

A Regular Meeting of the Otsego City Commission was held on Monday, February 6, 2023.

The meeting was called to order by Mayor Withee at 7:00 p.m. with the following Commissioners present: Jason Smith, Chuck Moore, and Wayne Rayburn. Absent: Lauri Krueger. Also present: City Manager, Aaron Mitchell.

The audience joined the Commission in the Pledge of Allegiance.

Commissioner Smith moved to excuse Commissioner Krueger, seconded by Commissioner Moore. CARRIED.

Commissioner Moore moved to approve the January 16, 2023, Regular Minutes, as submitted, seconded by Commissioner Rayburn. CARRIED.

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

Charles Housel, 379 W. Orleans – he asked if all of the agreement items on the agenda went out for bid. City Manager Mitchell stated that they went out for bid, except for Plummers, as they are our preferred sewer repair vendor.

Nick Breedveld, 1101 Barton – he asked if the Commission was going into Closed Session for informational purposes only. City Manager Mitchell stated that the Closed Session will be for informational purposes only.

### **I. PRESENTATIONS:**

#### **A. COUNTY COMMISSIONER GALE DUGAN UPDATE**

County Commissioner Dugan gave an update on current Allegan County activities. He answered questions of the audience and the Commission.

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

#### **A. PUBLIC HEARING - TO ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES**

Mayor Withee opened the Public Hearing at 7:16 p.m., there being no public comment, the Public Hearing was closed at 7:17 p.m.

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

### **IV. ORDINANCES:**

### **V. REQUESTS:**

### **VI. AGREEMENTS:**

#### **A. CONSIDERATION OF AN AGREEMENT WITH LOVETT DRIVEWAY FOR THE PAVING OF THE FIRE DEPARTMENT AND CITY HALL PARKING LOTS**

City Manager Mitchell explained that the milling and filling of the parking lots at City Hall and the Fire Department are coming from the remaining funds from the DDA. He stated that Lovett

Driveway was the lowest bid and they do good work. Commissioner Moore moved to authorize the approval of the agreement with Lovett Driveway for the milling and filling of the Fire Department and City Hall Parking Lots, not to exceed \$57,900, seconded by Commissioner Smith. CARRIED UNANIMOUSLY

**B. CONSIDERATION OF AN AGREEMENT WITH PARK WAREHOUSE FOR THE PURCHASE OF TRASH RECEPTACLES FOR THE DOWNTOWN**

City Manager Mitchell commented that the trash receptacles are another DDA Fund purchase. He stated that twenty receptacles and lids would be purchased, with an expected life of twenty plus years. City Manager Mitchell reminded the Commission that they had prioritized the spending of the DDA Funds. At this time, a lengthy discussion took place regarding if there was a less expensive option. City Manager Mitchell stated that he trusts his department head to find the best products and prices, and is confident that the City is getting the best deal. Commissioner Moore moved to authorize an agreement with Park Warehouse for the purchase of trash receptacles for the downtown, not to exceed \$12,468.40, seconded by Commissioner Rayburn. CARRIED UNANIMOUSLY

**C. CONSIDERATION OF AN AGREEMENT WITH PLUMMERS INC FOR SEWER PIPE MAINTENANCE**

At this time, City Manager Mitchell explained that during the recent sewer maintenance inspection, it was found that a pipe needed to be replaced on North Street. City Manager Mitchell explained the process and that the road would not be torn up in the process. He stated that the funds will be coming from the Sewer Fund. Commissioner Moore moved to authorize an agreement with Plummers Inc. for sewer pipe maintenance, not to exceed \$24,321.00, seconded by Commissioner Smith. CARRIED UNANIMOUSLY

**VII. RESOLUTIONS:**

**A. CONSIDERATION OF RESOLUTION NO. 2023-05 - A RESOLUTION TO - ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES**

Commissioner Rayburn offered the following Resolution and moved for its adoption, supported by Commissioner Smith.

**CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN**

**RESOLUTION NO. 2023-05**

**A RESOLUTION TO ESTABLISH SINGLE PREMISE ASSESSMENTS FOR DELINQUENT CHARGES FOR CITY SERVICES**

WHEREAS, Otsego City Code of Ordinances Section 62-11 establishes the procedure for the collection of expenditures incurred by the city for services rendered for particular premise or premises which are not of the class required to be prorated among several lots and parcels in a special assessment district; and

WHEREAS, the City of Otsego has provided such services and has not received payments from the respective property owners for more than 30 days upon sending notice of outstanding amounts; and

WHEREAS, property owners with outstanding amounts for services were notified that a public hearing would be held concerning the establishment of a single premise assessment roll more than ten days prior to the hearing date.

NOW, THEREFORE, IT IS RESOLVED THAT: the City of Otsego hereby establishes the following Single Premise Assessment Roll for the following parcels of property which are identified by their tax identification number, property owner, address, amount owing and service rendered:

Parcel Number	Owner Name	Property Address	Invoice Number	Amount Due	Service Description
03-54-022-136-00	Hughes, Merry	415 S. North St.	2445	\$112.67	Mowing
03-54-022-136-00	Hughes, Merry	415 S. North St.	2461	\$125.72	Mowing
03-54-122-018-00	Meech, Joshua	515 S. Fair St.	2447	\$315.47	Mowing
03-54-250-022-00	Hagerman, Harold & Jeffrey	240 Helen St.	2400	\$622.39	Mowing

BE IT FURTHER RESOLVED that the above single premise assessments are due in full by Tuesday, February 28, 2023; and

BE IT FURTHER RESOLVED that after the due date, all unpaid single site assessments shall be returned delinquent to the Allegan County Treasurer and be placed as a lien against the respective properties.

YEAS: Commissioners: Stacey Withee, Chuck Moore, Jason Smith, Wayne Rayburn.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Lauri Krueger.

RESOLUTION DECLARED ADOPTED.

### **VIII. APPOINTMENTS:**

### **IX. DISCUSSION ITEMS:**

#### **MANAGER'S REPORT**

The City Manager gave updates on the following:

- Ballot Proposal Letter
- Sewer work on West Franklin Street

#### **COMMUNICATIONS**

None.

#### **REMARKS FROM THE AUDIENCE**

Robert Alway, 1012 Barton – he announced that there will be a blood drive at the Church of God tomorrow from 12:00 p.m. until 5:00 p.m.

Charles Housel, 379 W. Orleans – he asked the Commission the following: if they had reviewed the agenda items before 4:00 p.m. today; if they reviewed the agenda items with other Commissioners; and if the Commissioners have the cell phone numbers of the other Commissioners.

Brittany Hill, 123 S Fair – she encouraged communication like the questions Commissioner Rayburn asked. She also asked for the crowd to be educated by the Commission. She commented that to have trust you have to verify. She stated that about half the crowd is not happy. She asked where she could get a printed copy of the budget. City Manager Mitchell advised her that paper copies can be purchased at City Hall or you can view a paper copy at City Hall, and it is also available on-line.

Nancy Pagano, 440 W Orleans – she asked if any of the Commissioners are friends or family of Lovett Driveway.

Karin Breedveld, 1101 Barton – she stated that the Economic Development section of the website has old properties listed for sale.

#### **COMMISSIONER'S' COMMENTS**

Commissioner Smith – he thanked County Commissioner Dugan for his report.

Commissioner Moore – he thanked the audience for attending, and commented that he is always glad they are here. He commented on the trust and verify comment – stating that you have to put faith in DPW Supervisor Mike Bosch and trust him and his recommendation. He stated that the Commission is not just rubber-stamping things. He commented that there will be more difficult meetings in the future. He asked City Manager Mitchell if the upcoming Informational Meeting will be a regular meeting, if there is a quorum. City Manager Mitchell will be conferring with the City Attorney.

Commissioner Rayburn – he thanked the audience for attending. He read a prepared statement as to why he voted to put the Public Safety Millage request on the May ballot.

“Response time is important. It does not matter the age of the community resident. An accident or a medical emergency could happen to anyone at any time. We need the responders trained and up to date for the best possible care of the person(s). We all know the cost of everything is way up from office supplies to maintaining equipment, maintenance, fuel, energy, medical supplies needed for the response and of course wages. I think most would agree if you have good, dedicated employees you do not want to lose them. If there are dedicated schedules all employees know what is expected of them and duties that they are responsible for. Times have changed, the world has changed and not necessarily in a good way at times. Being an older resident and having used the services several times for family members I have realized the importance for this service. This does not mean I like my taxes going, but if the community needs it, it is there for them and if the cost for an extra for something anybody could need I accept that.”

Mayor Withee – she thanked the audience for attending. She wished them a lovely evening.

ADJOURN FOR CLOSED SESSION – DISCUSSION WITH MCGRAW & MORRIS  
ATTORNEYS REGARDING A LAWSUIT

Commissioner Rayburn moved to hold a closed session as authorized by MCL 15.268(1)(e) to consult with counsel regarding settlement strategy in the matter of Calvin Schanz v The City of Otsego, et al, where an open meeting would have a detrimental effect on the litigation and/or settlement position of the City in that litigation, seconded by Commissioner Moore. CARRIED.

RECONVENE REGULAR MEETING ADJOURN REGULAR MEETING

On a motion by Commissioner Smith the Regular Meeting was reconvened, seconded by Commissioner Moore. CARRIED.

The meeting was adjourned on a motion by Commissioner Smith, seconded by Commissioner Rayburn. CARRIED – 9:30 p.m.

Angela M. Cronen, MMC  
City Clerk