

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBER OF CITY HALL, 121 NORTH FOURTH STREET, MONDAY, NOVEMBER 22, 2004

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, and Chad Lucas

Absent: None

Other officers present: City Manager William Gascoigne, Clerk/Treasurer Jane Tennant, Police Chief Rodger Williams, Attorney Edward Crawford, and Attorney Dan White

All stood for the Pledge of Allegiance.

MOTION BY CLARK, SECOND BY FRECHETTE, TO APPROVE THE MINUTES AND SUMMARY OF THE REGULAR MEETING HELD NOVEMBER 1, 2004.

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

No – None

Motion carried

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MOTION BY JACKSON, SECOND BY LUCAS, TO RECEIVE AND FILE THE MINUTES OF THE EDC MEETING HELD OCTOBER 18, 2004; ZONING BOARD OF APPEALS MEETING HELD OCTOBER 26, 2004; PLANNING COMMISSION MEETING HELD OCTOBER 26, 2004; POLICE REPORT FOR OCTOBER; AND THE TREASURER’S REPORT FOR OCTOBER.

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

No – None

Motion carried

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MOTION BY LUCAS, SECOND BY JACKSON, TO RESCHEDULE THE COUNCIL MEETINGS IN JANUARY TO BE HELD ON JANUARY 10, 2005 AND JANUARY 24, 2005.

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

No – None

Motion carried

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Council Member Jackson reported on the construction progress at the West Branch Community Airport. He also noted that they purchased a snowplow and they are looking at the possibility of purchasing a de-icer.

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Council Member Clark asked what the status was of the building at 105 W. Houghton Ave. Manager Gascoigne stated that the owner is looking at demolishing the building and constructing a new building at this location. He further stated that the owner is planning a winter construction period with the project to be complete in the spring. Council Member Clark asked that Manager Gascoigne contact the owner and ask him to demolish the current structure as soon as possible. Mr. Clark noted that there are some windows missing from the building and feels it is a dangerous situation.

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Manager Gascoigne presented the Council with the MERS Retiree Benefit for current retirees. He explained that when the six retirees retired from the City they did not retire with the cost of living benefit. He stated that in order to give them a 2 % increase the Council must adopt a resolution authorizing MERS to apply this increase. Mr. Gascoigne stated that the cost to the City would be \$358 per year to give this benefit to current retirees.

MOTION BY THOMPSON, SECOND BY ERVANS, DIRECTING MANAGER GASCOIGNE TO DRAW UP A RESOLUTION APPROVING THE RETIREE BENEFIT AND PRESENT IT AT THE NEXT REGULAR COUNCIL MEETING.

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

No – None

Motion carried

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MOTION BY JACKSON, SECOND BY LUCAS, TO APPROVE THE OCTOBER FINANCIAL STATEMENT AS PRESENTED.

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

No – None

Motion carried

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MOTION BY LUCAS, SECOND BY THOMPSON, TO APPROVE THE BILLS IN THE AMOUNT OF \$109,910.05.

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

No – None

Motion carried

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

RESOLUTION #04-18

WHEREAS, it has been determined that the Major Street Fund of the City of West Branch owes the IBLAP fund \$11,932.37 that was not budgeted, and

WHEREAS, the Housing Department did not budget to reimburse wages for work done in the Senior Center and it appears that reimbursement is needed to help subsidize the Senior Center, and

WHEREAS, it is the City's intent to pay these monies in this fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the City Council amends the budget to reflect the transfer of funds from Major Street to IBLAP and from Housing Department to the Senior Center as follows:

	Budgeted	Amended
Fund 202 – Major Street Fund		
Carry Over	274,470	262,538
Expenditures:		
202-965.000-986.700 Transfer to IBLAP	0	11,932
TOTAL	0	11,932
Fund 709 - IBLAP Fund		
Carry Over	24,395	36,327
Revenue		
709-000.000-680.400	0	11,932
TOTAL	0	11,932
Fund 274 – Housing Fund		
Carry Over	44,428	43,283
Expenditures:		
274-965.000-984.700 Trans to Senior Center	0	1,145
TOTAL	0	1,145
Fund 277 – Senior Center		
Carry Over	-351	794
Revenue:		
277-000.000-678.400 Trans from Housing	0	1,145
TOTAL	0	1,145

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

No – None

Motion carried

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MOTION BY LUCAS, SECOND BY JACKSON, TO ADOPT ORDINANCE #04-01 ENTITLED, "AN ORDINANCE TO AMEND §152.021 OF THE CITY OF WEST BRANCH CODE OF ORDINANCES ENTITLED 'CHAPTER 152: ZONING CODE'".

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

No – None

Motion carried

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Manager Gascoigne stated that N. First St. is in line to received Federal and State money through the Rural Task Force in the amount of \$165,000. He further stated that the City would need to contribute \$41,000 for a total project of \$206,000. He informed the Council that Wilcox drew preliminary sketches and the total project cost of \$206,000 includes curb and gutter and parking on both sides of N. First St. He asked Council if this is how they want to proceed with this project. He also gave Council information on other ways this project could be handled. It was the consensus of the Council to construct N. First St. with curb and gutter and parking on both sides as long as it does not cost too much to relocate the utility lines. Manager Gascoigne was directed to work with Wilcox and Assoc. to draft the final design.

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Council reviewed the bids on job #54-MEDC as follows:

Sunset Enterprises – West Branch	\$21,282.00
John Clayton Construction – West Branch	\$21,547.00

MOTION BY LUCAS, SECOND BY ERVANS, TO AWARD THE BID ON JOB #54-MEDC TO SUNSET ENTERPRISES IN THE AMOUNT OF \$21,282.00.

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

No – None

Motion carried

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Council Member Ehinger informed the Council that the Charter Cable TV rates were increasing again.

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MOTION BY THOMPSON, SECOND BY FRECHETTE, TO GO INTO CLOSED SESSION AT 7:16 P.M. UNDER MCLA 15.268 SECTION 8(e).

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY JACKSON, TO RECONVENE IN OPEN SESSION AT 8:18 P.M.

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

No – None

Motion carried

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MOTION BY THOMPSON, SECOND BY JACKSON, TO ALLOW ATTORNEY DAN WHITE TO CONSUMMATE THE SETTLEMENT AS PLACED ON THE RECORD IN THE CIRCUIT COURT AND TO DIRECT THAT HE PREPARE THE APPROPRIATE STIPULATION TO DISMISS AND RELEASE FOR ADMINISTRATIVE APPROVAL IN THE CASE CONCERNING WEST BRANCH SENIOR CENTER, INC.

Yes – Clark, Ehinger, Jackson, Lucas, Thompson

No – Ervans, Frechette

Motion carried

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MOTION BY THOMPSON, SECOND BY FRECHETTE, TO ADJOURN AT 8:20 P.M.