEREAS, §92.17 of the Code of Ordinances states that the charges for mowing noxious weeds shall be a lien against the premises,

NOW, THEREFORE, BE IT RESOLVED, that the West Branch City Council hereby acknowledges the following liens and authorizes the Clerk to place these charges on the 2014 tax roll:

Water/Sewer Charges

279 N. Burgess St.	\$ 84.74	307 S. Burgess St.	\$ 84.25
313 S. Burgess St.	\$ 240.46	380 N. Fourth St.	\$478.19
128 Hall St.	\$ 527.72	342 E. Houghton Ave	\$219.00
2110 S. M-76	\$ 346.52		

Mowing

243 N. Burgess St.	\$ 80.00	327 N. Sixth St.	\$ 20.00
233 S. Fourth St.	\$ 20.00	221 S. Second St.	\$ 20.00
Vacant lots West Branch Dr	\$640.00		

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY LUCAS, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLUTION #14-11

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 – “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;**
- 2) Section 4 – “80%/20% Option – limits a public employer’s share of total annual health care costs to not more than 80%. This option required an annual majority vote of the governing body;**

3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirement of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the West Branch City Council has decided to adopt the annual “Exemption” option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of West Branch elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual “Exemption” option for the medical benefit plan coverage year July 1, 2014 through June 30, 2015.

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Discussion was held on Major Streets and Local Streets and the condition of Griffin St. between S. First St. and S. Fourth St.

MOTION BY SCHAIBERGER, SECOND BY ERVANS, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLUTION #14-12

THEREFORE, BE IT RESOLVED, that the West Branch City Council does hereby authorize the transfer of up to \$44,000 of the Act 51 money from Major Street to Local Street.

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY SCHAIBERGER, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLUTION #14-09

WHEREAS, the City Charter of the City of West Branch states that “the Council shall, by resolution, adopt the budget for the next fiscal year and shall, in such resolution, appropriate the money required for such budget and provide for a levy of the amount necessary to be raised by taxes upon real and personal property for municipal purposes.”

NOW, THEREFORE, BE IT RESOLVED that the budget for the City fiscal year beginning July 1, 2014 as recommended by the City Manager and as adopted by the City Council, as described in the summary as follows:

	REVENUES	EXPENDITURES
GENERAL FUND	1,352,000	1,352,000

be and the same is hereby adopted, and the amount therein provided as recommended; appropriations are hereby appropriated according to the departmental total, and

BE IT FURTHER RESOLVED, that in order to carry out the provisions of the above described budget, the current tax rate shall be applied to the completed assessment roll taxable valuation of sixty-six million one hundred ninety-one thousand nine hundred fifty-one dollars (\$66,191,951) as required by Michigan Constitution.

TOTAL CITY TAX LEVY FOR GENERAL FUND PURPOSES

July 1, 2014 11.89 per \$1,000.00 of Taxable Value for General Operating, and tax levy of 2.26 per \$1,000.00 for Refuse Collection

CITY TAX LEVY FOR THE DDA DISTRICT ONLY

July 1, 2014 1.542 per \$1,000.00 of Taxable Value levied on the property in the DDA District

and,

BE IT FURTHER RESOLVED, to adopt the following budgets:

INDEPENDENT REVENUE FUNDS

Cemetery Perpetual Care Fund	\$ 2,000
Major Street	\$175,000
Local Street	\$ 81,000
Cemetery	\$ 30,500
DDA Operating Fund	\$328,000
Industrial Park Fund	\$ 31,000
Housing Resource Fund	\$ 5,000
Community Center Operating	\$ 15,000
Sewer Debt Fund	\$337,000
Water Debt Fund	\$ 75,000
Plant Replacement Fund	\$ 6,200
Sewer Fund	\$462,000
Water Fund	\$147,000
Water Replacement Fund	\$ 95,000
Sewer Collection	\$ 58,000
Equipment Fund	\$184,000

and,

BE IT FURTHER RESOLVED that the City Manager is allowed to exceed any line item or department summation within any specific department or fund including both revenues and expenditures providing that the total end of the year expenditures for any fund does not exceed the original appropriation. A council resolution is required to appropriate additional amounts to any expenditure fund total, however, no resolution is required to exceed any revenue fund total.

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

No – None

Motion carried

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Council reviewed the bid from Horizon Seal Coating in the amount of \$2,659.80 for striping of parking areas.

MOTION BY SCHAIBERGER, SECOND BY ERVANS, TO AWARD THE PARKING STRIPING BID TO HORIZON SEAL COATING AT A COST NOT TO EXCEED \$2,649.80.

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY LAWRENCE, TO ADJOURN AT 6:55 P.M.