

**CITY COUNCIL AGENDA
SEPTEMBER 14, 2020 – 7:00 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - A. **Regular City Council Meeting of August 24, 2020 - (ROLL CALL)**
4. MAYOR’S COMMENTS
5. CITY MANAGER’S COMMENTS
6. AGENDA CHANGES (ADDITIONS/DELETIONS)
7. GUEST SPEAKERS: None
 - A. **City Attorney Discussion**
8. PUBLIC COMMENT *(Limit 3 minutes) Select “unmute” mic in the Zoom interface and speak your name to be recognized or press *6 if you are calling in by phone to unmute your phone to speak.*
9. REQUESTS FOR PAYMENT
 - A. **Approval of Accounts Payable (ROLL CALL)**
10. INTRODUCTION OF ORDINANCES: **None**
11. PUBLIC HEARINGS: **None**
12. UNFINISHED BUSINESS: **None**
13. NEW BUSINESS
 - A. **City Hall Computer Server Replacement (ROLL CALL)**
 - B. **Various City Boards & Commission Reappointments (ROLL CALL)**
 - C. **Employment Agreement – Ms. Karen Doyle Homan (ROLL CALL)**
14. CONSENT AGENDA: **None**
15. PUBLIC COMMENTS *(Limit 3 minutes) Select “unmute” mic in the Zoom interface and speak your name to be recognized or press *6 if you are calling in by phone to unmute your phone to speak.*
16. COMMUNICATIONS:
 - A. **Robert Sarro – Harbor Update (ACCEPT AS INFORMATION)**
 - B. **Judy Anthrop – Gazebo/Band Shell (ACCEPT AS INFORMATION)**
 - C. **Bloom Sluggett, PC – Letter Regarding Lake Michigan Frontage/Obstacles (ACCEPT AS INFORMATION)**
 - D. **Kirk Harrier – Letter of Resignation (ACCEPT AS INFORMATION)**
17. BOARDS, COMMISSIONS & COMMITTEE REPORTS
 - A. **Ad-Hoc Tri-Community Recycling Committee Update**
18. COUNCIL COMMENTS
19. ADJOURN *(ROLL CALL)*

NOTICE:

This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

Join online by visiting:
<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:
**(312) 626-6799 -or-
(646) 518-9805**

Then enter “Meeting ID”:
2698572603

Please send questions or comments regarding meeting agenda items prior to meeting to:
kirk@saugatuckcity.com

Minutes
Saugatuck City Council Meeting
Saugatuck, Michigan, August 24, 2020

The City Council met in regular session at 7:00 p.m. via Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

1. **Call to Order** by Mayor Trester at 7:01 p.m.
2. **Attendance:**
Present: Bekken, Johnson, Leo, Lewis, Peterson, Verplank, & Trester
Absent: None
Others Present: City Manager Harrier
3. **Approval of Minutes:**
 - A. **Regular City Council Meeting of August 10, 2020:** A motion was made by Peterson, 2nd by Verplank, to approve the meeting minutes of August 10, 2020 as presented. Upon roll call vote the motion carried unanimously.
 - B. **Special City Council Meeting of August 17, 2020:** A motion was made by Johnson, 2nd by Lewis, to approve the meeting minutes of August 17, 2020 as presented. Upon roll call vote the motion was carried unanimously.
4. **Mayor's Comments:** None
5. **City Manager's Report:** None
6. **Agenda Changes:** Johnson requested a report for the Blue Star Non-Motorized Trail be added.
7. **Guest Speakers:** None
8. **Public Comment:** None
9. **Request for Payment:** A motion was made by Lewis, 2nd by Johnson, to approve the accounts payable in the amount of \$443,713.53. Upon roll call the motion carried unanimously.
10. **Introductions of Ordinances:** None
11. **Public Hearings:** None
12. **Unfinished Business:** None
13. **New Business:**
 - A. **Resolution No. 200824-A – November Election Polling Location Change:** A motion was made by Lewis, 2nd by Peterson, to move the November 3, 2020 polling location to the Saugatuck Womans' Club building at 303 Butler Street. Upon roll call the motion carried unanimously.
14. **Consent Agenda:** None
15. **Public Comment:** Dan Fox (*resident*) commented on meeting etiquette at the August 17th, 2020 meeting.
16. **Communications:**
 - A. **Sheriff Office Incident Analysis Report (August 7 to August 21)** *Accepted as information.*
17. **Boards, Commissions & Committee Reports:** Council received reports from the following committees: Ad-Hoc Tri-Community Recycling Committee, Blue Star Trail Non-Motorized Committee, Harbor Committee, and Fire Board.

18. Council Comments: Council Member Johnson encouraged all council candidates to attend meetings and participate.

Council Member Peterson addressed meeting etiquette and invited Council Member Leo to comment on election integrity.

Council Member Leo declined to respond.

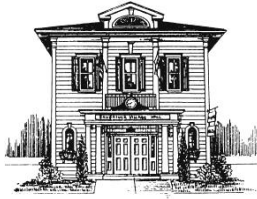
Council Member Verplank commented on meeting etiquette and election integrity.

Mayor Trester commented on meeting etiquette.

19. Adjournment: A motion was made by Peterson, 2nd by Verplank, to adjourn at 7:41 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Erin K. Wilkinson
City Clerk



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager

MEETING DATE: September 14, 2020

SUBJECT: City Attorney Discussion

DESCRIPTION

At the September 10, 2020 workshop meeting the City Council directed the City Manager to have the City Attorney review the attached communications from Council member Peterson and Verplank and advise the City Council.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

N/A

SAMPLE MOTION:

N/A

September 8, 2020

To the Saugatuck City Council,

I am asking for approval for the City Manager to contact the City Attorney regarding comments made by Councilmember Leo at a August 17 City Council meeting.

At that meeting, Council member Leo made the following statement: "I have 2 concerns I just have to put out there.....My other concern is that Erin and Jane are best best friends and Jane is also currently running for election obviously so that sort of ..there is a bit of a boundary or a professional issue for me there....just want to put that on the record."

Following those remarks, at a later meeting, Council member Leo did not apologize or provide any proof for her concerns.

I believe that the remarks insinuated that the public should be concerned that 2 women might collude to change the outcome of the election in one of their favor. I also believe that when statements like these are made by an elected public official at a public meeting, they carry more weight.

I would like to ask the City Attorney to review the statement and provide information regarding what is considered appropriate for a Council member's remarks and when they step over the line.

Chris Peterson

To: City Council

From: Jane Verplank

Subject: Council Voting on Issues

I would like to request the city manager get some guidance from the city attorney as to when it is appropriate for council members to recuse themselves from voting, as this has come up several times recently.

A comment on a Council Member's Facebook page suggested those of us who know or are friends with Erin Wilkinson, should recuse ourselves from the vote to confirm her as city clerk (see below).

I would like clarification as to when council members can and should recuse themselves, since it seems this is being wielded as a campaign issue.

Sincerely,

Jane Verplank



Lauren Flanagan

They should have recused themselves from the vote if there was any question of impartiality. For a group obsessed with procedure and Roberts Rules of Order over substance, it was a major miss. Time for change. Let's get the 4 new candidates elected!

Vendor Name	Description	Amount
1. ALLEGAN COUNTY CLERK ASSOCIATION	DUES	20.00
2. ALLEGAN COUNTY SHERIFF	TIRE REPAIR	288.00
3. ALLEGAN COUNTY TREASURER	TAX TRIBUNAL	2,289.81
	PROPERTY TAXES	224,499.87
	TOTAL	226,789.68
4. BLOOM SLUGGETT PC	TAX TRIBUNAL	590.00
	LEGAL FEES	2,085.00
	TOTAL	2,675.00
5. BURNETT & KASTRAN PC	LEGAL FEES	156.00
6. ETNA SUPPLY	SUPPLIES	161.70
7. FIRST BANK CARD	ZOOM	68.89
	CONCESSION	158.50
	ELECTION, SUPPLIES & DPW	1,635.13
	TOTAL	1,862.52
8. FRONTIER	OVAL 911 PHONE	69.13
	DPW GARAGE	176.47
	TOTAL	245.60
9. GIL- ROY'S HARDWARE	SUPPLIES	173.11
10. GLOBAL EQUIPMENT COMPANY	STORAGE OFFICE	98.59
11. GROUNDS MANAGEMENT SOLUTIONS	PARKS MAINTENANCE	2,017.00
12. HOLLAND LITHO PRINTING SERVICE	PRINTING OVAL	520.20
13. MERCHANTS BANCARD NETWORK	OVAL FEES	2,718.13
14. MICHIGAN ASSN. OF MUNICIPAL CLERKS	CLERK DUES	60.00
15. MICHIGAN GAS UTILITIES	DPW	42.94
16. MINER SUPPLY CO	SUPPLIES	1,023.64
17. OTTAWA AREA INTERMEDIATE	SCHOOL DIS	
	PROPERTY TAXES	133,740.61
18. OVERISEL LUMBER COMPANY	SUPPLIES	614.40
19. PURITY CYLINDER GASES INC	CONCESSION	17.12
20. SAUGATUCK FIRE	SHORT TERM RENTAL	125.00
21. SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	188,155.70
22. SAUGATUCK WOMAN'S CLUB	ELECTION	525.00
23. SEPTIC TANK SYSTEMS CO INC	PORTABLE TOILETS	770.00
24. SHELL	GASOLINE & DIESEL	882.21

Vendor Name	Description	Amount
25. SHIVER ME TIMBERS	STUMPING GRINDING	425.00
26. SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	736.75
	HARD DRIVE DISK	99.00
	TOTAL	835.75
27. SMART BUSINESS SOURCE LLC	OFFICE	56.59
28. SOUTHSIDE BODY & FABRICATION INC	COVID ELECTION DROP BOX	822.00
	TRAILER MOWER CAGE	1,418.00
	TOTAL	2,240.00
29. STATE OF MICHIGAN	CONCESSION SALES TAX	948.93
30. SUPERIOR ASPHALT INC	PARK STREET REPAIR	750.00
31. VALLEY CITY LINEN INC	SHOP TOWELS	383.30
32. WESTENBROEK MOWER INC	SUPPLIES	193.96
TOTAL - ALL VENDORS		569,515.68
FUND TOTALS:		
Fund 101 - GENERAL FUND		18,831.17
Fund 203 - LOCAL STREETS		750.00
Fund 661 - MOTOR POOL FUND		3,538.33
Fund 701 - CURRENT TAX FUND		546,396.18



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: September 14, 2020
SUBJECT: City Hall Computer Server Replacement

DESCRIPTION

Attached is a proposal from Shoreline Computers to replace the City's existing server is from 2012 and it scheduled for replacement this fiscal year. Shoreline Computer is the City's current provider for IT services.

BUDGET ACTION REQUIRED

Funds were appropriated in the FY 20/21 Budget for this expenditure.

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal Attorney Jeff Sluggett has reviewed the purchase and approves the process.

SAMPLE MOTION:

Motion to **approve/deny** Quote #000190 v1 from Shoreline Technology Solutions as presented in the amount of \$12,686 to replace the computer server and operating software at City Hall.



We have prepared a quote for you

New Server

Quote # 000190
Version 1

Prepared for:

Saugatuck City Hall


Peter Stanislawski
Peter@saugatuckcity.com

Hardware


Description	Price	Qty	Ext. Price
 <p>HPE ProLiant ML110 G10 4.5U Tower Server</p> <p>Product Description HPE ProLiant ML110 Gen10 Solution - tower - Xeon Silver 4110 2.1 GHz - 16 GB</p> <p>Type Server - tower</p> <p>Processor 1 x Intel Xeon Silver 4110 / 2.1 GHz (8-core)</p> <p>Processor Main Features Hyper-Threading Technology, Intel Turbo Boost Technology2</p> <p>RAM 16 GB (installed) / 192 GB (max) - DDR4 SDRAM</p> <p>Storage Controller RAID (SATA 6Gb/s) (HPE Smart Array S100i SR Software)</p> <p>Server Storage Bays Hot-swap 2.5"</p> <p>Networking GigE</p> <p>Manufacturer Warranty Limited warranty - parts and labor - 3 years - on-site</p>	\$3,479.00	1	\$3,479.00
 <p>HPE 480 GB Solid State Drive HPE - Solid state drive - 480 GB - hot-swap - 2.5" SFF - SATA 6Gb/s - with HPE SmartDrive carrier - for HPE ML Gen10</p>	\$699.00	5	\$3,495.00
 <p>HPE Smart Array E208i-p SR Gen10 Controller HPE Smart Array E208i-p SR Gen10 Controller - 12Gb/s SAS, Serial ATA/600 - PCI Express 3.0 x8 - Plug-in Card - RAID Supported - 0, 1, 5, 10 RAID Level - 8 SAS Port(s) Internal - Linux, PC</p>	\$299.00	1	\$299.00
 <p>HPE 16GB DDR4 SDRAM Memory Module HPE SmartMemory 16GB DDR4 SDRAM Memory Module - 16 GB (1 x 16 GB) - DDR4 SDRAM - 2666 MHz DDR4-2666/PC4-21300 - 1.20 V - ECC - Registered - 288-pin - DIMM</p>	\$564.00	1	\$564.00

Subtotal: \$7,837.00


Software

Description	Price	Qty	Ext. Price
 Microsoft Windows Server 2019 Microsoft Windows Server 2019 Essentials 64-bit - License - 1 Server (1-2 CPU) - OEM - DVD-ROM - English - PC	\$599.00	1	\$599.00
Subtotal:			\$599.00

Services

Description	Price	Qty	Ext. Price
 Labor Labor to prep, migrate existing server, deliver and install hardware.	\$4,000.00	1	\$4,000.00
Subtotal:			\$4,000.00

Monthly Services

Description	Recurring	Price	Qty	Ext. Recurring	Ext. Price
 Datto Siris 4X Datto Siris S4-X1 appliance and Cloud Backup service, 1TB / 1 Agent	\$250.00	\$250.00	1	\$250.00	\$250.00
Your currently monthly includes a \$160 Datto charge that would drop off and be replaced by this new Datto service.					

Recurring Subtotal: \$250.00
Subtotal: \$250.00

New Server



Prepared by:

Shoreline Technology Solutions
Mark Kolean
(616) 394-1303
mark@stsmich.com

Prepared for:

Saugatuck City Hall
102 Butler Street P.O. Box 86
Saugatuck, MI 49453
Peter Stanislawski
(269) 857-2603
Peter@saugatuckcity.com

Quote Information:

Quote #: 000190
Version: 1
Delivery Date: 03/03/2020
Expiration Date: 03/30/2020

Quote Summary

Description	Amount
Hardware	\$7,837.00
Software	\$599.00
Services	\$4,000.00
Monthly Services	\$250.00
Total:	
	\$12,686.00

Recurring Expenses Summary

Description	Amount
Monthly Services	\$250.00
Recurring Total:	
	\$250.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Shoreline Technology Solutions

Saugatuck City Hall

Signature: _____

Signature: _____

Name: Mark Kolean _____

Name: Peter Stanislawski _____

Title: President _____

Title: _____

Date: 03/03/2020 _____

Date: _____



City Council Agenda Item Report

City of Saugatuck

FROM: Cindy Osman, Interim City Clerk

MEETING DATE: September 14, 2020

SUBJECT: Various City Boards & Commission Reappointments

DESCRIPTION

Per the City Charter Section 6.11 and 6.12 and City Ordinance Section 152.06 reappointments shall be made by the Mayor subject to the confirmation/approval of the City Council. The Mayor's reappointments are as follows:

Zoning Board of Appeals with said term expiring July 1, 2023

Jim Muir (2023)

Planning Commission with said term expiring July 1, 2023

Steven Manns (2023)

Historic District Commission with said term expiring August 1, 2023

Daniel Pannozzo (2023)

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

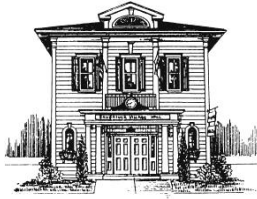
N/A

LEGAL REVIEW

N/A

SAMPLE MOTION:

Motion to **approve/deny** the Mayor's reappointments as presented.



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: September 14, 2020
SUBJECT: Interim City Manager Employment Agreement

DESCRIPTION

Employment agreement to engage Ms. Karen Doyle Homan to serve as interim Saugatuck City Manager.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal Attorney Jeff Sluggett has prepared the attached employment agreement.

SAMPLE MOTION:

Motion to **approve/deny** the employment agreement between the City of Saugatuck and Ms. Karen Doyle Homan as presented.

Karen Doyle Homan
616-520-5131
karendoylehoman@gmail.com

Karen Doyle Homan has twenty-eight years' public service experience. Before retiring in 2017, Karen served for 12 years as Assistant City Manager & Finance Director for the City of Zeeland. Her role included assisting the City Manager with all activities involved in managing the city, and advising the City Council regarding budget, financial affairs, and debt management. She exercised direct oversight of the Finance Department, Clean Water Plant, Facilities, IT, and Risk Management, as well as service to several Boards and Authorities of the City. Karen also served as Interim City Manager during an extended absence of the City Manager. Prior to joining the City of Zeeland, Karen was City Manager for the City of White Cloud, and she served both Plainfield Charter Township and the City of Wayland as Finance Director.

Karen Doyle Homan received her Bachelor of Science (Community Development/Public Administration) from Central Michigan University. She earned her Certified Public Manager Designation from Saginaw Valley State University and also holds an Associate in Business (Accounting) from Grand Rapids Community College.

Karen Doyle Homan brings years of management experience and the ability to collaboratively keep matters of the City of Saugatuck moving forward in a positive direction until a permanent leader is selected. She has worked her entire career to provide optimum customer service internally to the Councils/Boards and employees she serves as well as externally to citizens, community and colleagues.

Karen Doyle Homan served on the Board of Directors for the Michigan Municipal Executives, President of the West Michigan Municipal Executives, President-Elect for the Association of Government Accountants, and founder and President of the Allegan County Treasurers' Association. She also served on the Allegan County United Way Board, team-taught a graduate class in public administration at Western Michigan University, and was a speaker at the International City Managers Association annual conference held in Quebec, Canada.

Karen is married to Robert (Bob) Homan. Together they have four grown children who have blessed them with nine grandchildren. They enjoy biking, hiking, kayaking, road trips, travel and entertaining friends old and new. Karen also enjoys cooking, reading the news, and relaxes with a good novel.

While remodeling their home in the spring of 2017, Karen and Bob rented an apartment and enjoyed an extended stay in the City of Saugatuck. They enjoy the diversity of the people, the variety of shops and restaurants, and walking the waterfront. They also ride their bicycles at least once each summer to Saugatuck (from Holland) and back.

KAREN DOYLE HOMAN

5836 Woodbriar Dr NE

Belmont MI 49306

616-520-5131 (Cell)

karendoylehoman@gmail.com

SUMMARY OF QUALIFICATIONS

- Demonstrated strengths include leading people and projects
- Excellent communicator with collaborative style
- Over twenty-five years' service in local government
- Areas of expertise include budget and finance, risk management, IT, HR and pension administration, capital financing
- Certified Public Manager (AACPM)

Assistant City Manager & Finance Director

City of Zeeland
Ottawa County
Michigan

January 2005 –
January 2017

Full-service City

\$54 million budget
(\$8.5 million General
Fund budget)

65 full-time, 50+
(varies seasonally)
part-time employees

Responsibilities:

- Oversight of the Clean Water Plant, operations and collection systems.
- Oversight of facilities maintenance.
- Oversight of the finance department.
- Oversight of Information Technology and telecommunications.
- Oversight of Property & Liability, Workers' Compensation, and Fiduciary Liability Insurances. Chair of Risk Management Committee.
- Administrator/Trustee of single-employer DB & DC Pension plans. Chair of pension committees.
- Served on the Local Development Finance Authority, Brownfield Redevelopment Authority, and the Hospital Finance Authority. Financial advisor to the Shopping Area Redevelopment Board.
- Prepared the annual city budgets, monitored budget performance, evaluated revenue and expenditure trends, recommended rate structures, reviewed performance against budget with department heads, and kept the City Council informed of the financial condition of the city. Participated in capital improvement planning.
- Participated in City Council visioning & goal-setting and implemented strategies to achieve stated goals.
- Managed \$45 million investment portfolio, capital borrowing and debt financing.
- Represented the City on various regional committees.

Accomplishments:

- Analyzed operations and wrote recommendation for successful merger of the Fire and EMS departments.
- Oversaw construction of Street Maintenance Facility, upgrade and expansion of Clean Water Plant, interior renovation of Fire Station, exterior renovation of Library and Community Center, and exterior renovation of City Hall.
- Facilitated negotiations with Zeeland and Blendon Townships resulting in 150% increase in financial support for the City Library.
- Analyzed and recommended restructure of Retiree Health Benefit reducing OPEB liability, and presented results as speaker at ICMA conference (Quebec, Montreal Canada, 2009).
- Served as City Manager during three month absence of the City Manager.
- Awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada every year.
- S & P bond rating upgraded twice during tenure (2017 AA-).

City Manager

City of White Cloud
County Seat
Newaygo County
Michigan

February 2003 –
June 2004

\$1.8 million budget
8 full-time, 6 part-
time employees

Responsibilities:

- Oversight of all departments and activities, including public safety, public works, water utility, airport, planning and economic development, parks and recreation, finance and HR.
- Served on Board of White Cloud City/Sherman Township Sewer Authority.
- Served on Board of Downtown Development Authority.
- Served on Board of Newaygo County Economic Development Office.
- Coordinated city operations with those of other governmental agencies.
- Developed and administered annual budget and capital budgets.
- Developed, recommended and implemented policies and procedures.
- Facilitated the flow and understanding of ideas and information between officials, employees and citizens.
- Negotiated contracts, agreements and represented city's position internally and externally.

Accomplishments:

- Completed construction of Industrial Park.
- Completed rehabilitation of airport runway and lighting.
- Developed campground master plan.
- Completed five-year review of city master plan.
- Negotiated partnerships to stretch city's dollars and services including a successful joint project with Newaygo County and the DDA to reconstruct city street with each entity contributing one-third cost; persuaded MDOT to replace water mains under state highway at MDOT's expense; partnered with Newaygo County and DDA to develop downtown Veterans' Memorial Park, and with Everett Township, White River Watershed Partnership and Muskegon Conservation District to develop River Walk Master Plan and funding proposals.
- Obtained public and private grants including MDOT TEA-21, MEDC, United Way and Fremont Foundation.
- Renegotiated street sweeping, cell tower, and campground concessionaire contracts resulting in increased revenues.
- Wrote RFPs and competitively bid health and liability insurances, audit and IT services resulting in decreased cost to the city.
- Combined two full-time positions to one and reduced one full-time position to part-time.
- Reviewed all city fees and charges, recommended and implemented targeted increases.
- Participated in and graduate of nine-month Leadership in Newaygo County program.

Accounting Manager

Plainfield Charter
Township
Kent County
Michigan

February 1999 -
January 2003

\$14 million budget

Responsibilities:

- Responsible for all accounting and financial records of the Township and supervision of the accounting department staff.
- Preparation of the annual township budgets, monitored budget performance, evaluated revenue and expenditure trends, reviewed performance against budget with department heads, recommended and prepared budget amendments.
- Developed the Comprehensive Annual Financial Report (CAFR).
- Performed rate studies ensuring solvency of the water and sewer funds to meet ongoing operations and maintenance and to fund the Capital Improvement Plans of these funds.
- Coordinated issuance of bonds with Bond Counsel and Financial Advisor. Prepared statistics for the Official Statements. Participated in interviews with Bond Rating Agencies.
- Prepared Requests for Proposals for financial software systems, analyzed proposals, interviewed prospective vendors, and recommended purchase of new accounting and utility billing software systems. Trained personnel in the new hardware and software and was responsible for ongoing maintenance and upgrades.
- Prepared Requests for Proposals for new auditing firms, analyzed proposals, arranged and participated in interviews to secure new independent auditing services for the Township.

58 full-time, 100+
part-time and
seasonal employees

Accomplishments:

- Upgraded the annual audit report to the full Comprehensive Annual Financial Report (CAFR) and was awarded the Certificate of Achievement for Excellence in Financial Reporting for the years ended December 31, 2001 (first submission) and subsequent years from the Government Finance Officers Association of the United States and Canada.
- S & P bond rating upgraded twice during my tenure to A+.
- Converted system data to completely new financial and utility billing software before the Y2K deadline.
- Converted to paperless records for over 10,000 utility customers.
- Implemented auto/touchless water meter reading system.

Finance Director/Treasurer • City of Wayland • Michigan • May 1989 - January 1999

\$5 million budget; 19 full-time employees. Principal financial advisor to the City Manager and City Council. Responsible for all financial, HR, insurance, accounting, reporting and treasury divisions of the city. Bureau Chief for Civil Infraction Ordinance violations. Served as director/treasurer of the Downtown Development Authority, and president of the Allegan County Treasurers' Association. Served on Board of Directors for Allegan County United Way. Participated in the Allegan County Leadership League.

PROFESSIONAL ASSOCIATIONS:

- International City/County Management Association
- Michigan Municipal Executives (MME); Board of Directors 2015, 2016, 2017
- West Michigan MME; Past President
- Assoc. of Government Accountants; Pres. Elect
- American Academy of Certified Public Managers
- American Society for Public Administration
- Government Finance Officers Association
- Michigan Government Finance Officers Association

EDUCATION:

- Saginaw Valley State University. Certified Public Manager. July, 2011.
- Central Michigan University. Bachelor of Science. Community Development/Public Administration. May, 2007.
- Grand Rapids Community College. Associate Degree in Business. May, 1986.

EMPLOYMENT AGREEMENT

This Employment Agreement is made as of September 14, 2020, between the City of Saugatuck, a Michigan municipal corporation, whose business address is 102 Butler Street, Saugatuck, Michigan 49453, as the employer (“Saugatuck”) and Karen Doyle Homan, whose address 5836 Woodbriar Drive, NE, Belmont, Michigan 49306, as the employee (“Interim Manager”).

1. Employment.

(a) On September 14, 2020, the Saugatuck Council selected Interim Manager to serve as the Saugatuck’s Interim City Manager, which employment is at the pleasure of the Saugatuck Council.

(b) From time to time, the Saugatuck Council may appoint Interim Manager to serve, or as a result of her employment as Interim City Manager she may serve, in other offices or on other boards, commissions and other bodies as permitted by law and as directed by the Saugatuck Council. Interim Manager agrees that her terms of such offices or on such bodies will be coterminous with her employment as Interim Saugatuck Manager, so that her resignation from or the Saugatuck Council’s termination of her employment as Interim City Manager shall serve as her resignation from such other offices and bodies without further action of the parties.

(c) Interim Manager shall begin her employment pursuant to this Agreement beginning on September 15, 2020 (“Starting Date”).

2. Duties. Interim Manager shall fulfill the duties of City Manager of Saugatuck as directed, required and permitted by state law, the Saugatuck City Charter, the Code of Ordinances of the City of Saugatuck and actions of the Saugatuck City Council. She shall perform such duties in an efficient and conscientious manner, exercising her discretion, judgment and authority in the best interests of Saugatuck and in compliance with all applicable laws, rules, regulations, orders and directives of any officer or agency of competent jurisdiction.

3. Compensation. Saugatuck shall pay Interim Manager a weekly fee of \$2,000.00 for her services to Saugatuck and she shall receive no other compensation or benefits of any kind except as expressly set forth herein. She shall be paid on the same schedule as Saugatuck department heads are paid.

4. Insurance Benefits. Saugatuck shall provide and pay for all state-mandated workers’ compensation coverages for Interim Manager’s employment. No other benefits will be provided to Interim Manager under this Agreement.

5. Withholding. At Interim Manager’s request, and to the extent and in the manner otherwise authorized by law, Saugatuck shall make payroll withholdings. Interim Manager shall be solely liable for any tax liability or tax consequences relative to her receipt of income as provided for hereunder.

6. Liability and Insurance. Saugatuck shall hold Interim Manager harmless from, indemnify her for and defend her against any threatened, pending or completed claim, demand, suit, settlement, judgment, award or civil, criminal, administrative or investigative

proceeding or action which results from her performance of her duties under this Agreement. However, the Saugatuck shall have no such obligation if she did not act in good faith or knowingly violated applicable laws, rules, regulations, guidelines, orders, directives or policies. With respect to any criminal proceeding, Saugatuck shall have no obligation under this provision unless Interim Manager had no reasonable cause to believe her conduct was unlawful. Saugatuck shall obtain and maintain liability insurance which provides coverage for Interim Manager for her good faith acts in the performance of her duties under this Agreement. The limits of Saugatuck's obligations under this section are to provide coverage or indemnification for liability of up to \$2,000,000. Saugatuck may provide additional coverage or indemnification, but it is not obligated to do so.

7. Additional Benefits. Saugatuck shall reimburse Interim Manager for legitimate business expenses she reasonably incurs in performing her duties under this Agreement, to the extent such expenses and the reimbursement requests comply with any Saugatuck policies and procedures. Except as expressly provided for in this Agreement, Interim Manager shall not be entitled to receive any coverages or benefits otherwise offered to Saugatuck's employees.

8. Term and Termination. The term of this Agreement and Interim Manager's employment under it shall begin on the Starting Date and, unless extended in writing on terms that are agreeable to both Saugatuck and Interim Manager, it shall terminate at the close of business on December 1, 2020. In addition, this Agreement and Interim Manager's employment pursuant to it may be terminated as follows:

- (a) By Saugatuck, in its sole discretion, upon thirty (30) days prior written notice to Interim Manager.
- (b) By Interim Manager, in her sole discretion, upon thirty (30) days prior written notice to Saugatuck.
- (c) By action of the Saugatuck City Council, to take effect immediately, for any of the following reasons:
 - (i) Conviction or a plea of no contest to a felony by Interim Manager;
 - (ii) Misconduct, whether during or outside the course of employment, which substantially impairs Interim Manager's ability to function effectively as Interim City Manager or which brings disrepute to the office of Saugatuck City Manager;
 - (iii) Gross negligence in the performance of duties;
 - (iv) Fraud or embezzlement;
 - (v) Dishonesty, intentional falsification of records or documents, financial improprieties, misuse of position for personal gain, or deliberate misrepresentation of material facts to the Saugatuck City Council;
 - (vi) Willful neglect or abandonment of Interim Manager's duties;
 - (vii) Drug test confirming the use of illegal substances, or intoxication while working;
 - (viii) Violations of federal or state laws, the Saugatuck Charter and the Code of Ordinances of the Saugatuck which would expose the Saugatuck to

civil liability and/or affect the validity and enforceability of Saugatuck actions; or

- (ix) Material breach of this Agreement.

9. Miscellaneous.

(a) This is the entire agreement between the parties and it supersedes and replaces all prior agreements between the parties regarding its subject matter. It may not be modified except in writing, signed by both parties. It shall not be affected by any course of dealing. The captions are for reference only and shall not affect its interpretation.

(b) Neither party may assign its rights, duties or interests in this Agreement without the prior written consent of the other party.

(c) Any notices shall be made in writing to the above addresses or such other addresses as requested by notice and shall be made by personal delivery or by postage prepaid United States first-class mail and shall be deemed completed when actually received or, if by first-class mail, five business days after mailing.

The parties have signed this Agreement as of the date first written above.

CITY OF SAUGATUCK

KAREN DOYLE HOMAN

By: _____

Its: _____

By: _____

Its: _____

From: Lorna Nenciarini
Sent: Wednesday, September 09, 2020 12:45 PM
To: Robert Shuchman; Gregory Leonard
Cc: Jim Storey; Dean Kapenga; Robert Sarro; Diane Gomez; Becky Volker; Michelle Meneguzzo; hmgruver@mtu.edu
Subject: Allegan County/MTU DNR Waterways Grant

Good afternoon, Bob! I've recently wonderful news from the State: we may resume work on the Kalamazoo Harbor Study. Please use today, September 9, 2020 as the resumption date.

To date, we have received \$5,000 contributions from the cities of Douglas and Saugatuck, Saugatuck Township, and the Saugatuck Chamber of Commerce. Based on those contributions, the County has committed an equal \$5,000. I understand that MTRI/MTU has pledged a \$10,000 in-kind contribution. This total of \$35,000 in local funds will generate the like amount in State dollars, for a total of \$70,000 revenue. I believe that this amount will cover Phase I of the project's three phases.

Also to date, we have expended \$19,194 on sediment testing. In addition, I expect to receive an updated invoice (amount unknown) from MTU, for your services during the short time that this project was active in March and part of April.

I look forward to hearing from you!

Lorna Nenciarini
Executive Director of Finance
Allegan County
3283 – 122nd Ave
Allegan, MI 49010
269-673-0228

1274 Prestwick Dr.

Holland, Michigan 49423

December 27, 2019

16.B

To: Saugatuck City, Saugatuck, Michigan

Saugatuck Trustees, Zoning, Planning

To be distributed to council members and administration.

As long time resident and property owner I would like to suggest some ideas about the recent gift from the Balas and Sellman Trust. The kind contribution, given by two members of our community is so honorable and generous. I have known them both for many years. We worked together on several projects and I respect and hold them in high esteem.

I have been a member of the Saugatuck Douglas History Center, formerly known as the Saugatuck Douglas Historical Society, for 30 years. I have been part of the Dutcher Lodge preservation, the Pump House, and both my husband and I worked on the funding for the Old School House in Douglas, founded the Labor Day Bridge Walk and the original Oktoberfest and Tom served on Planning Commission. We have owned property in Saugatuck, recently selling a lot on 136th and one sold earlier at the corner of Maple and Old Allegan. We were home owners in downtown Douglas for over 20 years.

We are both active in the History Center at this time.

Here are some ideas:

1. Take some time to figure out the best way to proceed. Consider community designers.
2. Is Wicks Park the best location for the band shell?
3. I was there when the wooden gazebo band shell was built. The foundation looked like it would hold a very hefty building. If someone has determined that it is in poor repair and needs tearing down I would suggest that there would be a question of why maintenance has not been addressed.
4. Wednesday night performances are such a great thing for our locals and guests. Making repairs on the wooden gazebo is part of the charm of the landscape of why people like to be in our area. Wicks Park is a place tourists go to watch boats and read a book or have a picnic.
5. Historically, Saugatuck and Douglas, are not "BRICK" in nature. The present Gazebo enhances the sense of community as well as the chain ferry. The design in the newspaper resembles something that might belong in downtown Holland where the architecture is brick.
6. If I remember correctly the present band shell was eventually supported by Saugatuck, Douglas and the Township. Did anyone ask Peggy Boyce or the others involved what they might think?
7. Please consider other options for the design. Please consider the design and location that will enhance the view, not block it.

8. Is Coughlin Park a possible location? The ability to have tents there is so nice and performances there would make sense.
9. The Native American presence in the area, of the now visitors information booth, was honored by a very large rock with a plaque. Now there is a bench where the Native Americans were recognized. What type of decision making was involved with that choice? Where were the Native Americans moved to? My guess is storage as the rock seemed to disappear for a long while. I see now that it is tucked around the corner from City Hall.

Summary:

Please consider location carefully and take time to explore the choices.

Please consult local historians and designers such as Judy Hillman, Jim Schiemechen, Ken Carls, or Bud Baty for a design that fits into the fabric of the community. Bud Baty is a world renowned accomplished designer. Judy has served for years on your Historic Commission and has examples of her design work all over Saugatuck, Douglas, and Holland.

PLEASE CONSIDER REPAIRING THE BAND SHELL THAT EXISTS IN WICKS PARK.

When I see Jim Sellman I will thank him for his continued love for the arts and gift to the entire town and beyond.

Judy Anthrop

September 8, 2020

Mr. Kirk Harrier, City Manager
City of Saugatuck
Saugatuck City Hall
102 Butler Street
P.O. Box 86
Saugatuck MI, 49453

Re: Lake Michigan Frontage/Obstacles to Beach Walkers

Dear Mr. Harrier:

Recently, the City of Saugatuck ("Saugatuck" or "City") received complaints from members of the public who apparently cannot walk the Lake Michigan beach south of Oval Beach due to new or expanded seawalls, groins, rip rap, etc. ("Shore Items") that have been installed (or expanded) to protect the dunes and dwellings in the Dunegrass development. Consistent with the City's request, this letter is intended to address the legal issues involved.

Normally, in order for a Lake Michigan property owner to install (or expand) a Shore Item along a lakeside dune, shoreline, beach or in the waters of Lake Michigan, permits must first be obtained from both the Michigan Department of Energy, Great Lakes and Environment ("EGLE") and the United States Army Corps of Engineers ("Army Corps"). Which, the applicable laws in this regard remain in effect, in eight of the large number of dwellings that are currently threatened along the shoreline of Lake Michigan, economic considerations, and even political pressure, both EGLE and the Army Corps have been issuing permits for Shore Items at a record pace (much faster than under normal circumstances) and with minimal oversight. In fact, some Lake Michigan property owners have had Shore Items installed over the past year and a half without permits whatsoever, and EGLE and the Army Corps have done little about those violations (apart from issuing many "after-the-fact" permits). Both agencies appear to be underfunded, overwhelmed, and not ready for the extreme high-water conditions of the past two to three years.

You indicated that several of the Dunegrass development lake properties have had new Shore Items installed or expanded during 2019 or 2020. Given that there is currently little, if any, dry shoreline located between the lake waters and the dunes along the Dunegrass development, adding Shore Items (or expanding existing ones) only exacerbates the problem of beach walkers being able to walk along the shore.

We previously addressed the issue of property owners within the Dunegrass development complaining about public beach walkers from Oval Beach potentially trespassing on private property within the Dunegrass development and engaging in unlawful beach activities or private lands such as lounging, sunbathing and picnicking. (Please see our earlier opinion letter of June 12, 2020.) Now, the roles are reversed. Some members of the public are complaining to the City that certain property owners within the Dunegrass development are effectively blocking beach walking due to the new or expanded Shore Items along the shore.

Initially, the City Council should decide whether assisting the public beach walkers constitutes a “public purpose” for which City funds should be spent. Beyond this, and assuming it is deemed a public purpose, the Council might consider engaging with other governmental agencies in determining whether those agencies would agree to take the lead in addressing this issue. Obviously, both analyses should be done by the City Council before the City takes any action regarding this matter.

Some context for its actions might be helpful in light of *Glass v Goeckel*, 473 Mich 667 (2005). That case concluded that members of the public are legally entitled to walk on the dry land, beach or shore located between where the waters of Lake Michigan exist at a particular point and time and the ordinary high-water mark on land. However, the water levels of Lake Michigan currently cover all of the land up to (and beyond) the ordinary high-water mark within the Dunegrass development and likely further upland as well. Therefore, public beach walkers cannot currently lawfully walk on any dry land lakeward of the ordinary high-water mark.¹

What are the legal remedies for members of the public (or Saugatuck) if Shore Items have been installed illegally or in conformance with an EGLE or Army Corps permit but they interfere with lawful shore walking? If no permit has been issued, then either a member of the public or Saugatuck could file a violation complaint with EGLE and the Army Corps. Of course, due to budget constraints, lack of available staff time and other matters as described above, it is possible that neither governmental agency will take any action, or at least not, until later in time when matters slow down.

If a permit for a new or expanded Shore Item has been issued by EGLE or the Army Corps, an aggrieved party can file an appeal in a contested case proceeding with an EGLE administrative law judge. There remain time limits to file an appeal and whether those have expired would need to be addressed on a case-by-case basis. It is not clear whether Saugatuck would have “standing” for any such appeal (whether to appeal on its own, join an existing appeal or simply file a letter or resolution of support for the appealing parties). Standing means whether a particular party is legally qualified to file or join an appeal.

¹ It is also possible, however, that some of the Shore Items are preventing public beach walkers from walking within the shallow water adjacent to the shore. To the extent that such Shore Items so interfere, it is primarily within the jurisdiction of EGLE and the Army Corps to remedy that situation.


It appears that several members of the public have already filed an appeal with EGLE regarding the installation or expansion of Shore Items within the Dunegrass development and have requested a contested case hearing appeal. If it feels it necessary to protect the public health, welfare and safety the City could consider either joining that appeal or simply sending a letter or resolution to EGLE to support that appeal.

Alternately, either a member of the public or the City could file a lawsuit in the Allegan County Circuit Court claiming that a Shore Item is a nuisance, unreasonably interferes with the public navigability easement for walking or other legal theories. Again, it is not clear whether Saugatuck would have standing to bring such a lawsuit. In addition, that type of lawsuit could potentially be very expensive for the City to pursue in terms of attorney fees and court costs. It is likely that a lawsuit involving any cottage property within the Dunegrass development would be vigorously defended by a person who was well-funded.

Another option the City might consider would be to have it adopt a non-zoning police power or regulatory ordinance that prohibits Shore Items from interfering with beach walking below (i.e. lakeward of) the ordinary high-water mark. Such an ordinance could also provide that once Lake Michigan's water level drops low enough to expose the ordinary high-water mark on a particular piece of property, any visible or protruding Shore Item would have to be removed by the property owner involved to the extent that it exists lakeward of the ordinary high-water mark. It bears mention as to this option that it is not clear under Michigan law whether Saugatuck would have the authority to adopt and enforce such an ordinance. Either EGLE, the Army Corps or the violating landowner could assert that any local ordinance to regulate structures, uses or activities along the shore is preempted or precluded by state law. (Such an argument would require further research.)

Please do not hesitate to contact us should you or any other Saugatuck official have any questions. Thank you.

Very truly,



Clifford H. Bloom

cc: City Mayor
City Clerk



16.D

September 1, 2020

Saugatuck City Council
102 Butler Street
Saugatuck, MI 49453

Dear City Council Members,

I'm writing to give advance notice that I will be leaving my role as City Manager 30 days (1 month) from the date of this letter per the terms of my employment agreement, unless the parties otherwise agree. My remaining time with the City will be spent assisting with transitional activities to ensure there is a smooth changeover.

It has been an honor to serve the City Council, boards and commissions, residents, businesses and the many visitors of this great City for the past 14 ½ years. During this time I have demonstrated management stability, sound fiscal stewardship of taxpayer monies, forward thinking capital improvement investment and protection of the areas vital natural resources. However, my success would not have happened without the experienced City Council members and exceptional city employees I have been so fortunate to work with over the years.

I'm incredibly grateful for the opportunities I've been provided managing your City. Saugatuck is forever part of me and I like to think that I will forever be part of Saugatuck. I wish the City of Saugatuck nothing but success in the years to come.

Sincerely,

Kirk Harrier

Kirk Harrier, MPA