

A Regular Meeting of the Otsego City Commission was held on Monday, May 3, 2021.

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

The audience joined the Commission in the Pledge of Allegiance.

The April 19, 2021, Regular & Special Meeting Minutes were approved as submitted.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

Robert Alway, 1012 Barton – he explained why he voted no on the 610 S Platt Street Special Land Use Permit at the Planning Commission Meeting.

I. PRESENTATIONS:

A. COUNTY COMMISSIONER GALE DUGAN UPDATE

County Commissioner Dugan was not in attendance.

A. PRESENTATION OF 2021-2022 ANNUAL APPROPRIATIONS BILL – GENERAL, PUBLIC SAFETY, CAPITAL PROJECT, EQUIPMENT REPLACEMENT, AND SOLID WASTE REDUCTION FUNDS

Finance Director, Matthew Storbeck, gave an overview of the General, Public Safety, Capital Project, Equipment Replacement, Equipment Debt, and Solid Waste Reduction Funds for the 2021-2022 fiscal year. Anticipated revenues for the General Fund \$1,947,875, and anticipated expenditures \$2,138,495. Anticipated revenues for the Public Safety Fund \$ 1,446,325, and anticipated expenditures \$1,487,205. Anticipated revenues for the Capital Projects Fund \$87,325, anticipated expenditures \$45,000, and capital improvements – Memorial Park play structure. Anticipated revenues for the Equipment Replacement Fund \$120,330, anticipated expenditures \$42,000, and capital improvement – Police Department vehicle. Anticipated revenues for the Solid Waste Reduction Fund \$295,715, and anticipated expenditures \$279,080.

Commissioner McNees asked if American Rescue Funds were included. Finance Director Storbeck indicated that there have been no updates on amounts and it is not included in the budget.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

A. CONSIDERATION OF A SPECIAL LAND USE PERMIT FOR 610 S PLATT STREET – PRIME

City Manager Mitchell explained that the Planning Commission did not recommend the Special Land Use Permit for 610 S Platt Street to be approved. He explained that the minutes indicate that it was turned down, because of the aesthetics, environmental concerns, the starting of the project and the lack of complete answers by the applicant, when asked a question. Manager Mitchell stated that he had consulted the City's Attorney and it was his recommendation that the applicant be given the opportunity to address the Planning Commission's concern and bring back

a plan to either the Planning or City Commission. Attorney Grate suggested that the consideration be tabled. Commissioner Milhiem, who is on the Planning Commission, commented that it is a great concept and innovative, and the applicant needs to come back with a really strong application and site plan. Commissioner Withee moved to table the consideration of a Special Land Use Permit for 610 S Platt Street - Prime, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF A SITE PLAN APPROVAL FOR 610 S PLATT STREET – PRIME

Commissioner Milhiem moved to table the Site Plan approval for 610 S Platt Street – Prime, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

C. CONSIDERATION OF A SITE PLAN APPROVAL FOR 595 E ALLEGAN STREET – PELOTON

City Manager Mitchell briefly explained the addition that Peloton will be constructing. Commissioner Withee moved to approve the Site Plan for 595 E Allegan Street – Peloton, seconded by Commissioner McNees. CARRIED UNANIMOUSLY

D. INTRODUCTION AND CONSIDERATION OF ADOPTION FOR ZONING TEXT AMENDMENT FOR GROUND WATER ORDINANCE

City Manager Mitchell explained that this is the last step of the process of adding the environmental checklist to the site plan review process.

Commissioner McNees moved to adopt the Zoning Text Amendment as presented, seconded by Commissioner Krueger.

**AN ORDINANCE TO AMEND THE CITY OF OTSEGO ZONING ORDINANCE;
TO AMEND SECTION 14.3 SITE PLAN REVIEW REQUIREMENTS
(C) REQUIRED SITE PLAN SUBMISSION REQUIREMENTS
– GROUNDWATER PROTECTION**

Final Site Plan Requirements - Groundwater Protection

- Existing and proposed land use deed restrictions, if any.
- Location and outline of all existing septic tanks and drain fields.
- Location of any floor drains in proposed structures on the site. The point of discharge for all drains and pipes shall be specified on the site plan.
- Location of existing and proposed public and private drinking water wells, monitoring wells, irrigation wells, test wells, wells used for industrial processes or wells that have no identified use.
- Inventory of hazardous substances to be stored, used or generated on-site, presented in a format acceptable to the City Planning Commission and Department of Public Works (include CAS numbers).
- Description and drawings showing size and location for any existing or proposed aboveground and underground storage tanks, piping lines and dispensers.
- Descriptions of type of operations proposed for the project and drawings showing size, location, and description of any proposed interior or exterior areas of structures for storing, using, loading or unloading of hazardous substances.

- Reported delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of cleanup or closure.
- Completion of the City of Otsego Environmental Permits Checklist.

Groundwater Protection Requirements must be included in a Final Site Plan application.

1. Criteria for Review will include:
 - a. The project and related improvements shall be designed to protect land and water resources from pollution, including pollution of soils, groundwater, rivers, streams, lakes, ponds and wetlands.
 - b. If required by state or federal law, properties using hazardous substances are required to have a Spill Prevention Control and Countermeasure (SPCC) Plan, a Pollution Incident Prevention Plan (PIPP), and/or a Storm Water Pollution Prevention Plan (SWPPP).
 - c. Sites that at any time use, store or generate hazardous substances shall be designed to prevent spills and unpermitted discharges to air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
2. Exceptions to Groundwater Protection Requirements:
 - a. The site plan criteria do not apply to hazardous substances packaged for personal or household use or present in the same form and concentration as a product packaged for use by the general public.
 - b. The site plan review requirements do not apply to products held in containers with a volume of less than 40 gallons and packaged for retail use.
 - c. The total excluded substances containing hazardous substances may not exceed the lesser of two hundred (200) gallons or one thousand (1,000) pounds at any time.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

ZONING ORDINANCE AMENDMENT DECLARED ADOPTED.

IV. ORDINANCES:

V. REQUESTS:

- A. CONSIDERATION OF A REQUEST FROM REBELLIOUS ROSE TO HOLD A CRAFT SHOW ON MAY 8, 2021, FROM 10:00 A.M. UNTIL 4:00 P.M., AT NORTHSIDE PARK

Commissioner Withee moved to remove the request from Rebellious Rose from the agenda, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF A REQUEST FROM THE VFW TO HOLD A MEMORIAL DAY PARADE ON MAY 31, 2021

Commissioner Krueger moved to grant the request from the VFW to hold a Memorial Day Parade on Monday, May 31, 2021, beginning after the ceremony at 9:00 a.m., seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

C. CONSIDERATION OF A REQUEST FROM THE PARKS AND RECREATION COUNCIL TO REMOVE FIELD #1 AT MEMORIAL PARK AND TRANSITION IT TO A SOCCER FIELD

A brief discussion took place regarding the process of converting Field #1 to a soccer field and the benefits to the soccer community. A representative from Force was in attendance and commented that Force would possibly contribute to maintaining the fields, the irrigation system, and landscaping. Commissioner McNees moved to grant the request from the Parks and Recreation Council to remove Field #1, at Memorial Park and transition it to a soccer field, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

A. CONSIDERATION OF AN EMPLOYMENT AGREEMENT WITH LYDIA PAILLE – ASSESSOR

City Manager Mitchell explained that our current assessor Kevin Harris has taken another position at a larger municipality and Lydia Paille would be taking over the assessing duties. Commissioner Withee moved to authorize the Mayor and City Clerk to enter into an agreement with Lydia Paille, the City's Assessor, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF A LICENSE AGREEMENT WITH REBELLIOUS ROSE – MAY 8, 2021, NORTHSIDE PARK FROM 10:00 A.M. UNTIL 4:00 P.M.

Commissioner Withee moved to remove the License Agreement with Rebellious Rose from the agenda, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2021-06 - A RESOLUTION ESTABLISHING A BUDGET HEARING ON MAY 17, 2021

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-06**

RESOLUTION TO ESTABLISH A BUDGET HEARING

WHEREAS, Michigan Compiled Laws 141.436 requires a public hearing before final passage of a general appropriation act by a legislative body,

WHEREAS, Michigan Compiled Laws 141.412 requires that a notice of such hearing be given by publication in a newspaper of general circulation at least six (6) days prior to such hearing;

NOW, THEREFORE, BE IT RESOLVED, that a hearing be held on the 2021-2022 Budget of the City of Otsego by the City Commission at City Hall at or after 7:00 p.m. local time, on May 17, 2021, and notice of said hearing shall be published at least six days prior to the hearing in the following form:

CITY OF OTSEGO
PUBLIC NOTICE
HEARING ON 2021-2022 BUDGET

Notice is hereby given that the proposed budget for the City of Otsego for the fiscal year 2021-2022 is now on file and available to the public for inspection at City Hall, 117 East Orleans Street, Otsego, Michigan.

The City Commission will hold a public hearing on the proposed budget on Monday, May 17, 2021, at 7:00 p.m. at the City of Otsego Municipal Building, at 117 East Orleans Street, Otsego, Michigan. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

CITY OF OTSEGO
2021-2022 ANNUAL APPROPRIATIONS
TOTALS BY FUND

GENERAL FUND	\$2,138,495
MAJOR STREET FUND	240,505
LOCAL STREET FUND	296,355
PUBLIC SAFETY FUND	1,487,205
STREET & BRIDGE FUND	105,390
SOLID WASTE & RECYCLING FUND	279,080
DOWNTOWN DEVELOPMENT AUTHORITY	337,455
EQUIPMENT DEBT FUND	0
CAPITAL PROJECTS FUND	45,000
EQUIPMENT REPLACEMENT FUND	42,000
SEWER FUND	1,151,855
WATER FUND	1,014,810
MOTOR POOL FUND	253,290
<u>SPECIAL ASSESSMENT CAPITAL PROJECT FUND</u>	<u>0</u>
TOTAL APPROPRIATIONS	
FISCAL YEAR 2021-2022	\$7,391,440

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

- A. CONSIDERATION OF THE MAYOR'S REAPPOINTMENT OF BILL DARNELL TO THE CONSTRUCTION BOARD OF APPEALS, TERM EXPIRING APRIL 30, 2023

Commissioner McNees moved to confirm the Mayor's appointment of Bill Darnell to the Construction Board of Appeals, term to expire April 20, 2023, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

IX. DISCUSSION ITEMS:

- A. DANGEROUS BUILDING ORDINANCE

City Manager Mitchell gave a brief overview of the Dangerous Building Ordinance that was established in 1996 and the benefits of adopting a new ordinance. The new ordinance would appoint a neutral, non-city employee to volunteer to enforce the Dangerous Building Ordinance. He is in the process of working with the City's attorney to prepare the new ordinance.

MANAGER'S REPORT

1. Water projects on Allegan Street
2. North Grant Street Project
3. Acknowledgement of the Budget deficit and where the City will be at in 2022. He stated that this subject will be put on the next City Commission's Workshop agenda. He asked that Commissioners bring ideas to the meeting. Commissioner McNees asked if Main Street had put together a funding plan to date. Mayor Trobeck commented that Main Street has set a goal of fundraising \$15,000.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton - he commented that he agreed with the City Manager's comments and budget concerns going from 40% Fund Balance to 30% Fund Balance. He commented that he appreciates the City Manager's concerns and personnel is the most painful, but it meets his approval.

Hannah Reed, 211 Dix – she explained to the Commission that she is in the process of putting together a plan to present to the Commission to ask that chickens be allowed in the City. Mayor Trobeck asked why she would be making this request. Ms. Reed indicated that since the pandemic it would be a good way for families to provide for themselves. She indicated that she has just begun her research and is collaborating with a Plainwell resident.

Fire Chief Weber - he gave an update on COVID and vaccinations in Allegan County. He announced that in Allegan County virtual meetings have been extended to the end of the year, if desired.

COMMISSIONERS' COMMENTS

Commissioner McNees – he thanked everyone for attending. He thanked the Commission for voting in favor of the parade.

Commissioner Krueger – she commented that it was good to see Robert Alway in the audience. She thanked Fire Chief Weber for the update. She thanked Commissioner Milhiem for his phenomenal work on the conversion of Field #1 to a soccer field, commenting that it is an innovative idea.

Commissioner Withee – she thanked Finance Director Storbeck for all of his hard work on the presentations and graphs, as she knows that there is a lot of work that goes into it. She commented that he is appreciated.

Commissioner Milhiem – he concurred with Commissioner Withee's comments. He thanked DPW Supervisor Bosch for his assistance and direction regarding the new soccer field. He commented that he is excited about the parade, as it is a step in the right direction. He stated that it is time for everyone to have a vision, begin forward thinking and for visionaries to look at our public spaces, so that we are increasing space that will bring young families here.

Mayor Trobeck – she thanked Finance Director Storbeck, the audience, and the Commission – which is wonderful.

ADJOURN

The meeting was adjourned on a motion by Commissioner McNees, seconded by Commissioner Krueger. CARRIED – 8:25 p.m.

Angela M. Cronen, MMC
City Clerk