



**CITY COUNCIL AGENDA
NOVEMBER 25, 2019 – 7:00 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
A. Regular City Council Meeting of November 11, 2019
5. MAYOR’S COMMENTS
6. CITY MANAGER’S COMMENTS
7. AGENDA CHANGES (ADDITIONS/DELETIONS)
8. GUEST SPEAKERS:
A. Lt. Brett Ensfield – Allegan Co. Sheriff Department
B. Phyllis Yff – Interurban Transit Authority Updates
9. PUBLIC COMMENT *Agenda Items Only (Limit 3 minutes)*
10. REQUESTS FOR PAYMENT
A. Approval of Accounts Payable
11. INTRODUCTION OF ORDINANCES:
A. Chapter 31 – Section 31.31 Planning Commission Terms of Office
B. Table of Special Ordinances; Franchises; Consumers Energy Company Electric Franchise
12. PUBLIC HEARINGS: **None**
13. UNFINISHED BUSINESS: **None**
14. NEW BUSINESS
A. Planning Commission Council Representative Appointment (NOMINATION PROCESS)
B. Resolution No. 191125-A – Blue Star Trail Joint Resolution Committee (ROLL CALL)
15. CONSENT AGENDA: **None**
16. PUBLIC COMMENTS *(Limit 3 minutes)*
17. COMMUNICATIONS:
A. Water & Lucy Street End Licenses– Accept as information
B. Board of Review Vacancy – Accept as information
C. FEMA Open House– Accept as information
D. F&V Memo Blue Star Trail– Accept as information
18. BOARDS, COMMISSIONS & COMMITTEE REPORTS
A. Harbor Authority, Fire Board, Planning Commission, KLSWA,
19. COUNCIL COMMENTS
20. ADJOURN

NOTICE

This facility is wheelchair accessible with accessible parking spaces available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck City Clerk at 269-857-2603 or monica@saugatuckcity.com for further information.

PROPOSED Minutes
Saugatuck City Council Meeting
Saugatuck, Michigan, November 11, 2019

The City Council met in regular session at 7:00 p.m. at City Hall, 102 Butler Street, Saugatuck, Michigan.

1. **Call to Order** by Mayor Trester at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Attendance:**
Present: Simon, Bekken, Johnson, Hess, Verplank, Peterson & Trester
Absent: None
Others Present: City Manager Harrier
4. **Mayor & Mayor Pro-Tem Nomination/Election:** Mayor Trester opened the floor to accept nominations for Mayor. Council Member Johnson made the nomination of Ken Trester as Mayor for a one (1) year term. Mayor Trester closed the floor for nominations. Upon roll call the nomination passed unanimously.

Mayor Trester opened the floor to accept nominations for Mayor Pro-Tem Council Member Verplank made the nomination of Chris Peterson as Mayor Pro-Tem for a one (1) year term. Mayor Trester closed the floor for nominations. Upon roll call the nomination passed unanimously.
5. **Approval of Minutes:** A motion was made by Peterson, 2nd by Johnson, to approve the October 28, 2019 regular meeting minutes as presented. Upon voice vote the motion carried unanimously.
6. **Mayor's Comments:** Mayor Trester announced the Veteran's Day Ceremony held today in the Village Square Park was well attended.
7. **City Manager's Report:** City Manager Harrier announced the following: Thanked City Clerk Nagel for flawless city election; MDNR MNRTF Grant application second scoring went from 200 to 315 points due to submitting additional information; 500 trees acquired through the Allegan County Community Foundation Grant were recently planted on Mt. Baldhead.
8. **Agenda Changes:** None
9. **Guest Speakers:**
A. **Lt. Brett Ensfield – Allegan Co. Sheriff's Department:** Lt. Ensfield updated Council on various trainings city officers are attending.
10. **Public Comment:** Brandon Winter, Boy Scout, attended tonight's meeting as one of the requirements to acquire the Citizenship Merit Badge.
11. **Request for Payment:** A motion was made by Hess, 2nd by Simon, to approve the accounts payable in the amount of \$51,199.38. Upon voice vote the motion carried unanimously.
12. **Introductions of Ordinances:** None
13. **Public Hearings:** None
14. **Unfinished Business:** None

15. New Business:

A. Lakeshore Chorus Sign Approval: A motion was made by Johnson, 2nd by Hess, to approve the request to install a banner under the pallet sign for the Lakeshore Community Chorus from November 23, 2019 to December 2, 2019 with the stipulation that the organization works with city's Department of Public Works to coordinate holiday lighting activities. Upon voice vote the motion carried unanimously.

B. Special Event Application – SDABA Annual Christmas Parade / Tree Lighting Ceremony: A motion was made by Simon, 2nd by Peterson, to approve the annual SDABA Special Event Application to hold a Christmas Parade and Tree Lighting Ceremony in the City of Saugatuck on December 7, 2019 contingent upon the applicant signing the Letter of Understanding dated November 11, 2019.. Upon voice vote the motion carried unanimously.

C. Resolution No. 191111-A Advisory Holiday Lighting Committee: A motion was made Simon, 2nd by Johnson, to approve Resolution No. 191111-A as presented. Upon voice vote the motion carried unanimously.

16. Consent Agenda: None

17. Public Comment: Garnet Lewis and Holly Leo, newly elected Council Members, shared with Council their New Saugatuck City Council Member Resource List and will be meeting with each city department head to help them learn and understand all aspects of city operations.

Stephanie Vlasity (*resident*) provided Council with additional facts reflecting Planning Commission's deliberations regarding medical and recreational marijuana business in Saugatuck.

Dan Fox (*resident*) also provided Council with information regarding Planning Commissions deliberations regarding medical and recreational marijuana business in Saugatuck.

18. Communications:

A. Letter of Communication Regarding City Council Term of Office – Accepted as information

B. South Haven Voters Say No to Marijuana Businesses - Accepted as information

C. Letter of Communication Regarding Planning Commission Marijuana Recommendation - Accepted as information

19. Boards, Commissions & Committee Reports: Council received reports from the following committee(s): None

20. Council Comments: Council Member Simon expressed concerns with allowing marijuana businesses in downtown Saugatuck.

Council Members Hess, Johnson, Peterson, Bekken Verplank and Mayor Trester welcomed newly elected Council Members Garnet Lewis and Holly Leo.

21. Adjournment: Mayor Trester adjourned the meeting at 7:50 p.m.

Respectfully Submitted,

Monica Nagel, CMC
City Clerk

10A

| Vendor Name | Description | Amount |
|---|--------------------------------|-----------|
| 1. ALLEGAN COUNTY NEWS | ELECTION | 32.22 |
| | PRINTING | 120.00 |
| | TOTAL | 152.22 |
| 2. ALLEGAN COUNTY SHERIFF | SHERIFF CONTRACT | 25,725.72 |
| 3. ALLEGAN COUNTY TREASURER | TAX PAPER | 34.50 |
| | PROPERTY TAXES | 3,350.00 |
| | TOTAL | 3,384.50 |
| 4. AT&T MOBILITY | CELL PHONES | 79.53 |
| 5. BELL EQUIPMENT CO | STREET SWEEPER | 42.18 |
| 6. BLOOM SLUGGETT PC | LEGAL FEES | 3,788.16 |
| | LEGAL FEES | 8.50 |
| | LEGAL FEES | 2,883.50 |
| | TOTAL | 6,680.16 |
| 7. CAPITAL ONE | PARKS HOLIDAY LIGHTS CITY HALL | 303.37 |
| 8. CHIPS GROUNDCOVER LLC | HOLIDAY LIGHTS | 12,905.00 |
| 9. COMCAST | TELEPHONE & INTERNET | 284.60 |
| 10. DIANNA MC GREW | ASSESSING SERVICES | 2,611.13 |
| 11. DUNESVIEW KWIK SHOP INC | GASOLINE & DIESEL | 819.55 |
| 12. ERLANDSON CONCRETE LLC | SIDEWALKS | 6,629.00 |
| 13. FLEIS & VANDENBRINK ENGINEERING INC | ENGINEERING FEES | 4,668.80 |
| 14. IHLE AUTO PARTS | PARTS OIL FILTERS | 603.76 |
| 15. KALAMAZOO LAKE SEWER & WATER | WATER & SEWER | 1,363.12 |
| 16. LANDSCAPE DESIGN SERVICES INC | ROSE GARDEN | 1,280.00 |
| 17. MICHIGAN MUNICIPAL LEAGUE | CDL DRUG TESTING | 375.00 |
| 18. SAUGATUCK DOUGLAS GARDEN CLUB | HOLIDAY LIGHTS | 79.95 |
| 19. STANDARD INSURANCE COMPANY | INSURANCE | 343.59 |
| TOTAL - ALL VENDORS | | 68,331.18 |
| FUND TOTALS: | | |
| Fund 101 - GENERAL FUND | | 59,443.57 |
| Fund 202 - MAJOR STREETS | | 24.12 |
| Fund 203 - LOCAL STREETS | | 24.12 |
| Fund 592 - WATER AND SEWER | | 2,560.00 |
| Fund 661 - MOTOR POOL FUND | | 1,636.57 |
| Fund 701 - CURRENT TAX FUND | | 3,350.00 |
| Fund 715 - ROSE GARDEN | | 1,292.80 |



City Council Agenda Item Report

City of Saugatuck

FROM: Cindy Osman, Planning and Zoning

MEETING DATE: Introduction: November 25, 2019
Action Date: December 9, 2109

SUBJECT: Introduction of Ordinance: Section 31.31, Chapter 31 Planning Commission, Terms of office.

DESCRIPTION

While reviewing the Planning Commission ordinance in preparation for our next meeting, it was noticed that the number of Planning Commissioners in the ordinance is listed as: *“The membership of the City Planning Commission shall consist of a member of the City Council who shall be selected by the Council and whose term of office shall correspond with his or her term as a Council member; and **eight** residents of the city who shall be appointed by the Mayor, subject to the approval by a majority vote of the members elect of the City Council.”*

This number was changed from six to eight in 2002, probably based on attendance issues. Subsequently the number was administratively changed back to six, but the ordinance was not updated to reflect this change. The proposed amendment corrects this issue.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

None

LEGAL REVIEW

The ordinance change was reviewed and approved by municipal attorney Jeff Sluggett.

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment to amend section 31.31 of the Code of the City of Saugatuck on the December 9th regular council meeting agenda for action.

**CITY COUNCIL
CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE III, CHAPTER 31,
SECTION 31.31 OF THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 31.31. That Title III, Chapter 31, Section 31.31 of the Code of the City of Saugatuck, entitled "CITY PLANNING COMMISISON; TERMS OF OFFICE", is amended to read as follows:

31.31 TERMS OF OFFICE.

The membership of the City Planning Commission shall consist of a member of the City Council who shall be selected by the Council and whose term of office shall correspond with his or her term as a Council member; and ~~eight~~six residents of the city who shall be appointed by the Mayor, subject to the approval by a majority vote of the members elect of the City Council.

Section 2. Effective Date. This Ordinance shall become effective upon its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Monica Nagel, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2019, and noticed in accordance with all legal requirements,

Monica Nagel, Clerk

Introduced: _____

Adopted: _____

Published: _____



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager

MEETING DATE: Introduction: November 25, 2019
Action Date: December 9, 2109

SUBJECT: Introduction of Ordinance: Adding a new Special Ordinance , Table I, Entitled “Table of Special Ordinances; Franchises; Consumers Energy Company Electric Franchise Ordinance.”

DESCRIPTION

See below legal review from City Attorney Jeff Sluggett.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Article VII, Section 29 of the Michigan Constitution requires that in order for a public utility to use the public’s rights of way or to offer services it must obtain a franchise from the local governmental unit. The City of Saugatuck’s current franchise with Consumers Energy to provide electric services to residents and businesses is scheduled to terminate.

In anticipation of this, Consumers submitted to the City a proposed franchise ordinance for consideration. The attached draft, which is proposed for consideration by the Council, would grant to Consumers the right to use the public rights of way and to conduct an electric business. At the City’s request, Consumers did modify provisions in its basic franchise as follows: reducing the term of the franchise from 30 to 10 years (to grant the City enhanced leverage in its dealings with the utility), providing that the City be given at least 24 hours’ notice before tree trimming activities occur except in the case of an emergency, expanding the indemnification provided by Consumers to include the City’s officers and employees, and striking language which would acknowledge a preemption of the City’s regulations in the event of a conflict with City legal requirements. Consumers will reimburse the City for its publication costs associated with the adoption and publication of the franchise ordinance.

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment, adding a new Special Ordinance , Table I, Entitled “Table of Special Ordinances; Franchises; Consumers Energy Company Electric Franchise Ordinance” on the December 9th regular council meeting agenda for action.

**CITY COUNCIL
CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SAUGATUCK BY
ADDING A NEW SPECIAL ORDINANCE , TABLE I, ENTITLED “TABLE OF
SPECIAL ORDINANCES; FRANCHISES; CONSUMERS ENERGY COMPANY
ELECTRIC FRANCHISE ORDINANCE”**

CONSUMERS ENERGY COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right and authority to construct, maintain and commercially use electric lines and related facilities including but not limited to towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, for a period of ten years.

THE CITY OF SAUGATUCK ORDAINS:

SECTION 1. GRANT and TERM. The CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, hereby grants to Consumers Energy Company, its successors and assigns, hereinafter called “Consumers” the right and authority to towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, for a period of ten years.

SECTION 2. CONDITIONS. No public place used by Consumers shall be obstructed longer than necessary during construction or repair, and shall be restored to the same order and condition as when work was commenced. All of Consumers’ electric lines and related facilities shall be placed as not to unnecessarily interfere with the public’s use of public places. Consumers shall have the right to trim or remove trees if necessary in the conducting of such business; provided, however, that such activities shall be preceded by not less than 24 hours’ advance notice to the City except in cases of emergency, safety issues or the restoration of power.

SECTION 3. HOLD HARMLESS. Consumers shall save the City, its officers and employees free and harmless from all loss, costs and expense to which they may be subject by reason of the negligent construction, maintenance or operation of the lines and related facilities hereby authorized. In case any action is commenced against the City on account of the permission herein given, Consumers shall, upon notice, defend the City and its representatives and hold them harmless from all loss, costs and damage arising out of such negligent construction and maintenance.

SECTION 4. EXTENSIONS. Consumers shall construct and extend its electric distribution system within said City, and shall furnish electric service to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 5. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

SECTION 6. RATES and CONDITIONS. Consumers shall be entitled to provide electric service to the inhabitants of the City at the rates and pursuant to the conditions as approved by the Michigan Public Service Commission. Such rates and conditions shall be subject to review and change upon petition to the Michigan Public Service Commission.

SECTION 7. REVOCAION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by either party. Upon revocation this ordinance shall be considered repealed and of no effect past, present or future.

SECTION 8. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION. Consumers remains subject to the reasonable rules and regulations of the Michigan Public Service Commission applicable to electric service in the City and those rules and regulations preempt any term of any ordinance of the City to the contrary.

SECTION 9. REPEALER. This ordinance, when enacted, shall repeal and supersede the provisions of any previous Consumers' electric franchise ordinance adopted by the City including any amendments.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect on _____.

We certify that the foregoing Franchise Ordinance was duly enacted by the City Council of the CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, on the ____ day of _____, 2019.

Ken Trester, Mayor

I, Monica Nagel, Clerk of the CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, do hereby certify that the ordinance granting Consumers Energy Company, an electric franchise, was properly adopted by the City Council of the CITY OF SAUGATUCK, ALLEGAN COUNTY, MICHIGAN, and that all proceedings were regular and in accordance with all legal requirements.

Monica Nagel, City Clerk

Dated: _____, 2019



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager
MEETING DATE: November 25, 2019
SUBJECT: Planning Commission Council Representative Selection/Appointment

DESCRIPTION

Council member William Hess was previously the City Council representative on the Planning Commission. Mr. Hess did not seek reelection to City Council. Therefore per City Ordinance, City Council shall select a member of Council to serve as a member of the Planning Commission.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal attorney Jeff Sluggett has reviewed and approved process for selection.

PROCESS:

- 1.) Mayor opens nominations for Council Planning Commission Representative;
- 2.) Any member may make a nomination (does not need a second); Mayor then asks for other nominations and the process is continued until no further nominations are offered;
- 3.) A vote is then held for each nominee in the order nominated (roll call by City Clerk) until a majority of the Council has voted in favor of a particular nominee, at which point the person is announced to be appointed as the Council Planning Commission Representative;



City Council Agenda Item Report

City of Saugatuck

FROM: Kirk Harrier, City Manager

MEETING DATE: November 25, 2019

SUBJECT: Resolution No. 191125-A Blue Star Trail Joint Resolution Development Committee

DESCRIPTION

At the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI. The notes from that meeting are attached to this report (Attachment A). During this meeting the Friends of the Blue Star Trail requested a change in the project approach and proposed that Saugatuck Township, City of Douglas and the City of Saugatuck complete the “northern” section of the route as one project. Therefore all three jurisdictions would need to pass a joint resolution making the project a priority, dedicating sufficient staff and monetary resources and approve applying for grant funds and ultimately construct the project.

The stakeholders meeting adjourned with participants agreeing that the managers of the three jurisdictions involved in the “northern section” would work on a joint resolution that each manager might present to its governing board. The managers from Saugatuck Township, City of Douglas and the City of Saugatuck collaborated and developed a draft joint resolution (Attachment B).

Saugatuck City Council was the first governmental body to receive the joint resolution and passed it at their October 14 regular meeting. The Saugatuck Township Board of Trustees placed the joint resolution on their November 6 meeting agenda. The Township Board voted to table the joint resolution and develop a committee of 2 of the Township’s trustees, representatives from Saugatuck and Douglas, and representatives from the Friends of the Blue Star Trail towards producing a new resolution that could be brought to the 3 community governments. Supervisor Osman and Trustee Marcy will be the Township’s representatives on this committee along with the Saugatuck Township Manager.

Saugatuck Township is proposing a joint meeting on December 9 at 1PM. If Saugatuck City Council desires to proceed in the manner suggested by Saugatuck Township, it is recommend the Council approve the attached Resolution appointing members in accordance with Section 4.28 of the Saugatuck City Charter to serve on the committee.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal attorney Jeff Sluggett has reviewed and approves the Resolution as to form and content.

SAMPLE MOTION:

Motion to **approve/deny** Resolution No. 191125-A consenting to the Mayor's appointment of Council members _____ and _____ and the Saugatuck City Manager to serve on the Blue Star Trail Joint Resolution Development Committee as presented.

**CITY OF SAUGATUCK
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. 191125-A

**A RESOLUTION TO APPOINT A BLUE STAR TRAIL JOINT RESOLUTION ADVISORY
COMMITTEE**

Council Member _____, offered the following resolution and moved for its adoption, seconded by Council Member _____:

WHEREAS, at the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI; and

WHEREAS, the Friends of the Blue Star Trail have requested a change in the project approach and proposed that Saugatuck Township (Township), the City of the Village of Douglas (Douglas) and the City of Saugatuck (Saugatuck) complete the “northern section” of the trail route as one project; and

WHEREAS, in order for all three jurisdictions to undertake a joint capital improvement project, adopting a joint a resolution which, at a minimum, dedicates sufficient staff and monetary resources to develop an intergovernmental agreement is necessary; and

WHEREAS, the Township Board of Trustees at their November 6 regular meeting moved to table the first draft of the Joint Blue Star Trail Resolution and develop a committee of two of the Township’s trustees, representatives from Saugatuck and Douglas, and representatives from the Friends of the Blue Star Trail towards producing a new resolution that could be brought to the three community governments; and

WHEREAS, all legislative and policy powers are vested in the Saugatuck City Council; and

WHEREAS, per Section 4.28 of the Saugatuck City Charter, the mayor, with the advice and consent of the City Council may, from time to time, appoint such committees or boards as are deemed appropriate to advise and consult with them, and with appropriate departments, regarding any municipal activity. Such committees or boards shall be advisory, serve temporarily and without compensation unless otherwise provided by the City Council.

THEREFORE, BE IT RESOLVED the City Council hereby authorizes the appointment three individuals to serve as a Blue Star Trail Joint Resolution Development Committee and authorizes that Committee to attend the December 9, 2019 meeting at the Township Hall for the purpose of collaborating with representatives of Douglas and the Township to produce a revised joint resolution that can be presented to the three community governments for consideration provided, however, that (i) the Committee’s actions shall be advisory in nature only; (ii) the Saugatuck City Council does not delegate any authority to the Committee to make decisions on behalf of Saugatuck; and (iii) the Committee shall terminate without further action of the Saugatuck City Council after the joint resolution language is completed and submitted to the three communities or the Committee provides notice that it has been unable to develop such language.

BE IT FURTHER RESOLVED, the Committee will be comprised of Council members _____ and _____ and the Saugatuck City Manager.

BE IT FINALLY RESOLVED, all resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSTAIN: Council Members: _____

ABSENT: Council Members: _____

ADOPTED this ____ day of _____, 2019

Signed: _____
Monica Nagel, City Clerk

CERTIFICATION

I, Monica Nagel, the duly appointed clerk of the City of Saugatuck hereby certify the foregoing is a true and complete copy of a resolution adopted by the Saugatuck City Council at a regular meeting held _____, 2019, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended. The minutes of the meeting were kept and will be or have been made available as required by said Act.

Signed: _____
Monica Nagel, City Clerk



Memo

To: Saugatuck City Council
From: Ken Trester—Mayor, Kirk Harrier—City Manager
Date: September 20, 2019
Re: Blue Star Trail Regional Stakeholders Meeting Notes

At the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI. The other attendees were as follows:

City of Douglas: Mayor: Linda Anderson, City Manager: Rich LaBombard. Saugatuck Township: Supervisor: Cindy Osman, Township Manager: Griffin Graham. Allegan County Board of Commissioners: District 1 Commissioner: Dean Kapenga, County Administrator: Rob Sarro, Director of Service/Transportation: Dan Wedge. Allegan County Road Commission: Managing Director: Craig Atwood. Ganges Township: Township Trustee: Dick Hutchins. Friends of the Blue Star Trail: Board Member: Richard Donovan, Board Member: Clark Carmichael.

The purposes of the meeting was to have an thorough and candid dialogue with the other units of government along the proposed trail route regarding the status of each jurisdiction relevant to development, commitment, coordination and planning activities for the trail. Below are relevant meeting notes:

- Total project estimated in 2017 was \$11 million. Updated estimates have not been provided by the Friends of the Blue Star Trail. The Friends of the Blue Star Trail are proposing that 75% of the needed funds will need to be obtained from state grants. Therefore, \$2.75 million would need to be raised for the local match. None of the local governments present at the meeting stated they had these funds. Any grant applications would need to be applied for by a governmental entity as the Friends of the Blue Star Trail is an advocacy organization and cannot legally apply for grant funds.
- Friends of the Blue Star Trail currently have \$170,000 on deposit.
- The Allegan County Board of Commissioners approved a resolution in 2018 (EXHIBIT A ATTACHED) accepting ownership of the future portion of the Non-Motorized Blue Star Trail to be constructed within Casco and Ganges Townships but were very specific that any expenses relative to the construction, maintenance and operation of the trail shall be funded by the Friends of the Blue Star Trail and Allegan County would not expend funds. The County Board of Commissioners would still need to

take action to approve a design and identify the level of maintenance expenditures to be supported by the FOTBST so final approve has not yet been obtained or granted.

- The Allegan County Road Commission identified they do not have funds committed for the proposed project at any location and their role is, and has been, to simply act as a pass through agency, if needed, for the purpose of applying for state grants.
- The City of Douglas still has sections of trail in their jurisdiction that would need to be completed to make the project a regional trail. Douglas representatives stated they have not identified the construction as a priority in their capital improvement plan nor appropriated any funds for construction at this time.
- Saugatuck Township stated they have new board members and new administrative employees and the Township governing body has not accepted ownership, appropriated funds for construction or authorized the submittal of any grant application on the Township's behalf to the Friends of the Blue Star Trail or any other governmental agency for any further trail construction. Saugatuck Township representatives stated they do not have the funds available within their budget to maintain the trail infrastructure they have in place now.
- It was clearly identified and agreed upon by all attendees that the City of Saugatuck alone is not holding up or preventing the project from moving forward. The project is much more complex. The Friends of the Blue Star Trail are now proposing that the City of Douglas, City of Saugatuck and Saugatuck Township complete the "northern" section of the route as one project. Therefore all three jurisdictions would need to pass a resolution making the project a priority, dedicating sufficient staff and monetary resources and approve applying for grant funds and ultimately construct the project. Based upon their comments at the meeting, it is highly unlikely that Saugatuck Township will have the fiscal and human resource capacity to do so. City of Saugatuck representatives identified between \$5 and \$10 million in existing capital improvement needs that do not have substantial funding in place.
- The area of proposed trail in Ganges Township has significant issues as the public right-of-way is limited and a considerable amount of private easements need to be obtained by some governmental entity in order to construct the trail. The Ganges Township representative stated the property owners in that jurisdiction did not want to grant the easements because trees on their property would need to be removed.
- The representatives from the Friends of the Blue Star Trail stated members of their board have solicited donations for this project from their own personal friends and therefore they have a strong obligation and commitment to them to make this project a reality and would encourage the local governments to assist as they feel it would benefit the area if the trail were built.
- The meeting adjourned with participants agreeing that the managers of the three jurisdictions involved in the "northern section" would work on a possible resolution, similar to what the Allegan County Board of Commissioners approved in 2018 that each entity might present to its governing board.

CITY OF SAUGATUCK RESOLUTION 191014-B
CITY OF THE VILLAGE OF DOUGLAS RESOLUTION _____
SAUGATUCK TOWNSHIP RESOLUTION _____

A JOINT RESOLUTION ON BEHALF OF THE CITY OF SAUGATUCK, CITY OF THE VILLAGE OF DOUGLAS, AND SAUGATUCK TOWNSHIP REGARDING A REQUEST TO CONSTRUCT A NON-MOTORIZED TRAIL SEGMENT WITHIN EACH JURISDICTION

WHEREAS, the Friends of the Blue Star Trail (FOTBST) is a 501(c)(3) non-profit advocacy group incorporated in the State of Michigan for the charitable purpose of promoting the development and continuance of the Blue Star Trail from South Haven to Saugatuck; and

WHEREAS, the FOTBST identify the Blue Star Trail as a 20 mile regional non-motorized trail that traverses multiple governmental jurisdictions; and

WHEREAS, in 2017 the FOTBST estimated completion of the Blue Star Trail at a project cost of \$11 million; and

WHEREAS, the FOTBST has proposed that 75% (\$8.25 million) of the estimated required funds for the trail will need to be obtained from state grants and 25% (\$2.75 million) of the required funds would be raised from a local match; and

WHEREAS, State grant applications would need to be applied for by a governmental entity as the FOTBST is an advocacy organization and cannot legally apply for grant funds; and

WHEREAS, the FOTBST is requesting the City of the Village of Douglas, the City of Saugatuck and Saugatuck Township ("Communities" or "Community" as appropriate) jointly accept responsibility to construct a section of the Blue Star Trail, along Blue Star Highway, from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street; and

WHEREAS, while unknown at this time, the FOTBST estimate the cost of the portion of the Blue Star Trail to be constructed within the Communities would be \$1.3 million, requiring state grants in the amount of \$975,000 (75%) and a local match of \$325,000 (25%); and

WHEREAS, the Communities have undertaken to identify staff resources, design engineering, construction engineering, actual construction, and on-going maintenance costs necessary for the proposed trail and recognize that these activities would involve considerable expenditures for the Communities, which funds are not currently available.

NOW, THEREFORE, IT IS RESOLVED that the Communities support construction of a section of the Blue Star Trail along Blue Star Highway from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street and to seek grant funding for the same subject to the following conditions and contingencies:

1. Any expenses for the engineering, construction and/or on-going maintenance of the portion of Blue Star Trail within the Communities, comprising a local grant match or otherwise, shall be funded by the FOTBST in the form of fully funded deposits for engineering and construction and a fully funded endowment or similar arrangement for maintenance; it being the intent of the Communities that their funds will not be used for these purposes.

2. Determinations as to the level and manner of future maintenance expenditures to be supported by the endowment or a similar arrangement shall be as agreed to between the Communities based upon general maintenance and repair standards utilized for other properties of the Communities.
3. Prior to the engineering and construction of any portion of the Blue Star Trail within a Community's jurisdiction, the availability of the required funds consistent with the terms of this Resolution shall be verified and approved along with submission of a design that is esthetically acceptable to that Community which, without limitation, does not reduce the number of existing traffic lanes.
4. No application for grant funding, contracting of any nature or other actions reasonably necessary to the design, construction or maintenance of any portion of the Blue Star Trail within any of the Communities may occur until a written agreement, in such form satisfactory to each of the Communities, has been reviewed and approved by each Community's governing body, which agreement must set forth matters including conditions and provisions identified or alluded to in this Resolution such as the scope and nature of the project, the designated lead agency for funding and oversight of the project, responsibility for bidding and awarding contracts, indemnification of the parties, insurance requirements, mechanisms for maintenance and such other matters deemed necessary by the parties.
5. This Resolution shall become effective only in the event that the governing body for each of the Communities adopts it in the form and substance as set forth herein. Thereafter, the last date of approval shall be considered its effective date.

BE IT FURTHER RESOLVED any prior resolutions, memorandums of understanding, letters of support or similar actions, to the extent of a conflict with the provisions of this Resolution, are hereby rescinded and revoked.

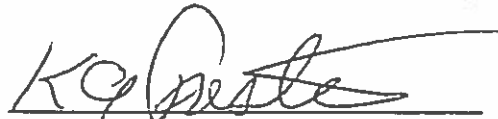
The foregoing resolution was proposed by Council Member Simon and seconded by Council Member Hess.

YEAS: Simon, Hess, Johnson, Peterson, Verplank & Trester

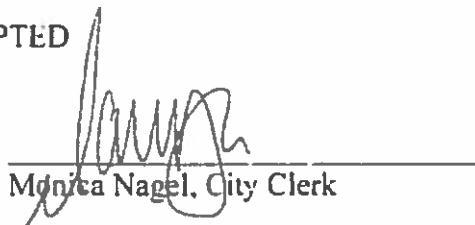
NAYS: None

ABSENT: Bekken

RESOLUTION NO. 191014-B DECLARED ADOPTED



Ken Trester, Mayor



Monica Nagel, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Saugatuck, Allegan County, Michigan at a regular meeting held on October 14, 2019, and that the public notices of said meeting were given pursuant to Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting notice of publication or posting at least eighteen (18) hours prior to the time set for the meeting.



Monica Nagel, City Clerk



Memo

To: Saugatuck City Council
From: Kirk Harrier—City Manager
Date: November 21, 2019
Re: Lucy & Water Street End License

Attached is a request from the adjacent property owners to the Lucy & Water Street end. Property owners are requesting the City Council license the street end to them and work with the Fire District to find another location for the Fire District's marine operations? Also attached is a communication from the Fire District Chief.

11/5/2019

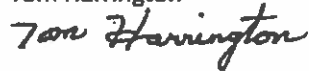
To: Kirk Harrier

City Manager, City of Saugatuck

Please consider this a formal request to lease the 33' street end at Lucy and Water street adjacent to 730 Water Street. Our tenant, Retro Boat Rentals would like to improve the appearance of this street end by taking over the maintenance of the landscaping, creating an improved view of the river and Willow Park, and improving the view across to Mt Baldhead. This would also create a safer place for the public to enjoy the services offered by Retro Boat Rentals.

We understand the STFD is currently leasing this street end. We kindly ask that the city work with the STFD to find an alternative location that meets the needs of the STFD and city residents.

Tom Harrington



Josh Harrington





SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



3342 Blue Star Highway
Saugatuck, MI 49453
Phone: 269 857-3000
Fax: 269 857-1228
E-mail: office@saugatuckfire.org

November 20, 2019

City Council
City of Saugatuck
102 Butler Street
Saugatuck, MI 49453

Dear City Council:

Recently, the Saugatuck Township Fire District (Fire District) received a copy of a correspondence from Mr. Tom Harrington and Mr. Josh Harrington that included a written request to move the Fire District from the licensed Lucy Street end. In the event Saugatuck City chooses to move the Fire District public safety marine operations, can you please advise and identify the possible alternate locations, so we plan accordingly. We believe the city has some locations in mind and it would be helpful for us to know now so we can evaluate location for adequate draft, shore power requirements, two vessel moorings, emergency responder park-ing, vessel congestion, currents and deployment strategies. Finding a suitable public safety marine operations platform will take an extended period and we have a responsibility to the public to be equipped and immediately ready for deployment.

Sincerely,
Greg Janik
Fire Chief/Fire Marshal



NOTICE

The City of Saugatuck is seeking applications for appointments to the following board/commission:

BOARD OF REVIEW

The Board of Review is a committee of three (3) city residents serving a three (3) year term appointed by City Council to hear taxpayer appeals of the annual assessment roll.

Board of Review Calendar of Meetings

- 1.) December—Thursday following the second Monday (30 min.)
- 2.) February—Mandatory training
- 3.) March— Organizational meeting Tuesday following the first Monday (30 min.)
Protest hearings—Wednesday following the second Monday (1PM to 9PM)
Protest hearings—Thursday following the second Monday (9AM to 4PM)
- 4.) July—Thursday following the third Monday (30 min.)

If you are a resident of the City of Saugatuck and have the desire and ability to serve, please contact City Hall at (269) 857-2603 to request an application.

Monica Nagel
Saugatuck City Clerk
Dated: November 21, 2019
(269) 857-2603

17C

ALLEGAN COUNTY

OPEN HOUSE MEETING



Updated Preliminary Flood Insurance Rate Maps are being released for Allegan County. Stop by any time between 5 p.m. and 7 p.m. to view the maps, learn about your risk of flooding, and how your property may be impacted.

DECEMBER 5, 2019

5:00 p.m. to 7:00 p.m.

**Allegan District Library
Carnegie Room
331 Hubbard Street
Allegan, Michigan 49010**



FEMA



MEMO

To: Saugatuck City Council

From: Paul Galdes, PE, President and Jon Moxey, PE, Project Manager
Fleis & VandenBrink

Date: November 22, 2019

Re: Blue Star Trail through Saugatuck

Fleis & VandenBrink Engineering, Inc. (F&V) would like to clarify with Council that F&V has terminated our agreement with FOBST as the work we were originally hired to do in preparing AASHTO compliant alternatives that are fundable through MDOT TAP for the Saugatuck segment of the trail is complete. We felt we were being drawn into making recommendations to Council for the FOBST which was never the intent of our work for them. Rather than continuing to work for FOBST and advocating for their preferred alternate, our goal has always been to serve the City of Saugatuck by assisting both parties from a technical standpoint by providing safe alternatives. We have been clear with the FOBST on this since we initiated our work for them at the City's recommendation.

The alternatives that are currently being vetted and refined both reduce vehicle traffic lanes over the bridge to 3 lanes. Although these alternatives meet AASHTO standards for pedestrian facilities, we understand the fire department and some council members have concerns with reduced lanes on the bridge.

We are certainly willing to help assist in finding an acceptable route if desired by Council. We believe our best assistance would be to work for the City under our existing General Consultation Services agreement at our standard hourly rates to provide technical assistance and recommendations to the City as needed.

If the City would like us to work on its behalf, it would be most productive with some direction from the City on any components that are just not acceptable to the City so we are making the best use of everyone's efforts. We understand the FOBST has placed an end of year deadline on a decision and agreement with the Township and City of Douglas. Knowing any portions of the alternatives already presented that are not acceptable to Council before any meetings with the other stakeholders would make everyone's efforts most efficient.