

A Regular Meeting of the Otsego City Commission was held Monday, January 6, 2020.

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

The audience joined the Commission in the Pledge of Allegiance.

The December 2, 2019, Regular Meeting Minutes were approved as submitted.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

None.

I. PRESENTATIONS:

A. COUNTY COMMISSIONER GALE DUGAN UPDATE

Commissioner Dugan gave an update on the most recent County Commission activities. He wished everyone a happy 2020.

B. CLERK SWEARING IN NEW POLICE CHIEF BRAD MISNER

Clerk Cronen swore in Brad Misner as the City of Otsego's Police Chief. Chief Misner will begin his duties on January 13, 2020. The Commission welcomed Chief Misner.

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 31, 2020

Commissioner Withee moved to approve the Transfer Station Coupon Program, with distribution of the Coupons beginning in February – Coupons expiring December 31, 2020, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF REQUEST TO SET A PUBLIC HEARING TO ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES ON FEBRUARY 3, 2020

Commissioner Krueger moved to approve the request to set a Public Hearing to establish Single Premise Assessments for Delinquent Charges for City Services on February 3, 2020, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

C. CONSIDERATION OF A NONSUFFICIENT FUNDS AND RETURNED ACH POLICY

Manager Mitchell stated that this is the policy that the City has been using for many years and it is being requested to formally adopt the policy. Commissioner McNees moved to adopt the

Nonsufficient Funds and Returned ACH Policy, as presented, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

A. CONSIDERATION OF AWARDING A BID FOR PROFESSIONAL DESIGN SERVICES FOR THE RIVERFRONT PAVILION TO WIGHTMAN ASSOCIATES, AS APPROVED BY THE DDA/MAIN STREET BOARD

Manager Mitchell gave an overview of the work that will need to be performed to begin the Riverfront Pavilion Project. He commented that the DDA/Main Street Board can approve professional services, which they did in the amount of \$4,900, and the remainder of the bid needs approval from the City Commission. Commissioner Milhiem moved to award the bid for Professional Design Services for the Riverfront Pavilion to Wightman Associates, not to exceed \$15,050, as approved by the DDA/Main Street Board, seconded by Commissioner McNees. CARRIED UNANIMOUSLY

B. CONSIDERATION OF AWARDING BID FOR WATER ASSET MANAGEMENT PLAN

Manager Mitchell explained that the State of Michigan required municipalities servicing over one thousand customers to have a Water System Asset Management Plan. The study will be for a twenty year management plan. He stated that Jones and Henry's bid was twenty-seven percent less and they are very familiar with our operations. Commissioner Withee moved to award the bid to Jones and Henry for the Water Asset Management Plan, not to exceed \$20,500.00, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2020-01 – A RESOLUTION TO MOVE MARCH 2020 BOARD OF REVIEW STARTING DATE

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2020-01

RESOLUTION TO MOVE MARCH 2020 BOARD OF REVIEW STARTING DATE

WHEREAS, the City Assessor will be unable to attend the statutory start date for the 2020 March Board of Review which is the second Monday of March, March 9, 2020; and

WHEREAS, a presidential primary election is scheduled for Tuesday, March 10, 2020, requiring the use of city hall facilities for said election;

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 2020 March Board of Review as Wednesday, March 11, 2020.

YEAS: Commissioners: Cyndi Trobeck, Stacey Withee, Dustin McNees, Brent Milhiem and Lauri Krueger.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2020-02 - A RESOLUTION TO ESTABLISH THE 2020 POVERTY EXEMPTION POLICY

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2020-02

A RESOLUTION TO ESTABLISH 2020 POVERTY EXEMPTION POLICY

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Commission; and

WHEREAS, the principal residence of persons, who the City Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Otsego, Allegan County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis, not to exceed three consecutive years unless over the age of 65 or permanently disabled:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 3) File a claim reporting that the combined assets of all persons does not exceed \$25,000. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.

- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are federal poverty income levels are to be used in the determination of poverty exemptions for 2020. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	Poverty Guidelines
1	\$ 12,490
2	\$ 16,910
3	\$ 21,330
4	\$ 25,750
5	\$ 30,170
6	\$ 34,590
7	\$ 39,010
8	\$ 43,430
For each additional person	\$ 4,420

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

YEAS: Commissioners: Cyndi Trobeck, Stacey Withee, Dustin McNees, Brent Milhiem and Lauri Krueger.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

C. CONSIDERATION OF RESOLUTION NO. 2020-03 – A RESOLUTION TO AMEND THE 2019-2020 ANNUAL APPROPRIATIONS BILL

Finance Director Storbeck gave an overview of the proposed budget adjustments. He explained in detail that the funds in the Capital Improvement Fund needed to be “closed” and the funds moved to General Fund, and placed in the appropriate “sinking funds”. He commented that this transfer was recommended by the City’s auditors. Commissioner Milhiem offered the following resolution and moved for its adoption, seconded by Commissioner McNees.

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2020-03

RESOLUTION TO AMEND THE 2019-2020 ANNUAL APPROPRIATIONS BILL

WHEREAS, the Otsego City Commission approved the 2019-2020 Annual Appropriations Bill which limited amounts for expenditures and anticipated revenues for the 2019-2020 fiscal year; and

WHEREAS, certain activities and/or revenue sources will exceed previous projections; and

WHEREAS, the Otsego City Commission wishes to formally amend the annual appropriations bill in acknowledgement of the need for revisions,

THEREFORE, BE IT RESOLVED, that the Otsego City Commission hereby approves the following increases and decreases to the 2019-2020 Annual Appropriations Bill:

General Fund Revenues		
101-000-699.401	Transfer In - Capital Project Fund	\$249,730
Net Increase/(Decrease)		\$249,730

General Fund Expenditures		
101-991-999.205	Transfer to Public Safety Fund	\$69,670
Net Increase/(Decrease)		\$69,670

Local Street Fund Expenditures		
203-901-971.000	Capital Improvements - Land Purchases	\$117,850
Net Increase/(Decrease)		\$117,850

Public Safety Fund Revenues		
205-000-699.101	Transfers In - General Fund	\$69,670
Net Increase/(Decrease)		\$69,670

Public Safety Fund Expenditures		
205-991-999.402	Transfer Out to Equipment Replacement	\$69,670
Net Increase/(Decrease)		\$69,670

Capital Project Fund Revenues

401-000-699.203	Transfer In - Local Street Fund	\$116,650
Net Increase/(Decrease)		\$116,650

Capital Projects Fund Expenditures

401-901-971.000	Capital Improvements - Land Purchases	(\$116,700)
401-991-999.101	Transfer to General Fund	\$249,730
401-991-999.402	Transfer to Equipment Replacement	(\$69,670)
Net Increase/(Decrease)		\$63,360

Equipment Replacement Fund Revenues

402-000-699.205	Transfer In from Public Safety Fund	\$69,670
402-000-699.401	Transfer In from Capital Project Fund	(\$69,670)
Net Increase/(Decrease)		\$0

YEAS: Commissioners: Cyndi Trobeck, Stacey Withee, Dustin McNees, Brent Milhiem and Lauri Krueger.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

A. CONSIDERATION OF THE REAPPOINTMENT OF BOARD OF REVIEW MEMBERS – LINDA ELDRED, RICHARD DELONG, AND KAY STRONG TERMS TO EXPIRE DECEMBER 31, 2020

Commissioner Withee moved to re-appoint Linda Eldred, Richard DeLong, and Kay Strong, to the Board of Review, terms to expire December 31, 2020, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY. Commissioner Withee thanked them for their willingness to serve.

IX. DISCUSSION ITEMS:

A. CITY MANAGER – PLANNING COMMISSION 2019 YEAR END REPORT
 Manager Mitchell gave an overview of the Planning Commission’s activities in 2019, and the upcoming activities in 2020.

MANAGER'S REPORT

1. He gave updates on the following: Fire at Konos – he commended Chief Weber and the entire Fire Department; he commended WWTP Supervisor Keyzer for planning ahead; he commented that the City has great employees and kudos to all of the City employees; he welcomed Police Chief Misner – he stated that he will begin his official employment on January 13th, with his Welcome Party being on January 17th; and he will be attending a meeting with MDOT this week regarding pedestrian safety.

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 McNees – he thanked and commended Fire Chief Weber and his department. He commented that he hears great things regarding the Fire Department. He thanked Clerk Cronen for the nice Christmas Party. He thanked Felpausch for the \$6,100, donation to pay off the Otsego student lunches.

Commissioner Krueger – she asked Commissioner McNees if Wishbone Animal Shelter is in need of foster families while they are remodeling their building – he indicated that they are looking for foster families. She thanked County Commissioner Dugan for his update. She congratulated and welcomed Police Chief Misner – commenting that you couldn't have picked a better City and you will love it here. She commended Fire Chief Weber and the entire Fire Department – commenting that they are awesome and the fire could have not been handled any better by Officers Mike Bush, David Kranz, Todd Campbell, Chief Weber, and all of the Fire Departments.

Commissioner Withee – she thanked and commended the Fire Department acknowledging that they train for this and are always ready. She welcomed Police Chief Misner commenting that he will enjoy Otsego – and that the City is lucky to have you here.

Commissioner Milhiem – he commended and thanked the Fire Department, commenting that they have an excellent staff of people. He asked Commissioner Krueger to thank her two children who were at the scene of the fire. He stated that he is excited for the Riverfront Pavilion Project. He expressed that it is an exciting time and people have worked very hard on the Riverfront Pavilion Project and the riverfront cleanup. He congratulated new Police Chief Misner. He encouraged residents who live next to a fire hydrant to keep them clear of snow.

Mayor Trobeck – she complimented Fire Chief Weber and the entire Fire Department on a fabulous job at the recent fire. She commented that this is what the Fire Department trains for and it showed. She thanked WWTP Supervisor Keyzer for stepping up and assisting with the water needs. She commented that the City hires the best employees. She wanted to personally thank Commissioner Krueger's children Hunter and Grace for fighting the fire. She welcomed Police Chief Misner. She stated that there is a lot of work behind the scenes for the Riverfront Pavilion Project, as with the Hometown Christmas event – there are many moving parts and that is the beauty of Otsego, people step up and volunteer. She stated that Otsego is a great place to be. She announced that the Capital Conference will be taking place in March.

The meeting was adjourned on a motion by Commissioner Krueger, seconded by Commissioner Withee. CARRIED – 7:43 p.m.

Angela M. Cronen, MMC
City Clerk