

A Regular Meeting of the Otsego City Commission was held Monday, October 21, 2019.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Stacey Withee, Lauri Krueger, Dustin McNees and Brent Milhiem. Absent: None. Also present City Manager Mitchell, Police Chief Konkle, and Fire Chief Weber.

The audience joined the Commission in the Pledge of Allegiance.

The October 7, 2019, Regular Meeting Minutes were approved as submitted.

**REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS**

None.

**I. PRESENTATIONS:**

**A. GREG KING LAKESHORE ADVANTAGE PRESENTATION**

Mr. Greg King, the Business Manager of the Allegan County area for Lakeshore Advantage, presented an economic update for our area.

**B. ALLEGAN COUNTY COMMISSIONER – GALE DUGAN**

Commissioner Dugan presented his update on the most recent County Commission activities.

**C. PROCLAMATION 2019-01 – KATHY BAILEY**

Mayor Trobeck presented Proclamation No. 2019-01 to Ms. Bailey. Mayor Trobeck explained that in 1979, Ms. Bailey designed the City logo and won a one hundred dollar prize. She was presented with the Proclamation and a City flag with the logo she designed.

PROCLAMATION NO. 2019-01

THE CITY COMMISSION OF  
THE CITY OF OTSEGO, MICHIGAN  
DESIRES TO CONVEY TO

DR. KATHY BAILEY

AN EXPRESSION OF  
SINCERE APPRECIATION FOR DESIGNING  
THE CITY OF OTSEGO LOGO IN 1979

FURTHER, LET IT BE KNOWN  
THAT THIS PROCLAMATION WILL BE  
SPREAD UPON THE PERMANENT RECORD  
OF THE REGULAR MEETING OF  
THE OTSEGO CITY COMMISSION  
HELD OCTOBER 21, 2019

**II. PUBLIC HEARING:**

**III. PLANNING AND ZONING:**

**IV. ORDINANCES:**

**V. REQUESTS:**

- A. CONSIDERATION OF A REQUEST FROM THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE FOR VARIOUS STREET CLOSURES AND AN OPEN FIRE IN FRONT OF THE CHAMBER BUILDING DURING THE HOMETOWN CHRISTMAS EVENT ON DECEMBER 7, 2019, AS PRESENTED

Commissioner Withee moved to grant the request from the Otsego/Plainwell Chamber of Commerce for various street closures and an open fire in front of the Chamber Building during the Hometown Christmas event on December 7, 2019, as presented, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

- B. CONSIDERATION OF A REQUEST FROM THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE TO DISPLAY "LIFE-SIZE" CHRISTMAS CARDS AT BROOKSIDE PARK FROM DECEMBER 2, 2019, THROUGH JANUARY 3, 2020

Commissioner Krueger moved to grant a request from the Otsego/Plainwell Chamber of Commerce to display "life-size" Christmas Cards at Brookside Park from December 2, 2019, through January 3, 2020, seconded by Commissioner McNeas. CARRIED UNANIMOUSLY

- C. CONSIDERATION OF A REQUEST FROM OTSEGO DDA/MAIN STREET FOR VARIOUS STREET AND SIDEWALK CLOSURES AS PRESENTED - FROM 4:00 P.M. UNTIL 8:00 P.M. FOR THE LIGHTING OF THE CHRISTMAS TREE AND OTHER EVENTS AT VARIOUS TIMES THROUGHOUT THE DAY ON DECEMBER 7, 2019

Commissioner Milhiem moved to grant the request from the Otsego DDA/Main Street for various streets and sidewalk closures as presented, from 4:00 p.m. until 8:00 p.m. for the lighting of the Christmas tree and other events at various times throughout the day, on December 7, 2019, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

**VI. AGREEMENTS:**

- A. CONSIDERATION OF LICENSE AGREEMENT WITH THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE FOR THE USE OF VARIOUS CITY STREETS, & SIDEWALKS FOR THE HOMETOWN CHRISTMAS PARADE AND ACTIVITIES ON DECEMBER 7, 2019

Commissioner Krueger moved to authorize the Mayor and City Clerk to enter into a License Agreement with the Otsego/Plainwell Chamber of Commerce for the use of various City streets and sidewalks for the Hometown Christmas Parade and activities on December 7, 2019, seconded by Commissioner McNeas. CARRIED UNANIMOUSLY

**B. CONSIDERATION OF LICENSE AGREEMENT WITH OTSEGO DDA/MAIN STREET FOR THE USE OF VARIOUS CITY STREETS, SIDEWALKS & CERTAIN OTHER PROPERTIES FOR THE HOMETOWN CHRISTMAS ACTIVITIES ON DECEMBER 7, 2019**

Commissioner McNees moved to authorize the Mayor and City Clerk to enter into a License Agreement with the Otsego DDA/Main Street for the use of various City streets, sidewalks and certain other properties for the Hometown Christmas activities on December 7, 2019, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

**VII. RESOLUTIONS:**

**A. CONSIDERATION OF RESOLUTION NO. 2019-22 - A RESOLUTION REQUESTING PERMISSION FROM THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 7, 2019**

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

**CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN  
RESOLUTION NO. 2019-22**

**A RESOLUTION REQUESTING PERMISSION FROM THE  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 7, 2019**

WHEREAS, the City of Otsego hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation commission, the DEPARTMENT, and all officer, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons and, for loss of, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.

2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the COMPANY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.
4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.
5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the City Manager or City Clerk of the City of Otsego are hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights of way on behalf of the GOVERNMENTAL BODY.

YEAS: Commissioners: Cyndi Trobeck, Stacey Withee, Brent Milhiem, Laurie Krueger, & Dustin McNees.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

## **VIII. APPOINTMENTS:**

## **IX. DISCUSSION ITEMS:**

### **MANAGER'S REPORT**

1. He gave updates on the following: hiring of new Police Chief - Brad Misner, Chief Konkle's retirement party on November 8<sup>th</sup>, Pavilion fundraising, Otsego Township soil test results meeting, and the Census in April 2020.
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**

Robert Alway, 1012 Barton – he suggested putting census information on the utility bills.

## **COMMISSIONERS' COMMENTS**

Commissioner McNees – he mentioned that he recently visited the Transfer Station and mentioned the super nice employee that works there – Ron Pillars.

Commissioner Krueger – she thanked County Commissioner Dugan for his report. She congratulated Dr. Kathy Bailey, commenting that it is the only logo she has known. She stated that the holiday decorating in the downtown looks phenomenal and she thanked the volunteers for decorating.

Commissioner Withee – she thanked County Commissioner Dugan for his report. She thanked Greg King of Lakeshore Advantage for his presentation, and commented that the statistics for our specific area would be nice to have. She thanked the volunteers for decorating the downtown.

Commissioner Milhiem – he congratulated new Police Chief, Brad Misner. He commented that there will never be another Gordon and he and the community and Commission appreciates all he has done. He thanked Greg King, of Lakeshore Advantage for his presentation. He reminded everyone that the Pavilion Project is still going on and encouraged anyone that could, to give to this project, as it will be nice to utilize the downtown for events.

Mayor Trobeck – she thanked Greg King of Lakeshore Advantage for his presentation. She commented that she appreciates County Commissioner Dugan's updates. She congratulated Dr. Kathy Bailey, describing her as an amazing, talented, creative, musically talented, humble person. She invited everyone to the United Methodist Church's Sunday 11a.m. service where Dr. Kathy Bailey will also be honored. She thanked the volunteers who decorated the downtown. She commented that the pavilion funding project is close to their goal. She reminded everyone that Hometown Christmas will take place on December 7<sup>th</sup>.

The meeting was adjourned on a motion by Commissioner Krueger, seconded by Commissioner Milhiem. CARRIED – 7:45 p.m.

Angela M. Cronen, MMC  
City Clerk