

A Regular Meeting of the Otsego City Commission was held on Monday, April 17, 2023.

The meeting was called to order by Mayor Withee at 7:00 p.m. with the following Commissioners present: Lauri Krueger, Jason Smith, Chuck Moore, and Wayne Rayburn. Absent: None. Also present: City Manager, Aaron Mitchell; Finance Director, Matthew Storbeck; Fire Chief, Brandon Weber; Police Chief, Brad Misner; and DPW Supervisor, Mike Bosch.

The audience joined the Commission in the Pledge of Allegiance.

On a motion by Commissioner Smith, seconded by Commissioner Moore, the March 20, 2023, Regular Minutes were approved as submitted.

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

None.

### **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.

#### **B. INTRODUCTION OF NEW POLICE OFFICER BENJAMIN GILLION**

Police Chief introduced and welcomed Officer Benjamin Gillion. He presented Officer Gillion with a MCOLES plaque. At this time, City Clerk Cronen swore in Officer Gillion. Officer Gillion was then “pinned” by his father. The Commission welcomed Officer Gillion.

#### **C. POLICE DEPARTMENT AWARDS – POLICE CHIEF MISNER**

At this time, Police Chief Misner presented and read three awards that were presented to members of the Police Department.

1. Officer Brandon Weber – for performing the duties of Training Coordinator
2. Office Mike Gudith – for responding to Blight & Ordinance Violations
3. Officer Judd Sikkema – for performing the duties of School Resource Officer

#### **D. PRESENTATION OF 2023-2024 ANNUAL APPROPRIATIONS BILL - WATER FUND AND SEWER FUND**

Finance Director Matthew Storbeck presented the Motor Pool Fund for 2023-2024. Anticipated revenue for the Motor Pool Fund is \$276,000, and anticipated expense is \$329,925, capital outlay of \$85,750 – paint striping machine and Service Truck WWTP. DPW Supervisor Bosch answered questions from the audience and Commission regarding equipment.

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

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

### **IV. ORDINANCES:**

#### **A. FIRST READING ORDINANCE #172 – AN ORDINANCE TO DISSOLVE**

THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CITY OF OTSEGO PURSUANT TO ACT 197 OF THE PUBLIC ACTS OF MICHIGAN OF 1975, AS AMENDED (MCL 125.4227 ET SEQ.); TO PROVIDE THAT THE CITY OF OTSEGO TAX INCREMENT FINANCING PLAN HAS NO FORCE AND EFFECT AS OF THE DATE OF THIS ORDINANCE; TO TRANSFER SURPLUS FUNDS TO THE TAXING BODIES; TO TRANSFER THE PROPERTY AND ASSETS OF THE AUTHORITY TO THE GENERAL FUND OF THE CITY OF OTSEGO AFTER THE SATISFACTION OF THE OBLIGATIONS OF THE AUTHORITY; TO REPEAL ARTICLE II, CHAPTER 22 OF THE CITY OF OTSEGO CODE OF ORDINANCES; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

Mayor Withee offered Ordinance #172 for a first reading. City Manager Mitchell explained that the ordinance was to dissolve the Downtown Development Authority. The ordinance will be presented for the 2<sup>nd</sup> reading and adoption at the May 15, 2023, meeting.

**B. FIRST READING ORDINANCE #173 – AN ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE**

Mayor Withee offered Ordinance #173 for a first reading. City Manager Mitchell explained that the ordinance is in regards to the Flood Maps and how they are used for construction purposes. The ordinance will be presented for the 2<sup>nd</sup> reading and adoption at the May 15, 2023, meeting.

**V. REQUESTS:**

**A. CONSIDERATION OF THE ACCEPTANCE OF THE LOCAL OFFICER’S COMPENSATION BOARD MINUTES**

City Manager Mitchell explained that the Local Officer’s Compensation Board recommended to keep the current pay rate for the Commissioners and Mayor. Commissioner Krueger moved to accept the Local Officer’s Compensation Board minutes, as presented, seconded by Commissioner Rayburn. CARRIED UNANIMOUSLY.

**B. CONSIDERATION OF A REQUEST FROM THE SHOPPERS GUIDE TO HOLD TWO COMMUNITY-WIDE GARAGE SALES ON MAY 18, 19, 20, AND AUGUST 3, 4, 5, 2023.**

City Manager Mitchell commented that the this is an annual request from the Shopper’s Guide to hold the community-wide garage sales and to waive the \$1.00, permit fee. Commissioner Krueger moved to grant the request from the Shopper’s Guide to hold two community-wide garage sales on May 18, 19, and 20; and August 3, 4, 5, 2023; and waive the permit fee, seconded by Commissioner Moore. CARRIED UNANIMOUSLY.

**VI. AGREEMENTS:**

**A. CONSIDERATION OF AN SRO AGREEMENT WITH OTSEGO PUBLIC SCHOOLS**

City Manager Mitchell stated that it is exciting news that Otsego Public Schools will be funding the School Resource Officer one-hundred percent. He explained that the position will

be a seasonal full-time position, with no expectations of the SOR to work during the summer at the Otsego Police Department. He commented that the terms to the contract are indefinite, but either party can dissolve the contract with ninety days' notice. Commissioner Smith moved to authorize the Mayor and City Clerk to enter into an agreement with Otsego Public Schools for the School Resource Officer position, as presented, seconded by Commissioner Rayburn. CARRIED UNANIMOUSLY.

**B. CONSIDERATION OF THE ADOPTION OF THE CITY OF OTSEGO CITY COMMISSION RULES OF PROCEDURE**

City Manager Mitchell stated that the Otsego City Commission Rules of Procedure had not been updated since 1996. He explained that only a few things were changed, one being if a group wanted to speak about the same subject they were only allowed fifteen minutes as a group, that was changed so that every person has three minutes to comment, and the addition of using the website for public notices. Commissioner Krueger moved to adopt the City of Otsego City Commission Rules of procedure, as presented, seconded by Commissioner Smith. CARRIED UNANIMOUSLY.

**C. CONSIDERATION OF A BID AMENDMENT WITH B&L EXCAVATING FOR SIDEWALK REPAIR**

City Manager Mitchell stated that this amendment will be the last action item for the East Allegan Street sewer extension and sidewalk project. He explained that a large portion of the sidewalk repair was not included in the original bid. He stated that Jones and Henry had bid the project and left out sidewalk replacement in the original bid. Commissioner Smith suggested that the City have a conversation with Jones & Henry. City Manager Mitchell commented that this expenditure will help with Act 51 – Major Street allocating. Commissioner Krueger moved to amend the bid with B&L Excavating for sidewalk repair, not to exceed \$66,927.50, seconded by Commissioner Moore. CARRIED UNANIMOUSLY

**VII. RESOLUTIONS:**

**A. CONSIDERATION OF RESOLUTION NO. 2023-07 – A RESOLUTION TO REQUEST THAT LEGISLATURE/GOVERNOR INCLUDE FUNDING IN THE 2023 BUDGET FOR COMMUNITIES FOLLOWING PENSION BEST PRACTICES ESTABLISHED BY THE STATE**

City Manager Mitchell explained that the City of Otsego does not have a pension plan. He explained that this is a resolution requesting that the Legislature/Governor include funding in the 2023 Budget for communities following pension best practices established by the State.

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

CITY OF OTSEGO  
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2023-07

REQUEST THAT LEGISLATURE/GOVERNOR INCLUDE FUNDING  
IN THE 2023 BUDGET  
FOR COMMUNITIES FOLLOWING PENSION BEST PRACTICES  
ESTABLISHED BY THE STATE

WHEREAS, The City of Otsego has taken difficult steps to avoid creating a pension program, due to high uncontrollable costs, this was a hardship on current employees and attracting future employees; and

WHEREAS, The City of Otsego does not offer a pension program, however it recommends following best practices established by the State of Michigan which kept many financially responsible governmental units operationally viable in the face of enormous financial pressure; and

WHEREAS, HB 5054 of 2022 would have divided \$250 million between financially responsible governmental units, that made the tough decisions and followed those best practices; and

WHEREAS, financially responsible governmental units are ineligible for \$750 million in pension relief allocated by the State in 2022 despite experiencing the same pension-related financial stresses as those who will receive that relief; and

WHEREAS, these stresses have been amplified by market losses in 2022 and a volatile market in 2023; and

WHEREAS, this \$250 million would have immeasurable impact on responsible municipalities' ability to address their pension liabilities, maintain employment levels, and provide the services their taxpayers depend upon; and

WHEREAS, both the \$750 million allocated and the \$250 million requested here had broad, bipartisan support in the House a year ago; and

WHEREAS, HB 5054 created an equitable balance between those with pensions the House considered substantially underfunded and those who had followed best practices to achieve a higher funding ratio; and

WHEREAS, unallocated revenues are available to the State in 2023 to again make this pension assistance equitable by helping those communities struggling with pension costs, but ineligible for the \$750 million;

THEREFORE, BE IT RESOLVED THAT, The City of Otsego asks the State of Michigan Legislature and Governor's Office to revisit HB 5054; and

BE IT FURTHER RESOLVED, that the Legislature and Governor give bipartisan support to the inclusion of the \$250 million in the 2023 State budget to be divided between communities that meet the best practices required in that Bill.

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

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:

- Public Safety Millage Meetings have been completed & ballots are being turned in.
- Thanked Police Chief Misner and the Police Department for all they do and for attending the meeting.
- The town is torn-up right now with many projects taking place and new ones beginning soon. The Washington/Dix Street project will begin on July 7<sup>th</sup>.

#### **COMMUNICATIONS**

None.

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

Robert Alway, 1012 Barton – he stated that the floodplain is related to insurance, and basically flood insurance is no longer needed. He stated that he is happy to see the sidewalk repair. He commented that Finance Director Storbeck knows what is going on.

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

Commissioner Smith – he thanked Finance Director Storbeck and County Commissioner Dugan for their reports. He commended the Police Officers for a job well done. He stated that he is excited about the Workshop items that were discussed. He stated that he will be happy when the M-89 projects are wrapped up.

Commissioner Rayburn – he congratulated Officer Weber, Officer Gillion, Officer Gudith, and Office Sikkema. He welcomed Officer Gillion. He thanked County Commissioner Dugan for his report, DPW Supervisor Bosch for the information regarding the parks, and Finance Director Storbeck for his Motor Pool Presentation.

Commissioner Krueger – she thanked DPW Supervisor Bosch for the information regarding the parks. She also thanked and Finance Director Storbeck for his presentation, reporting, and budgeting. She commented that it was a wonderful night to honor the Police Officers and it is nice to communicate the accomplishments and what goes on behind the scenes. She commented that it is an honor to honor our own and she appreciates all of them. She thanked the audience for attending.

Commissioner Moore – he thanked Finance Director Storbeck for presenting another section of the budget. He commented that he is learning more with each presentation. He thanked DPW Supervisor Bosch, and County Commissioner Dugan. He thanked City Manager Mitchell for educating people and sharing the information about the millage proposal. He thanked the audience for showing up.

Mayor Withee – she thanked DPW Supervisor Bosch for his information regarding the parks at the Workshop meeting. She commented that if a grant is received it would be money put to good use for the whole community. She thanked all of the Police Officers, commenting that they are incredible and talented. She congratulated Officer Weber, Officer Sikkema, and Office Gudith for being recognized for their accomplishments.

The meeting was adjourned on a motion by Commissioner Krueger, seconded by Commissioner Smith. CARRIED – 8:10 p.m.

Angela M. Cronen, MMC  
City Clerk