

A Regular Meeting of the Otsego City Commission was held on Monday, December 6, 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; and Fire Chief Weber.

The audience joined the Commission in the Pledge of Allegiance.

The previous Regular and Special Meeting Minutes were approved.

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.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

A. SECOND READING AND ADOPTION OF ORDINANCE #170 – RV PARKING

**CITY COMMISSION
CITY OF OTSEGO
Allegan County, Michigan**

Commissioner Withee, supported by Commissioner Krueger, moved the adoption of the following ordinance:

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 CURBLINE ORDINANCE**

THE CITY OF OTSEGO ORDAINS:

Section 1. Amendment. That Sections 74-117 of Chapter 74 of the Code of Ordinances, City of Otsego, Michigan are amended to read as follows:

Removal of Sec. 74-117. Parking between setback line and curblin. - No recreational vehicle shall at any time be parked between the established setback line and the curblin of any lot.

Section 2. Effective Date. This ordinance shall take effect upon the latter of publication or the passage of twenty (20) days' time following its final adoption in accordance with the City Charter.

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

NAYS: None.

ABSTAIN: None.

ABSENT: None.

ORDINANCE ADOPTED.

V. REQUESTS:

VI. AGREEMENTS:

1. CONSIDERATION OF AN AGREEMENT WITH JONES & HENRY ENGINEERS TO PROVIDE A WWTP OPERATIONS AND MAINTENANCE MANUAL AND SAMPLING AND ANALYSIS PLAN DEVELOPMENT

Waste Water Treatment Plant Supervisor, Luke Keyzer gave an overview of the manual and the necessity to have the current 1990 Manual updated to include the new equipment at the plant. He explained the time it would take for him to essentially re-write the manual in comparison to hiring Jones & Henry who produces these manuals and provides engineered diagrams. Luke answered questions of the Commission. Commissioner Krueger moved to authorize the execution of an agreement with Jones & Henry Engineers to provide a WWTP Operations and Maintenance Manual and Sampling and Analysis Plan Development, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

2. CONSIDERATION OF AN AGREEMENT WITH JONES & HENRY ENGINEERS TO PROVIDE DESIGN AND ENGINEERING SERVICES FOR SERVICES FOR THE EAST SANITARY SEWER PROJECT

City Manager Mitchell stated that the cost of the project had previously been discussed. He commented that he had been contacted by one of the properties on East Allegan Street, that they are going to be needing a new drain field and asked about the possibility of connecting to City services. A lengthy discussion took place regarding the benefit to the City if these services are connected. WWTP Supervisor Keyzer explained the process if the new services were to be extended. WWTP Supervisor Keyzer answered questions of the Commission regarding known expenditures for the Water and Sewer Funds for this fiscal year. A discussion took place regarding the use of ARPA funds versus using Water and Sewer unrestricted fund balance. City Manager Mitchell explained that using ARPA funds would not increase water and sewer rates. Aaron Davenport of Jones & Henry explained that the survey portion would cost approximately \$10,5000. Commissioner Milhiem asked if anything else in that area needed to be surveyed, while they were on-site. WWTP Supervisor Keyzer commented that the park and well-house areas need surveyed. Mayor Trobeck commented that no decisions have been made on how the ARPA funds will be used.

Commissioner Milhiem moved to authorize the execution of an agreement with Jones & Henry Engineers to provide Design and Engineering Services for Services for the East Sanitary Sewer Project, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

3. **CONSIDERATION OF AN AGREEMENT WITH WINDEMULLER TO REPLACE FAILED TRANSFORMER AT THE WASTE WATER TREATMENT PLANT**

Waste Water Treatment Plant Supervisor Keyzer explained that on November 13, heavy snow caused live wires to fault out and send high voltage into the plant. He explained that the plant is running on a generator and it will take approximately four to five months to get a new transformer. He commented that an insurance claim has been filed with our insurance company. Commissioner Withee moved to authorize the execution of an agreement with Windemuller to replace the failed transformer at the Waste Water Treatment Plant, seconded by Commissioner Krueger. **CARRIED UNANIMOUSLY**

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2021-16 – A RESOLUTION OF APPRECIATION – FIREFIGHTER & RECOGNITION OF FIREFIGHTER

Mayor Trobeck presented Kyle Baker with a Resolution of appreciation. The Mayor and Commission thanked Kyle Baker for his many years of service.

At this time, Kyle Baker told a story of his first experience at the Fire Station with his Dad when he was a child and them inviting him to see Santa at the Fire Station. He explained that the firemen welcomed him and his Dad into the station that day and that was when he knew he would be a fireman one day. He thanked everyone in attendance and the Commission.

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

**CITY OF OTSEGO
MICHIGAN**

RESOLUTION 2021-16

**A RESOLUTION RECOGNIZING THE SERVICE OF
KYLE BAKER**

WHEREAS, Kyle Baker has served on the Otsego Fire Department for 28 ½ years; where he began his firefighting career as a Firefighter on February 2, 1993, and

WHEREAS, Kyle Baker served as a Training Officer for the Fire Department from August 2002 until October 2003; and

WHEREAS, Kyle Baker served as a Lieutenant for the Fire Department from October 2003 until December 2007; and

WHEREAS, Kyle Baker served as a Captain for the Fire Department from December 2007 until February 2009; and

WHEREAS, Kyle Baker was appointed Assistant Fire Chief in March 2009, where he served until his resignation on November 3, 2021;

WHEREAS, he has been instrumental in Fire Prevention activities and the 9/11 Memorial for the

Fire Department, and advocated for Firefighter health & safety programs for the Fire Department; and

WHEREAS, he has held many positions representing the Otsego Fire Department; and

WHEREAS, in grateful recognition of faithful public service rendered to the citizens of the City of Otsego for many years of dedicated service as an employee of the Otsego Fire Department; and

THEREFORE LET IT BE RESOLVED, that the City of Otsego does hereby recognize, acknowledge, and thank Kyle Baker for his contributions and efforts over his many years of dedicated service to the City of Otsego and the Otsego Fire Department; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Kyle Baker at the December 6, 2021, Regular City Commission Meeting.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2021-17 - A RESOLUTION OF THE CITY OF OTSEGO RELATING TO PUBLIC ACT 152 OF 2011 – THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

Commissioner Withee offered the following Resolution and moved for its adoption, supported by Commissioner Krueger.

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN**

RESOLUTION NO. 2021-17

A RESOLUTION OF THE CITY OF OTSEGO RELATING TO PUBLIC ACT 152 OF 2011 – THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, the Publicly Funded Health Insurance Contribution Act or Public Act 152 of 2011, (PA 152) mandated certain cost-sharing obligations for public employee health insurance premiums and costs for medical benefit plan coverage years beginning after January 1, 2012; and

WHEREAS, if the City of Otsego (City) fails to comply with the mandates of PA 152, then the state treasurer is required to reduce by 10% each City, Village, and Township Revenue Sharing (CVTRS) payment received under 2011 PA 63; and

WHEREAS, the City has modified its Health Insurance Plans in an effort to meet the hard cap requirements of PA 152; and

WHEREAS, effective January 1, 2012, the City and its employees moved to a “high deductible health insurance plan,” and all City employees contribute twenty percent of their health care premiums, effective July 1, 2012; and

WHEREAS, Section 8 of the Act permits the “governing body” of “a local unit of government (which includes a city) to exempt itself from the requirements of this act for the next succeeding year.”

WHEREAS, even though the City strives to meet the requirements of PA 152, to avoid any possibility of a 10% reduction of City, Village, and Township Revenue Sharing (CVTRS) payments, the City of Otsego does, by a vote of 2/3 of its members, exempt itself from the provisions of PA 152 for one year beginning January 1, 2022, and

THEREFORE, BE IT RESOLVED that the City exempt itself from the requirements of PA 152 for one year beginning January 1, 2022, and pursuant to the Act no exemption beyond December 31, 2021, is intended or implied by this resolution, and

THEREFORE, BE IT FURTHER RESOLVED, pursuant to the Economic Vitality Incentive Program (EVIP) provisions of Public Act 63 of 2011, the City of Otsego, did produce a plan for implementing new compensation standards for, among other things, health insurance premium cost sharing by May 1, 2012, as required by Public Act 63.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

**C. CONSIDERATION OF RESOLUTION NO. 2021-18 - A RESOLUTION
REGARDING SCHEDULING THE 2021 MEETINGS OF CITY OF OTSEGO
CITY COMMISSION**

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN**

RESOLUTION NO. 2021-18

**A RESOLUTION REGARDING SCHEDULING THE
2022 MEETINGS OF CITY OF OTSEGO CITY COMMISSION**

Whereas, pursuant to Section 5(2) of Act 266 of 1976, the Open Meetings Act, the Otsego City Commission must establish and post notice of its regularly scheduled meetings; and

Whereas, Regular City Commission meetings are held at 7:00 PM local time, on the first and third Monday nights in the City of Otsego Chambers located at 117 E. Orleans Street, Otsego, MI 49078, unless otherwise stated; and

Whereas, a regular meeting may be re-scheduled or a special meeting scheduled upon eighteen (18) hours posted notice; and

Whereas, questions regarding meetings should be directed to the City Clerk at 117 E. Orleans Street, Otsego, MI 49078, 269-692-3391;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City of Otsego Commission Regular Meetings for 2022, are scheduled for the following dates:

January	3 and	17
February	7 and	21
March	7 and	21
April	4 and	18
May	2 and	16
June	6 and	20
July	5 and	18
August	1 and	15
September	6 and	19
October	3 and	17
November	7 and	21
December	5 and	19

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

D. CONSIDERATION OF RESOLUTION NO. 2021-19 – A RESOLUTION TO AMEND THE 2021-2022 ANNUAL APPROPRIATIONS BILL

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

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2021-19**

RESOLUTION TO AMEND THE 2021-2022 ANNUAL APPROPRIATIONS BILL

WHEREAS, the Otsego City Commission approved the 2021-2022 Annual Appropriations Bill which limited amounts for expenditures and anticipated revenues for the 2021-2022 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 2021-2022 Annual Appropriations Bill:

Sewer Fund Expenditures			
590-538-802.000	Wastewater Treatment Plant - Contracts		\$24,500
590-901-973.000	Capital Outlay - Sewer System		\$48,700
Net Increase/(Decrease)			\$73,200

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

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. Hometown Christmas festivities.
2. Commended Assistant Fire Chief Kyle Baker. He also acknowledged – Kim Rayburn on her retirement from the Library, and a recent award Mike Bosch received from Rotary.
3. Reminded everyone of the PA33 Meetings taking place on December 13th and Saturday, January 8, 2022, at 10:00 a.m., and asked everyone come.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton – he announced a Blood Donation Day at the Church of God next Tuesday, from 12pm to 5pm, and reminded everyone to call and reserve a time. He suggested to possibly contact Consumers who has stacks of transformers and have a spare on hand.

COMMISSIONERS' COMMENTS

Commissioner McNees – he thanked Kyle Baker and his Dad for visiting the Fire Station. He thanked Kyle Baker for all that he has done for the community. He thanked everyone for attending the meeting.

Commissioner Krueger – she commented that the Christmas tree is beautiful. She thanked the DPW for the beautiful decorations. She thanked WWTP Supervisor Keyzer for all of his hard work and for being so diligent. She commented on the story that Kyle Baker previously referred to - commenting that forty-two years ago, when she was eight years old and her Dad was Santa at the Fire Hall. She stated that it was nice knowing that you (Kyle Baker) had her Dad, Husband, Son and Daughter's backs – “it meant the world to me”.

Commissioner Withee – she congratulated Kyle Baker. She thanked everyone who helped with Hometown Christmas – with a special thanks to the Sweeney's, Mayor Trobeck, and the Chamber. She thanked everyone who attended the parade. She commented that it was a magical evening.

Commissioner Milhiem – he thanked and congratulated Kyle Baker. He told a story about visiting the Fire Station and wanting to become a firefighter, just like his grandfather. He stated that Kyle asked him why he wanted to be a fireman and if his wife and family were on board, because without the support of your family it wouldn't work. He stated the conversation stuck with him and he always appreciated Kyle's honesty. He stated that the Christmas Parade was a lot of fun. He thanked all of the Hometown Christmas volunteers. At this time, he congratulated his mother-in-law, Kim Rayburn on her recent retirement. He commented that she has been on many committees and volunteered for many years and it is a well-deserved retirement.

Mayor Trobeck – she invited everyone to the special meetings on December 13, and Saturday, January 8, 2022, regarding PA 33 of 1951. She commented that funds are tight and we are going to have to have some serious conversations and asked that the Commission invite as many people as they can to the meetings. She commented that the Commission wants to be transparent and we need to get the information out to the community. She thanked the Hometown Christmas Committee and a special thank you to Mike Bosch. She commented that the parade was amazing. She stated that the Santa area at the pavilion was also beautiful – and thanked the Smith's from Allegan. She stated that she had grown up a few houses down from Kyle and thanked him for the many hours, sleepless nights, his dedication and for going above and beyond for the community. She thanked Kyle's wife (Lori) for supporting one of our hero's day in and day out.

ADJOURN

The meeting was adjourned on a motion by Commissioner McNees, seconded by Commissioner Withee. CARRIED – 7:55 p.m.

Angela M. Cronen, MMC
City Clerk