

A Regular Meeting of the Otsego City Commission was held on Monday, October 18, 2021.

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

The audience joined the Commission in the Pledge of Allegiance.

The October 4, 2021, Regular & Special Meeting Minutes were approved as submitted.

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

None.

### **I. PRESENTATIONS:**

#### **A. ALLEGAN COUNTY COMMISSIONER DUGAN**

Commissioner Dugan gave an update on current Allegan County activities. He encouraged everyone to participate in the County's Health Survey.

#### **B. PRESENTATION BY SIEGFRIED & CRANDALL OF THE 2020-2021 FISCAL YEAR AUDIT**

Mr. Dan Veldhuizen from Siegfried & Crandall was in attendance to review the 2020-2021 Fiscal Year Audit. He stated that he enjoys working with Matt and his staff and complimented them for their work on the audit. He commented that they finished the audit early and everything has been sent to the State. Mr. Veldhuizen stated that the City had received an unmodified opinion, with no adjustments/corrections. He commented that it is a rarity among all of their clients to have no adjustments/corrections. He summarized and reviewed the highlights of the audit with the Commission. He also indicated that the City has a thirty-five percent fund balance which is a good percentage, as a typical healthy fund balance is between 25% and 50%. He commented that the City has good internal controls. Mr. Veldhuizen recommended with Finance Director Storbeck perhaps retiring (in the near future) to keep in mind looking for his replacement. He answered questions of the Commission. The Commission thanked Mr. Veldhuizen and Finance Director Storbeck.

### **II. PUBLIC HEARING:**

### **III. PLANNING AND ZONING:**

### **IV. ORDINANCES:**

### **V. REQUESTS:**

#### **A. CONSIDERATION OF A REQUEST FROM THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE TO HOLD THE ANNUAL HOMETOWN CHRISTMAS EVENT, CLOSING M-89 FROM FRANKLIN TO NORTH STREET FROM 3:00 P.M. UNTIL 7:30 P.M.; USE OF VARIOUS CITY STREETS, SIDEWALKS, PARKING LOTS; AND USE OF THE PAVILION - FROM 3:00 P.M. UNTIL 7:30 P.M. FOR THE LIGHTING OF THE CHRISTMAS TREE AND OTHER EVENTS AT VARIOUS TIMES THROUGHOUT THE DAY ON DECEMBER 4, 2021**

Mayor Trobeck commented that the parade will be reversed this year - beginning on Kalamazoo Street, down M-89, turning on Fair Street, to the Pavilion. Commissioner Milhiem moved to grant the Otsego/Plainwell Chamber of Commerce to hold the Annual Hometown Christmas Event, as presented, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

**VI. AGREEMENTS:**

- A. CONSIDERATION OF LICENSE AGREEMENT WITH THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE FOR THE HOMETOWN CHRISTMAS PARADE AND ACTIVITIES ON DECEMBER 4, 2021, AS PRESENTED

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 Hometown Christmas Parade and Activities on December 4, 2021, as presented, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

**VII. RESOLUTIONS:**

- A. CONSIDERATION OF RESOLUTION NO. 2021-12 - A RESOLUTION REQUESTING PERMISSION FROM THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 4, 2021

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

CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN  
RESOLUTION NO. 2021-12

A RESOLUTION REQUESTING PERMISSION FROM THE  
MICHIGAN DEPARTMENT OF TRANSPORTATION  
TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 4, 2021

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, Lauri Krueger, Brent Milhiem, Dustin McNeas.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

## **VIII. APPOINTMENTS:**

## **IX. DISCUSSION ITEMS:**

### **MANAGER'S REPORT**

The City Manager gave updates on the following:

1. MPART Community Meeting- incorrect news story information
2. Pavilion Ribbon Cutting
3. Officer Gudith Commendation – he and his family assisting a resident

## **COMMUNICATIONS**

None.

## **REMARKS FROM THE AUDIENCE**

Robert Alway, 1012 Barton – he commended Finance Director Storbeck for another good audit and having a “good bill of health”. He commented that the City takes good care of their equipment. He concluded that Finance Director Storbeck, the DPW, and Fire & Police Departments are doing a good job and not looked at with scorn. Everyone is doing a swell job.

## **COMMISSIONERS' COMMENTS**

Commissioner McNees – he commended Officer Gudith.

Commissioner Krueger – she thanked the members of the Township Board for attending the Workshop Meeting and looks forward to working together. She thanked and complimented Finance Director Storbeck for his wonderful job on the audit. She thanked Officer Gudith and commented that “is just who you are”.

Commissioner Withee – she congratulated Finance Director Storbeck on a great achievement and commented that she is always impressed and hoped that he would not retire for many, many years. She stated that she is looking forward to Hometown Christmas this year.

Commissioner Milhiem – he echoed the comments of his fellow Commissioners. He thanked Finance Director Storbeck for his service and for making the Commissioners job easier. He commented that he has lived here his entire life and the City has always had the best equipment. He commended Officer Gudith for his assistance helping a resident. He stated that this professionalism is a standard in our community and being a police officer is a difficult job. He commended the Fire Department and Police Departments for the jobs they do. He stated that the City is fiscally responsible.

Mayor Trobeck – she commended and thanked Officer Gudith and his family. She thanked Allegan County Commissioner Dugan for attending the meeting and for his report. She commented that Finance Director Storbeck does a great job and thanked him. She stated that the Pavilion Ribbon Cutting was a nice event, with Mark McPherson giving a nice speech. She is looking forward to Hometown Christmas, as it should be a wonderful event.

## **ADJOURN**

The meeting was adjourned on a motion by Commissioner McNees, seconded by Commissioner Withee. CARRIED – 7:37 p.m.

Angela M. Cronen, MMC  
City Clerk