

A Regular Meeting of the Otsego City Commission was held Wednesday, January 3, 2018.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Nick Breedveld, Tom Gilmer, Stacey Withee, and Jim Misner. Absent: None. Also present: Fire Chief, Brandon Weber; Interim City Manager/Finance Director Storbeck and Interim City Manager/Police Chief Konkle.

The audience joined the Commission in the Pledge of Allegiance.

The Regular Meeting Minutes of December 4, 2017, were approved.

**I. PRESENTATIONS:**

A. NEW EMPLOYEE INTRODUCTION – Taylor Currie, Part-Time DPW Employee  
DPW Supervisor, Mike Bosch introduced the new permanent part-time DPW Employee Taylor Currie. He stated that Mr. Currie began employment with the City in June. The Commission welcomed Mr. Currie and his family.

**II. PUBLIC HEARING:**

**III. PLANNING AND ZONING:**

**IV. ORDINANCES:**

**V. REQUESTS:**

A. CONSIDERATION OF TRANSFER STATION COUPON PROGRAM -  
DISTRIBUTION OF COUPONS BEGINNING IN FEBRUARY - COUPONS  
EXPIRING DECEMBER 29, 2018

Commissioner Withee moved to grant the request to distribute Transfer Station Coupons beginning in February 2018, with the coupons expiring on December 29, 2018, seconded by Commissioner Gilmer. CARRIED UNANIMOUSLY

B. CONSIDERATION OF REQUEST TO SET A PUBLIC HEARING TO  
ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT  
CHARGES FOR CITY SERVICES ON FEBRUARY 5, 2018

Finance Director/ Interim City Manager Storbeck commented that there are two unpaid invoices. He explained that he will send letters with the invoices showing the Public Hearing date. Commissioner Gilmer moved to set a public hearing to establish Single Premise Assessments for Delinquent Charges for City services on February 5, 2018, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

**VI. AGREEMENTS:**

**VII. RESOLUTIONS:**

A. CONSIDERATION OF RESOLUTION NO. 2017-01 – A RESOLUTION TO  
MOVE MARCH 2018 BOARD OF REVIEW STARTING DATE

Commissioner Gilmer offered the following resolution and moved for its adoption, seconded by Commissioner Withee.

CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN  
RESOLUTION NO. 2018-01

RESOLUTION TO MOVE MARCH 2018 BOARD OF REVIEW START DATE

WHEREAS, the City Assessor will be unable to attend the established start date for the 2018 March Board of Review which is the second Monday of March, March 12, 2018; and

WHEREAS, Michigan Compiled Law 211.30(2) allows the governing body of a city to authorize an alternative starting date of the Tuesday or Wednesday following the second Monday of March;

THEREFORE, BE IT RESOLVED, THAT THE Otsego City Commission hereby approves the starting date of the 2018 March Board of Review as Tuesday, March 13, 2018.

YEAS: Commissioners: Cyndi Trobeck, Tom Gilmer, Nick Breedveld, Stacey Withee, Jim Misner.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2018-02 - A RESOLUTION  
WAIVING PENALTY AND INTEREST FOR FAILURE TO FILE A PROPERTY  
TRANSFER AFFIDAVIT

Finance Director/ Interim City Manager Storbeck stated that the City is obligated by law to collect a penalty for property transfer affidavits submitted more than forty-five days after the transfer, unless waived by resolution. Therefore, the City's Assessor asked that a resolution be prepared and presented authorizing the waiving of the penalties. A lengthy discussion took place. Commissioner Gilmer offered the following resolution and moved for its adoption, seconded by Commissioner Misner.

CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN  
RESOLUTION NO. 2018-02

RESOLUTION WAIVING PENALTY FEES AND INTEREST  
FOR FAILURE TO FILE A PROPERTY TRANSFER AFFIDAVIT

WHEREAS, Section 211.27a, of the General Property Tax Act requires the buyer, grantee or other transferee of property to file a property transfer affidavit as prescribed by the State Tax Commission, with the appropriate Assessing Officer in the local unit of government in which the property is located; and

WHEREAS, Section 211.27b, of the General Property Tax Act imposes penalties for the failure to file a Property Transfer Affidavit after 45 days have elapsed; and

WHEREAS, Section 211.27b, of the General Property Tax Act provides that the local governing body may waive, by Resolution, the penalties levied for the failure to file a Property Transfer Affidavit; and

WHEREAS, the City of Otsego hereby waives the penalties for the failure to file a Property Transfer Affidavit within 45 days of transfer;

NOW THEREFORE BE IT HEREBY RESOLVED, that the Otsego City Commission hereby waives penalties under Section 211.27b, of the General Property Tax Act;

IT IS FURTHER RESOLVED, that the Clerk of the City of Otsego is hereby directed to send a certified copy of this Resolution to the City Assessor and to the Director of the Allegan County Equalization Department;

IT IS FURTHER RESOLVED, that all resolutions or parts of resolutions in conflict herewith are hereby repealed.

YEAS: Commissioners: Cyndi Trobeck, Tom Gilmer, Stacey Withee, Jim Misner.

NAYS: Commissioners: Nick Breedveld.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None

RESOLUTION DECLARED ADOPTED.

### **VIII. APPOINTMENTS:**

#### **A. CONSIDERATION OF APPOINTMENT OF BOARD OF REVIEW MEMBERS – LINDA ELDRED, RICHARD DELONG, AND AMBER MILANI TERMS TO EXPIRE DECEMBER 31, 2018**

Commissioner Withee moved to confirm the Mayor's appointment of Linda Eldred, Richard DeLong, and Amber Milani to the Board of Review, terms to expire December 31, 2018, seconded by Commissioner Breedveld. CARRIED UNANIMOUSLY

### **IX. DISCUSSION ITEMS:**

#### **A. DISCUSSION REGARDING - MARIHUANA**

A lengthy discussion took place regarding how the City Commission wants to proceed with the potential resolutions for the City of Otsego to opt-in or opt-out of the operation of medical marihuana facilities. The possibility of the eventual approval of recreational marihuana was discussed. The pros and cons were ultimately outline and discussed at length.

Commissioner Breedveld moved to table the marihuana discussion until the next meeting, seconded by Mayor Trobeck. NOT CARRIED. Misner – No; Withee – No; Gilmer – No; Breedveld – Yes; Trobeck – No.

Commissioner Gilmer moved to direct the City Clerk to prepare and present a marihuana opt-out resolution, at the January 15, 2018 meeting, seconded by Commissioner Withee. CARRIED. No – Commissioner Breedveld.

### **MANAGER'S REPORT**

1. The Interim Managers answered questions of the Commission at this time.
2. Commissioner Breedveld asked DPW Supervisor Bosch the protocol for when the roads are plowed. Mr. Bosch explained the process.
3. Commissioner Breedveld asked Fire Chief Weber for an update on the new employee working at the Fire Department. Chief Weber gave a brief update.

### **COMMUNICATIONS**

None.

### **REMARKS FROM THE AUDIENCE**

None.

### **COMMISSIONERS' COMMENTS**

Commissioner Breedveld – he welcomed new employee Taylor Currie.

Commissioner Withee – she thanked the DPW and the WWTP staff for the extra issues in regards to plowing and the water mains.

Commissioner Misner – he concurred with Commissioner Withee. He commented that it was nice how the roads were clear on Christmas Day.

Mayor Trobeck – she thanked Taylor Currie and his family (Tayler and Maddison) for attending the meeting and welcomed them. She thanked the Fire Department Officers for attending the meeting. She also thanked the DPW Staff and Water Department for their extra work.

The meeting was adjourned on a motion by Commissioner Misner, seconded by Commissioner Gilmer. CARRIED – 7:52 p.m.

Angela M. Cronen, MMC  
City Clerk