

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

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Stacey Withee, Brent Milhiem, and Lauri Krueger. Absent: Dustin McNees. Also present: City Manager Aaron Mitchell; and Fire Chief Weber.

The audience joined the Commission in the Pledge of Allegiance.

Commissioner Withee moved to excuse Commissioner McNees, seconded by Commissioner Krueger. CARRIED.

Commissioner Withee moved to add the word “perhaps” in the wording regarding Finance Storbeck’s retirement, seconded by Commissioner Krueger. CARRIED. The October 18, 2021, Regular were approved with noted corrections and the 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 stated that the next County Commission Meeting will be held on November 4, 2021.

B. PRESENTATION - FIRE VEHICLE MAINTENANCE SPECIALIST – HEATH SEELYE

City Manager Mitchell introduced Heath Seelye of HS Fleet. Mr. Seelye gave an overview of his work history and explained his current business HS Fleet. He reviewed the Fire Department’s current fire trucks and explained the future needs of the Fire Department in regards to replacement, maintenance, and the need for a larger fire station. Mr. Seelye and Fire Chief Weber answered questions of the Commission. The City Commission thanked Mr. Seelye for his presentation and suggestions.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

A. FIRST READING OF ORDINANCE NO. 170 – AN ORDINANCE TO AMEND SECTIONS 74-117, ARTICLE III- STOPPING, STANDING, AND PARKING; DIVISION 3 RECREATIONAL VEHICLES OF CHAPTER 74 OF THE CODE OF ORDINANCES OF THE CITY OF OTSEGO TO AMEND/REMOVE RECREATIONAL VEHICLE PARKING BETWEEN SETBACK LINE AND CURB LINE ORDINANCE

Mayor Trobeck offered Ordinance No. 170, for its First Reading. City Manager Mitchell gave a brief overview of Ordinance No. 170. He explained that removing the wording that restricts the

parking of recreational vehicles between the setback and curb line would make the parking of recreational vehicles the same as boats and trailers. He commented that this does not allow front yard parking. He answered questions of the Commission.

V. REQUESTS:

VI. AGREEMENTS:

**A. CONSIDERATION OF A PROPERTY ACCESS AGREEMENT WITH
KALAMAZOO RIVER LLC**

City Manager Mitchell stated that the agreement will allow GEI access to the City's property on and along the Kalamazoo River. He commented that this will be a multi-year process. A brief discussion took place regarding the history of the Otsego Water Power Company. Commissioner Withee moved to authorize the Mayor and/or City Clerk to enter into a Property Access Agreement with Kalamazoo River LLC, as presented, seconded by Commissioner Krueger. **CARRIED UNANIMOUSLY**

VII. RESOLUTIONS:

**A. CONSIDERATION OF RESOLUTION NO. 2021-13 – EMERGENCY
MANAGEMENT ADOPTION - MULTI-JURISDICTIONAL HAZARDS
MITIGATION PLAN**

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-13**

**EMERGENCY MANAGEMENT
ADOPT MULTI-JURISDICTIONAL HAZARDS MITIGATION PLAN**

WHEREAS, the Allegan County Emergency Management has updated to the Multi-Jurisdictional Hazard Mitigation Plan with the assistance of a contractor, ATSI Environmental; and

WHEREAS, the plan is compliant with planning criteria contained in 44 CFR Section 201.6, as authorized under the Disaster Mitigation Act of 2000; the related regulations and pertinent materials and guidance provided by FEMA for the interpretation of these regulations; and

WHEREAS, the Allegan County Hazard Mitigation Plan was forwarded to FEMA and passed federal review on September 21, 2021.

THEREFORE BE IT RESOLVED that the City of Otsego hereby adopts the Multi-Jurisdictional Hazards Mitigation Plan, as presented; and

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Dustin McNees.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2021-14 – A RESOLUTION DESIGNATING SOCIAL DISTRICTS CONTAINING COMMONS AREAS AND ADOPTING A MANAGEMENT AND MAINTENANCE PLAN IN ORDER TO ALLOW CERTAIN ON PREMISES LIQUOR LICENSEES EXPANDED USE OF SHARED AREAS FOR CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC ACT 124 OF 2020

City Manager Mitchell gave an overview of how a Social District is established, how it works with licensees that are granted a permit within the Social District, the basic “rules” within the Social District Area. He commented that the regulations are outlined in the Management and Maintenance Plan for the Social District. City Manager Mitchell answered questions of the Commission.

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-14**

A RESOLUTION DESIGNATING SOCIAL DISTRICTS CONTAINING COMMONS AREAS AND ADOPTING A MANAGEMENT AND MAINTENANCE PLAN IN ORDER TO ALLOW CERTAIN ON PREMISES LIQUOR LICENSEES EXPANDED USE OF SHARED AREAS FOR CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC ACT 124 OF 2020

WHEREAS, the Michigan Liquor Control Code was recently amended by 2020 Public Act 124 (the Act) to allow the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees to obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

WHEREAS, if the governing body of a local governmental unit designates a social district that contains a commons area, the governing body must define and clearly mark the commons area with signs, establish local management and maintenance plans including, but not limited to, hours of operation for submittal to the MLCC, and maintain the commons areas in a manner that protects the health and safety of the community; and

WHEREAS, the City Commission finds that designating social districts and commons areas pursuant to the Act is in the best interests of the citizens of the City of Otsego especially in light of COVID-19 restrictions on indoor gatherings and social distancing recommendations;

NOW, THEREFORE, BE IT RESOLVED that the City Commission designates the social districts and commons areas as provided on the attached maps, establishes the attached management and maintenance plan, and authorizes the City Manager or his designee to take all such other actions necessary in order to implement this Resolution and comply with the Act.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to forward this Resolution and the attached maps and management and maintenance plans to the MLCC as required by the Act together with this Resolution.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Dustin McNees.

RESOLUTION DECLARED ADOPTED.

C. CONSIDERATION OF RESOLUTION NO. 2021-15 - A RESOLUTION
RECOMMENDING A SOCIAL DISTRICT PERMIT FOR MAUDE'S LLC
City Manager Mitchell explained that in order for Maude's to receive a permit for the Social District it must be approved by the City Commission.

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-15

A RESOLUTION RECOMMENDING A SOCIAL DISTRICT PERMIT
FOR MAUDE'S LLC

WHEREAS, the application from Maude's LLC for a Social District Permit is recommended by this body for consideration for approval by the Michigan Liquor Control Commission, and

BE IT FURTHER RESOLVED, the City Clerk further certifies that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Dustin McNeas.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

The City Manager gave updates on the following:

1. Social District – the place to be.
2. City Commission Agenda Policy
3. Special City Commission Meeting – Monday, November 8, 2021
4. He answered questions regarding the Social District – possible expansion and the City Commission's authority to dissolve the Social District, if needed.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton – he complimented the Allegan County Health Department for doing a very good job in regards to Covid. He stated that the fire station and vehicles have been very well taken care of, but suggested that plans be developed for these, in case grants become available.

COMMISSIONERS' COMMENTS

Commissioner Krueger – she thanked Heath Seelye for the presentation. She stated that he is very knowledgeable and a great source of information.

Commissioner Withee – she had questions regarding the funding, and asked how much the aerial is used. Chief Weber answered her questions and explained that the aerial is used approximately 2 to 4 times a month, and having the aerial is a factor in the department's ISO rating – which dictates insurance rates.

Commissioner Milhiem – he thanked County Commissioner Dugan for his report, his support of the City and for being a champion with the Rock-Tenn project. He commented that he can tell that Heath Seelye cares about what he does. He thanked him for educating and reminding the Commission of the expenses and the timeframe involved with replacement of fire trucks. He stated that he is looking forward to the Social District, as a lot of other municipalities have them. He commented that the Social District will provide a lot of opportunities in the summer.

Mayor Trobeck – she thanked Heath Seelye for his presentation. She thanked Fire Chief Weber and Officer Gudith for attending. She gave a special thank you to City Manager Mitchell for all of his work on putting together the Social District information in such a short time.

ADJOURN

The meeting was adjourned on a motion by Commissioner Milhiem, seconded by Commissioner Withee. CARRIED – 8:02 p.m.

Angela M. Cronen, MMC
City Clerk