

A Regular Meeting of the Otsego City Commission was held Monday, May 2, 2016.

The meeting was called to order by Mayor Gilmer at 7:00 p.m. with the following Commissioners present: Kathy Misner, Ryan Wieber, Cyndi Trobeck, 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 April 18, 2016, were approved as submitted.

REMARKS FROM THE AUDIENCE REGARDING AGENDA ITEMS

I. PRESENTATIONS:

A. RECYCLING PRESENTATION – ALLEGAN COUNTY ADMINISTRATOR, ROB SARRO –

Rob Sarro, Allegan County Administrator, was in attendance to give an overview of the County's Recycling Program, as requested by the Commission. He answered questions of the Commission regarding the administration of the recycling program and the option to place a request on the August 2016 ballot to increase the rate from \$25.00 to \$36.00 per household a year.

B. INTRODUCTION OF NEW WWTP EMPLOYEE – JOHN VANDENBERG
Waste Water Treatment Plant Supervisor, Luke Keyzer, introduced the newest WWTP Operator, John Vandenberg. John Vandenberg gave a brief background of his work experience and his family. He commented that he was thrilled for the opportunity to work for the City of Otsego. The Commission welcomed Mr. Vandenberg.

C. PRESENTATION OF 2016-2017 ANNUAL APPROPRIATIONS BILL – GENERAL FUND

Finance Director, Matthew Storbeck, presented and gave an overview of the General Fund for the 2016-2017 fiscal year. Anticipated revenues for the General Fund \$2,025,170, and anticipated expenditures \$2,177,715. Amount budgeted for Capital Improvements is \$70,000, for building upgrades at the Fire Department. He also gave an overview of the proposed budget if the Public Safety Millage is approved. Anticipated Debt Service Fund revenues \$43,110, and anticipated expenditures \$43,125. No Capital Improvements.

II. PUBLIC HEARING:

A. PUBLIC HEARING FOR SPECIAL ASSESSMENT NO. 112 - FOR THE SIDEWALK AND CURB AND GUTTER IMPROVEMENTS AND/OR ADDITIONS ON SOUTH FARMER STREET

Mayor Gilmer opened the Public Hearing at 7:47 p.m.

Jeff Visser, 409 S. Farmer – he asked why he had to pay for one hundred fourteen year old sidewalks. Manager Beard stated that the sidewalks are in front of your home and a benefit to your property as described by State law and the City Charter. Mr. Visser stated

that home values have went down and doesn't know how it will benefit him. He stated that there are twenty-one slabs in front of his house of which seven are fine and ten to eleven are only cosmetic. He asked why they are not only replacing the slabs that are safety issues. Manager Beard explained that new utilities are being replaced and all sidewalks will have to also be replaced to get to the utilities. Mr. Visser stated that he protests it and stated that it is ridiculous to replace one hundred fourteen year old sidewalk and have the residents pay for fifty percent. Manager Beard commented that by Charter the City could have the property owners pay one hundred percent of the cost, but the Commission chose to only assess the fifty percent as typically done in the past. Mr. Visser stated that there is no good reason for this and it is only to make it look pretty. Manager Beard commented that the utilities need to be replaced and the sidewalks being replaced is a by-product. Mr. Visser asked why these improvements were not brought to a vote. Mayor Gilmer commented that this is not a type of special assessment to be brought to a vote.

Georgia Newman, 209 S. Farmer – she asked if the electrical lines will be placed underground. Manager Beard stated that there are no plans for that at this time. She asked if this was being funded by Main Street. Manager Beard explained that the project is being partially funded by Small Urban Funds, Major Street Funds, Sewer and Water Funds. She asked if other assessments would follow. Manager Beard commented that the letters sent with the special assessment amounts are not to exceed amounts. She asked how long before the stumps will be removed. Manager Beard indicated that they will be removed in the near future.

Patricia Swanson, 424 S. Farmer – she asked if the City was going to be responsible for her personal sidewalk that was damaged when they cut down the tree in front of her home. Manager Beard stated that the City will be responsible for fixing her sidewalk. She also asked since she has a corner lot on Hammond Street if the sidewalk was going to be replaced. Manager Beard indicated that it is not being replaced. She asked if the City made a profit on selling the cut wood from the trees that were taken down. Manager Beard stated that the wood was not sold for a profit, as it is placed at the Transfer Station.

Bradford Peet, 213 S. Farmer – he stated that he had the same question as Ms. Swanson.

Gale Dugan, 210 S. Farmer - he asked if the special assessment payments will be spread over ten years. Manager Beard confirmed that it will be over the ten year period. Manager Beard explained that Mr. Dugan's property was included about twenty-one feet less sidewalk than originally estimated.

Robert Alway, 1012 Barton - he asked what the water mains were made of since they are so old. Manager Beard commented that possibly some are made of wood, but it will be determined after the street is opened.

There being no further comments, the Public Hearing was closed at 8:05 p.m.

III. PLANNING AND ZONING:

IV. ORDINANCES:

V. REQUESTS:

A. CONSIDERATION OF A REQUEST FROM THE OTSEGO LIBRARY TO HOLD A FAMILY 5K FUN RUN/WALK ON SATURDAY, JULY 23, 2016
Commissioner Misner moved to grant a request from the Otsego Library to hold a Family 5K Run/Walk on Saturday, July 23, 2016, as presented, seconded by Commissioner Trobeck. CARRIED UNANIMOUSLY

VI. AGREEMENTS

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2016-17 – A SPECIAL ASSESSMENT RESOLUTION NO. 5 – A RESOLUTION AUTHORIZING SPECIAL ASSESSMENT NO. 112 – FARMER STREET – SIDEWALK, CURB AND GUTTER IMPROVEMENT PROJECT
Commissioner Wieber offered the following resolution and moved for its adoption, seconded by Commissioner Withee.

CITY OF OTSEGO
MICHIGAN
RESOLUTION NO. 2016-17

SPECIAL ASSESSMENT RESOLUTION NO. 5 –
A RESOLUTION AUTHORIZING SPECIAL ASSESSMENT NO. 112 –
FARMER STREET – SIDEWALK, CURB AND GUTTER
IMPROVEMENT PROJECT

WHEREAS, the City Commission has held a Public Hearing pursuant to and with notice given in accordance with the provisions of applicable State law, the City Charter, and the Code of Ordinances of the City of Otsego at which hearing it received and considered any objections to, concerns about, and comments regarding Special Assessment Role Number 112 prepared by the City Assessor for the Farmer Street – Sidewalk, Curb and Gutter Improvement Project; and

WHEREAS, the City Commission has made any necessary or desirable modifications in that Special Assessment roll following the conclusion of the Public Hearing; and

WHEREAS, the City Commission is satisfied with that Special Assessment Roll which includes the following:

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	

BE IT RESOLVED:

(1) That the Farmer Street – Sidewalk, Curb and Gutter Improvement Project is determined to be necessary and desirable, the work is ordered to be done, and the plans and specifications are hereby approved in all respects.

(2) The Special Assessment Roll Number 112 in the form attached hereto is hereby confirmed. The Special Assessment shall be paid in ten (10) annual installments of principal plus accrued interest beginning the 15th of August, or the first city tax due date, following the completion of the project. Interest shall accrue at a rate of 2.5% per annum on the unpaid balance of the special assessment. Any assessment may be paid in full without interest prior to December 1, 2016.

(3) The Special Assessments levied pursuant to Special Assessment Roll Number 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.

(4) The City Clerk is hereby authorized and directed to attach a warrant to Special Assessment Roll Number 112, commanding the City Treasurer to collect from each of the persons and parcels assessed the amount of the assessment thereon in accordance with the City Charter and Code of Ordinances of the City of Otsego.

(5) All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded.

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

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2016-18 - A RESOLUTION TO APPROVE AND SUBMIT LANGUAGE FOR FUNDING OF WASTE REDUCTION PROGRAMS AND FOR THE COLLECTION OF MATERIALS FOR RECYCLING

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2016-18

**A RESOLUTION TO APPROVE AND SUBMIT LANGUAGE
FOR FUNDING OF WASTE REDUCTION PROGRAMS AND FOR THE
COLLECTION OF MATERIALS FOR RECYCLING**

WHEREAS, if approved by the voters of the City of Otsego, Public Act 69 of 2005 permit a County to charge not more than \$4.00 per month or \$50.00 per year per household for waste reduction programs and for the collection of consumer source separated materials for recycling or composting, including but not limited to, recyclable materials, as defined in Part 115 of the Natural Resources and Environmental Protection Act, 1994 P.A. 451, MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries, and yard clippings;

WHEREAS, the Allegan County Board of Commissioners authorized an election under P.A. 69 of 2005 scheduled for August 2, 2016;

WHEREAS, the County Administrator for Allegan County is designated as the individual to negotiate the interlocal agreement between the City of Otsego and the County;

WHEREAS, the amount of the surcharge is \$36.00 per household;

WHEREAS, commercial businesses will not be subject to the proposed surcharge;

WHEREAS, a voter-approved surcharge is a mandatory charge to be collected as part of billings for property taxes, both current and delinquent;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Commission, by a majority vote of its members, approves ballot wording for the consideration of the City's electors to read as follows:

To continue and expand solid waste reduction programs under the Allegan County Solid Waste Management Plan, shall Allegan County, pursuant to 1989 P.A. 138, as amended by 2005 P.A. 69, impose an annual surcharge on all households in the City of Otsego in the amount of \$36 per household per year for a period of five years (2016-2020, inclusive) to cover operational costs of the programs and to be distributed to Allegan County to fund the collection of materials for recycling including, but not limited to, recyclable materials, household hazardous wastes, tires, batteries, and yard clippings, as provided in the Allegan County Solid Waste Management Plan?

[] Yes

[] No

2. The foregoing ballot language shall be submitted to the City's electors for their adoption or rejection at an election to be held on August 2, 2016, or such date to which this election may be rescheduled.

3. The City Clerk shall submit the ballot language and give notice of such election as required by law.
4. The City Manager, City Clerk, and City Attorney are authorized and directed to take any and all actions needed to seek voter approval of the proposed millage.
5. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

YEAS: Commissioners: None.

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

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED NOT ADOPTED.

C. CONSIDERATION OF RESOLUTION NO. 2016-19 - A RESOLUTION
ESTABLISHING A BUDGET HEARING ON MAY 16TH, 2016

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

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN

RESOLUTION NO. 2016-19

RESOLUTION TO ESTABLISH A BUDGET HEARING

WHEREAS, Michigan Compiled Laws 141.436 requires a public hearing before final passage of a general appropriation act by a legislative body,

WHEREAS, Michigan Compiled Laws 141.412 requires that a notice of such hearing be given by publication in a newspaper of general circulation at least six (6) days prior to such hearing;

NOW, THEREFORE, BE IT RESOLVED, that a hearing be held on the 2016-2017 Budget of the City of Otsego by the City Commission at City Hall at or after 7:00 p.m. local time, on May 16, 2016, and notice of said hearing shall be published at least six days prior to the hearing in the following form:

CITY OF OTSEGO
PUBLIC NOTICE
HEARING ON 2016-2017 BUDGET

Notice is hereby given that the proposed budget for the City of Otsego for the fiscal year 2016-2017 is now on file and available to the public for inspection at City Hall, 117 East Orleans Street, Otsego, Michigan.

The City Commission will hold a public hearing on the proposed budget on Monday, May 16, 2016, at 7:00 p.m. at the City of Otsego Municipal Building, at 117 East Orleans Street, Otsego, Michigan. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

CITY OF OTSEGO
2016-2017 ANNUAL APPROPRIATIONS
TOTALS BY FUND

GENERAL FUND	\$2,180,415
MAJOR STREET FUND	773,375
LOCAL STREET FUND	175,785
STREET & BRIDGE FUND	260,000
DOWNTOWN DEVELOPMENT AUTHORITY	341,055
EQUIPMENT & REPLACEMENT DEBT FUND	43,125
CAPITAL PROJECT FUND	181,950
SEWER FUND	905,735
WATER FUND	586,795
DPW EQUIPMENT FUND	377,165
<u>SPECIAL ASSESSMENT CAPITAL PROJECT FUND</u>	<u>33,600</u>
TOTAL APPROPRIATIONS FISCAL YEAR 2016-2017	\$5,859,000

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:

MANAGER'S REPORT

1. He gave updates on the following: Recent Gag Order unconstitutional; complimented the election staff; special meeting if millage is defeated; National Day of Prayer; update on sewer repair on Allegan Street, upcoming meeting with new State Representative to discuss a master plan for the Kalamazoo River, and he recognized the Police Department

and First Responders for resuscitating a resident who was in cardiac arrest - he will follow-up with Chief Konkle.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

Robert Alway, 1012 Barton – he asked if all of the General Fund Balance is cash. Finance Director Storbeck stated that \$675,769, is cash and capital items are not included in the General Fund.

Gale Dugan commented that he is on the Resource Recovery Board and will relay any questions that the Commission might have to the Resource Recovery Board. He commented that Ben Williams is great to work with.

COMMISSIONERS' COMMENTS

Commissioner Misner - she thanked the other Commissioners, Mayor Gilmer, Manager Beard and Clerk Cronen for their understanding of her need to leave the meetings early and her recent absences to take her husband to appointments. She commented that he should be receiving his dialysis treatments at home in the near future. She indicated that she wants to be at the Commission meetings, but regrets that at times she needs to be absent.

Commissioner Wieber - he thanked Finance Director Storbeck for an excellent job on the budget. He thanked the audience for voicing their concerns and the questions, as the Commission learns from them. He reminded the audience to vote tomorrow.

Commissioner Withee – she thanked the First Responders and Police Department for their recent "save", as it illustrates what a great public safety team we have. She commented that this is why we are requesting the millage, as it will impact our wonderful, well trained public safety team, and she doesn't want to see it impacted.

Commissioner Trobeck –she echoed Commissioner Withee's comments. She thanked Finance Director Storbeck for providing options and discussing the General Fund Budget. She welcomed new employee John VandenBerg.

Mayor Gilmer – he thanked his fellow commissioners for their efforts to pass the millage tomorrow. He commented that this is the most unique experience, because no one has said anything in regards to the election that will be held tomorrow, and there has been no negativity. He stated that he hopes that means people are pleased with our Public Safety. He congratulated Commissioner Trobeck for receiving her Master's Degree, and sharing the experience with her son as he received his Bachelor's Degree. He thanked the audience for attending and voicing their concerns.

The meeting was adjourned on a motion by Commissioner Misner, seconded by Commissioner Withee. CARRIED – 8:30 p.m.

Angela M. Cronen, MMC
City Clerk