

A Regular Meeting of the Otsego City Commission was held Monday, July 1, 2019.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Stacey Withee, and Brent Milhiem. Absent: Lauri Krueger. Also present City Manager Mitchell.

The audience joined the Commission in the Pledge of Allegiance.

The June 17, 2019, Regular Minutes and Closed Minutes were approved as submitted.

Commissioner Milhiem moved to amend the agenda to go into Closed Session to discuss the written legal opinion with the City Attorney in regards to the matter of Ransbottom vs. City of Otsego, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

## **REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS**

None.

### **I. APPOINTMENTS:**

- A. CONSIDERATION OF THE MAYOR'S APPOINTMENT OF DUSTIN MCNEES TO FILL THE UNEXPIRED TERM OF FORMER COMMISSIONER NICK BREEDVELD, TERM ENDING NOVEMBER, 2020

Mayor Trobeck had Mr. McNees introduce himself to the Commission and audience. Mr. McNees gave a brief introduction. Commissioner Withee moved to confirm the Mayor's appointment of Dustin McNees to fill the unexpired term of former Commissioner Nick Breedveld, term ending November, 2020, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY.

- B. SWEARING IN OF NEW COMMISSIONER BY CLERK CRONEN

At this time, Clerk Cronen swore in new City Commissioner Dustin McNees. The Commission welcomed Commissioner McNees.

### **II. PRESENTATIONS:**

- A. BY COUNTY COMMISSIONER GALE DUGAN

Commissioner Dugan gave an update on the most recent County Commission activities. He congratulated Commissioner McNees and stated that he appreciated him serving the community.

### **III. PUBLIC HEARING:**

### **IV. PLANNING AND ZONING:**

### **V. ORDINANCES:**

**A. SECOND READING AND ADOPTION OF ORDINANCE NO. 164 - AN ORDINANCE TO INCLUDE CITY COMMISSIONER ETHICS POLICY**

Manager Mitchell gave a brief overview of the Ethics Policy Ordinance. He explained that it clearly states what is expected of the Commissioners. There is an acknowledgement of ethics form and once it is signed it will be put in their personnel file. Commissioner Withee Moved to adopt Ordinance No. 164 – an Ordinance to include City Commissioner Ethics Policy, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY.

**B. SECOND READING AND ADOPTION OF ORDINANCE NO. 165 - AN ORDINANCE TO AMEND THE FIREWORKS ORDINANCE**

Manager Mitchell briefly explained the revised Fireworks Ordinance will comply with new State laws. He stated that the ordinance will go into effect on July 21, 2019. Commissioner Milhiem moved to adopt Ordinance No. 165 – an Ordinance to amend the Fireworks Ordinance, seconded by Commissioner Withee. CARRIED UNANIMOUSLY.

**VI. REQUESTS:**

**A. CONSIDERATION OF A REQUEST FROM THE GUS MACKER ORGANIZATIONAL COMMITTEE AND THE OTSEGO DDA/MAIN STREET TO CLOSE VARIOUS STREETS AND THE USE OF PUBLIC PARKING LOTS FROM AUGUST 22, 2019, TO AUGUST 25, 2019, AS PRESENTED**

DDA/Main Street Chairman, Marty Bennett was in attendance to answer questions of the Commission. He commented that the event will be the same as the last four years. He was asked how many teams participate and he indicated usually around three hundred teams. Commissioner Withee moved to grant the request from the Gus Macker Organizational Committee and the Otsego DDA/Main Street to close various streets and the use of public parking lots from August 22, 2019, to August 25, 2019, as presented, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY.

A resident of West Orleans Street stated that they have invited players into their homes to get out of the heat. He stated that the players love to play at Otsego, because they get to play in the streets.

**B. CONSIDERATION OF A REQUEST FROM RESIDENTS OF EAST ORLEANS STREET TO HOLD THEIR 7<sup>TH</sup> ANNUAL BLOCK PARTY IN THE 300 BLOCK OF WEST ORLEANS STREET FROM 1:00 P.M. UNTIL 5:00 P.M., ON JULY 21, 2019**

A group from the 300 Block of Orleans Street was in attendance to answer questions regarding the event and to also invite people to come to the Block Party. They stated that they would like to keep the tradition of the Block Party in memory of Gary Zantello. Commissioner Withee commented that she has been attending for the past couple of years and they always make you feel welcome. Commissioner Milhiem moved to grant the request from the residents of West Orleans Street to hold their 7<sup>th</sup> Annual Block Party in the 300 Block of West Orleans Street from 1:00 p.m. until 5:00 p.m., on July 21, 2019,

seconded by Commissioner Withee. CARRIED UNANIMOUSLY.

## **VII. AGREEMENTS:**

- A. CONSIDERATION OF A LICENSE AGREEMENT WITH THE OTSEGO DDA/OTSEGO MAIN STREET FOR THE GUS MACKER EVENT – AUGUST 22 - 25, 2019

Commissioner Withee moved to authorize the Mayor and City Clerk to enter into an agreement with the Otsego DDA/Otsego Main Street for the Gus Macker event – August 22-25, 2019, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY.

## **VIII. RESOLUTIONS:**

## **IX. DISCUSSION ITEMS:**

### **MANAGER'S REPORT**

1. He gave updates on the following: the City has started their new fiscal year; Budget adjustment for Chip Sealing on Dix and Washington Streets; the Otsego dam will be removed after Trowbridge dam; replacing of new water meters; and Mud Volleyball deadline is July 9<sup>th</sup>.
2. He asked for further questions or comments regarding his written Manager's Report submitted to the Commission in their weekly packet.

### **COMMUNICATIONS**

None.

### **REMARKS FROM THE AUDIENCE**

None.

### **COMMISSIONERS' COMMENTS**

Commissioner Milhiem – he commented to enjoy and celebrate the 4<sup>th</sup> of July with your families, celebrating our great independence, in the greatest country. He commented to cheer on the USA as they will be playing the World Cup tomorrow. He reminded everyone with summer approaching to visit and enjoy the downtown, visit a local business, and support our local businesses.

Commissioner Withee – she welcomed Commissioner McNees. She thanked the audience for attending.

Commissioner McNees – he thanked the Commission for voting him on to the Commission. He thanked his family for attending.

Mayor Trobeck – she welcomed Commissioner McNees. She reminded everyone of the upcoming Gus Macker Tournament and Block Party on West Orleans. She thanked Commissioner Dugan for keeping everyone so well informed. She commented that she was excited to see the new Otsego seal in the back alley where construction was just

completed.

**CLOSED SESSION**

- A. TO DISCUSS A WRITTEN LEGAL OPINION WITH THE ATTORNEY FOR THE CITY IN THE MATTER OF RANSBOTTOM VS. CITY OF OTSEGO

Commissioner Milhiem moved to go into Closed Session to discuss the written legal opinion with the attorney for the City, in the matter of Ransbottom vs. City of Otsego, seconded by Commissioner Withee. CARRIED UNANIMOUSLY 7:25 p.m.

Commissioner Withee moved to adjourn the Closed Meeting and reconvene the Regular Meeting seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY. 7:48 p.m.

Commissioner McNees moved to approve the settlement agreement in the Ransbottom case, as presented in Closed Session, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

The meeting was adjourned on a motion by Commissioner Milhiem, seconded by Commissioner Withee. CARRIED – 7:50 p.m.

Angela M. Cronen, MMC