

A Regular Meeting of the Otsego City Commission was held Monday, April 4, 2016.

The meeting was called to order by Mayor Gilmer at 7:00 p.m. with the following Commissioners present: Ryan Wieber, Cyndi Trobeck, and Stacey Withee. Absent: Kathy Misner. Also present City Manager Beard.

The audience joined the Commission in the Pledge of Allegiance.

Commissioner Trobeck moved to excuse Commissioner Misner, seconded by Commissioner Withee. CARRIED.

The Regular Meeting Minutes of March 21, 2016, were approved as submitted.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

I. PRESENTATIONS:

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

A. 1ST READING OF PROPOSED ORDINANCE #157 – AN ORDINANCE TO AMEND SECTION 78-36 OF THE CODE OF ORDINANCES OF THE CITY OF OTSEGO TO REGULATE BUILDING SEWERS AND CONNECTIONS

Manger Beard gave an overview of the proposed ordinance amendment. He stated that the City's Sewer Ordinance is unique that the City now pays for the maintenance of the lateral to the sewer main, and would have to special assess the owner for the cost. This proposed ordinance outlines the property owner's responsibility for the maintenance of the lateral to the main.

V. REQUESTS:

A. CONSIDERATION OF A REQUEST FROM CHRISTIAN NEIGHBORS TO PLACE A SANDWICH BOARD SIGN ON THE CORNER OF M-89 AND FARMER STREET FROM APRIL 11, 2016, TO MAY 5, 2016, TO ADVERTISE THE REFLECTIONS OF HOPE CHRISTIAN NEIGHBORS DINNER AUCTION

Commissioner Wieber moved to grant the request from Christian Neighbors to place a sandwich board sign on the corner of M-89 and Farmer Street from April 11, 2016 to May 5, 2016, to advertise the Reflections of Hope Christian Neighbors dinner auction, seconded by Commissioner Withee. CARRIED UNANIMOUSLY

VI. AGREEMENTS

VII. RESOLUTIONS:

- A. CONSIDERATION OF RESOLUTION NO. 2016-11 - SPECIAL ASSESSMENT RESOLUTION #2 – A RESOLUTION ACCEPTING THE MAPS, DIAGRAMS, PLANS, ESTIMATES AND TABULATION OF COSTS OF PROPOSED SIDEWALK AND CURB AND GUTTER IMPROVEMENTS AND/OR ADDITIONS ON SOUTH FARMER STREET AND MAKING THEM AVAILABLE FOR PUBLIC EXAMINATION

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

CITY OF OTSEGO
MICHIGAN
RESOLUTION NO. 2016-11

SPECIAL ASSESSMENT RESOLUTION #2 –
A RESOLUTION ACCEPTING THE MAPS, DIAGRAMS, PLANS, ESTIMATES
AND TABULATION OF COSTS OF PROPOSED SIDEWALK AND CURB AND
GUTTER IMPROVEMENTS AND/OR ADDITIONS ON SOUTH FARMER STREET
AND MAKING THEM AVAILABLE FOR PUBLIC EXAMINATION

WHEREAS, this City Commission, by its Resolution No. 2016-10, has directed the City Manager to prepare or cause to be prepared maps, diagrams, and plans to indicate the scope of proposed improvements consisting of sidewalk improvements, and curb and gutter on South Farmer Street; and also to prepare an estimated cost of those improvements; and

WHEREAS, the City Manager has prepared such maps, diagrams, plans, estimates, and tabulations have been filed with the City Clerk; and

WHEREAS, the City Manager also included his recommendation as to the proportion of the cost to be paid by special assessment and that portion to be borne by the City at large, together with a description of the land to be in the proposed Special Assessment District; and

WHEREAS, the City Clerk has presented such maps, diagrams, plans, estimates and tabulations to this City Commission.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Such maps, diagrams, plans, estimates, and tabulations of cost shall be available for public examination for a period of at least seven (7) calendars days.

2. The City Manager's recommendation as to the proportion of the cost to be paid by special assessment and that portion to be borne by the City at large, together with a description of the land to be included in the proposed Special Assessment District shall also be available for public examination for a period of at least seven (7) days.
3. All resolutions and parts of resolutions are, to the extent of any conflicts with this resolution, hereby rescinded.

YEAS: Commissioners: Tom Gilmer, Cyndi Trobeck, Ryan Wieber, and Stacey Withee.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Kathy Misner.

RESOLUTION DECLARED ADOPTED.

- B. CONSIDERATION OF RESOLUTION NO. 2016-12 - SPECIAL ASSESSMENT RESOLUTION #3 – DIRECTING THE ASSESSOR TO PREPARE A SPECIAL ASSESSMENT ROLL FOR – FARMER STREET
Commissioner Withee offered the following resolution and moved for its adoption, seconded by Commissioner Trobeck.

CITY OF OTSEGO
MICHIGAN

RESOLUTION NO. 2016-12

SPECIAL ASSESSMENT RESOLUTION #3 – DIRECTING THE ASSESSOR TO
PREPARE A SPECIAL ASSESSMENT ROLL FOR – FARMER STREET

WHEREAS, the City Commission deems it advisable and necessary to acquire and construct the following improvement in the city; sidewalk, curb and gutter:

FARMER STREET

WHEREAS, part of all of the cost of said improvement may be defrayed by Special Assessment upon the properties specifically benefitted thereby; and

WHEREAS, the City Commission has directed the City Manager to prepare such maps, diagrams or plans as will indicate the scope and estimated cost of the project, and the same have been prepared and filed with the City Clerk pursuant to said direction and the ordinances of the City, and the City Clerk has presented the same to this Commission; and

WHEREAS, the City Commission tentatively determines that it is necessary to proceed with and make said improvement.

BE IT RESOLVED:

- (1) The report of the City Manager, with the maps, diagrams or plans if any, shall be filed with the City Clerk and be available for public inspection.
- (2) The City Commission tentatively determines to make the following improvement: sidewalks, curb and gutter on Farmer Street.
- (3) The report, with maps, diagrams or plans, if any and estimate of cost are hereby accepted and filed.
- (4) Of the total estimated cost, hereby determined to be \$94,382, (a) the sum of \$30,585.60, shall be advanced from proceeds of Special Assessments levied against the benefitted district and, when received, the assessment payments and interest shall be credited to the Special Assessment Capital Improvement Fund, and (b) the sum of \$63,796.40, shall be a general obligation of the City because of benefit to the City and shall be taken from the Local Street Fund. The estimated life of said improvement is determined to be 30 years.
- (5) The Special Assessment to be imposed shall be paid in ten (10) annual installments of principal plus accrued interest beginning the 15th day of August 2017, or the first City tax due date, following the completion of the project. Interest shall accrue at a rate of two and one-half percent (2.5%) per annum on the unpaid balance of the Special Assessment. Any assessment may be paid in full without interest thirty (30) days following notice of project completion. The special assessments levied pursuant to Special Assessment Roll #112 shall be a lien against the property assessed and shall be of the same priority and collectible in the same manner as ad valorem real and personal property taxes.
- (6) The following described lots and parcels of land are hereby determined to be the properties specially benefitted by said improvements and are hereby designated as the special assessment district upon which that portion of the total cost to be assessed shall be assessed: Lots and parcels of land abutting the following streets to be improved:

FARMER STREET

Parcel Numbers:

54-100-049-50	54-100-050-00	54-100-050-20
54-100-050-40	54-100-052-00	54-100-054-20
54-100-054-40	54-100-074-00	54-100-075-00
54-100-076-00	54-100-093-30	54-100-093-40
54-100-093-50	54-100-093-60	54-100-093-70
54-100-093-85	54-100-093-95	54-114-001-00
54-114-002-00	54-114-003-00	54-114-011-00
54-114-012-00	54-115-001-00	54-115-002-00
54-115-006-00	54-115-007-00	54-120-005-00
54-120-006-00	54-120-007-00	54-121-005-00
54-121-006-00	54-121-008-00	

(7) The City Assessor is hereby directed to prepare a Special Assessment roll in accordance with the provisions of this resolution and include thereon all lots and parcels of land within the special assessment district herein designated and shall assess to each such lot or parcel of land such relative portion of the whole sum to be specially assessed as the benefit to such lot or parcel of land bears to the total benefit to all lands in such district.

(8) When the City Assessor has completed the Special Assessment roll he shall endorse thereon his certificate to the effect that said roll was prepared by her pursuant to a resolution of the City Commission adopted on this date and that in making the assessments therein, he has as nearly as may be and according to his best judgement conformed in all respects to the directions contained in said resolution and to the Charter and Ordinances of the City, and she shall file said Special Assessment Roll with such certificate with the City Clerk in whose office it shall be available for public inspection.

YEAS: Commissioners: Tom Gilmer, Cyndi Trobeck, Ryan Wieber, and Stacey Withee.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Kathy Misner.

RESOLUTION DECLARED ADOPTED.

C. CONSIDERATION OF RESOLUTION NO. 2016-13 - A RESOLUTION SUPPORTING THE APPLICATION OF MAUDE'S LLC TO THE LIQUOR CONTROL COMMISSION

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2016-13

A RESOLUTION SUPPORTING THE APPLICATION OF
MAUDE'S LLC TO THE LIQUOR CONTROL COMMISSION

WHEREAS, Maude's LLC has submitted an application to the Michigan Liquor Control Commission (the "MLCC") in an effort to obtain Class C Liquor License at its location at 117 East Allegan Street in the City; and

WHEREAS, Maude's LLC has asked the City Commission to offer its support to the application pending before the MLCC; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Commission offers its support to the application of Maude's LLC that is pending before the MLCC.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

YEAS: Commissioners: Tom Gilmer, Cyndi Trobeck, Ryan Wieber, and Stacey Withee.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: Kathy Misner.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

1. He gave updates on the following: May election inspectors; Daniel Bosch Day; upcoming public safety millage meetings; new projector; and the article about the dam.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton – he commented that there will be a Red Cross Blood Drive on April 5, from 12:00 p.m. to 5:00 p.m., at the Congregational Church.

COMMISSIONERS' COMMENTS

Mayor Gilmer – he announced that the City has sold one hundred and sixty five lots, and fourteen remain unsold. He reminded everyone of Daniel Bosch Day on April 9th, from 10:00 a.m. to Noon.

The meeting was adjourned on a motion by Commissioner Trobeck, seconded by Commissioner Withee. CARRIED – 7:32 p.m.

Angela M. Cronen, MMC
City Clerk