



CITY COUNCIL MEETING AGENDA

August 14 – 7:00 pm

*This is an in-person meeting at Saugatuck City Hall, 102 Butler St, Saugatuck, MI 49453.
The meeting will also be available live, virtually on Zoom.*

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Mayor's Comments**
5. **City Manager Comments**
6. **Agenda Changes** (*Additions/Deletions*)
7. **Guest Speakers**
8. **Public Comment on Agenda Items Only** (*Limit 3 minutes*)
9. **Consent Agenda:** (*Roll Call*)
 - A. Regular City Council Meeting Minutes – July 24, 2023. *Pg.3*
10. **Staff Reports, Boards, Commissions & Committees:** Starting on *Pg.8*
 - A. **Staff Reports:**
 1. City Manager
 2. Treasurer
 3. Planning and Zoning
 4. Department of Public Works
 5. Police
 6. Engineer

NOTICE:
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:
ryan@saugatuckcity.com

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 Wolters@saugatuckcity.com for further information.

B. Boards, Commissions & Committees:

1. Fire District Administration Board
2. Interurban Board
3. Kalamazoo Lake Sewer & Water Authority
4. Kalamazoo Lake Harbor Authority
5. Zoning Board of Appeals
6. Historic District Commission
7. Planning Commission
 - a) Short Term Rental Task Force
8. Parks & Public Works Committee
9. Tri-Community Non-Motorized Trail Study Committee
10. Tri-Community Recycling Ad-Hoc Committee

11. Request for Payment: None

12. Approval of Accounts Payable: *(Roll Call)*

- A. Accounts Payable in the amount of \$515,787.15 Pg.26

13. Introduction of Ordinances: None

14. Unfinished Business: None

15. New Business:

- A. HDC Appointment *(Voice Vote)* Pg.33
- C. Clearbrook Youth Golf Outing Sign Request *(Voice Vote)* Pg.41
- D. North Shore Development Letter *(Roll Call)* Pg.43

16. Public Comments *(Limit 3 minutes)*

17. Correspondence

18. Council Comments

19. Adjourn *(Voice Vote)*



**CITY COUNCIL MEETING MINUTES - Proposed
July 24, 2023**

The City Council met for Regular Council Meeting at 7:00 p.m.
City Hall
102 Butler St., Saugatuck, MI 49453.

Call to Order:

The meeting was called to order by Mayor Dean at 7:00 p.m.

Attendance:

Present: Mayor Dean, Mayor Pro Tem Stanton and Councilmembers Baldwin, Leo, Gardner, Lewis, Muncey.

Absent: None.

Others Present: City Manager Heise, Director of Planning, Zoning & Project Management Cummins, Department of Public Works Superintendent Herbert, Clerk Wolters and City Attorney Witte.

Mayor's Comments:

City Manager Heise and Director of Planning, Zoning & Project Coordinator are joining via zoom tonight and can certainly be utilized for discussions. Oval Beach is doing really well, ahead of \$90K against plan. Citizen letters have been received regarding the Fourth of July expenditures. The City of Saugatuck Independence Day event was the biggest and best celebration of American Democracy that this small town has seen in many years. He is grateful to the volunteers, city staff and public safety officials for making the day safe for all in the wake of the firework tragedies in our neighboring communities. the City's efforts to sustain our community's independent state traditions, in an era of declining volunteerism and shrinking outside funding has not been without some criticism. With that in mind, the city's legal counsel is going forwards forwarded City resident concerns regarding the city of saga tax Independence Day event. And we'll report back to the council if any actions were taken outside of the city's authority regarding decision making or spending authority.

Attorney Jake Witte noted that they are in the process of reviewing the meeting minutes, the videos, vendor contracts in addition to the procedural requirements that are set forth in the purchase and contract provisions of the city charter.

City Manager Comments:

His report is on page seven for any questions. He is super proud of the DPW, it's been a busy summer and have not received any complaints about restrooms, trash or beach operations.

Agenda Changes: Add Dean Kapenga as guest speaker.

Motion by Lewis, second by Baldwin to add Dean Kapenga as guest speaker. Via voice vote, motion carried unanimously.

Guest Speakers: Dean Kapenga, Allegan County Commissioner:

- County has 85 dual body cameras for officers.
- 13 dams are being threatened to take out- made a resolution to ask consumers to meet with them regarding this subject.
- Moving forward with the county house, it's a \$10 million project.
- Holtec is taking over the Palisades nuclear plant, transition still in progress.
- Hired a company to look at a design to assist more people with getting water.

Public Comment on Agenda Item Only: None.

Consent Agenda:

A. Regular City Council Meeting Minutes – July 10, 2023.

Motion by Lewis, second by Stanton to approve consent agenda. Upon roll call vote, motion carried unanimously.

Staff Reports:

City Manager, Director of Planning & Zoning, Treasurer, DPW Superintendent, Engineer and Police submitted status reports of current activities since the last Council meeting on July 10, 2023, for their respective departments.

Director of Planning, Zoning and Project Management Cummins: highlighted the following community engagement opportunities; Short term rental town hall meeting tomorrow at 6:30 p.m. at the high school. There has been pop up tables around town with to give people the opportunity to voice their opinion regarding the waterfront development surveys.

DPW Superintendent Herbert: He met with the Saugatuck Township Manager and the Allegan County Road Commission to see what might be able to be done about the accidents recently at North Street Blue Star Highway. Decision is to add a reflective strip to the stop sign on the post and also brush clearing.

Boards, Commissions & Committees:

Fire District Administration Board, Dan Fox: presented a power point presentation discussing the following:

- Motor vehicle accidents at up 28% for this month.
- Fire Department will purchase AED at a lower rate and make them available at that same lower rate for anyone within the Fire District.
- Current 2023 incidents by areas.
- 2011-2023 Marine Responses.
- 2023 Incidents by NFIRS Type.
- Saugatuck Township Fire Department website has resources for reducing accidental falls.
- Reviewed the Southwest Michigan Public Safety Drone Association Summer Kickoff that happened on July 12th.
- 2022-2023 Drone Responses report.
- Accidents at Blue Star Intersections between 1999-2023.

Interurban Board, Councilmember Muncey:

- The meeting was on July 18th.
- They received notice about the \$250,000, they will receive the funds in June 2024.
- An extra \$37,000 was given to their budget from state operating assistance.
- Ridership had a 30% increase for the month of June.
- During Councilmember Muncey's five years of service to the Interurban Board, they have acquired new propane buses, new fuel options and a new logo.

KLSWA, Barry Johnson: None.

Kalamazoo Lake Harbor Authority, Mayor Pro-Tem Stanton: Next meeting will be in August.

Zoning Board of Appeals: None

Historic District Commission, Councilmember Lewis: Next meeting will be August 3rd.

Planning Commission, Chair Councilmember Gardner:

- A meeting was held last Thursday.
- Site plan review for 149 Griffith Street.
- Public engagement for the survey for the waterfront moratorium was held in the following places: In front of City Hall, Oxbow, in front of the Post Office, SCA Farmer Market,

Short Term Rental Task Force, Mayor Dean via Councilmember Stanton:

- Survey is available online and a paper copy at City Hall.
- The Town Hall Meeting is tomorrow at 6:30 at Saugatuck High School.

Parks and Public Works Committee, Councilmember Baldwin:

- The meeting is tomorrow morning at 10:00 a.m.

Tri-Community Non-Motorized Trail Study Committee, Councilmember Leo:

- Next Tri-Community meeting is next month.

Tri-Community Recycling Ad-Hoc Committee, Councilmember Lewis:

- Household Hazardous Waste Day is September 26th and will also include Styrofoam collection.

Request for Payment: None.

Approval of Accounts Payable:

A. Accounts Payable in the amount of \$598,125.17.

Motion by Lewis, second by Stanton to approve the accounts payable in the amount of \$598,125.17. Via roll call vote, motion carried unanimously.

Introduction of Ordinances: None

Unfinished Business: None

New Business:

Resolution 230724-A- Investment Services:

Motion by Muncey, second by Gardner to pass Resolution 230724-A, investment services. Via roll call vote, motion carried unanimously.

HDC Reappointment:

Motion by Lewis, second by Stanton to reappoint John Cannarsa to the Historic District Commission with a term ending August 1, 2026. Via voice vote, motion carried unanimously.

Special Event- Art in the Park Saugatuck:

Motion by Stanton, Second by Baldwin to approve the Art in the Park Saugatuck to take place on September 16th, 2023, organized by the Artist Entrepreneurs. Via voice vote, motion carried unanimously.

Special Event- Labor Day Bridge Walk:

Motion by Lewis, second by Stanton to approve the Labor Day Bridge Walk to take place on September 4th, 2023, organized by the SPS Community Recreation. Via voice vote, motion carried unanimously.

Special Event- Sidewalk & Studio Sale:

Motion by Muncey, second by Gardner to approve the sidewalk in studio to take place on August 17th, 2023, organized by SDABA contingent on a current liability insurance form is provided. Via voice vote, motion carried unanimously.

Right of Way Signage- SCA:

Motion by Stanton, second by Muncey to approve the request to install a sandwich board for all Tuesday and Friday market days until September 2023. Via voice vote, motion carried unanimously.

Right of Way Signage- First Congregational Church:

No vote, applicant canceled the event and does not need the signage approval.

Five-Year Parks and Rec Plan:

Move to accept proposal from Viridis Design Group to update the joint 5-year Parks and Recreation Plan, cost to be equally shared by Saugatuck Township, the City of Saugatuck, Douglas, and Saugatuck Public Schools in the amount of \$3,875.00. Via roll call vote, motion carried unanimously.

Public Comment:

Bill Hess, resident: The taxpayers expected fireworks on Fourth of July. The City got enough donated for fireworks. There was no exception for a laser light show or out of town DJ.

Phyllis Yff, Interurban Director: Excited about getting the grant which will add almost 50% to their office. Would be nice to have a Blue Star committee like the M89/M40 committee.

Dan Fox, resident: Applauded the Council for beginning a deep dive look at the taxpayer Fourth of July and full disclosure. Questioned the \$300 donation by Frank Walsh that performed services for the City. \$2,000 by Fahey Law firm, the City's exclusive law firm.

Correspondence: Bob Genetski.

Council Comments:

- Councilmember Lewis:

Marsha Casper received a new kidney; she was a long-standing member of the Planning Commission. This weekend is Venetian, and they have already pre-sold 600 tickets.

- Councilmember Gardner:
His experience is if the bills on the accounts payable list, it's an agenda item for public comment. Asked City Manager Heise to look into West Michigan wireless, various citizens are asking. Rev. Stoppel's letter regarding temporary signage, he would like discussion or progress on it. Many concerned citizens regarding Fourth of July spending. Would like to know the scope of the attorneys' review, suggest looking at an independent auditor to audit Fourth of July.
- Councilmember Muncey:
Noted he works at a flower shop, a property rental group, a radio show and stands outside conversing with residents often. Supports Gardner with hiring an independent audit. An audit would help find out what the City could do better next year. Looking forward to Venetian Festival.
- Councilmember Stanton:
Encouraged everyone to attend the community open house for the short-term rental committee. Thanked everyone involved with the Venetian Festival.
- Councilmember Baldwin:
Everything that was done with the Fourth of July fireworks has been done on TV in front of everyone and any short falls the City will cover it. Don't need to spend anymore time on the Fourth of July subject. Venetian is this weekend, thank you to all the other planners and volunteers. Going to Music in the Park to sell Venetian tickets on Wednesday.
- Councilmember Leo:
It's been a great summer and a very productive meeting. Looking forward to the Venetian Festival.
- Mayor Dean:
West Michigan will be under an air quality alert tomorrow. The climate is changing, and many people are turning away from fireworks. He's proud of the Council for having the discussion and came to the consensus to try to make fireworks and lasers work. The City came up with a budget short fall but demonstrated the capability to respond to change and try new things. The City pulled off a safe event and from what he heard; the people he spoke to enjoyed it.

Adjournment:

Motion by Lewis, second by Leo to adjourn the meeting. Upon voice vote, motion carried unanimously. Mayor Dean adjourned at 8:29 p.m.

Respectfully Submitted

Jamie Wolters, City Clerk



City Managers Report – August 14, 2023

Cellular Service Discussions Continue with AT&T

Staff and the AT&T team are reviewing the appropriate zoning requirements and process for approval for infrastructure to support antennas within the radome (ball) structure. Legal has provided their red-line version of a lease agreement provided by AT&T, which has been provided to both Council and AT&T. Lease agreements have been collected from around the state, including monthly rental rates charged to telecom.

Discussions with AT&T on Potential Downtown WiFi

Meetings with AT&T on a potential downtown WiFi project were continued. There appears to be enthusiasm and motivation to tackle this project from both the City and AT&T. Initial proposal was presented to Council for a site analysis. Council requested that we work with Jill Dunham, Broadband Project Manager for Allegan County to review proposal and assist with making recommendations.

Blue Star Highway Multi-Modal Path

Kickoff meeting conducted with engineer (C2AE) and stakeholder team. City of Saugatuck stakeholder members and Parks and Public Works Committee will begin to review path designs that are unique to the City.

MDOT Exit 36 and 41 Bridge Work

Information on traffic detours continue to be provided through social media and constant contact list, when appropriate.

Parks and Recreation Master Plan- Tri-Community Effort (Including Saugatuck Public Schools Community Recreation).

A Tri-Community effort- Development of plan is underway. Updates will be provided to Council.

Parks and Public Works Update

Attention remains on the following projects: playground/village square, Blue Star Trail multi-modal path, Airport Property, Mt. Baldhead and Park Street. The PPW Committee has organized

study groups to perform “fact finding” to present to the PPW Committee. This is designed to be a bottom-up process with many opportunities for citizen input.

Ongoing- Kalamazoo Lake Sewer and Water (KLSWA) Agreement- Tri-Community

City/Township Managers continue to discuss the Asset Management Plan (AMP), along with our respective attorneys and engineers. Council engaged Baker Tilly (consultant) to assist with the AMP and the first meeting was conducted on 8.9.23. The Tri-Communities have directly engaged with EGLE to ensure that our respective municipalities stay in compliance. Discussions with City Council needed for collecting funds for long-term asset management.

Ongoing- Oval Beach Staffing and Operations

Oval Beach operations continue to exceed expectations, with gross ticket sales up for May and June up 10% and July 12%. The focus remains on safe operations and customer service. A continued thank you to Sara Williams (Dept. Administrator) and Peter Stanislawski (Treasurer) and the DPW team for their focused efforts on accomplishing the mission.

City Hall

Paint and structural repairs complete, final details with “Village Hall,” sign and flower boxes coming soon. Will we then turn to landscape and irrigation improvements.

Old news- Dune Ridge Waterfront Update

Litigation continues...we typically do not discuss ongoing litigation.

Meetings

- Asset Management Plan Consultant and attorney for water and sewer
- A portion of the Kick-Off meeting for Blue Star Trail Engineering
- AT&T Cell meetings

Council-Manager form of Government Tid-bit

Born out of the U.S. progressive reform movement at the turn of the 20th century, the Commission / City Manager system was designed to combat corruption and unethical activity in local government by promoting effective management within a transparent, responsive, and accountable structure. Since its establishment, the Commission / City Manager form has become the most popular structure of local government in the United States. The form is also widely used throughout the world in countries such as Canada, Australia, the Netherlands, New Zealand, and the United Kingdom.



Treasurer Report

Below is a summary of notable activities carried out by the Treasurer's Office since the last council meeting on 7/24/2023:

- Paid routine bills
- Completed and disseminated bi-weekly payroll
- Proceeding with the 2023 audit
- Oval Beach working through the process
- FY 2023 end year closing.
- Process Summer Tax Bills and New Fiscal Year.



Planning, Zoning and Project Report

August 14, 2023

Planning and Zoning

- Prepared for and attended Short Term Rental Task Force meeting.
- Prepared for Historic District Commission meeting. The initial waterfront assessment report was also shared with the HDC members for feedback.
- Prepared for and attended Zoning Board of Appeals meeting.
- Attended STR Task Force Town Hall meeting. McKenna Associates advised 103 attended! The Town Hall summary report can be viewed in the 8-3 STR Task Force packet:
https://www.saugatuckcity.com/uploads/1/3/3/9/133977444/str_p_8.3.23.pdf
- The STR Survey is now closed. A report of the results will be presented at the August 17 STR Task Force meeting.
- The Waterfront Development Survey and Visual Preference Survey are now closed. A report of the results will be presented at the August 17 Planning Commission meeting.
- Set up and participated in HDC candidate interview.
- Followed up with AT&T regarding Mount Baldhead project questions.
- Met with legal and planning consultant to discuss waterfront zoning regulation options.
- Participated in a Zoom meeting with the South Haven Zoning Administrator to discuss STR enforcement.
- Lunch meeting with the new Douglas Zoning Administrator.
- Continued follow-up on complaints of code violations throughout the City.
- Met and talked with property owners and applicants to answer questions and provide resources.
- Completed planning and zoning casework as outlined in the chart below.

Planning and Zoning Casework

149 Griffith	HDC and Zoning	<p>Historic District application for various work. Replacing siding, decks, fencing, windows, and doors. Repair and modify existing roof. Remove existing chimney, basement hatch, walk-in cooler, steps, shrubs and ivy. Add new deck and steps. HDC approved work with conditions. Discussed additional work the applicant is considering and issues with a front window. A second HDC app was submitted to replace fence, modify window, add new patio space and freezer, and remove a rear door and infill. HDC approved with conditions. Applicant submitted site plan application and materials requested by HDC. Initial materials were not what was approved by HDC. Applicant revised plans. Applicant submitted site plan application. Planning Commission approved with condition. Permit issued.</p>
560 Mill	Enforcement	<p>Written request to extend fence onto City property. Also received a complaint of hardscape in right of way and lack of parking along Simonson Dr. Reviewed history. Sent to legal for review as no prior formal approval for landscaping or hardscaping on city property and fencing can't be placed in right of way per zoning ordinance. Discussed with City Manager, City Attorney, City Engineer and insurance carrier. Homeowner asked to remove hardscape items from right of way. Met with homeowner and landscaper. Discussed options. Owner advised to remove items. Received letter from homeowners attorney. Shared with legal. Seeking policy direction from City Council. Update planned for August 23 workshop.</p>
860 Simonson	Enforcement	<p>Complaint of hardscaping in the right of way along Simonson Dr and parking issues in area. Observed site. Found stone wall in the City right of way. Work occurred sometime after 2019. Was not permitted or licensed. Sent owner e-mail requesting hardscaping to be removed. Owner requested an in person meeting. Met with owner to discuss options. Owner plans to work with neighbor to approach City Council. Owner advised to remove items. Update planned for August 23 workshop.</p>

Planning and Zoning Casework Continued

405 Park	Multiple Enforcements	<p>Previous complaint of possible retaining wall, gravel fill, and window/door additions without permits. Researched history and investigated concerns. No permits found for retaining wall which is in city ROW. Previous discussion of work but no final plans. Sent email to property owner. No response. MTS sent a letter. EGLE logged a complaint and advised work appears to be a violation of Part 31 and may not be permissible "after-the-fact".</p> <p>Additional complaint of new dumpster without screening. Discussed with legal. Sent letter to owner to remove dumpster and apply for appropriate permits when moratorium is no longer in place. Dumpster has been removed.</p> <p>Fire Department recently responded to a gas line struck. Trench work was being conducted to replace sewage line on private property. Viewed on site with engineer. Also observed retaining wall removal and vegetation removal. Followed up with homeowner regarding engineer's recommendations. No response.</p> <p>Received a report that deck and cantilevered structure work was occurring on site. Notified MTS and building inspector confirmed. No zoning or building permits issued for this work. Moratorium remains in place. Discussed enforcement action with legal. Issued a stop work order and civil infraction notices for lack of zoning permits and destruction/excavation of a street without permits. Discovered prior deck work also completed without permits. Received response from owner's attorney. Worked with legal on responses. Stop work order for deck and structural work remains in effect. No EGLE updates at this time.</p>
184 Park	Setback Variance / New Home	<p>ZBA application for front setback variance. ZBA granted variance. Zoning app and water/sewer connection app received for new home received. Engineer and planning consultant reviewed. Provided feedback from both. Engineer answered applicant questions. Still awaiting updated plans.</p>

Planning and Zoning Casework Continued

633 Butler	Enforcement	Complaint that ADU and main home are being rented separately. Complainant advised they would send information they discovered supporting this. This information was never received. Conducted an evaluation of available information and discovered evidence supporting the complaint. Notified the owner and rental agent to cease renting the ADU and home separately. Answered additional questions related to obtaining special land use approval to owner occupy the home and rent the ADU separately.
241 Culver	Enforcement	Evidence found that home is being rented without a STR certificate. STR application was reviewed with legal and denied back in March due to not meeting zoning ordinance requirements. Discussed enforcement options with legal. Sent violation letter via e-mail and mail with opportunity to voluntarily cease use as STR within 7 days. Response received from owner's attorney reviewed by legal. City Attorney reviewed and sent response. Worked with legal on second response to owner's attorney. Provided owner with options.
665 Spear St	Drainage Complaint	Concern of drainage issues from project. Over winter similar concerns received. Engineer reviewed and felt issues were soil and erosion related. Notified Allegan County Health Department at that time. Received further information from neighbor. Viewed on site with Engineer and DPW Superintendent. Project still ongoing. Some storm water items on site but not connected. Sand bags on portion of property. Engineer advised stormwater plans should be requested. He advised to notify Allegan County as well to check on soil and erosion control permit. Advised owner of complaint and requested stormwater management plans. Advised Allegan County. Meeting held with owner. He advised he was meeting with contractor soon and will provide formal stormwater plans to review. Sent e-mail asking if formal plans have been developed.

Planning and Zoning Casework Continued

321 Water	Variance Request	ZBA app for a dimensional variance for a 6'10" fence where only a 6' fence is allowed. Scheduled for August ZBA meeting.
256 Spear	Complaint	Complaint of homeowner charging for parking and parking several cars on the property. Under continued review with legal.
333 Lucy	HDC and Zoning	HDC app to remove sliding doors, replace with double hung windows and French door. Replacement of entrance steps. HDC approved with conditions. Zoning permit app needed for porch stairs.
291, 292, 293, 296, 297, 298, 301 Sugar Hill Ct	Formal Site Plan Review	Formal site plan app. Met with consultant and applicant's planner. Scheduled for August 17 PC meeting.
901 Allegan	Enforcement	Complaint of signs in right of way. Complainant sent photo which showed construction signs. Sent contractor an e-mail of regulations and sign permit app. Signs remain. Sent formal notice to remove.
1041 Holland	Short Term Rental	STR app. New owner of existing STR. Sent to Fire Department for inspection.
146 Butler	Short Term Rental	STR app. Previous STR. Sent to Fire Department for inspection.
234 Francis	Short Term Rental	STR app. Renewing. Sent to Fire Department for inspection.
445 S Maple	Sewer Connection	Sewer connection on Township side into City infrastructure. Township permitted the work. Had City Engineer review. Connection fee transferred to City.
638 Allegan	Enforcement	Real estate sign placed in City right of way. E-mailed agent advising of regulation and asking for removal Sign remained. Additional real estate "open house" sign placed in right of way. Issued civil infraction notice to listing agent. Sign removed from right of way.
248 Culver	Special Land Use	Special land use app for a brewery and restaurant. Answered applicant questions related to concerns with distribution language. Discussed with legal and consultant. To distribute will require a text amendment. Applicant may be seeking that at later date. Scheduled application for August 17 PC meeting.

Planning and Zoning Casework Continued

560 Campbell	Complaint	Information received that single family dwelling on property is being advertised as an STR and is not registered. Confirmed not registered. Reviewing and gathering history.
441 Frederick	Short Term Rental	STR app. New STR. Sent to Fire Department for inspection. Advised owner inspection shall occur within 30 days. Owner withdrew application.
336 Mary	Short Term Rental	STR app. Previous STR. Sent to Fire Department for inspection.
520 S Maple	Enforcement	Complaint of trash tote left by road three days after pickup. Checked area and observed violation. No prior complaints logged. Sent warning/informational letter.
510 S Maple	Enforcement	Complaint of trash tote left by road three days after pickup. Checked area and observed violation. Recycling receptacle also not screened. Complaint also received earlier in this year. Sent prior warning/informational letter. Civil infraction notice issued. Fine payment due by 8/18/23.
940 Pleasant	Inquiry	Questions about utility depths. Provided requested information supplied by engineer.
642 and 648 Allegan	Short Term Rental	STR app for both dwellings. New owner of existing STRs. This property is a legal nonconforming use. Advised applicant another app and fee will be needed to issue a certificate to each unit. Second app received.
717 Water #5	Short Term Rental	STR app. New owner of existing STR. Need property transfer affidavit and fee paid.
851 Holland	Street Cut	Street cut permit application for gas line work. Reviewed by engineer. Fee/deposit needed.
731 Pleasant	Short Term Rental	STR app. New STR. Sent to Fire Department for inspection. Passed. STR certificate issued.
230 Griffith	Short Term Rental	STR App. Renewing. Sent to Fire Department for inspection. Passed. STR certificate issued.
325 Elizabeth	Enforcement	Complaint of mattresses placed discarded between sidewalk and street. Attempted to speak to homeowner. No answer. Sent letter to remove. Items removed.
N/A	Inquiry	Questions about short term and long term rental units. Returned voicemail and answered questions.

Planning and Zoning Casework Continued

N/A	Inquiry	Questions about drones. Returned voicemail and answered questions.
321 Water	Inquiry	Questions about installing a generator. Answered questions.
816 Allegan	Inquiry	Questions about lead water service lines. Discussed lead and copper rule and answered questions.
345 Griffith	Enforcement	Complaint via website that rocks were placed in the right of way outside address. Complainant submitted photo. E-mailed owner to remove rocks. Answered owner questions. Also observed sign in right of way. Asked to remove. Rocks and sign removed.
91 Interlaken	Inquiry	Request for elevation certificate and plat map. Provided plat maps. MTS and City files have no elevation certificate. Advised owner how to obtain one.
149 Griffith	Inquiry	Questions about construction noise ordinance. Provided times listed in the ordinance.
665 Spear	Inquiry	Questions about permits for interior HVAC work. Referred to MTS.
647 Butler	Zoning and HDC	Zoning and historic app for patio and fireplace. Chair reviewed. Needed setbacks labeled for patio and fire pit. Fire pit doesn't meet distance requirements in open fire ordinance. Deputy Chief confirmed. Applicant removed fire pit from plans. HDC and zoning permit issues for patio only.
249 Mason	Inquiry	Questions about allowed uses for property. Provided list of permitted and special land uses.
Dunegrass	Inquiry	Concerns about damaged Frontier box. Frontier advised to contact City for fix. Advised DPW. DPW notified Frontier contact. Frontier is responsible for their own equipment. Frontier local manager notified.
336 Hoffman	Short Term Rental	STR app. New STR. Needed proof of new ownership. E-mailed owner. Proof provided. Sent to Fire Department for inspection. Failed. Reinspection fee paid. Passed reinspection. STR certificate issued.
828 Park St	Final Inspections	Final inspections completed for deck.
646 Francis St	Inquiry	Questions about STR regulations. Answered question.

Planning and Zoning Casework Continued

582 Campbell	Zoning	Zoning app for addition. Needed to submit height. Received height. Zoning permit issued. Sent copy to owner and MTS.
N/A	Inquiry	Questions about STR regulations and status of any potential changes. Answered question.
N/A	Inquiry	Questions about historic district boundaries along Lucy St and changing them. Provided resources and answered questions.
321 Water St	Zoning	Zoning app to install a pad mounted generator. Plan did not meet setback encroachment distance. Advised applicant. Plan revised to meet setback. HDC Chair agreed admin approval. Zoning and HDC permits issued.
Township STR	Health Complaint	Health Department received a vermin complaint about a rental in Saugatuck. No address on complaint. E-mailed complainant asking for address and link to VBRO listing. Complainant advised address is 3409 Elizabeth which is in the township. Forwarded info to Saugatuck Township for further action.
321 Water St	Inquiry	Questions about accessory structures and accessory dwellings. Provided resources.
900 Lake	Final Inspections	Final inspections completed for conference room space.
727 Butler	Inquiry	Answered questions regarding surveys, zoning, and historic district guidelines.
248 Culver	Inquiry	Met via Zoom to answer questions related to requesting a zoning text amendment.
592 Campbell	Inquiry	Questions about building a 8 ft fence. Neighbor at 594 Campbell agrees. Advised 6 ft is max. Advised could apply for a variance. Provided application and fees.
245 Spear	Final Inspections	Final inspections for ADU and patios completed.
145 Grant	Inquiry	Questions about new water/sewer connection and vacating Elizabeth St. Reviewed engineer feedback. Answered owner's questions.
525 Butler	Final Inspections	Final inspections for addition completed.

Department of Public Works Report

Below is a summary of notable activities carried out by the Department of Public Works since the last council meeting on 07/24/2023:

Mt. Baldhead Railing Replacement:

A section of railing located along the upper platform of the Mt. Baldhead deck was missing, which posed a safety concern, so Public Works built and installed a new section. Repairs continue as the deterioration of the structure advances. We look forward to working with Engineering this fall on an overall design for the park. Below is a photo of the railing.



No Parking Signs:

In a collaborative effort with the Allegan County Sheriff's Department and Saugatuck Township Fire District, Public Works installed temporary "No Parking" signs over the Venetian Festival weekend along one side of local roads west of Elizabeth Street and East of Griffith Street. This effort was to prevent vehicles from parking along both sides of the street which severely restricts access to vehicles including emergency vehicles. The photo below demonstrates the issue and was provided by Deputy Jason Kruthoff.



Assisted with the following Special Events:

- Music in the Park
- Venetian Festival
- Movie in the Park
- Waterfront Invitational Art Fair
- The Market at SCA
- JARS Cannabis Beach and Trail Cleanup (Funny story behind this)

Meetings:

- **7/24/2023** – DPW Weekly Goals Meeting
- **7/25/2023** – Parks and Public Works Committee Meeting
- **7/26/2023** – Superintendent Herbert Presented to the Rotary Club
- **7/28/2023** – Venetian Festival Meeting
- **7/28/2023** – DPW Weekly Goals Follow Up Meeting
- **7/31/2023** – Oval Beach Management Meeting
- **7/31/2023** – DPW Weekly Goals Meeting
- **8/01/2023** – Resident/Donation Meeting
- **8/04/2023** – DPW Weekly Goals Follow Up Meeting
- **8/07/2023** – DPW Weekly Goals Meeting
- **8/08/2023** – Movie in the Park Safety Meeting
- **8/09/2023** – Park Street Erosion Meeting (Legal, Engineering, Public Works, Residents)
- **8/11/2023** – DPW Weekly Goals Follow Up Meeting



Sheriff's Department

August 14, 2023

- Deputy Klinge is looking into the fire at Dunegrass and other vandalism that has been going on in the neighborhood there.

**City of Saugatuck
Status Report of Engineering Activities
August 10, 2023**

General Consultation

- Olde Mill Apartments Water Service: This work could be combined with other work on Maple Street or the Drinking Water State Revolving Fund project.
- 2023 System-wide Pavement Markings: Work is ongoing and will be complete soon.
- 2023 System-wide Crack Sealing: The contract has been executed. The work is scheduled to be completed after the Labor Day holiday.
- Category B Application: The application has been submitted and results should be available in a few months.
- Grants Workshop: We are discussing the possibility of having grant experts from F&V put together a workshop for council, staff and other interested parties to review the various programs used in the past, recent applications and brainstorming for new opportunities.
- City-wide parking, safety, signage, etc. review: Prepared a letter reviewing on-street parking vs. sight distance concerns. We plan to conduct a kickoff meeting with City staff and F&V traffic team this fall to develop a scope for the broader study, if required.
- N. Park Street Slope Erosion: We are working with DPW, City Attorney and property owners to develop a solution and solicit pricing for construction.

Blue Star Highway Bridge Navigation Lighting

- Bids were received on July 27 with construction scheduled to be complete prior to Memorial Day 2024. Prepared a Recommendation of Award to the low bidder. Once all three communities have awarded the project, a contract can be prepared.

EGLE Drinking Water State Revolving Fund

- EGLE staff is working on scoring applications. A draft priority list should be available soon.
- The final project priority list is anticipated to come out in the fall. If the project is funded, design would begin in late 2023 or early 2024 for construction to begin in late 2024 or early 2025.

2023 Street Improvements (West, East, Takken, Taylor and N. Maple)

- The contract with Krohn Excavating has been prepared.
- We are working on scheduling a preconstruction meeting.
- Work on West, East, Takken and Taylor is anticipated to begin mid-August and work on N. Maple Street is anticipated to begin after Labor Day.

Water System Asset Management Plan

- AMP work is underway.
- Cost information is anticipated to be delivered to Baker Tilly soon to allow time for analysis and incorporation into the AMP to meet the end of August deadline for submittal to EGLE.

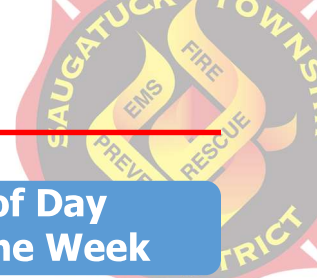
Mt. Baldhead Conceptual Planning

- We are working on scheduling a public workshop this fall to begin soliciting community input.

Mt. Baldhead AT&T Project Assistance

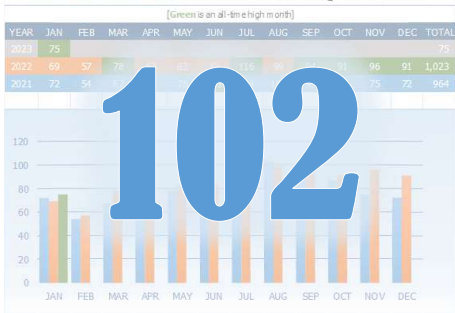
- F&V will be taking the lead in obtaining the EGLE/USACoE Critical Dunes permitting for the reduced scope project. That work will begin as soon as the AT&T site plan progresses to the point that limits of vegetation disturbance is established.

Incidents end of July 2023



Incidents 2023

2021-2023 Incidents by Month

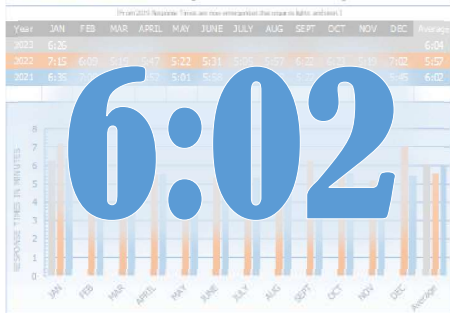


102

July recorded **102 calls**. Down from July 2022 that showed 116 calls. **561** is the number of incidents so far in 2023, compared to **552** at the same time last year. **A slight increase of 1.6%**

Response times 2023

2021-2023 Response Times by Month

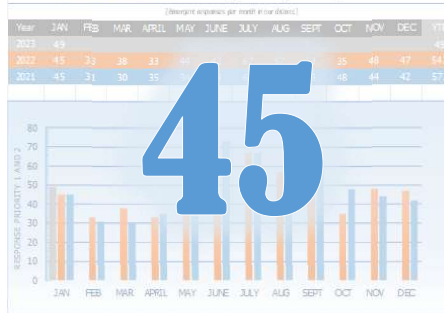


6:02

Our July response time of **6:02** increased by a minute compared to July 2022 that registered **5:05**. Year to month is **6:05**, another small increase overall than the response time in **2022 of 5:57**.

Emergent Calls 2023

2021-2023 Emergency Responses

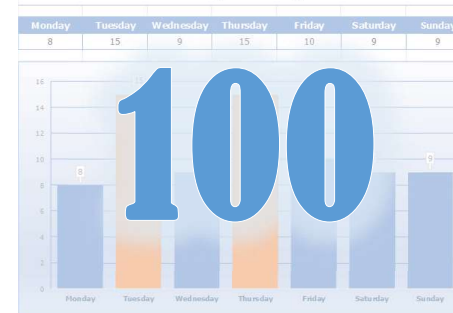


45

July showed **45 emergent calls** (lights and siren) down from 67 in July last year. Overall for 2023 we responded 251 times as priority 1 or 2.

Time of Day Day of the Week

2023 Incidents per Day of the Week

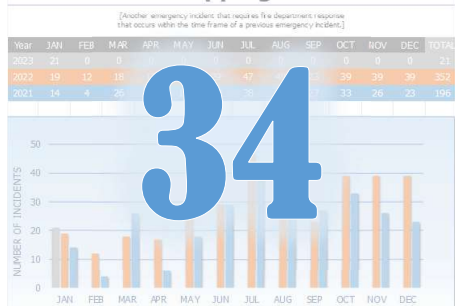


100

Friday is the most busy day with 100 calls followed by Thursday with 84. The rest of the week is within the **72-79 range**. The hours from **8AM-10PM** count for the busy time of day.

Overlapping Calls 2023

2021-23 Overlapping Incidents YTD

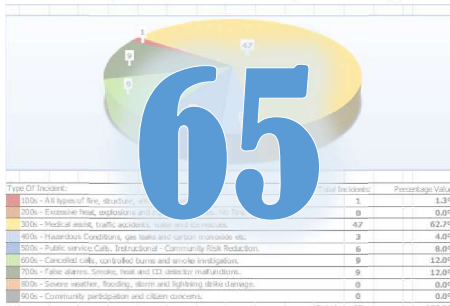


34

34 overlapping calls in July shows a drop compared to 47 in July 2022, a **decrease of 28%**. 33% of our calls in July were overlapping. For all of **2023, 32%** of our calls were overlapping.

Type of Calls 2023

January 2023 Incidents by NFIRS Type

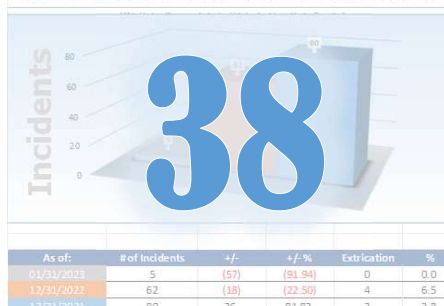


65

July recorded **65 calls in EMS or 64% of all calls**. The most common of EMS call types are **falls with 68 or 21% of all EMS calls**, followed by general sickness at **41 or 12%** so far.

MVI 2023

2021-2023 Motor Vehicle Incidents

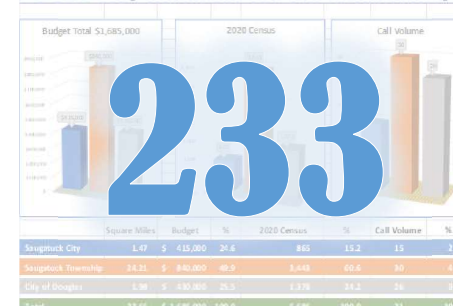


38

38 MVIs (motor vehicle incidents, i.e., crashes, fires etc.) **compared to 30 at the same time last year**. We expect this number to accelerate due to the increased amount of people and vehicles in our area.

Municipality 2023

2023 Key numbers for Tri-Community



233

Location of calls shows **Saugatuck Township (including I-196)** counts for **233 calls or 44%** compared to **Saugatuck City at 145 or 28%** and **Douglas recorded 148 calls or 28%**.

Vendor Name	Description	Amount
1. ACTION INDUSTRIAL SUPPLY CO	UNIFORMS & SAFETY EQUIPMENT	119.97
2. ALLEGAN COUNTY SHERIFF	DEBT CREW	236.00
	RESERVE OFFICER	1,192.00
	DEBT CREW	110.00
	TOTAL	1,538.00
3. ALLEGAN COUNTY TREASURER	PROPERTY TAXES	154,342.03
4. AMERICAN BOTTLING COMPANY	BOTTLED WATER	1,404.00
5. AMERICAN LEGAL PUBLISHING CORP.	ORDINANCES	495.00
6. ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,791.50
7. AT&T MOBILITY	CELL PHONES	171.64
8. BRUCE'S BLACKTOP LLC	PARK STREET	2,580.00
9. CAPITAL ONE	SUPPLIES	200.23
	SMALL TOOLS & SUPPLIES	330.78
	TOTAL	531.01
10. COMMERCIAL RECORD	PUBLISHING	271.00
11. CONSUMERS ENERGY	ELECTRIC	3,850.59
12. DK CONSTRUCTION INC	4TH JULY BARGES	8,000.00
13. DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	1,948.99
14. ERIC JACKSON	4TH JULY	1,500.00
15. ERLANDSON CONCRETE LLC	SIDEWALKS & STREET CURBS	10,700.00
16. FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES	5,480.00
	LEGAL FEES PLANNING	3,392.00
	LEGAL FEES PLANNING	300.00
	LEGAL FEES CLERK	786.00
	LEGAL FEES COUNCIL	4,480.00
	LEGAL FEES FOIA	1,188.00
	LEGAL FEES MANAGER	4,688.00
	LAWSUIT	9,969.69
	ELECTRICAL LAWSUIT	2,228.50
	WATER & SEWER	292.00
	LEGAL FEES EGLE	119.00
	LEGAL FEES CITY POLICY	2,012.50
	LEGAL FEES ETHICS	988.00
	TOTAL	35,923.69
17. FIRST BANK CARD	SUPPLIES, OVAL & TRAINING	4,079.80
18. FLEIS & VANDENBRINK ENGINEERING INC	AIRPORT PHASE 1	5,800.00
	LANDFILL PHASE 1	3,850.00
	ENGINEERING FEES	2,072.36
	EAST WEST TAKKEN TAYLOR	894.11
	TOTAL	12,616.47

Vendor Name	Description	Amount
19. FRANKLIN BRONZE PLAQUES		
	PLAQUE ROSE GARDEN	316.75
20. FREESTONE PICKLE CO INC		
	CONCESSION	39.00
21. FRONTIER		
	DPW GARAGE	213.12
	OVAL BEAC	164.73
	OVAL BEACH	104.38
	TOTAL	482.23
22. GIL- ROY'S HARDWARE		
	SUPPLIES	326.32
23. GORDON FOOD SERVICE		
	CONCESSION	8,654.94
24. GROUNDS MANAGEMENT SOLUTIONS		
	PARKS MAINTENANCE	714.00
25. HAMILTON FIRE DEPARTMENT		
	4TH JULY	700.00
26. HORIZON COMMUNITY PLANNER		
	PLANNING & HISTORIC DISTRICT	3,479.70
27. IHLE AUTO PARTS		
	SUPPLIES	30.43
28. INTERURBAN TRANSIT AUTHORITY		
	4TH JULY	324.00
29. MC CANN INDUSTRIES INC		
	CASE BACKHOE REPAIR	1,344.23
30. MCKELLIPS PLUMBING INC		
	PLUMBING SERVICES	663.00
31. MERCHANTS BANCARD NETWORK		
	CREDIT CARD FEES OVAL	3,555.00
	CONCESSION	1,026.83
	TOTAL	4,581.83
32. MERS		
	RETIREMENT	4,556.77
	RETIREMENT	29,500.00
	TOTAL	34,056.77
33. MICHIGAN GAS UTILITIES		
	CITY HALL	36.98
	BUTLER ST TOILETS	40.87
	TOTAL	77.85
34. MINER SUPPLY CO		
	SUPPLIES	294.40
35. NEW AGE LABORATORIES		
	WATER TESTING	96.00
36. OTTAWA AREA INTERMEDIATE		
	SCHOOL DIS	
	PROPERTY TAXES	85,103.17
37. OVERISEL LUMBER COMPANY		
	SUPPLIES	1,405.04
38. PIVOT POINT PARTNERS LLC		
	ASSESSING	403.20
39. PRIORITY HEALTH		
	HEALTH INSURANCE	8,302.77
40. PRO-TEMP INC		
	CONCESSION	780.33
41. PURITY CYLINDER GASES INC		
	CONCESSION	19.57
42. RICOH USA INC		

Vendor Name	Description	Amount
43. SAUGATUCK DOUGLAS CVB	COPIER LEASE	127.97
44. SAUGATUCK FIRE	4TH JULY	279.84
45. SAUGATUCK PUBLIC SCHOOLS	RENTAL INSPECTIONS	450.00
46. SAUGATUCK TOWNSHIP	PROPERTY TAXES	112,452.40
47. SEPTIC TANK SYSTEMS CO INC	FIVE YEAR PARK PLAN	375.00
	PORTABLE TOILETS	575.00
	OVAL SEPTIC CLEANING	360.00
	TOTAL	935.00
48. SHELL	GASOLINE & DIESEL	70.42
49. SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	1,307.20
50. SISTERS IN INK	OVAL BEACH STAFF	260.35
	CONCESSION	684.43
	TOTAL	944.78
51. SMART BUSINESS SOURCE LLC	SUPPLIES	65.55
	SUPPLIES OVAL	164.57
	TOTAL	230.12
52. STANDARD INSURANCE COMPANY	INSURANCE	416.43
53. STATE OF MICHIGAN	SALES TAX	2,265.44
54. VALLEY CITY LINEN INC	SHOP TOWELS	670.99
55. WYOMING ASPHALT PAVING CO	ASPHALT PATCH	202.34
TOTAL - ALL VENDORS		515,787.15
FUND TOTALS:		
Fund 101 - GENERAL FUND		151,426.10
Fund 202 - MAJOR STREETS		1,803.17
Fund 203 - LOCAL STREETS		5,579.26
Fund 592 - WATER AND SEWER		292.00
Fund 661 - MOTOR POOL FUND		4,789.02
Fund 701 - CURRENT TAX FUND		351,897.60

08/10/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 07/01/2023 - 07/31/2023				
Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL POOLED CASH				
07/07/2023	DD6173(A)	BOUWMAN, CHAD	PAYROLL	1,262.57
07/07/2023	DD6174(A)	BUTER, HUNTER	PAYROLL	292.57
07/07/2023	DD6175(A)	CUMMINS, RYAN	PAYROLL	2,067.14
07/07/2023	DD6176(A)	DEJAEGHER, JOHN	PAYROLL	1,096.33
07/07/2023	DD6177(A)	DOMBROSKI, NANCY	PAYROLL	978.85
07/07/2023	DD6178(A)	FIFELSKI, SARAH	PAYROLL	477.93
07/07/2023	DD6179(A)	FLANAGAN, HANNAH	PAYROLL	824.07
07/07/2023	DD6180(A)	GARCIA, DANIELA	PAYROLL	805.98
07/07/2023	DD6181(A)	GOODRICH, RICHARD	PAYROLL	457.55
07/07/2023	DD6182(A)	GRIGG-MARTINEZ, DAYTON	PAYROLL	1,026.49
07/07/2023	DD6183(A)	HARDY, CODY	PAYROLL	1,297.65
07/07/2023	DD6184(A)	HEISE, RYAN	PAYROLL	3,464.35
07/07/2023	DD6185(A)	HERBERT, SCOTT	PAYROLL	1,965.83
07/07/2023	DD6186(A)	HINKLE, MARY	PAYROLL	1,044.82
07/07/2023	DD6187(A)	KERRIDGE, ADAM	PAYROLL	1,494.21
07/07/2023	DD6188(A)	LLOYD, ERICA	PAYROLL	79.29
07/07/2023	DD6189(A)	LONG, MASON	PAYROLL	465.17
07/07/2023	DD6190(A)	MACK, ELLIS	PAYROLL	1,509.25
07/07/2023	DD6191(A)	MARTIN, DANNY	PAYROLL	1,137.78
07/07/2023	DD6192(A)	NYHOF, JACKSON	PAYROLL	808.65
07/07/2023	DD6193(A)	PETERS, ADDISON	PAYROLL	778.04
07/07/2023	DD6194(A)	PETERS, AVERY	PAYROLL	679.73
07/07/2023	DD6195(A)	PETERSON, BENJAMIN	PAYROLL	513.08
07/07/2023	DD6196(A)	HELPS, BROOKLYN	PAYROLL	403.07
07/07/2023	DD6197(A)	HELPS, PAIGE	PAYROLL	825.77
07/07/2023	DD6198(A)	SAMUELS, ROBERT	PAYROLL	136.56
07/07/2023	DD6199(A)	STANISLAWSKI, PETER	PAYROLL	1,351.04
07/07/2023	DD6200(A)	STEZOWSKI, LOGAN	PAYROLL	814.35
07/07/2023	DD6201(A)	STORK, JACK	PAYROLL	1,131.85
07/07/2023	DD6202(A)	VAN HOWE, AINSLEY	PAYROLL	557.02
07/07/2023	DD6203(A)	WATERS, BENJAMIN	PAYROLL	610.12
07/07/2023	DD6204(A)	WILLIAMS, ANTHONY	PAYROLL	254.39
07/07/2023	DD6205(A)	WILLIAMS, SARA	PAYROLL	1,597.56
07/07/2023	DD6206(A)	WOLTERS, JAMIE	PAYROLL	1,751.24
07/07/2023	EFT1700(E)	ALERUS	PAYROLL	3,187.31
07/07/2023	17199	EXPERT PAY	PAYROLL	139.54
07/07/2023	EFT1701(E)	MERS HYBRID	PAYROLL	1,968.78
07/07/2023	EFT1702(E)	FEDERAL TAX DEPOSIT	PAYROLL	10,136.59
07/10/2023	17259	DIVERSE DIMENSIONS	MT BALDHEAD SCAN	3,500.00
07/10/2023	17260	MCKELLIPS PLUMBING INC	PLUMBING SERVICES	307.50
07/10/2023	17261	MINER SUPPLY CO	SUPPLIES	3,786.16

08/10/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 07/01/2023 - 07/31/2023				
Check Date	Check	Vendor Name	Description	Amount
07/10/2023	17262	OVERISEL LUMBER COMPANY	SUPPLIES	1,837.21
07/10/2023	17263	PAINTING SERVICES OF WEST MICHIGAN	CITY HALL SHUTTERS	31,051.98
07/10/2023	17264	PLUMBER'S PORTABLE TOILET SERVICE	4TH JULY	1,750.00
07/10/2023	17265	QUALITY DOOR COMPANY INC	DPW DOORS	400.00
07/10/2023	4728(E)	CAPITAL ONE	SMALL TOOLS	230.25
07/10/2023	4729(E)	CONSUMERS ENERGY	ELECTRIC	2,300.54
07/10/2023	4730(E)	FIRST BANK CARD	FIREWORKS, OVAL & MAINTENANCE	9,169.64
07/10/2023	4731(E)	FRONTIER	OVAL	122.47
07/10/2023	4732(E)	FRONTIER	DPW GARAGE	213.12
07/10/2023	4733(E)	GORDON FOOD SERVICE	CONCESSION	3,321.06
07/10/2023	4734(E)	MICHAEL BUCANAN	FIREWORKS	3,500.00
07/10/2023	4735(E)	MICHIGAN GAS UTILITIES	DPW GARAGE	39.11
07/10/2023	4736(E)	MICHIGAN GAS UTILITIES	BUTLER ST TOILETS	41.44
07/10/2023	4737(E)	MICHIGAN GAS UTILITIES	CITY HALL	38.25
07/10/2023	4738(E)	PRIORITY HEALTH	HEALTH INSURANCE	7,720.46
07/10/2023	4739(E)	REPUBLIC SERVICES	TRASH	837.69
07/10/2023	4740(E)	REPUBLIC SERVICES	TRASH	206.65
07/10/2023	4741(E)	VALLEY CITY LINEN INC	SHOP TOWELS	155.09
07/10/2023	4742(A)	ALLEGAN COUNTY SHERIFF	RESERVE DEPUTIES	592.00
07/10/2023	4743(A)	ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,791.50
07/10/2023	4744(A)	BEYOND GREEN BIOTECH INC	MUTT MITTS	843.67
07/10/2023	4745(A)	DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	1,848.36
07/10/2023	4746(A)	FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES	35,512.07
07/10/2023	4747(A)	FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	8,812.50
07/10/2023	4748(A)	GATEHOUSE MEDIA MICHIGAN HOLDINGS I	PUBLISHING NOTICES	86.45
07/10/2023	4749(A)	LANDSCAPE DESIGN SERVICES INC	ROSE GARDEN MAINTENANCE	780.00
07/10/2023	4750(A)	LASER ENCORE INC	LASER SHOW	9,000.00
07/10/2023	4751(A)	LORRIE PASTOOR	CLEANING SERVICES	300.00
07/10/2023	4752(A)	MICHIGAN ELECTRO FREEZE INC	CONCESSION	840.72
07/10/2023	4753(A)	MICHIGAN MUNICIPAL LEAGUE	ANNUAL DUES	1,059.00
07/10/2023	4754(A)	MML LIABILITY & PROPERTY POOL	LIABILITY & PROPERTY POOL	30,842.00
07/10/2023	4755(A)	MML WORKER COMP	WORKER COMP INSURANCE	9,190.00
07/10/2023	4756(A)	NEW AGE LABORATORIES	WATER TESTING	70.00
07/10/2023	4757(A)	POMP'S TIRE SERVICE INC	TIRES & REPAIRS	1,128.55
07/10/2023	4758(A)	PURITY CYLINDER GASES INC	CONCESSION	19.20
07/10/2023	4759(A)	RAF ELECTRIC	COGHLIN PARK	2,998.35
07/10/2023	4760(A)	REPCOLITE	STREET PAINT	371.30
07/10/2023	4761(A)	SAUGATUCK FIRE	RENTAL INSPECTIONS	625.00
07/10/2023	4762(A)	SEPTIC TANK SYSTEMS CO INC	PORTABLE RESTROOMS	1,400.00
07/10/2023	4763(A)	SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	1,262.20
07/10/2023	4764(A)	SMART BUSINESS SOURCE LLC	SUPPLIES	56.45
07/10/2023	4765(A)	STANDARD INSURANCE COMPANY	INSURANCE	351.40
07/10/2023	4766(A)	TIME SAVES LIVES LLC	TRAINING	122.00

08/10/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 07/01/2023 - 07/31/2023				
Check Date	Check	Vendor Name	Description	Amount
07/20/2023	EFT1703(E)	MI DEPT OF TREASURY	PAYROLL	3,409.45
07/21/2023	DD6207(A)	BOUWMAN, CHAD	PAYROLL	1,440.30
07/21/2023	DD6208(A)	BUTER, HUNTER	PAYROLL	771.81
07/21/2023	DD6209(A)	CUMMINS, RYAN	PAYROLL	2,286.95
07/21/2023	DD6210(A)	DEJAEGHER, JOHN	PAYROLL	1,183.65
07/21/2023	DD6211(A)	DOMBROSKI, NANCY	PAYROLL	1,306.83
07/21/2023	DD6212(A)	FIFELSKI, SARAH	PAYROLL	647.81
07/21/2023	DD6213(A)	FLANAGAN, HANNAH	PAYROLL	636.30
07/21/2023	DD6214(A)	FOXWORTHY, ETHAN	PAYROLL	527.72
07/21/2023	DD6215(A)	GARCIA, DANIELA	PAYROLL	753.05
07/21/2023	DD6216(A)	GOODRICH, RICHARD	PAYROLL	1,084.77
07/21/2023	DD6217(A)	GRIGG-MARTINEZ, DAYTON	PAYROLL	969.89
07/21/2023	DD6218(A)	HARDY, CODY	PAYROLL	1,587.01
07/21/2023	DD6219(A)	HEISE, RYAN	PAYROLL	3,464.36
07/21/2023	DD6220(A)	HERBERT, SCOTT	PAYROLL	2,236.64
07/21/2023	DD6221(A)	HINKLE, MARY	PAYROLL	1,188.00
07/21/2023	DD6222(A)	KERRIDGE, ADAM	PAYROLL	2,092.97
07/21/2023	DD6223(A)	LARSEN, SAGE	PAYROLL	270.90
07/21/2023	DD6224(A)	LLOYD, ERICA	PAYROLL	726.88
07/21/2023	DD6225(A)	MACK, ELLIS	PAYROLL	1,614.73
07/21/2023	DD6226(A)	MARTIN, DANNY	PAYROLL	1,297.59
07/21/2023	DD6227(A)	NYHOF, JACKSON	PAYROLL	785.46
07/21/2023	DD6228(A)	PETERS, ADDISON	PAYROLL	1,000.80
07/21/2023	DD6229(A)	PETERS, AVERY	PAYROLL	853.84
07/21/2023	DD6230(A)	PETERSON, BENJAMIN	PAYROLL	767.88
07/21/2023	DD6231(A)	PHELPS, BROOKLYN	PAYROLL	583.36
07/21/2023	DD6232(A)	PHELPS, PAIGE	PAYROLL	598.03
07/21/2023	DD6233(A)	SAMUELS, ROBERT	PAYROLL	706.96
07/21/2023	DD6234(A)	STANISLAWSKI, PETER	PAYROLL	1,751.94
07/21/2023	DD6235(A)	STEZOWSKI, LOGAN	PAYROLL	726.87
07/21/2023	DD6236(A)	STEZOWSKI, TYLER	PAYROLL	370.02
07/21/2023	DD6237(A)	STORK, JACK	PAYROLL	938.77
07/21/2023	DD6238(A)	VAN HOWE, AINSLEY	PAYROLL	712.23
07/21/2023	DD6239(A)	WATERS, BENJAMIN	PAYROLL	365.29
07/21/2023	DD6240(A)	WILLIAMS, ANTHONY	PAYROLL	171.80
07/21/2023	DD6241(A)	WILLIAMS, SARA	PAYROLL	1,742.69
07/21/2023	DD6242(A)	WOLTERS, JAMIE	PAYROLL	1,900.70
07/21/2023	EFT1704(E)	ALERUS	PAYROLL	3,486.86
07/21/2023	EFT1705(E)	EXPERT PAY	PAYROLL	139.54
07/21/2023	EFT1706(E)	MERS HYBRID	PAYROLL	2,129.59
07/21/2023	EFT1707(E)	FEDERAL TAX DEPOSIT	PAYROLL	12,054.44
07/21/2023	EFT1708(E)	MERS	PAYROLL	4,428.86
07/21/2023	17266	MML UNEMPLOYMENT COMPENSATION GF	PAYROLL	158.42

08/10/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 07/01/2023 - 07/31/2023				
Check Date	Check	Vendor Name	Description	Amount
07/24/2023	17267	COMMERCIAL RECORD	PUBLISHING	525.00
07/24/2023	17268	DIAMOND CONCRETE SAWING	CURB CUTTING	507.50
07/24/2023	17269	FREESTONE PICKLE CO INC	CONCESSION	39.00
07/24/2023	17276	PAINTING SERVICES OF WEST MICHIGAN	CITY HALL	19,443.87
07/24/2023	17278	SHIVER ME TIMBERS LLC	STUMP GRINDING	350.00
07/24/2023	17279	TERRY'S PRECAST PRODUCTS INC	ROSE GARDEN BASE	170.00
07/24/2023	4768(E)	GORDON FOOD SERVICE	CONCESSION	2,939.69
07/24/2023	4771(E)	MERCHANTS BANCARD NETWORK	CREDIT CARD FEES	3,111.34
07/24/2023	4772(E)	NET2PHONE INC	TELEPHONES	209.28
07/24/2023	4773(E)	RICOH USA INC	COPIER LEASE	127.97
07/24/2023	4774(E)	STATE OF MICHIGAN	SALES TAX CONCESSION	720.63
07/24/2023	4775(A)	ALLEGAN COUNTY SHERIFF	SHERIFF CONTRACT	31,083.60
07/24/2023	4776(A)	ALLEGAN COUNTY TREASURER	PROPERTY TAXES	215,226.24
07/24/2023	4777(A)	BBC DISTRIBUTING LLC	CONCESSION	895.57
07/24/2023	4778(A)	FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	10,636.35
07/24/2023	4779(A)	HORIZON COMMUNITY PLANNER	PLANNING & HISTORIC DISTRICT	2,640.25
07/24/2023	4780(A)	LANDSCAPE DESIGN SERVICES INC	ROSE GARDEN MAINTENANCE	569.98
07/24/2023	4781(A)	MICHIGAN ELECTRO FREEZE INC	CONCESSION	395.23
07/24/2023	4782(A)	OTTAWA AREA INTERMEDIATE SCHOOL DIS	PROPERTY TAXES	118,674.33
07/24/2023	4783(A)	PLUMMER'S ENVIRONMENTAL SERVICES IN	STREET SWEEPINGS	558.15
07/24/2023	4784(A)	REPCOLITE	STREET PAINT	315.45
07/24/2023	4785(A)	SAUGATUCK FIRE	RENTAL INSPECTIONS	825.00
07/24/2023	4786(A)	SEPTIC TANK SYSTEMS CO INC	PORTABLE TOILETS CLEANINGS EXTRA	1,120.00
07/24/2023	17270	IHLE AUTO PARTS	PARTS & REPAIRS	280.60
07/24/2023	17271	MACATAWA DISPOSAL INC	4TH JULY DUMPSTER	295.00
07/24/2023	17272	MCKELLIPS PLUMBING INC	PLUMBING REPAIRS	222.00
07/24/2023	17273	MCKENNA	SHORT TERM RENTAL TASK	3,940.00
07/24/2023	17274	MERIDIAN RAPID DEFENSE GROUP LLC	ARCHER BARRIER 4TH JULY	2,160.00
07/24/2023	17275	NIGHT MAGIC DISPLAYS	FIREWORKS	14,000.00
07/24/2023	17277	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	161,713.05
07/24/2023	4767(E)	COMCAST	TELEPHONE & INTERNET	193.40
07/24/2023	4769(E)	JOHN DEERE FINANCIAL	STHIL BLOWER	721.44
07/24/2023	4770(E)	KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	3,515.25
07/28/2023	4787(E)	FRONTIER	OVAL BEAC	164.73
Total of 161 Checks:				894,985.72
Less 0 Void Checks:				0.00
Total of 161 Disbursements:				894,985.72



City Council Agenda Item Report

FROM: Ryan Cummins

MEETING DATE: August 14, 2023

SUBJECT: Historic District Commission Appointment

DESCRIPTION:

Historic District Commissioner, Daniel Pannozzo, advised he was not going to apply for reappointment to the Historic District Commission (HDC). His term expired on August 1.

The City Clerk provided notice that the City was accepting applications to the HDC. An application was received from Laura Godfrey. An interview with Ms. Godfrey took place on July 25. Rosemary Johnson previously interviewed and advised she was still interested in being considered for the HDC. Ms. Johnson submitted supplemental materials for consideration.

After considering both applicants and consulting Chair Straker and myself, Mayor Dean is recommending that Laura Godfrey be appointed as a Historic District Commission member with a term ending August 1, 2026.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

Historic District Chair, Tim Straker, was provided with a copy of the applications and supplemental materials, participated in the interviews, and provided his recommendation to Mayor Dean.

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to appoint Laura Godfrey to the Historic District Commission with a term ending August 1, 2026.

Jamie Wolters

From: no-reply@weebly.com
Sent: Saturday, June 10, 2023 8:54 AM
To: Jamie Wolters
Subject: New Form Entry: Application for Boards & Commissions

You've just received a new submission to your [Application for Boards & Commissions](#).

[Mark as Spam](#)

Submitted Information:

Name

Laura Godfrey

Email

godfreylaura10@gmail.com

Home Phone Number

Mobile Phone Number

708-308-2853

Address

550 Francis Street
Box 185
, Michigan Saugatuck

Current Employer

Self

Occupation/Position

Partner

Business Phone Number

Business Reference Name

Business Reference Phone Number

Business Reference Email

Does your employer have any business dealings with the City which might present a conflict of interest

No

If yes, please explain:

Are you a City of Saugatuck resident?

Yes

Are you a registered City of Saugatuck voter?

Yes

Serving on a board or commission can be time-consuming. Are you committed to attending all regularly scheduled meetings?

Yes

On which boards and/or commissions would you be willing to serve? .Historic District Commission

1

Please describe any qualifications, expertise or special interests that relate to your possible appointment:

I grew up in the Historic District of Oak Park, Illinois, a few blocks from Frank Lloyd Wright's Home and Studio. Immersed in architecture and design with a love of history, craftsmanship, and all things of enhancement.

Thank you for the opportunity. I look forward to serving with respect and competence.

Regards,
Laura J. Godfrey

Digital Signature

Laura Godfrey

Submitted Files

Resume

[resumelaurafinalfinal.docx](#)

LAURA J. GODFREY, PHR

Godfreylaura10@gmail.com

708-308-2853

Linkedin/in/com/lgodfrey

Midwest based, willing to travel and relocate

U.S. Citizen

Continuous learner-understands business and the importance of people to it.

Global Human Resources and Talent Executive with Fortune 500 and Big 4 experience.

- Multiple industry experience to include Operations, Finance, Legal, Marketing, IT, Healthcare, Construction, Energy, Cyber and Capital Markets.
- Advisor to C-Suite on Human Resources, Training, Performance Management, Workforce Planning, Executive Recruiting, System implementation, and building teams to drive results.
- Leader of teams to innovate new talent solutions and processes.
- Partner level hiring along with high-volume within leading financial services companies.

Expert Human Capital Consultant-Executive Recruiting, Human Resources Business Partner January 2012 to present

- Citadel Investments/Omnium, Chicago, Illinois: Recruited by the CHRO to prepare the back-office fund administrator entity/Omnium for acquisition by the Northern Trust Bank. This assignment lasted over nine months with new compensation outlines, revised team alignments, and eighty (80+) people hired.
- C-Suite build-out for P/E backed NYC start-up resulting in expansive business offerings.
- Silicon P/E start-up build-out for high-tech platform to accelerate product offering. This SaaS company had a rapid increase in new business and I worked with the CPO/Leaders to identify specific talent in a narrow niche.
- Pritzker Venture Capital, Chicago, Illinois: Supported a key portfolio company with Talent Management and Acquisition which resulted in geographic and client expansion.
- Two large corporations on CEO searches and related organizational design. Advisor to a bank CEO on enhancement of annual performance reviews to revamp titles, re-align staff, adjust the related organization charts, and confirm succession plans. Partnered with HR to re-align compensation models to provide the proper rewards and reposition staff in their new roles for future career pathing. Advisor to the Founder/CEO of large manufacturing company to solve issues of leadership alignment. Interviewed a cross-section of team members to understand where concerns resided, prepared documentation of such, made a presentation to the CEO to outline solutions. Implemented agreed upon steps that resulted in the recruitment of a key leader who then doubled the size of the company.
- Both outcomes yielded growth for both organizations due to having the right leaders in place.

BRG Consulting, Chicago, IL

Human Capital/Recruiting

Dec. 2018 to July 2022

- BRG is a global consulting firm with an emphasis on expert litigation in multiple industries.
- Recruited leaders for the Corporate Finance, Restructuring practice, Construction, Cyber, Healthcare, Economic Damages and Global Investigations.
- Partnered with leadership to structure outreach for new talent and define success.
- Introduced new HRIS system.
- Hired on average fifty leaders per year.

Huron Consulting Group, Chicago, IL Feb. 2013 – June 2015

Director of Executive Recruiting

- Aligned with leadership in two practices: Legal and Business Advisory.
- Legal: Recruited several professionals to leadership roles including key leaders for the London Legal and Forensic market.
- Business Advisory/Capital Markets: Accelerated the goal of expanding this practice through the introduction of a multi-million-dollar acquisition and significant senior hires.

Navigant Consulting, Inc. Chicago, IL

Promoted to Senior Manager, Human Capital, Business Consulting Services 2008 – 2011

Manager, Human Capital, Business Consulting Services 2004 – 2008

- Built high-performing teams of global recruiters to support multiple practices to include Energy Construction and Real Estate, Testifying Experts, Capital Markets, and Legal Investigations.
- Collaborated on several key acquisitions to include Chicago Partners, a leading firm with expertise in Legal Investigations.
- Implemented the acquisition of several healthcare practices and supported their onboarding and leadership integration. Recruited additional partners to supplement growth.
- Managed the acquisition of key leaders for the London office in multiple practices.
- Worked closely with corporate legal and finance leadership to support fast moving acquisition of practices, partners and clients.

Education

- Lake Forest Graduate School of Management: Organizational Effectiveness
- Professional of Human Resources (PHR) Certificate: 2009
- Stanford University: Certificate in Organizational Theory
- Northwestern University: Multiple Certificates in Leadership Development and Strategy and Negotiation
- University of Illinois: Certificate in Contract and Employment Law
- KolbeA-6572
- World at Work: Executive Compensation
- DePaul University: Business Management

Personal

Dog rescuer, non-fiction reader, traveler, gardener, community helper, cook, early riser.



P.O. Box 86, Saugatuck, MI 49453
Phone: 269.857.2603 Fax: 269.857-4406
Website: www.saugatuckcity.com

**APPLICATION FOR APPOINTMENT TO
BOARDS/COMMISSIONS/COMMITTEES**

Name: Rosemary Johnson Home Phone: 586--489-3883

Home/Mailing Address: 500 Mill Street Saugatuck, MI 49453

E-mail Address: rjohnson49@hotmail.com

Employer: retired Occupation/Position: _____

Business Phone: _____ Business Reference: _____

Are you a Saugatuck City resident? yes Are you a registered Saugatuck City voter? yes

Do you or your employer have any business dealings with the City which might present a conflict of interest? no If yes, explain _____

Serving on a Board or Commission can be time-consuming. Are you committed to attending all regularly scheduled meetings? yes

On which Boards and/or Commissions would you be willing to serve?

- | | | |
|-------------------------|-------------------------------------|-------------------------|
| Planning Commission | <u>Historic District Commission</u> | Zoning Board of Appeals |
| Board of Review | Harbor Commission | Township Fire Board |
| Twp. Recreation Comm. | Kalamazoo Lake Sewer & Water | Library Board |
| Interurban Transit Auth | Peterson Nature Preserve | Construction Board |

Please describe any qualifications, expertise or special interests that relate to your possible appointment:

I live in the historic district and I have appeared three times before the commission. I believe it is very important to have members on the commission re-

You may wish to submit a cover letter with your application. Please return the original to the City Clerk's office at the above address for processing. The City of Saugatuck recognizes and supports the concept of balanced representation in regard to filling vacancies on Boards and Commissions. To this end, every effort is made to appoint members who represent Saugatuck's diverse community, including citizens of all ethnic groups as well as people with disabilities. Reasonable accommodations and equal access to communication are provided upon request.

Signature: Rosemary Johnson Date: 7/18/2022

****Disclaimer:** Per the City of Saugatuck's retention schedule this application will be kept on file for twelve months, unless you are chosen to serve on a board, then this application is kept on file for the duration of your term.

COPY: Mayor City Council City Clerk

Rosemary E. Johnson

Background Information

Education:

B.A. – Eastern Michigan
M.A. – Oakland University
Sp. Ed. – Wayne State University

Work History:

Special Education teacher/consultant – 36 years Warren Consolidated Schools
Currently substitute teaching in Allegan County area

Volunteering in Saugatuck Area:

Saugatuck Douglas Library programs volunteer since moving to Saugatuck
Reforestation of Mount Baldhead Park
Tree and vegetation planting Saugatuck Township River Bluff Park
Beach cleaning Saugatuck/Douglas
Tri-Community Recycling Initiative
Blue Star Highway Arbor Day clean-up

Historic District Involvement:

Five appearances before the Historic District for a new home, rock wall, shed, garage and windows/roof for additional property

Why I am interested in the Historic District Commission:

After appearing numerous times before the commission, I feel there is a need for input from a resident who has dealt with the commission and experienced the interpretations issued by the commission. I am a volunteer who has had those experiences and can add my observations to the decision-making of the commission.



FROM: Jamie Wolters, City Clerk

MEETING DATE: August 14, 2023

SUBJECT: Right of Way Signage

DESCRIPTION

Merijeane Webb has applied for a pallet banner approval. Operation Hope for Allegan Youth golf outing will take place on Sep 21, 2023. Banner date request is September 8-15.

The City Council may approve a banner as an exception, as listed in section 150.30(H). The conditions for approval of the exception are as follows:

1. The sign does not create a traffic vision obstruction;
2. The sign does not create a pedestrian traffic obstruction;
3. The sign is compatible with the surroundings and is not uniquely out of character for the community;
4. The sign does not create a situation which could be detrimental to health safety, or welfare; and,
5. The banner shall be displayed for no more than three 14-day periods between January 1 and December 31 of any year.

BUDGET ACTION REQUIRED

None.

COMMITTEE/COMMISSION REVIEW

None.

LEGAL REVIEW

None.

SAMPLE MOTION:

Motion to approve/deny the request to install a banner on the pallet sign during the dates of September 8th-15th promoting the Operation Hope for Allegan Youth Golf Outing.



Right of Way Sign Application

APPLICANTS INFORMATION

APPLICATION NUMBER _____ - _____

Name Meri Jean Webb Address / PO Box 986
 City Saugatuck State Mi Zip 49453 Phone 843.318.0707
 E-Mail remax.merijeau@gmail.com.
 Signature Meri Jean Webb Date 7/28/2023

SIGN DESCRIPTION (ATTACH MORE SHEETS IF NECESSARY)

Type: Number of Yard Signs 0 Number of Banners 1
 Dates to be displayed Sep 8 thru 15
 Further Comments: Pallette sign Banner
Operation Hope for Allegan Youth
Golf Dating Sep 21, 2023
Clearbrook.

PLEASE INCLUDE THE FOLLOWING INFORMATION

Pursuant to Section 150.30, please attach the following supporting documents when applying for sign approval

Y N NA

- Dimensions and type of each proposed sign 7' x 4'
- Map showing the location of each sign Pallette.
- Explanation of how each sign will be attached and secured Bunge Cord.

Pursuant to Section 150.30(H), please to the following questions:

- Will the signs create a traffic vision obstruction? No
- Will the signs create a pedestrian traffic obstruction? No
- Are the signs compatible with the surroundings and is not uniquely out of character for the community? and yes
- Do the signs create a situation which could be detrimental to health, safety, or welfare? No.



City Council Agenda Item Report

FROM: Ryan Heise, City Manager

MEETING DATE: July 19, 2023

SUBJECT: Resolution for public comment on North Shore Development

DESCRIPTION:

As agreed by City Council, please see a proposed resolution providing city council's public comment to the Department of Environment, Great Lakes, and Energy ("EGLE") permit (with EGLE Submission Number HPF-7A8A-RGC7Q) on north shores of Saugatuck, LLC's permit to build a marina basin.

LEGAL REVIEW:

Yes

SAMPLE MOTIONS:

Official resolution adoption to take place on Monday.

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

RESOLUTION NO. _____

**A RESOLUTION PROVIDING CITY COUNCIL’S PUBLIC COMMENT
TO THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY ON
NORTH SHORES OF SAUGATUCK, LLC’S PERMIT TO BUILD A MARINA BASIN**

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

WHEREAS, North Shores of Saugatuck, LLC has applied for a permit from the Department of Environment, Great Lakes and Energy (“EGLE”) (with EGLE Submission Number HPF-7A8A-RGC7Q) under 1994 Public Act 451 to build a marina basin located in the Kalamazoo River, near the mouth of the Kalamazoo in Saugatuck Township (the “Township”), Michigan.

WHEREAS, the site is located offshore at 3574 Dugout Road and 6500 135th Avenue, Allegan County, Michigan 49453.

WHEREAS, the City’s jurisdictional boundaries, including its jurisdiction and control over the Kalamazoo River that exists within the City’s boundaries, is near to the proposed marina basin.

WHEREAS, the City further owns extensive acreage held as public lands with substantial frontage on the Kalamazoo River that is directly south of the proposed marina basin.

WHEREAS, the City has interests, as reflected below, that are impacted by developments in the area, including the City’s interests as a fiduciary in holding public lands in trust for its community and representing the general interests of the public within the City.

WHEREAS, on June 2, 2023, EGLE provided Public Notice to the City to seek input on the HPF-7A8A-RGC7Q application to build a marina basin (the “Application”).

WHEREAS, in response to the Public Notice and the understanding that EGLE will still consider public comment as part of the open application, City Council desires to provide public comment on the pending Application and stress to EGLE the importance of carefully reviewing and considering whether the project will adversely affect the public trust and riparian rights as set forth below.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The legislature of the State of Michigan has found that “[t]he critical dune areas of this state are a unique, irreplaceable, and fragile resource that provide significant recreational, economic, scientific, geological, scenic, botanical, educational, agricultural, and ecological benefits to the people of this state and to people from other states and

countries who visit this resource.”¹

2. Michigan law states that EGLE “shall issue a permit if it finds that the structure or project will not adversely affect the public trust or riparian rights.”²
3. EGLE is required to “consider the possible effects of the proposed action upon the inland lake or stream and upon waters from which or into which its waters flow and the uses of all such waters, including uses for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry.”³
4. The legislature of this State has chosen to regulate use impacting the critical dunes of this state in order to “[e]nsure and enhance the diversity, quality, functions, and values of the critical dunes in a manner that is compatible with private property rights.”⁴
5. The legislature of this State has recognized the importance of critical dune areas and the “benefits to the people of this state and to people from other states and countries who visit this resource.”⁵
6. Subject to section 35316, EGLE must approve a permit “unless the local unit of government or the department determines that the use will significantly damage the public interest on the privately owned land, or, if the land is publicly owned, the public interest in the publicly owned land, by significant and unreasonable depletion or degradation of any of the following: (i) The diversity of the critical dune areas within the local unit of government. (ii) The quality of the critical dune areas within the local unit of government. (iii) The functions of the critical dune areas within the local unit of government.”⁶
7. The City, as a municipality having particular interest in the project finds that the proposed excavation to build a marina basin in the Kalamazoo River near the City will “adversely affect the public trust. . . .”⁷
8. The City finds that the excavation and construction of the proposed marina will have significant adverse environmental effects on Michigan’s Critical Dune Area and its tree canopy and wooded sand dunes along the Kalamazoo River.
9. The City finds that the excavation and construction of the proposed marina will have significant negative effects on uses of the area for recreation, agriculture, and aesthetics by destroying the historic site of Singapore and damaging wild rice growth gathered and connected to the area, a Potawatomi traditional cultural resource.
10. The City finds that the Tri-Community tourist-based economy relies on the preservation of the historical, ecological, and cultural values in the river mouth area and that the excavation and construction of the proposed marina will have a significant negative impact on the uses of the surrounding waters for commerce and industry.
11. The City finds that the proposed marina basin has the potential of impacting well-

1 MCL 324.35302.

2 MCL 324.30106.

3 MCL 324.30106.

4 MCL 324.35302.

5 *Id.*

6 MCL 324.35304.

7 MCL 324.30106.

established public and private uses of the area, including public lands held by governmental agencies to the north and south of the proposed marina basin.

ECOLOGICAL OVERVIEW: THE PROPOSED PROJECT WILL RESULT IN A SIGNIFICANT AND UNREASONABLE DEPLETION AND DEGRADATION OF THE QUALITY AND DIVERSITY OF THE CRITICAL DUNE AREAS

1. The construction of the canal will decrease Michigan's Critical Dune Area by 6.5 acres.⁸
2. The construction of the canal will destroy the historic site of Singapore, a 19th century lumber town buried under the dunes and eligible for the National Register of Historic Places.⁹
3. The construction of the canal may damage the Potawatomi traditional cultural resources, disturbing Lake Sturgeon, wild rice growth traditionally gathered and connected to the area, and traditional burial grounds at the mouth of the Kalamazoo River.¹⁰
4. The construction of the canal will contribute to deforestation of a significant tree canopy of wooded sand dunes along the Kalamazoo River.¹¹
5. The construction of the canal will contribute to negative impacts to the City of Saugatuck effort to maintain its own areas, as well as conservation measures taken to support, augment, and further the positive environmental impacts of the City's property, such as the adjacent Saugatuck Harbor Natural Area, Tallmadge Woods Nature Preserve, and the Patty Birkholtz Natural Area.¹²

HISTORY OF THE TRI-COMMUNITY'S VALUES AND TOURIST ECONOMY: THE PROPOSED PROJECT WILL HAVE AN ADVERSE EFFECT ON THE USE OF THE AREA FOR RECREATION, FISH AND WILDLIFE, AESTHETICS, LOCAL GOVERNMENT, AND COMMERCE.

1. The City of Saugatuck, Saugatuck Township, and the Village of the City of Douglas ("Tri-Communities") have a 137-year history of deliberately building a tourist-based economy centered on the *preservation* and *conservation* of public open space in the river mouth area.

8 US Army Corps of Engineers, Public Notice: Proposed Marina in the Kalamazoo River and Beach Nourishment in Lake Michigan at Saugatuck, Michigan 1 (2017) ("[a] total of 241,750 cubic yards of sand would be excavated from a 6.54-acre upland area approximately 1,639 feet long and up to 200 feet wide, temporarily leaving a soil plug at the marina basin entrance.").

9 US Army Corps of Engineers, Public Notice: Historic Properties Review for Proposed Marina Basin in the Kalamazoo River in Saugatuck Township, Michigan 4 (2018) (finding "the undertaking would have no adverse effect on Areas A, B, and D, but the undertaking would have an adverse effect on Area C, as defined in 36 CFR 800.5(a)(1)"). Area C has been identified as part of the buried 19th Century lumber town of Singapore.

10 Mario Battaglia & Rebecca A. Hawkins, Ethnographic Traditional Cultural Property Study of the Mouth of the Kalamazoo River, Allegan County, Michigan 13-18, 23 (2019).

11 City of Saugatuck et al., Tri-Community Master Plan 4-23 (2016) ("Mature trees represent a valuable resource in maintaining the aesthetic character of the area, not to mention their overall importance to wildlife and the natural environment. In particular, the wooded sand dunes along the Kalamazoo River and Lake Michigan, and those buffering adjacent uses from I-196, are especially important. They should be managed to insure their long term existence."). Recent drone images reveal that the "laydown area" proposed by NorthShore of Saugatuck in both the USACE and EGLE permit applications has been clearcut and excavated.

12 See Letter from Lana Pollack, chair of Michigan Natural Resources Trust Fund Board, to National Trust for Historic Preservation (Jan. 15, 2010) (on file with the City of Saugatuck).

2. In 1884, the Village of Saugatuck—the former governmental entity prior to incorporation of the Village into the now City of Saugatuck— purchased Mount Baldhead and the lake frontage to the west. The lake frontage would eventually become Oval Beach. Stairs up the east side of the dune and a pavilion at the bottom were built to attract tourists to the area.
3. In 1920, Thomas Eddy Tallmadge purchased 105 acres of forested dunes surrounding the Ox-Bow School of Art. To protect the school and land, Tallmadge made arrangements with the City to preserve the land as green space in times the school did not operate.
4. In 1936, the City opened Oval Beach.
5. In 1957, the National Park Service conducted a survey of potential park sites along Lake Michigan. The Park Service wrote in its study: “[b]y virtue of its fine beaches (Oval Beach) and scenic hinterlands, Saugatuck has a high public use value. . . . *Immediate steps should be taken to safeguard these values in order to meet the recreation demands of this region.*” (emphasis added).
6. Between 1977 and 1988, local citizens worked to establish Saugatuck Dunes State Park and Natural Area.
7. In 1977, the Natural Areas Conservancy of West Michigan (NACOWMI) acquired a 300-acre parcel, known as the Luther-Uhl property, which was adjacent to what would become the Saugatuck Dunes State Park.
8. Around this time, the State acquired 550 acres from the Augustinian Seminary. It kept 40 acres of this land for the operation of a prison and gave the remainder of the land to the Department of Natural Resources (DNR).
9. Following its acquisition of the land, the DNR advocated for the Luther-Uhl land to be protected as a natural area for scientific study.
10. Following this, the DNR announced its state park plan which called for a 1,500 car parking lot on the beach and an off-road vehicle area. *The local response was immediate and unanimously negative.*
11. The DNR withdrew its state park plan and allowed for the formation of a citizen’s advisory committee to draft a master plan for Saugatuck Dunes State Park. *This was the first time a citizen’s advisory committee was entrusted to create a State Park Master Plan.*
12. Patty Birkholz, a Parks Commissioner from the Township, was appointed Chair of the committee.
13. The committee’s Master Plan called for a *low-impact nature study* and prohibited overnight camping—a rare prohibition in the state park system.
14. The Master Plan included detailed expansion plans for acquiring, among other lands, those around the proposed marina basin, including the NorthShore of Saugatuck property. These plans called for an expanded natural area and designated historic site where the buried ghost town of Singapore lies.
15. The Master Plan required the Luther-Uhl property to be legally designated as a Natural Area until October 1988.

16. The citizens charged with drafting the Master Plan worked with the conservancy community, the DNR, and the State for six years to ensure the protection of the land. In 1982, the Master Plan was unanimously approved by the Natural Resources Commission.
17. In January 2004, the DNR received over 100 individual letters supporting a proposed expansion of the Saugatuck Dunes State Park to include Denison property, which then became the Singapore Dunes LLC property and most recently became the NorthShore of Saugatuck property.
18. Between the years 2003 and 2005, the Tri-Communities came together for a series of meetings to discuss and debate land use issues and future development. This meeting led to the publication of the 2005 Tri-Community Master Plan, (the “2005 Master Plan”) which focused on protecting the historical, ecological, and cultural values that drive the tourist-based economy.
19. During this period of time, there were two townhall-style meetings, as well as the collection of data from a community survey. Almost every other resident in the community responded.
20. The 2005 Master Plan was unanimously approved by the City of Saugatuck, the City of the Village of Douglas, Saugatuck Township, and Allegan County.
21. To put the 2005 Master Plan into place, the municipalities took several actions towards protecting the natural areas.
22. In 2007, the Tri-Communities placed a conservative easement onto Tallmadge Woods Nature Preserve.
23. In 2009, the Tri-Communities assisted in the \$20 million public acquisition of the Saugatuck Harbor Natural Area. A grant of \$10.5 million from the Michigan Natural Resources Trust Fund was the largest public grant ever extended by this state fund.
24. In 2010, the City voters passed a millage to tax themselves for better support of the natural resources’ local zoning protections.
25. In 2010, local organizations applied to have the Wild Heart of Saugatuck, an area near the river mouth, added to the National Trust for Historic Preservation’s annual list of America’s 11 Most Endangered Places.
26. Lana Pollack, former Chair of the Michigan Natural Resources Trust Fund Board, submitted the following letter to the National Trust for Historic Preservation in support of the designation, primarily in hopes of protecting the state’s investment:

“My own valuation of this area is best demonstrated by the recent MNRTF decision to grant \$10.5 million to protect a portion of the land now representing a significant part of this application. The grant approved in December 2009 is one of the largest MNRTF has ever made and is a particularly impressive commitment given the intense competition from other worthy applicants that year. Support for the grant did not come easily, but not because of a questioned worth of the project – 171 acres of critical dunes with globally imperiled inter-dunal wetlands, habitat that is home to several threatened and endangered species. The project’s value was undoubtedly enhanced by its immediate proximity to Saugatuck’s Oval Beach, the Saugatuck Lighthouse Cottage and the Ox-Bow School of Art. Although MNRTF is focused on saving natural landscapes, we also recognized in

this case the historic and cultural context of the particular 171 acres that our grant was supporting.

“The designation that we now seek from the National Trust for Historic Preservation is needed because of the threat of development on the parcel immediately north of the Saugatuck Harbor Natural Area. The current proposal calls for a major marina development with a suggested nine story hotel, restaurants, retail businesses as well as a 70 slip marina near the site of the buried ghost town of Singapore – all prohibited by current zoning. *If completed, the proposed development’s impact on MNRTF’s investment of \$10.5 million still leaves me concerned that our public investment may become mostly the enhanced viewscape for a commercial development.*

“Fortunately, the history of preservation of the Saugatuck Dunes is strong. In the 1940’s the State of Michigan looked at constructing a State Park at the mouth of the Kalamazoo River. In the 1950’s the National Park Service surveyed the Saugatuck Dunes for its potential as a National Lakeshore. In the 1980’s area citizens worked together to draft the Master Plan for the Saugatuck Dunes State Park and Natural Area. This followed the initial plan from the state DNR that called for paved roads and a parking plot on the beach, which was met with near unanimous resistance. Since that time several additional key parcels have been placed into conservation easements or turned into parks; historic buildings have been acquired by the local Historical Society; and progressive planning has established a Lakeshore Open Space District designed to better protect the historic and ecological treasures along the river and lakeshore.

“It was with this in mind – the long and determinedly fought history of protecting the Saugatuck Dunes – that I felt comfortable urging MNRTF to award the \$10.5 million grant. The tenacious commitment of the local community to protect the Saugatuck Dunes’ many historic, cultural and ecological resources ultimately held more sway than the threat of a developer’s legal war chest to overturn protective zoning controls.” (emphasis added).

27. In 2016, the updated Tri-Community Master Plan (the “2016 Master Plan”) was released. The priority among the Tri-Communities remains: “Public acquisition of the Denison property on both sides of the Kalamazoo River is the top priority for the Tri-Communities.”¹³
28. Today, the City owns nearly 16,000 feet of water frontage in the River Mouth Area immediately adjacent to the proposed canal. A portion of this is the Saugatuck Harbor Natural Area, a 177 acre designated natural area/sanctuary held under the supervision of the City. The Saugatuck Harbor Natural Area has 570 feet of water frontage on the Kalamazoo River, 1,800 feet of water frontage along the USACE channel, and nearly 6,200 feet of water frontage on the Old Harbor. All of this water frontage is in its natural state and does not have seawalls or riprap. The City also manages the Tallmadge Woods Nature Preserve, a 100-acre preserve with 6,200 feet of Kalamazoo River frontage and 2,900 feet of Old Harbor water frontage.
29. The Saugatuck Harbor Natural Area and the Tallmadge Woods Nature Preserve connect with Saugatuck’s Oval Beach and Mount Baldhead Park, together comprising 415 acres of park land and natural areas. These areas are all managed as low-impact natural areas to ensure the protection of the ecological, historical, and cultural values that drive

13 City of Saugatuck et al., Tri-Community Master Plan 9-6 (2016).

Saugatuck's tourism-based economy. These areas are indispensable to the economic well-being of the Tri-Communities.

30. The NorthShore of Saugatuck development and management may directly affect these natural areas and sanctuaries that the City manages for the benefit of the community.
31. Because of its effect on the low-impact natural areas and City-owned property, the NorthShore of Saugatuck development may have significant impacts on the Tri-Communities' tourist-based economy.
32. Among the goals listed in the 2016 Master Plan is the goal to "[p]rotect special environments and open spaces, including but not limited to sand dunes, wetlands, and critical wildlife habitat, from the harmful effects of incompatible development activity by limiting the type and intensity of land development in those areas."¹⁴
33. The 2016 Master Plan also outlines the goal to "[g]uide development in a manner which is orderly, consistent with the planned expansion of public facilities, and strives to preserve the scenic beauty, foster the wise use of natural resources, protect environmentally sensitive areas, and enhance the special character of the Tri-Communities."¹⁵
34. The 2016 Master Plan states that "[t]hese joint goals and policies are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision. It is intended that these goals and policies be consulted when considering future land use decisions within an individual jurisdiction, as well as those decisions that affect the interests of more than one jurisdiction."¹⁶
35. The goals and policies in the 2016 Master Plan "are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision."¹⁷
36. The goals and policies outlined in the 2016 Master Plan and those outlined by the City here should be considered a representation of the uses of bodies of water "for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry."¹⁸
37. The 2016 Master Plan articulates the economic public interest in preserving the river mouth area of the Kalamazoo River for "low-impact development" or public open space.¹⁹
38. The City considers the 2016 Master Plan to be a reflection of the uses of bodies of water connected to the proposed project "for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry." The 2016 Master Plan states "[t]hese joint goals and policies are premised on a pledge by Saugatuck Township, the City of Saugatuck, and the City of the Village of Douglas to mutually cooperate in guiding future development to advance a common vision. It is intended that these goals and policies be

14 City of Saugatuck et al., Tri-Community Master Plan 1-12 (2016).

15 *Id.* at 1-4.

16 *Id.* at 1-2.

17 *Id.*

18 MCL 324.30106.

19 See generally City of Saugatuck et al., Tri-Community Master Plan (2016).

consulted when considering future land use decisions within an individual jurisdiction, as well as those decisions that affect the interests of more than one jurisdiction.”²⁰

39. Specifically, the City considers the following 36 excerpts from the 2016 Plan to be a reflection of the plans for “recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry”²¹:

1. “**Goal:** Guide development in a manner which is orderly, consistent with the planned expansion of public facilities, and strives to preserve the scenic beauty, foster the wise use of natural resources, protect environmentally sensitive areas, and enhance the special character of the Tri-Communities.”²²
2. “**Policy:** Insure compatible land use planning and zoning across municipal borders and minimize land use conflicts by separating incompatible uses and requiring buffers where necessary.”²³
3. “**Policy:** Support efforts to foster tourism by preserving the scenic beauty of the environment, expanding recreational opportunities, improving tourist attractions, preserving the historic character of the communities through the preservation of historic structures, expanding cultural and arts opportunities and encouraging development of promotional material which highlight the attractions of the Tri-Communities.”²⁴
4. “**Goal:** Encourage planning efforts based on the understanding, knowledge and respect for the Tri-Community’s historical and cultural resources.”²⁵
5. “**Policy:** Discourage the development of high intensity residential uses along the waterfront.”²⁶
6. “**Goal:** Protect special environments and open spaces, including but not limited to sand dunes, wetlands, and critical wildlife habitat, from the harmful effects of incompatible development activity by limiting the type and intensity of land development in those areas.”²⁷
7. “**Policy:** Identify development limitations on special environments which classify environments based on their value to the ecosystem, unique attributes, the presence of endangered plant and wildlife species, and other characteristics deemed significant.”²⁸
8. “**Policy:** Encourage acquisition of special environments of significant public value by public agencies or nonprofit conservancy organizations for the purpose of preservation.”²⁹
9. “**Policy:** Prepare and maintain a subarea plan for the Oxbow Peninsula including the [NorthShore of Saugatuck Property] ‘Denison Property.’”³⁰
10. “**Policy:** Promote the preservation of open spaces and natural areas, as well as limited, carefully planned development along the Kalamazoo River, Kalamazoo Lake, Silver Lake, Goshorn Lake, and Lake Michigan and connecting streams, creeks, and drainage ways to protect and enhance the scenic beauty of these waterfront areas.”³¹

20 *See id.*; see also MCL 324.30106.

21 *See* MCL 324.30106.

22 *Id.* at 1-4.

23 *Id.* at 1-5.

24 *Id.* at 1-6.

25 *Id.* at 1-10.

26 *Id.* at 1-12.

27 *Id.*

28 *Id.*

29 *Id.*

30 *Id.*

31 *Id.* at 1-13.

11. "In 2002 the City of Saugatuck completed a strategic plan for purposes of future growth and development and efforts involved an examination of local tourism and public opinion. The following data was secured from the plan's survey of visitors to the area, and provides useful information considered applicable to each of the Tri-Communities when considering economic and recreational impacts on the area. . . Activities – beach (40%), dune rides (12%), and boating (11%) Spending Patterns - \$500 to \$599 (median range), 15% spend +\$1,000. . . ."³²
12. "The primary reasons people visit or live in the three communities are to enjoy the scenery and recreational opportunities and to live in a picturesque, safe place while they commute to nearby (or distant) urban centers. Beach recreation, boating and other water activities, shopping, art galleries and enjoying the scenery are the primary attractions for both tourists and year-around residents. ***While agriculture, industry and tourism are important economic sectors represented in the Tri-Communities, tourism is king.***" (emphasis added).³³
13. "Mature trees represent a valuable resource in maintaining the aesthetic character of the area, not to mention their overall importance to wildlife and the natural environment. *In particular, the wooded sand dunes along the Kalamazoo River and Lake Michigan, and those buffering adjacent uses from I-196, are especially important. They should be managed to insure their long term existence.*" (emphasis added).³⁴
14. "A large portion of the lakeshore both north and south of the mouth of the Kalamazoo River is undeveloped or very sparsely developed. *A portion of this segment of the shoreline is in public ownership as Oval Beach Park. In 2011, the City of Saugatuck completed its acquisition of the 173 acres of natural dunes and 3,650 feet of undeveloped Lake Michigan Shoreline, formerly owned by the Denison family, between the south Kalamazoo River pier and Oval Beach City Park. This was made possible through a partnership between the City; the Land Conservancy of West Michigan; a 10.5 million grant from the Michigan Natural Resources Trust Fund; The Nature Conservancy; The Conservation Fund; and generous private donors.* The Saugatuck Harbor Natural Area, as it is now called, is open year round for low impact uses such as hiking, fishing, bird watching and beach combing."³⁵
15. "The Tri-Community area is rich in cultural, and historical points of interest and many archaeological sites can be found throughout the area. Leading economists and forward-thinking governmental leaders have recognized the social and economic value of promoting and preserving cultural and historic assets. The state of Michigan has made community cultural; planning a key part of its most publicized and marketed economic development strategies: the 'smart growth'; 'heritage/cultural tourism'; and 'cool cities' initiatives."³⁶
16. "Archaeological sites are of particular scientific value to the fields of anthropology, ecology and biology, and may have historic or ethnic significance as well. There are 120 archaeological sites scattered throughout the Tri-Community area, mostly related to Ottawa and Potawatomi cultures. Their exact locations have not been disclosed by the Bureau of history to protect them from exploitation. One of these sites, the Hacklander Site, located in Section 23 is listed on the National Register of Historic Places and has components representing Middle and Late Woodland periods. *A second important site is the old Singapore site located at the north edge of the 'new' (1906) harbor channel. Recipients of Federal assistance must ensure that their projects avoid damage or destruction of significant historical and archaeological resources.* The

32 *Id.* at 2-8.

33 *Id.* at 3-1.

34 *Id.* at 4-23.

35 *Id.* at 5-7.

36 *Id.* at 5-9.

Michigan Bureau of History reviews these projects to assess their impact on archaeological sites.” (emphasis added).³⁷

17. “Parks, recreation, and open space are essential to the quality of life of area residents, and are an important component of the local tourist economy. They enhance property values, as well as physical and psychological well-being.”³⁸
18. “According to the 2004 community opinion survey, following was the response to the question of whether the respondent would support the additional recreation-related activities even if it meant an increase in general property taxes. . . . The greatest support among recreation-related topics was for better water quality with 62.5%, bike lanes/pathways with 60.5% support and *parks and recreation at 50.9%. When citizens express a willingness to pay higher taxes for a service that is very significant.*” (emphasis added).³⁹
19. “*Recreation is important to the Tri-Communities and the visual experience of the community is tied to the recreational experience.* Residents like to live in the Tri-Communities, in part, because it is a uniquely attractive location. *Tourists visit and spend money in the Tri-Communities based in part on the visual experience. Natural features and open spaces are important components of the Tri-Communities,* contrasting with the concentrated, developed areas of the City of Saugatuck and the City of the Village of Douglas. The compact, strong identities of the City and Village are enhanced when natural, open spaces surround the two communities. Water is one of the natural features surrounding the City and Village and helping to give them form and identity. Wetlands, woodlands, farms and parks are other existing natural features that currently contribute to natural open space.”⁴⁰
20. “Tourists have always been attracted to the area, but tourism is now the number one economic activity. . . . Consequently, how the waterfront is used will be of crucial importance to the future of the Tri-Community area.”⁴¹
21. “*Although waterfront lands have high revenue generating potential, a major attraction of both the Lake Michigan and Kalamazoo River waterfronts is their scenic, natural shorelines composed of forested sand dunes and large wetland areas. Should these natural areas be greatly damaged or destroyed through inappropriate development, then the ‘goose that laid the golden egg’ will be dead. It is essential that the natural beauty of the waterfront be maintained along the Lake Michigan shoreline, the Kalamazoo River from the channel to Saugatuck, and from the Blue Star Highway Bridge inland.*” (emphasis added).⁴²
22. “This plan seeks to define a balance between competing uses. It places protection of the natural environment at first and foremost in making future land use decisions along the Lake Michigan and Kalamazoo River waterfronts. The ultimate goal is to minimize disruption of the natural environment so that new development and redevelopment is in harmony with the environment, rather than in conflict with it. Alteration of existing natural features should be very limited, and with mitigation to provide the same values and functions nearby.”⁴³
23. “Under the state Wilderness, Wild, and Natural Areas Program (Part 351 of the Natural Resources and Environmental Protection Act of 1994), the DNR is charged with identifying, dedicating and administering wilderness, wild and natural areas. Within the Saugatuck region, the DNR has dedicated the Saugatuck Dunes Natural Area to

37 *Id.* at 5-11.

38 *Id.* at 7-1.

39 *Id.* at 7-18.

40 *Id.*

41 *Id.* at 8-1.

42 *Id.* at 8-1 through 8-2.

43 *Id.* at 8-2.

protect the unique dune ecosystem of open dunes, blowouts, interdunal wetlands and wooded dunes, Pitcher's Thistle occurs with in the area and is listed as a threatened species by both the state and federal government. The Saugatuck Dunes Natural Area is within Saugatuck Dunes State Park. Sensitive dune ecosystems also occur in the dune areas on either side of the Kalamazoo River mouth at Lake Michigan. This area is planned for protection but details have yet to be finalized. Management would likely be the responsibility of the City of Saugatuck, Saugatuck Township and the State Park. The entire Kalamazoo River, including the Saugatuck/Douglas area is designated as an area of particular concern by the DNR. Areas of particular concern are those having scarce resources, unusual scenic beauty, unusual economic value, recreational attractions, or some combination of the above. They are only located in coastal areas. Altering the environment in an area of 'particular concern' could have a significant impact on the quality of coastal and Great Lakes waters."⁴⁴

24. "As has been emphasized throughout this Plan, *the natural beauty of the waterfront has much to do with the attraction of the Tri-Community area.*" (emphasis added).⁴⁵
25. "***Several vistas have public values that deserve protection. These include the entry into and exit from Lake Michigan on the Kalamazoo River,*** the view from Mount Baldhead, the view of Kalamazoo Lake from both ends, and approaches to the Kalamazoo River Bridge." (emphasis added).⁴⁶
26. "In seeking to balance economic development with environmental protection, the concept of carrying capacity should be a major consideration. If the carrying capacity of land or water is exceeded, then activities cannot be undertaken without unacceptable impacts on users, the environment, or both. Impacts can include increased trip times, decreased safety, pollution, loss of open space, and many other considerations. The key is prevention of overuse by limiting intensity of use on adjoining lands and regulating surface water use. Environmental protection must be a leading principle in making future land use decisions along the waterfront. Environmentally sensitive areas such as sand dunes, wetlands, high risk erosion areas, floodplains, and key woodlands should be protected from unnecessary destruction. Development should complement rather than destroy these areas and their values. By doing so the environmental quality of the air and water will be improved, wildlife habitat will be preserved, scenic values will be protected, and the character of the area will be maintained. Some new intensive shoreline development will be desirable and necessary, but the balance should not be disproportionately on the side of new tax base as it has been for the past three decades. Opportunities to enhance the waterfront should be seized. Parks and open spaces should eventually be linked with other public places."⁴⁷
27. "Protection mechanisms, like the Natural River designation, should be recognized for the ancillary benefits they bring to the community."⁴⁸
28. "Good land use planning is essential to the future quality of life in the Tri-Communities. Actual future land uses are difficult to predict and guide to achieve desired results. A future land use map and plan expresses local and use goals and policies and provides a land use scenario which a community may use as a physical guide. Goals and policies, in turn, drive land use and development decisions."⁴⁹
29. "The following planning and design principles are the technical foundation in support of the proposed land use arrangements graphically depicted on the Future Land Use Map. These principles are consistent with the goals and policies in Chapter 1 and

44 *Id.* at 8-6.

45 *Id.* at 8-25

46 *Id.*

47 *Id.* at 8-25 through 8-26.

48 *Id.* at 8-27.

49 *Id.* at 10-1.

should remain the basis for reviewing any subsequent changes to the proposed Future Land Use Map. These planning principles are:

- Protection of public health and safety
 - *Conservation of natural resources*
 - *Environmental Protection*
 - Minimizing public service costs
 - Efficiency and convenience in meeting land use needs
 - *Insuring compatibility between land uses.*" (emphasis added).⁵⁰
30. "Failure to consciously protect nonrenewable natural resources exposes a community to unbridled destruction of those resources which are the foundation for an area's character and quality of life. Conservation of natural resources usually focuses on: land, water, minerals, certain soils (such as prime farmland), wetlands, sand dunes, areas supporting an abundance and diversity of wildlife, and unique forested lands. Areas where the land and the water meet are the most important. Indiscriminate land subdivision frequently reduces the size or alters the shape of land, thereby compromising the resource value and production potential of those lands. This occurs frequently in prime agricultural areas and once lost, these lands may never be reclaimed for food production purposes."⁵¹
31. "This principle aims at preventing pollution, impairment or destruction of the environment. While there is considerable overlap with natural resource conservation issues, environmental protection measures focus primarily on air and water quality, and the impact of activities where the water meets the land. Environmental quality is best preserved by planning for appropriate land use activities in and near sensitive environmental areas, and managing development accordingly."⁵²
32. "A central objective of land use planning is to locate future land uses so that they are compatible with one another. This prevents future nuisance situations between adjacent land uses, such as loud sound, ground vibrations, dust, bright lights, restricted air flow, shadows, odors, traffic, and similar impacts."⁵³
33. "Other natural resource areas include sand dunes, wetlands, floodplains, streams, creeks and drains, the Kalamazoo River, Lake Kalamazoo, and areas at high risk of erosion along Lake Michigan. ***These areas are proposed for very limited future development in keeping with their fragility and importance in buffering Lake Michigan storms***, filtering and storing water during periods of flooding, draining stormwater from land, providing habitat for a wide range of plants and animals, and for their wide ranging open space values. ***Destroying these resources would destroy the essential qualities which continue to attract residents and tourists to the area.*** If conserved and wisely used, waterways and farms will become a natural greenbelt system that continues to enhance the area for years to come. Local zoning ordinances should be reviewed to ensure they include adequate conservation practices." (emphasis added).⁵⁴
34. "The R-3 Lakeshore Residential Zoned District is that area of the township where controls are placed upon the use and development of areas adjacent to the shoreline of Lake Michigan *so as to preserve the shoreline as a natural resource to prevent and/or control erosion and to maintain the aesthetic qualities of the area.*" (emphasis added).⁵⁵

50 *Id.* at 10-1.

51 *Id.* at 10-3.

52 *Id.*

53 *Id.* at 10-4.

54 *Id.*

55 *Id.* at 10-12.

35. “Public acquisition of the Denison property on both sides of the Kalamazoo River is the top priority for the Tri-Communities.”⁵⁶
36. “While the above priority initiatives are being implemented, the matters that come before planning commissions and governing bodies month-to-month will permit many opportunities to implement key policies in this Plan (see policies in Chapter 1). Following are key strategies that should be implemented at every opportunity through local zoning, subdivision regulations and capital improvement programs. Many may first require updates to existing Zoning Ordinances. Most of the following strategies focus on preservation of the existing charter of the Tri-Communities:
 - Protect the natural environment of the area AND Protect the visual quality of and visual access to the waterfront.”⁵⁷
40. The City finds that the marina basin may cause harm to the long-protected uses of public bodies of water for “recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry.”⁵⁸

HISTORIC LAND-USE AND PLANNING: THE CANAL WILL HAVE AN ADVERSE AFFECT ON “PRIVATE PROPERTY RIGHTS” AND TO THE USE OF THE AREA BY “THE PEOPLE OF THIS STATE AND TO PEOPLE FROM OTHER STATES AND COUNTRIES WHO VISIT THIS RESOURCE”

41. The City finds that the 2005 Master Plan and the 2016 Master Plan reflect the designation of the area for the use by private landowners and by “people of this state and to people from other states and countries who visit this resource.”⁵⁹
42. The 2005 Master Plan states “The northwest corner of the Township, along with [] most of the land in Saugatuck west of the Kalamazoo lake should be preserved for public open space and the portion that remains in private ownership should be maintained for low intensity uses (like the art colony and church camp).”⁶⁰
43. The 2005 Master Plan and the 2016 master plan state “Although waterfront lands have a high revenue generating potential, a major attraction of both the Lake Michigan and Kalamazoo River waterfronts is their scenic, natural shorelines composed of forested sand dunes and large wetland areas. Should these natural areas be greatly damaged or destroyed through inappropriate development, then the ‘goose that laid the golden egg’ will be dead. It is essential that the natural beauty of the waterfront be maintained along the Lake Michigan shoreline, the Kalamazoo River from the channel to Saugatuck, and from the Blue Star Highway Bridge inland.”⁶¹
44. The 300-acre Patty Birkholz Natural Area is immediately adjacent to the proposed marina basin. It is one of only 20 legally-designated natural areas in the State of Michigan, and the City finds its preservation as one of the preeminent natural areas in the State of great importance to the local community and City.
45. The Master Plan for Saugatuck Dunes State Park and Patty Birkholz Natural Area calls for a low-impact nature area.

⁵⁶ *Id.* at 13-2.

⁵⁷ *Id.* at 13-5.

⁵⁸ MCL 324.30106.

⁵⁹ *Id.*

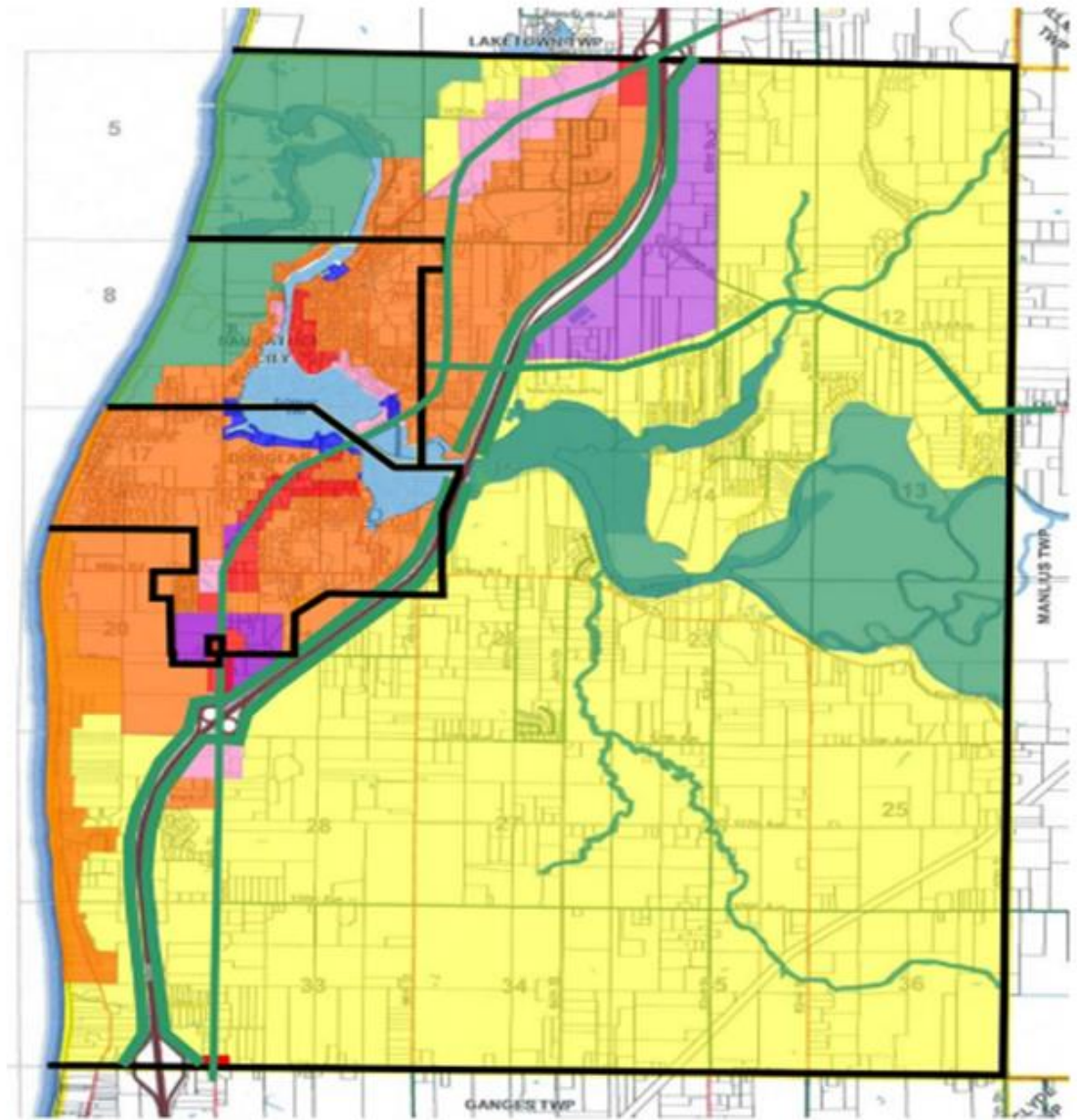
⁶⁰ City of Saugatuck et al., Tri-Community Master Plan 10-7 (2005).

⁶¹ *Id.* at 8-1 through 8-2; City of Saugatuck et al., Tri-Community Master Plan 8-1 through 8-2 (2016).

46. The parking lot for these nature areas was situated to be as far from the natural area as possible to ensure no noise, vibrations, glare, or fumes would be introduced into this sanctuary. The proposed marina basin itself would be contrary to those extra efforts to maintain the natural area in pristine environmental condition and quality.
47. The City finds that the proposed marina basin is contrary to the well-established riparian rights and responsibilities of adjacent private landowners.
48. The City finds that the proposed marina basin is contrary to the rights of those from this state and from other states and countries who visit the dunes.
49. For reference, the City acknowledges that the following is the future land use map proposed by the 2016 Master Plan:

Map 10-1

Future Land Use Map



- | | | |
|--|----------------------|--|
| Legend | | |
| Rural Low Density Single Family Residential/Agricultural | Commercial | |
| Medium to High Density Single and Multi-Family Residential | Industrial | |
| Mixed Use Residential/Commercial | Greenspace, Preserve | |
| Waterfront Mixed Use | Highway Buffer | |

Tri-Community Master Plan Update
2016
10-2

PLEASE NOTE:

Any promise of future conservation easements, trails, land swaps by the property owner of NorthShore of Saugatuck, based upon what happens with permitting, is considered a Quid Pro Quo and is thus not considered a conservation easement permissible for tax reduction. xvi

50.

CONCLUSION

- 51. The City finds that the proposed marina will have an adverse effect on the public trust, and may impact related riparian rights.
- 52. The City finds that by damaging the historical, ecological, and cultural values of the area which attract tourism and recreation to the Tri-Communities, the proposed marina will negatively impact the use of waters for recreation, aesthetics and the local tourism industry. The proposed marina may further impact fish and wildlife.
- 53. The City finds that the proposed marina basin is not consistent with the public uses in and around the area.
- 54. Based on the findings in this Resolution, the City of Saugatuck asks the Department of Environment, Great Lakes and Energy to strongly consider standards and findings established by the Michigan Legislature in 1994 Public Act 451, to consider the appropriateness of the requests made.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSENT: Council Members: _____

RESOLUTION DECLARED ADOPTED.

Dated:

Scott Dean, Mayor

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the City Clerk of the City of Saugatuck do hereby certify the foregoing is a true and complete copy of a resolution adopted by the Saugatuck City Council at a regular meeting held _____, 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.

Attest:

Jamie Wolters, City Clerk