

A Regular Meeting of the Otsego City Commission was held on Monday, February 1, 2021.

The meeting was called to order by Mayor Pro-Tem Withee at 7:02 p.m. with the following Commissioners present: Brent Milhiem, Lauri Krueger and Dustin McNees. Absent: Mayor Trobeck. Also present: City Manager Mitchell, Finance Director Storbeck and Fire Chief Weber.

The audience joined the Commission in the Pledge of Allegiance.

The January 18, 2021, Regular and Workshop Meeting Minutes were approved as submitted.

Commissioner Milhiem moved to excuse Mayor Trobeck, seconded by Commissioner Krueger. CARRIED.

On a motion by Commissioner Krueger, supported by Commissioner McNees, an item was added under "Requests" – Consideration of a request from the DDA/MS Design Committee to approve the expenditure for the purchase of building materials for the pavilion. CARRIED.

On a motion by Commissioner Milhiem, supported by Commissioner McNees, an item was removed from the agenda under "Agreements" to delete the "deed restrictions" portion of the consideration. CARRIED.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

None.

I. PRESENTATIONS:

A. ALLEGAN COUNTY COMMISSIONER – GALE DUGAN

Commissioner Dugan gave an update on the County's most recent activities. He stated that there will be a Zoom Meeting on February 11, 2021, at 1:00 p.m., regarding the Rock-Tenn property, and a Zoom Meeting on February 4, 2021, at 1:00 p.m., regarding water. He also commented that if anyone is interested in joining the Kalamazoo River CAG, new members are needed and to contact him.

II. PUBLIC HEARING:

A. PUBLIC HEARING - TO ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES

Mayor Pro-Tem Withee opened the Public Hearing at 7:21 p.m. There being no comments, the Public Hearing was closed at 7:22 p.m.

III. PLANNING AND ZONING:

IV. ORDINANCES:

V. REQUESTS:

A. CONSIDERATION OF THE FUND BALANCE POLICY

Commissioner McNees moved to approve the Fund Balance Policy, as presented, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF A REQUEST FROM THE DDA/MS DESIGN COMMITTEE TO APPROVE THE EXPENDITURE FOR THE PURCHASE OF BUILDING MATERIALS FOR THE PAVILION.

City Manager Mitchell gave an overview of the new prices that had recently been obtained from Home Depot for the building materials, which was lower than the quote previously received. DPW Supervisor Bosch gave an update on the progress of the pavilion. Commissioner Milhiem moved to grant the request from the DDA/MS Design Committee to approve the expenditure for the purchase of building materials for the pavilion, seconded by Commissioner McNees. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

A. CONSIDERATION OF THE MUSEUM QUIT CLAIM

Commissioner Krueger moved to quit claim a portion of city property (Parcel A), as presented, to the DDA that will be included in the sale of the museum property, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

B. CONSIDERATION OF AN AGREEMENT WITH BRENNER CONSTRUCTION COMPANY FOR WORK ON NORTH GRANT STREET

City Manager Mitchell stated that the estimate for the project was \$246,000, and the bid from Brenner Construction Company came in at \$196,539.95. Commissioner McNees moved to authorize the Mayor and City Manager to enter into an agreement with Brenner Construction Company for work on North Grant Street, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2021-04 - A RESOLUTION TO - ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-04**

A RESOLUTION TO ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES

WHEREAS, Otsego City Code of Ordinances Section 62-11 establishes the procedure for the collection of expenditures incurred by the city for services rendered for particular premise or premises which are not of the class required to be prorated among several lots and parcels in a special assessment district; and

WHEREAS, the City of Otsego has provided such services and has not received payments from the respective property owners for more than 30 days upon sending notice of outstanding amounts; and

WHEREAS, property owners with outstanding amounts for services were notified that a public hearing would be held concerning the establishment of a single premise assessment roll

more than ten days prior to the hearing date.

NOW, THEREFORE, IT IS RESOLVED THAT: the City of Otsego hereby establishes the following Single Premise Assessment Roll for the following parcels of property which are identified by their tax identification number, property owner, address, amount owing and service rendered:

Parcel Number	Owner Name	Property Address	Invoice Number	Amount Due	Service Description
03-54-320-128-00	Michael Flickenger	503 W Franklin	2271	\$759.03	Mowing

BE IT FURTHER RESOLVED that the above single premise assessments are due in full by Wednesday, February 28, 2021; and

BE IT FURTHER RESOLVED that after the due date, all unpaid single site assessments shall be returned delinquent to the Allegan County Treasurer and be placed as a lien against the respective properties.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Cyndi Trobeck.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2021-05 - A RESOLUTION TO ESTABLISH THE 2021 POVERTY EXEMPTION POLICY

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-05

A Resolution to Establish 2021 Poverty Exemption Policy

WHEREAS, the annual 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 100 percent exemption 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:

- 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 published in the prior calendar year in the Federal Register 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. The annual allowable income includes income for all persons residing in the principal residence
- 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.

1. **2020 Federal Poverty Guidelines Used in the Determination of**

Poverty Exemptions

Size of Family Unit	Poverty Guidelines
1	\$ 12,760
2	\$ 17,240
3	\$ 21,720
4	\$ 26,200
5	\$ 30,680
6	\$ 35,160
7	\$ 39,640
8	\$ 44,120
For each additional person	\$ 4,480

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy, state and federal guidelines in granting or denying an exemption. In accordance with statute, the exemption may be granted consecutively with no limitations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this resolution and guidelines supersedes all previous resolutions and/or guidelines.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Cyndi Trobeck.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

A. CONSIDERATION OF THE RE-APPOINTMENT OF WALTER LOPEZ TO THE LOCAL OFFICERS COMPENSATION BOARD, TERM TO EXPIRE DECEMBER 31, 2025

Commissioner Milhiem moved to affirm the Mayor's re-appointment of Walter Lopez to the Local Officers Compensation Board, Term to Expire December 31, 2025, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

1. He gave updates on the following:
 - City Hall is open
 - Received a \$5,000.00 Grant for Body Cameras
 - Pavilion
 - Brownfield Plan for Rock-Tenn – he thanked County Commissioner Dugan.
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

Fire Chief Weber gave an update on COVID and vaccinations in Allegan County.

COMMISSIONERS' COMMENTS

Commissioner McNees – he commented that he was happy to see everyone.

Commissioner Krueger –she commented that it was good to have the workshop meeting. She thanked Fire Chief Weber for his updates. She commented that it was good to see County Commissioner Dugan.

Commissioner Milhiem – he thanked and voiced his appreciation to County Commissioner Dugan with his assistance with Rock-Tenn. He echoed the comments on the workshop meeting. He stated that the workshop meetings are awesome and very helpful, as they promote discussion which provides a better understanding. He commented that it is nice to see work around town – the pavilion and the work on North Grant Street. He thanked DPW Supervisor Bosch for his assistance with these projects. He stated that he likes the community energy that will make things happen, like the Dog Park and future activities.

Mayor Pro-Tem Withee – she reminded the Commissioners of the on-line workshop that the MML is holding on Thursday. She thanked County Commissioner Dugan for his work on Rock-Tenn. She thanked DPW Supervisor Bosch for answering questions regarding the pavilion. She thanked Walter Lopez for his participation on the Local Officer’s Compensation Board.

Commissioner Milhiem thanked Mayor Pro-Tem Withee and commented that she did a great job leading the meeting. The Commissioners, City Manager Mitchell, and Clerk Cronen concurred with Commissioner Milhiem.

ADJOURN

The meeting was adjourned on a motion by Commissioner McNees, seconded by Commissioner Krueger. CARRIED – 7:59 p.m.

Angela M. Cronen, MMC
City Clerk