

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBER OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, AUGUST 5, 2002

Mayor Todd Thompson called the meeting to order at 7:00 p.m.

Present: Mayor Todd Thompson, Council Members Gregory Clark, William Ehinger, Kim Ervans, Paul Frechette, Russell Jackson, Chas Lucas

Absent: None

Other officers present: City Manager Patrick McGinnis, Clerk/Treasurer Jane Tennant, Police Chief Rodger Williams, Attorney Michael Juarez, County Commissioner Clarice Sperry

All stood for the Pledge of Allegiance.

Sharon Fritz introduced the Japanese visitors and Mayor Thompson presented them with the following proclamation:

PROCLAMATION #02-02

BE IT KNOWN, students participating in foreign exchange programs gain valuable insight into diverse cultures, and

BE IT KNOWN, the LABO program began exposing the youth of Japan to the world and the world to the youth of Japan in 1964, and

BE IT KNOWN, a part of LABO's Overseas Homestay Program, six Japanese children and one chairperson visit the West Branch area in 2002.

NOW, THEREFORE, BE IT PROCLAIMED, that Monday, August 5, 2002 be declared LABO Day in the City of West Branch, Michigan, USA, and

BE IT FURTHER PROCLAIMED, that for this day Yukkako Sugihara, Shinji Hirota, Yukiko Sugaya, Takeshi Nagahiro, Chika Togami, Kodai Tkahashi and Yoshio Nakahara are declared honorary citizens of our humble City, and

BE IT FINALLY PROCLAIMED, that the Dry Family, the Fales Family, the Morrell Family, the Nelkie Family, the Sgambelluri Family and the Uhall Family are hereby recognized as International Ambassadors for the City of West Branch.

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Manager McGinnis encouraged Council Members to contact Rick Johnson, Dan DeGrow, Joel Gougeon, and Dale Sheltroun and let these people know that the Governor's veto on revenue sharing needs an override.

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**MOTION BY JACKSON, SECOND BY FRECHETTE, TO RECEIVE AND FILE THE MINUTES OF THE FIRE BOARD MEETING HELD APRIL 16 2002, DDA MEETING HELD APRIL 22, 2002, JOINT DDA/IDC MEETING HELD JUNE 10, 2002, AIRPORT BOARD MEETING HELD JUNE 19, 2002, HOSPITAL BOARD MEETING HELD JUNE 24, 2002, MEDICAL ARTS CENTER MEETING HELD JUNE 25, 2002, AND THE JULY POLICE REPORT.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

No – None

**Motion carried**

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**MOTION BY CLARK, SECOND BY LUCAS, TO APPROVE THE MINUTES AND SUMMARY OF THE REGULAR MEETING HELD JULY 15, 2002.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

No – None

**Motion carried**

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Council reviewed the West Branch Senior Center reservation request from the West Branch Senior Center Inc. Manager McGinnis stated that because we are in litigation with the West Branch Senior Center Inc. our attorney has recommended that the City not extend the use of the building to this group.

**MOTION BY ERVANS, SECOND BY JACKSON, TO DENY THE REQUEST FROM THE WEST BRANCH SENIOR CENTER INC TO USE THE SENIOR CENTER ON DECEMBER 13 AND 14, 2002.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

No – None

**Motion carried**

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**MOTION BY THOMPSON, SECOND BY JACKSON, TO REAPPOINT BONNIE STEVENS TO THE ELECTION BOARD TERM TO EXPIRE 6/30/2004, AND TO REAPPOINT JEFF SCHUBERT AND MICHAEL PUGH TO THE ZONING BOARD OF APPEALS TERMS TO EXPIRE 8/15/2005.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

No – None

**Motion carried**

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Council Member Clark stated he has received a lot of negative comments on the N. Second St. and N. Fourth St. bridges. He asked what the problem was at the N. Second St. bridge that caused the contractor to come back. Manager McGinnis stated that there was an erosion problem, which has been corrected.

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Council Member Ehinger lodged a complaint on 135 S. Second St. He stated that there are no screens in the windows and the ordinance calls for screens. He asked Manager McGinnis to investigate this and notify the owner accordingly.

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Council Member Jackson stated he would like to have the parking spots removed on the east side of N. Second St. between Houghton Ave. and National City drive thru window exit. He stated it is difficult for the exiting vehicles to see traffic turning off of Houghton Ave. heading north on N. Second St. Mayor Thompson stated that there are a number of dangerous areas throughout the City and would caution the Council about removing parking spots. Manager McGinnis stated he would investigate the accident history at this location, he will also have this brought up at the Merchants Association meeting, and he will report back on his findings.

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Police Chief Williams stated he talked with MDOT concerning the N. Third St. traffic light malfunctioning. He was told how to reset it if it should happen again.

\* \* \* \* \*

Council Member Jackson stated he has received a lot of comments concerning the Police Department vehicle being outside of the City limits. He felt this should be investigated. Mayor Thompson stated this type of complaint should not be brought up at City Council but rather the Manager should be contacted. He further stated that if there is a problem after the Manager is contacted than it should be addressed at a Council meeting.

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Council Member Jackson stated that the tables in the park looked good with the new paint but noticed that one had been missed.

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Council Member Lucas reminded everyone to vote tomorrow.

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County Commissioner Sperry reported on the court realignment meeting, law enforcement committee meeting, ballot proposal to separate 911, Group Workcamps, Ogemaw Commission on Aging lease, and the Commission on Aging millage renewal.

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**MOTION BY LUCAS, SECOND BY THOMPSON, TO APPROVE THE BILLS IN THE AMOUNT OF \$112,865.79.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY CLARK, SECOND BY LUCAS, TO APPROVE THE FOUNDATION PRICES AS RECOMMENDED.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY CLARK, SECOND BY EHINGER, TO ALLOW THE OGEMAW COUNTY FAIR BANNER TO BE DISPLAYED ACROSS HOUGHTON AVE. FROM AUGUST 12 THROUGH AUGUST 17.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY THOMPSON, SECOND BY CLARK, TO ADOPT THE FOLLOWING RESOLUTION:**

**RESOLUTION #02-14**

**WHEREAS, the West Branch Community Airport will construct a hangar in the late summer of 2002, and**

**WHEREAS, the Board of the Airport voted at its June and July meetings to borrow \$50,000 over a five year period to finance said construction, and**

**WHEREAS, National City Bank is the lender, and**

**WHEREAS, this debt will be paid using revenues generated from committed hangar rental revenue, and**

**WHEREAS, the financing for this project is undertaken as a joint effort with the County of Ogemaw.**

**NOW, THEREFORE BE IT RESOLVED, that the West Branch City Council hereby authorizes the signature of Manager Patrick McGinnis for the purpose of borrowing \$50,000 to construct an airplane hangar at the West Branch Community Airport consistent with the action of the West Branch Community Airport Board.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY LUCAS, SECOND BY JACKSON, AUTHORIZING MANAGER MCGINNIS TO SIGN THE LOAN EXTENSION AND AMENDMENT ON THE LITTLE LEAGUE LIGHTING PROMISSORY NOTE.**

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY THOMPSON, SECOND BY JACKSON, TO ADOPT THE FOLLOWING RESOLUTION:**

**RESOLUTION #02-13**

**WHEREAS, complexities surrounding the use and occupancy of the West Branch Senior Center made the development of a 2002/2003 budget problematical, and**

**WHEREAS, an advocacy group calling themselves the West Branch Senior Center, Inc. finally vacated the building after the 2002/2003 budget was adopted.**

**NOW, THEREFORE BE IT RESOLVED, that the following budget is adopted for the City Senior Center with the corresponding amendment to the General Fund:**

	Carry Over	July 1 '01 0	July 1 '02 6,130	July 1 '03 2,110
		2001-2002 Amended	2002-2003 Budget	2002-2003 Amended
<b>Revenues</b>				
Commission on Aging		3,000	0	7,200
Rental		2,000	0	4,600
Misc		500	0	500
Transfer from General Fund		10,000	0	5,000
<b>TOTAL</b>		<b>15,500</b>	<b>0</b>	<b>17,300</b>
<b>Expenses</b>				
Wages		3,000	0	4,000
Overtime		200	0	400
Admin Salary		500	0	1,000
Mandatory Medicare		56	0	81
Social Security		47	0	92
Worker's Comp Prem		24	0	47
Operating Supplies		500	0	1,000
Contractual Services		1,000	0	2,000
Communications		250	0	700
Utilities		3,500	0	7,500
Equipment Rental		500	0	1,500
Expenses		500	0	1,000
Capital Acquisitions		5,000	0	2,000

<b>TOTAL</b>	<b>15,076</b>	<b>0</b>	<b>21,320</b>
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**FUND 101 – GENERAL FUND**

	<b>2001-2002 Amended</b>	<b>2002-2003 Budget</b>	<b>2002-2003 Amended</b>
<b>Expenses</b>			
<b>Transfers</b>			
Transfer to Cemetery Fund	2,660	0	0
Transfer to NPP	15,000	0	0
WB Twp PA 425	7,201	7,500	7,500
Transfer to IBLAP	12,057	12,100	12,100
Transfer to Senior Center	10,000	0	5,000
<b>TOTAL</b>	<b>46,918</b>	<b>19,600</b>	<b>24,600</b>
<b>General Fund Total</b>	<b>1,246,746</b>	<b>1,231,861</b>	<b>1,236,861</b>

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY EHINGER, SECOND BY JACKSON, TO ADOPT THE FOLLOWING RESOLUTION:**

**RESOLUTION #02-15**

**WHEREAS, the West Branch City Charter was adopted by the Charter Commission of the City of West Branch September 3, 1975, and**

**WHEREAS, developments since 1975 create conditions whereby the best interests of the City of West Branch may be served by occasionally amending sections of the Charter,**

**NOW, THEREFORE BE IT RESOLVED, that Section 5.7(b) of the West Branch City Charter be amended by changing the wording as follows:**

**Section 5.7(b)**

**PRESENT WORDING**

**The Council shall not grant or authorize extra compensation to any officer or employee after his service has been rendered. The salary of any elective officer shall not be increased or decreased during the term for which he was elected.**

**PROPOSED WORDING**

**The Council shall not grant or authorize extra compensation to any public officer, agent or contractor after the service has been rendered or the contract entered into. The Council shall not grant or authorize extra compensation to any employee after service has been rendered except by a resolution at a regular meeting of the City Council. The salary of any**

elective officer shall not be increased or decreased during the term for which the officer was elected.

and

**BE IT FURTHER RESOLVED**, that these proposed changes be submitted for approval to the Governor of the State of Michigan, and

**BE IT FURTHER RESOLVED**, that the following ballot language (statement of purpose and question) be submitted for approval to the Attorney General of the State of Michigan for the proposed amendment to Section 5.7(b) of the City Charter:

**LOCAL PROPOSAL 02-01**

**Proposal to amend City Charter to allow extra compensation to employees after services have been rendered upon resolution of the City Council:**

**Shall Section 5.7(b) of the West Branch City Charter be amended to allow extra compensation to employees after services have been rendered upon resolution of the City Council?**

\_\_\_\_\_ Yes

\_\_\_\_\_ No

and

**BE IT FURTHER RESOLVED**, that this resolution, setting forth the existing and proposed Charter language, shall be published following the approvals from the Governor and Attorney General of the State of Michigan, and

**BE IT FURTHER RESOLVED**, that the following approval of the proposals by the Governor and Attorney General of the State of Michigan, the ballot measure proposed herein be submitted to a vote of the people of West Branch at the General Election to be held on November 5, 2002.

**Yes – Clark, Ehinger, Ervans, Frechette, Jackson, Lucas, Thompson**

**No – None**

**Motion carried**

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**MOTION BY THOMPSON, SECOND BY CLARK, TO ADJOURN AT 8:00 P.M.**