

A Regular Meeting of the Otsego City Commission was held Monday, April 2, 2018.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Tom Gilmer, Nick Breedveld, Stacey Withee and Jim Misner. Absent: None.

Also present: WWTP Superintendent, Luke Keyzer; Fire Chief, Brandon Weber; Police Chief, Gordon Konkle; Finance Director, Matthew Storbeck; and City Manager, Aaron Mitchell.

The audience joined the Commission in the Pledge of Allegiance.

The March 19, 2018, Meeting Minutes were approved.

I. PRESENTATIONS:

A. PRESENTATION BY HEIDI DENTON FROM PREVENTION WORKS – MARIHUANA

Heidi Denton from Prevention Works, along with Allegan County Prosecutor Myrene Koch and Lt. Brett Ensfield of the Allegan County Sheriff's Department, gave a presentation reviewing the effects of marihuana use. Ms. Denton, also covered how adolescents are using marihuana and its availability. Statistics and trends were presented for all types of substances. They answered questions of the Commission. The Commission thanked them for the detailed presentation.

B. PRESENTATION OF 2018-2019 ANNUAL APPROPRIATIONS BILL - MAJOR STREET FUND; LOCAL STREET FUND; STREET AND BRIDGE FUND; AND SPECIAL ASSESSMENT CAPITAL IMPROVEMENT FUND

Finance Director Matthew Storbeck presented the Major Street Fund, Local Street Fund, Street and Bridge Fund, and the Special Assessment Capital Improvement Fund for the fiscal year 2018-2019. Anticipated revenue for the Major Street Fund is \$347,845, and anticipated expense is \$235,560. Major Street capital improvement projects are planned in the amount of \$19,400. Anticipated revenue for the Local Street Fund is \$183,915, and anticipated expense is \$239,860. Local Street capital improvement projects are planned in the amount of \$63,075. Anticipated revenue for the Street and Bridge Fund is \$85,750, and anticipated expense is \$60,600. Anticipated revenue for the Special Assessment Capital Improvement Fund is \$8,670, and anticipated expenditures are \$0.00.

C. PRESENTATION OF 2018-2019 ANNUAL APPROPRIATIONS BILL - WATER FUND AND SEWER FUND

Finance Director Matthew Storbeck presented the Water and Sewer Funds for the fiscal year 2018-2019. Anticipated revenue for the Water Fund is \$625,585, and anticipated expense is \$741,245. Water capital improvement projects are planned in the amount of \$120,000. Anticipated revenue for the Sewer Fund is \$928,015, and anticipated expense is \$892,660. Sewer Fund capital improvement projects are planned in the amount of \$10,000. He noted that there is a proposed increase in the base Readiness to Serve Fee in the Sewer Fund from \$33.63 to \$36.99; and an increase in the commodity charge from \$7.15 to \$7.51/1,000 gallons; the Water Fund Base Readiness to Serve Fee will be increased from \$15.38 to \$18.46; and an increase in the commodity charge from \$2.04 to \$2.16/1,000 gallons. The Readiness to Serve Fees illustrated are based on 5/8"-3/4" residential service meters.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

- A. FIRST READING OF ORDINANCE #160 – AN ORDINANCE TO AMEND SECTION 26-4 OF THE CODE OF ORDINANCES TO ENSURE COMPLIANCE WITH THE MICHIGAN ELECTION LAW

Manager Mitchell explained Ordinance #160, indicating that the ordinance will correct the filing time, which was previously set in Ordinance #159. The Commissioner petition filing deadline will be at 5pm, on the August Primary date. The second reading and consideration of adoption will be on the April 16, 2018, agenda.

V. REQUESTS:

- A. CONSIDERATION OF A REQUEST FROM CHRISTIAN NEIGHBORS TO PLACE A SANDWICH BOARD SIGN AT THE MAIN FOUR CORNERS FROM APRIL 3 UNTIL MAY 2, 2018, ADVERTISING THEIR ANNUAL REFLECTIONS OF HOPE FUNDRAISER

Commissioner Withee moved to grant a request from Christian Neighbors to place a sandwich board sign at the main four corners from April 3, until May 2, 2018, advertising their Annual Reflection of Hope Fundraiser, seconded by Commissioner Misner. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

- A. CONSIDERATION OF A ONE YEAR AGREEMENT WITH M.N.S LAWN CARE FOR LAWN CARE SERVICES

Mayor Trobeck commented that she had requested that this item be put back on the agenda, since additional information was provided to the Commission as requested. Commissioner Gilmer moved to authorize the execution of a one year agreement with M.N.S Lawncare for lawn care services, as presented, seconded by Commissioner Withee. CARRIED UNANIMOUSLY.

- B. CONSIDERATION OF AN AMENDMENT TO A LICENSE AGREEMENT WITH MAUDE’S – DATES OF CLOSURE OF ALLEY

Mayor Trobeck introduced Mark McPherson, of Maude’s. Mr. McPherson explained that since they will be opening 117 E. Allegan Street, the MLCC is requiring that the businesses be connected on the exterior of the building, which would become a permanent outdoor space. The current agreement stipulates specific dates, the amendment will be from January 1, to December 31. Commissioner Breedveld moved to authorize the Mayor and City Clerk to amend the License Agreement with Maude’s, to change the dates of the closure of the alley, seconded by Commissioner Misner. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

- A. CONSIDERATION OF RESOLUTION NO. 2018-08 – A RESOLUTION REVISING THE CITY’S FILING DATE FOR PETITIONS FOR THE OFFICE OF CITY COMMISSIONER

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

CITY OF OTSEGO
MICHIGAN
RESOLUTION NO. 2018-08

A RESOLUTION REVISING THE CITY'S FILING DATE FOR PETITIONS
FOR THE OFFICE OF CITY COMMISSIONER

WHEREAS, Public Act 276 of 2012 has amended the Michigan Election Law to provide a due date for nominating petition for many public offices, including the office of Otsego City Commissioner; and

WHEREAS, according to Section 26-4 of the City Code, the deadline for filing nominating petitions for the office of City Commissioner shall be 4:00 p.m., local time, on the 12th Tuesday prior to the City's general election in November; and

WHEREAS, the deadline date provided in Section 26-4 is inconsistent with the Michigan Election Law; and

WHEREAS, Section 3b of the Home Rule City Act (MCL 117.3b) provides that a City may modify by resolution any election provision that is inconsistent with the Michigan Election Law.

Now, therefore, the City Commission resolves as follows:

1. As provided by the Home Rule City Act, the City's charter shall be modified to be consistent with the Michigan Election Law and shall provide for the submission of nomination petitions as follows: the deadline for filing nominating petitions for the office of City Commissioner shall be no later than 5:00 p.m., local time, on the date of the August Primary.
2. Consistent with the aforementioned action, the City Commission will amend Section 26-4 of the City Code to ensure consistency with the Michigan Election Law.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2018-09 – A RESOLUTION TO
NAME AN AUTHORIZED REPRESENTATIVE, TO ACT ON BEHALF OF
THE CITY, FOR THE CITY OF OTSEGO WWTP IMPROVEMENTS, CWSRF
5638-01 PROJECT

This resolution is to name Manager Mitchell as the authorized representative for the WWTP Improvement Project. Previously Clerk Cronen was named the representative until a City Manager has hired.

Commissioner Breedveld offered the following Resolution and moved for its adoption, supported by Commissioner Misner.

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2018-09

A RESOLUTION TO NAME AN AUTHORIZED REPRESENTATIVE, TO ACT ON BEHALF OF THE CITY, FOR THE CITY OF OTSEGO WWTP IMPROVEMENTS, CWSRF 5638-01, PROJECT

WHEREAS, the City of Otsego, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on June 1, 2015 will be funded through Michigan's Clean Water State Revolving Loan Fund (CWSRF) Program; and

WHEREAS, the City of Otsego, Michigan is required, as a condition of funding, to have an appointed authorized representative to act on its behalf; and

WHEREAS, the current authorized representative, City Clerk, Angela Cronen, who was the Acting City Manager is no longer acting in that position, as a new City Manager has been hired; and

NOW THEREFORE BE IT RESOLVED, that the City of Otsego, Michigan appoints the City Manager, a position currently held by Aaron Mitchell, as its authorized representative for the project.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

1. Manager Mitchell gave an update on the following: he read a prepared statement in regards to the City's water quality; and he recently toured the Fire Department.
2. Manager Mitchell answered questions of the Commission at this time.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Gale Dugan, County Commissioner – he gave a County Commission update. He also welcomed Commissioner Misner back.

Robert Alway, 1012 Barton – he thanked Finance Director Storbeck for his presentation. He thanked him for stating the cash amounts for the accounts.

Dave Cook, 416 W. Orleans – he addressed the Commission regarding the blight conditions on the 300 Block of West Orleans Street. He presented the Commission with pictures of the blight. He explained that he has been working with the Police Chief. Chief Konkle commented that Mr. Cook has been very patient and he is concerned about his neighborhood. Mr. Cook stated that he has dealt with blight issues on his street for twenty three years. He also voiced his concerns with the old Allegan Street School. He gave a detailed timeline of the events at the site and believes that it has become a hazard. Mr. Cook read a prepared statement. Mr. Cook also requested that the properties that he mentioned should be looked at again, and the ordinances enforced. He indicated that he is requesting that the City adopt a Blight Ordinance. Manager Mitchell will be investigating a Blight Ordinance for the City. The Commission thanked Mr. Cook for his comments.

COMMISSIONERS' COMMENTS

Commissioner Breedveld – he commented that the crossing lights on North and South Farmer Street are not functioning. Mayor Trobeck commented that the push buttons on the crosswalks are now functioning and need to be pushed to activate the crosswalk. He indicated that he would like to have another discussion on Marihuana with a public hearing. He asked that a workshop meeting be scheduled to discuss economic development.

Commissioner Gilmer – he thanked Finance Director Storbeck for a wonderful presentation and his level of expertise is a big deal. He stated that he is glad that Commissioner Misner is back. He commented that he is impressed with the way Manager Mitchell has dealt with the Justice for Otsego Group. He gave kudos to the young people of the Justice for Otsego Group. He said they will lead us to where we need to be. He stated that it is impressive that they have kept it civil and respectful, and it is imperative that this continues. He stated that pointing fingers in this situation does not work. He read a prepared statement. He commented that he will be at the meeting on April 14th.

Commissioner Withee – she commended and thanked Finance Director Storbeck for his presentation. She commented that we should get the communities perspective and what they want in regards to the marihuana dispensaries. She commented that there have been continued conversations on what to do with the Allegan Street School. She thanked Mr. Cook for bringing the blight concerns to the Commission. She commented that a blight ordinance needs to be looked at to bring these properties to our attention.

Commissioner Misner – He thanked everyone for attending the meeting. He stated that it is good to be back and he is gaining a little strength every day. He stated that there are some large issues in front of the Commission and there will need to be a lot of input from our City residents. He encouraged residents to report issues. He welcomed new City Manager Aaron Mitchell.

Mayor Trobeck – she also encouraged residents to talk to Commission. She thanked Finance Director Storbeck for his presentation. She welcomed back Commissioner Misner.

The meeting was adjourned on a motion by Commissioner Gilmer, seconded by Commissioner Withee. CARRIED – 9:30 p.m.

Angela M. Cronen, MMC
City Clerk