

A Regular Meeting of the Otsego City Commission was held Monday, February 15, 2016.

The meeting was called to order by Mayor Gilmer at 7:00 p.m. with the following Commissioners present: Cyndi Trobeck, Ryan Wieber, Kathy Misner, and Stacey Withee. Absent: None. Also present City Manager Beard.

The audience joined the Commission in the Pledge of Allegiance.

The Regular Meeting Minutes of February 1, 2016, were approved as submitted.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

None.

I. PRESENTATIONS:

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

V. REQUESTS:

A. TRAFFIC CONTROL ORDER #137 – A TRAFFIC ORDER FOR NORTH FARMER STREET PARKING

Manager Beard stated that both the DDA/Main Street Board and the Planning Commission recommend the traffic order.

Commissioner Wieber moved to authorize Traffic Control Order #137, seconded by Commissioner Misner.

**CITY OF OTSEGO
MICHIGAN**

TRAFFIC CONTROL ORDER #137

In accordance with the provisions of Section 74-33 of the Traffic Ordinance, the first marked parking space on the West side of 100 N Farmer, shall be limited to fifteen minute parking between 7:00 a.m. and 6:00 p.m.: NORTH FARMER STREET. This Order will become effective upon the erection of proper signs. CARRIED UNANIMOUSLY

VI. AGREEMENTS

A. CONSIDERATION OF AN AGREEMENT FOR GENERAL ENGINEERING AND ARCHITECTURE SERVICES WITH C2AE

Manager Beard explained that the agreement defines the costs for any services that the City Engineers – C2AE provide that are not specifically called out in an agreements and automatically renews. Commissioner Trobeck moved to authorize the City Manager to enter into an agreement

with C2AE for General Engineering and Architecture Services, as presented, seconded by Commissioner Withee. CARRIED UNANIMOUSLY.

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2016-08 - A RESOLUTION TO APPROVE A CONTRACT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE CITY OF OTSEGO MICHIGAN

Commissioner Misner offered Resolution No. 2016-08 – a resolution to Approve Contract No. 15-5493 between the Michigan Department of Transportation and the City of Otsego and moved for its adoption, supported by Commissioner Withee.

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2016-08

A RESOLUTION TO APPROVE CONTRACT NO. 15-5493
BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION
AND THE CITY OF OTSEGO MICHIGAN

WHEREAS, the Michigan Department Of Transportation (MDOT) is planning hot mix asphalt cold milling and resurfacing work on Highway M-89; and

WHEREAS, the City of Otsego has requested additional work in connection with the Highway M-89 construction, which additional work is hereinafter referred to as the “Project” and is located and described as follows:

Hot mix asphalt cold milling and resurfacing of parking area along Highway M-89 from Kalamazoo Street to 12th Street; together with necessary related work, located within the corporate limits of the City of Otsego

WHEREAS, MDOT presently estimates the Project Cost to be \$16,100; and

WHEREAS, the City of Otsego desires to enter into a contract with the Michigan Department Transportation for the purpose of fixing the rights and obligations of the parties in agreeing to the above mentioned improvements.

NOW, THEREFORE, IT IS RESOLVED THAT the Otsego City Commission hereby approves the contract between the City and the Michigan Department of Transportation; and

BE IT FURTHER RESOLVED THAT Mayor, Tom Gilmer and City Clerk, Angela M. Cronen are specifically authorized to enter into this contract – No. 15-5493, with the Michigan Department of Transportation.

YEAS: Commissioners: Tom Gilmer, Kathy Misner, Cyndi Trobeck, Ryan Wieber, & Stacey Withee

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. **CONSIDERATION OF RESOLUTION NO. 2016-09 - A RESOLUTION
AUTHORIZING THE SALE OF SOME LOTS IN THE ELEY ACRE V AND VI
PLATS FOR A REDUCED PRICE**

Commissioner Trobeck offered Resolution No. 2016-09 – a resolution authorizing the sale of some lots in the Eley Acre V and VI Plats for a reduced price and moved for its adoption, supported by Commissioner Wieber.

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN**

RESOLUTION NO. 2016-09

**A RESOLUTION AUTHORIZING THE SALE OF SOME LOTS IN
THE ELEY ACRES V and VI PLATS FOR A REDUCED PRICE**

WHEREAS, the City Commission wishes to increase the pace of the sales of lots in the Eley Acres V and VI Plats and the resulting construction of suitable single family residences on those lots; and

WHEREAS, the Commission has adopted a “Declaration of Restrictions” for Eley Acres V and VI (the “Declaration of Restrictions”) containing certain restrictions and covenants which bind the properties comprising Eley Acres V and VI; and

WHEREAS, the City Commission adopted Resolutions 2001-18 and 2002-18 which authorized the sale of lots in the Eley Acres V and VI Plats at prices established by the City Treasurer and under terms provided in that resolution; and

WHEREAS, the City Commission wishes to expedite the sales of some lots to generate funds to pay obligations connected to the development of that Plat and to increase the City’s tax base.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The sale of the next 5 lots in the Eley Acres V and VI Plats may be for prices of one-half those approved by Resolutions 2001-18 and 2002-18 provided the buyers comply with the following additional terms and conditions which shall be placed within the deed or in another document to be recorded at the time of closing on the purchase of the lot:

A. Construction of a new home meeting all requirements for homes within that Plat shall have begun within 6 months of the date of the sale. If construction has not commenced prior to that date, the City may, within 30 days thereafter, determine to reacquire the lot for \$1,000 less than the price the buyer paid for that lot.

B. Within 15 months after the closing on the sale of the lot, construction of a new home shall be completed to the point that a certificate of occupancy is issued. If a certificate of occupancy is not issued by that date, the City may impose a late completion penalty of \$100 per day for each

day that the new home fails to meet the requirements for a certificate of occupancy. This amount shall be a lien on the property until paid.

C. No person or entity may directly or indirectly acquire more than one lot at this reduced price. For a period of 2 years after the sale of any lot as provided in this resolution, no buyer may convey that lot to a person or entity, or a person related to any person or entity, that has acquired any other lot at a reduced price pursuant to this resolution.

2. This reduced price sale shall expire on June 30, 2016, or upon the sale of 5 lots, whichever is earlier.

3. Except for the terms and conditions expressly changed or added by this resolution, all other previously approved Restrictive Covenants and terms of sale for lots in the Eley Acres V and VI Plats shall also apply to the sale of lots pursuant to this resolution.

YEAS: Commissioners: Tom Gilmer, Kathy Misner, Cyndi Trobeck, Ryan Wieber, & Stacey Withee

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

A. PUBLIC SAFETY MILLAGE

A lengthy discussion took place regarding the means to inform the voters. Many different suggestions were made to update the Power Point Presentation. Mayor Gilmer stated that he will have office hours at City Hall on Tuesdays from 2-3:00 p.m. and on Thursdays from 10-11 a.m., in April, to answer any questions regarding the proposed millage request. He will also be available in April at Mezzo Coffee on a few Saturday mornings and at City Hall on Mondays at 6:00 p.m. before the Commission Meetings. He asked that all Commissioners give him contact information of residents to invite to the Group Meeting on March 15th. Two additional Open Forum Meetings are scheduled for April 12th and 13th, from 7-8:00 p.m., location is to be determined. Additional ways to inform the public were placing an ad in the Shopper's Guide and going door-to-door.

MANAGER'S REPORT

1. He gave updates on the following: Chamber Dinner; Small Urban Group & South Farmer Street; and Fire Department Sign.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Jared Polonowski, Dougie's – he suggested limiting parking in the downtown to two hours. He commented on the trash receptacles in the downtown.

COMMISSIONERS' COMMENTS

Commissioner Withee – she commented that she is happy that the lots are selling in Eley Acres, as it is a sign of progress for our community.

Mayor Gilmer – he congratulated Heather and John Nichols for their dedication and for completing training in Real Risk Management, and Ice Rescue. He commented that they put in many hours of training, and he appreciates their time and energy. He passed out the City Manager's Evaluations to the Commission and asked that they be turned in by March 7th. He thanked the audience for attending.

The meeting was adjourned on a motion by Commissioner Misner, seconded by Commissioner Withee. CARRIED – 7:49 p.m.

Angela M. Cronen, MMC
City Clerk