

A Regular Meeting of the Otsego City Commission was held on Monday, January 17, 2022.

The meeting was called to order by Mayor Pro-Tem Withee at 7:00 p.m. with the following Commissioners present: Mayor Trobeck, Brent Milhiem, Lauri Krueger and Dustin McNees. Absent: None. Also present: City Manager Aaron Mitchell.

The audience joined the Commission in the Pledge of Allegiance.

On a motion by Commissioner McNees, seconded by Mayor Trobeck, the previous Regular & Special Meeting Minutes were approved, as submitted. CARRIED

At this time, Mayor Trobeck explained that due to her reduced vision, Mayor Pro-Tem Withee will be conducting the meeting.

Mayor Pro-Tem Withee requested that an item be added to the agenda – under Requests, B.

Commissioner Krueger moved to add to the agenda, under Requests – B – the Consideration of the Approval of the Cripps Fountaine Bid for the Pavilion Parking Lot Project, as approved by the DDA/Main Street Board, seconded by Mayor Trobeck. CARRIED UNANIMOUSLY

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

None.

I. PRESENTATIONS:

A. ALLEGAN COUNTY COMMISSIONER DUGAN

County Commissioner Dugan gave an update on current Allegan County activities.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

V. REQUESTS:

A. CONSIDERATION OF THE REQUEST TO SELL SAND TO ALLEGAN COUNTY/PITCH

City Manager Mitchell stated that the County/Pitch has been struggling to find sand for the Rock-Tenn site. He stated that DPW Superintendent Bosch gave an estimated selling price of \$4.00/Yard. City Manager Mitchell stated that this is a unique situation. Commissioner Milhiem asked who was going to be responsible for the soil erosion permit and the restoration. Commissioner McNees asked if there is a formal agreement. City Manager Mitchell explained that there is not a formal agreement, but language can be added to the motion to include the soil erosion permit and restoration. Commissioner McNees moved to grant the request to sell sand to Allegan County/Pitch, with the stipulation that Allegan County/Pitch is responsible for obtaining a soil erosion permit, and the restoration of the property, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

B. CONSIDERATION OF THE APPROVAL OF THE CRIPPS FOUNTAINE BID FOR THE PAVILION PARKING LOT PROJECT AS APPROVED BY THE DDA/MAIN STREET BOARD

City Manager Mitchell stated that previous estimates for the parking lot at the pavilion had come in around \$150,000. He commented that DPW Supervisor Bosch contacted Cripps Fountaine and they submitted a bid for \$74,500. City Manager Mitchell stated that the DDA/Main Street Board did not have a quorum at their January 10th, meeting and didn't approve this until their meeting this morning. Mayor Pro-Tem Withee stated that there would be twenty-four parking spaces and two handicapped spaces. Commissioner McNeas asked if only one bid was received. Mayor Trobeck commented that the bid from Cripps Fountaine, who did a lot of work on the pavilion, was half the price of the original estimates. Commissioner Milhiem commented that it is because the project is not engineered and is a single source. City Manager Mitchell commented that DPW Supervisor Bosch is comfortable with the bid. A brief discussion took place regarding the details of the bid. Commissioner Trobeck moved to approve the Cripps Fountaine Bid for the Pavilion Parking Lot Project, as approved by the DDA/Main Street Board, seconded by Commissioner Milhiem. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

A. CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF OTSEGO AND THE VAN BUREN CONSERVATION DISTRICT, TO COVER CERTAIN FINANCIAL RESPONSIBILITIES IN RELATION TO THE STATE OF MICHIGAN, DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY SCRAP TIRE CLEANUP GRANT, FISCAL YEAR 2022

City Manager Mitchell explained the program and the cost to the City. Commissioner McNeas commented that he doesn't want to subsidize something outside of the City. County Commissioner Dugan explained the process and how many trucks have been filled at previous events. Commissioner Milhiem commented that he is not opposed, but wanted to know the City's potential financial risk. City Manager Mitchell replied that if the trailer is not full, it could cost \$1,000, or if it is at least half full it would be \$500. Commissioner Milhiem moved to authorize the City Clerk to sign a Memorandum of Understanding (MOU) with the City of Otsego and the Van Buren Conservation District, to cover certain financial responsibilities in relation to the State of Michigan, Department of Environment, Great Lakes, and Energy Scrap tire Cleanup Grant, Fiscal Year 2022, seconded by Commissioner Krueger. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2022-03 - PUBLIC SAFETY SPECIAL ASSESSMENT DISTRICT RESOLUTION #1 -DECLARATION OF INTENT TO LEVY SPECIAL ASSESSMENT; TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT; NOTICE OF PUBLIC HEARING

City Manager Mitchell stated that this is the first formal step of PA33. He commented that a notice will be in the Union Enterprise and mailed to every property owner in the City. He commented that property owners will also be receiving a cover letter from the Mayor, inviting everyone to the final PA33 Presentation on February 7, 2022.

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

**CITY OF OTSEGO
(Allegan County, Michigan)**

RESOLUTION NO. 2022-03

PUBLIC SAFETY SPECIAL ASSESSMENT DISTRICT RESOLUTION #1

**DECLARATION OF INTENT TO LEVY SPECIAL ASSESSMENT;
TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

Minutes of a regular meeting of the City Commission of the City of Otsego, Allegan County, Michigan held in the City Hall, 117 E. Orleans Street, Otsego, Michigan 49078-1199 on January 17, 2022 at 7:00 p.m., local time.

WHEREAS, the City Commission of the City of Otsego, County of Allegan, State of Michigan, pursuant to Act 33, Public Acts of Michigan, 1951, as amended, and Act 188, Public Acts of Michigan, 1954, as amended, on its own initiative, tentatively declares its intent to create a special assessment district to pay for certain costs and expenses of police and fire protection (“Public Safety”), including motor vehicles, apparatus, equipment, housing and operations and maintenance of the City’s police and fire departments (collectively “Assessed Costs”) and assess the costs thereof to properties specially benefitted (except for land and premises exempt from the collection of taxes under the General Property Tax Act, Act 206, Public Acts of Michigan, 1893) within the special assessment district to be known as the “Otsego Public Safety Special Assessment District”, tentatively described in **Exhibit A** attached hereto and made a part hereof; and,

WHEREAS, the City Commission has tentatively determined that approximately \$1,400,000 will be required to provide the costs of Police and Fire protection in the City for fiscal year 2022; and

WHEREAS, of this amount, the City Commission intends to raise the amount of \$400,000 by special assessment, all this amount being estimated to be necessary for operation and maintenance and has caused to be prepared estimates of the Assessed Costs that are on file with the City Clerk; and

WHEREAS, there exists a need for Public Safety in the City and Act 33 provides the means to finance the police and fire protection; and

WHEREAS, the City Commission desire to fix the day for a hearing on the estimates of the Assessed Costs and on the question of creating the Otsego Public Safety Special Assessment District.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Commission intends to proceed pursuant to Act 33 to provide Public Safety in the City and to defray the cost of Public Safety by special assessment on the lands and premises in the City to be benefitted, except for lands and premises exempt from the collection of taxes under the General Property Tax Act.

The City Commission has authorized the preparation of estimates of the cost and expense of providing Public Safety, which have been filed with the City Clerk.

The City Commission hereby tentatively designates a special assessment district known as the Otsego Public Safety Special Assessment District (the “Special Assessment District”) consisting of all lots and parcels of property located within the boundaries of the City. A portion of the cost of the Public Safety in the amount of \$400,000 shall be assessed against the taxable lots and parcels of land located within the Special Assessment District for the next fiscal year.

The City Commission shall hold a public hearing on February 21, 2022, at 7:00 p.m. at the City Hall located at 117 E. Orleans Street, Otsego, Michigan 49078-1199 in the City to hear and consider comments and objections to the estimate of cost, the creation of a Special Assessment District, the Special Assessment District tentatively designated herein, and defraying the expenses of the special assessment district on the properties to be especially benefited, except property exempt from the collection of taxes, and all other matters relating to the creation of the proposed Special Assessment District.

The City Clerk shall cause to be published a Notice of the Public Hearing twice in the *Union Enterprise*, a newspaper of general circulation within the City, the first publication at least ten (10) days prior to the public hearing, and the second publication at least five (5) days prior to the public hearing. Proofs of publication of such notice shall be filed with the City Commission.

The City Clerk, at least ten (10) days prior to the date of the public hearing, shall send a Notice of the Public Hearing by first-class mail addressed to each record owner, or party of interest, of each lot and parcel of property to be assessed, at the address shown for such owner or party in interest upon the last City tax assessment records, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed therein, except in the case of railroad companies who shall be mailed a notice of the public hearing by registered mail.

The form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in **Exhibit B** hereto, with such changes as are approved by the City Manager.

All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Commissioners: Cyndi Trobeck, Stacey Withee, Laurie 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. Ice Rink at the pavilion.
2. Commissioner Milhiem asked what was going to happen to the dirt area where the ice rink was previously. He asked if milling could be put down. City Manager Mitchell commented that the Main Street Design Committee would like to take the parking lot out and make it green space, so it is a no-win situation at this time. Mayor Trobeck asked if there are steps being taken to stop the semi parking in that area. City Manager Mitchell stated that a new place for semis to park will have to be found. Commissioner Milhiem commented that none of the City parking lots are built to have semis parking on them. City Manager Mitchell stated that they will be gone by the time the new parking lot is put in at the pavilion.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton – he commented that he is glad to hear someone wants tires.

Phyllis Geurink, 1362 E M-89, Lot 116 – she gave an overview of her intentions to assist the recent Kentucky tornado victims. She stated that she is asking that the City of Otsego and the City of Plainwell partner in the collections of items for the victims. She gave a brief history of how the operation work in 1997. The Commission encouraged her to present her intentions to the Otsego Rotary Club, at their meeting on Friday, and to also contact the Otsego Library.

Gale Dugan, 318 21st Street – he commented the there is water seeping in the basement of the Historical Society Museum. He asked if a drain could be installed around the museum to deal with the seasonal draining issues.

COMMISSIONERS' COMMENTS

Mayor Trobeck – she thanked Ms. Geurink for her presentation and advised her to put together a committee with connections to take on this cause. She thanked the audience for attending.

Commissioner McNees – he thanked the audience for attending.

Commissioner Krueger – she thanked City Manager Mitchell, Mayor Trobeck and Clerk Cronen for researching and putting together the PA 33 information, as it was a ginormous task. She commented that the PA 33 funds are needed for both the Fire Department and the Police Department. She stated the we have a very professional Fire Department and Police Department. She thanked the audience for attending.

Commissioner Milhiem – he thanked everyone who worked behind the scenes preparing for PA 33, as so much time and effort was put into it. He commented the PA 33 will fill our revenue

gap. He commented that the people trust where they live and PA 33 will keep the level of professionalism in the Fire Department and the Police Department. He stated that the Mayor's cover letter was great. He stated that so much time and effort has been put into being transparent throughout this process. He thanked County Commissioner Dugan for his work and updates on the Rock-Tenn Project. He thanked Mayor Trobeck for being at the meeting and also thanked Mayor Pro-Tem Withee for doing a great job leading the meeting. He stated that he would love to help with the Kentucky project any way he can. He commented that he appreciated Ms. Geurink's thoughtfulness.

Mayor Pro-Tem Withee – she thanked the audience for attending. She also thanked Ms. Geurink. She reminded everyone of the final PA 33 Presentation at the next Regular City Commission Meeting, on Monday, February 7th, at 7:00 p.m., and encouraged everyone to come. She thanked everyone for being patient with her tonight as she conducted the meeting.

ADJOURN

The meeting was adjourned on a motion by Commissioner McNees, seconded by Commissioner Milhiem. CARRIED – 8:01 p.m.

Angela M. Cronen, MMC
City Clerk