



CITY COUNCIL WORKSHOP MEETING MINUTES
February 21, 2024

The City Council met for a Workshop Meeting at 4:00 p.m.
City Hall
102 Butler St., Saugatuck, MI 49453.

Call to Order:

The meeting was called to order by Mayor Stanton at 4:00 p.m.

Attendance:

Present: Mayor Stanton, Mayor Pro-Tem Baldwin and Councilmembers Anderson, Dean, Gardner, Muncey and White.

Absent: None.

Others Present: City Manager Heise, Director of Planning, Zoning & Project Management Cummins, Attorney Jake Witte, and Clerk Wolters.

Agenda Changes:

Motion by Baldwin, second by Anderson to move item #6J (request for proposal – Oval Beach Concession Stand) as item #6A, move item #6K (Equipment Purchase – Asphalt Hot Box) as item #6B and add Closed Session as item #8. Via voice vote, motion carried unanimously.

Guest Speakers: None.

Public Comment: None.

Catherine Simon, resident: in support of short-term rentals

Dan Fox, resident: suggested an open meeting at the high school with community involvement to study short-term rentals.

Tad DeGraff, resident: questioned what he should tell clients that are currently purchasing short-term rentals.

Cathy Brockington, resident: supports moratorium.

Bob Gross, resident: suggested finding a balance with short-term rentals.

Eileen Raphael, resident: in support of moratorium.

Chris Peterson, resident: opposed to moratorium.

Laura Godfrey, resident: in support of moratorium.

Chris Raphael, resident: in support of moratorium.

Nancy Kimble, resident: in support of moratorium.

Nico Leo, resident: opposed to moratorium.
Lisa Mize, non-resident: in support of short-term rentals.
Diana Decker, resident: gave suggestions on short-term rentals.
Dick Waskin, resident: opposed to moratorium.
Mark LaChey, resident: in support of moratorium.
Peg Sanford, resident: in support of moratorium.
Laura Durham, resident: opposed to moratorium.
Bobbie Guant, resident: in support of moratorium.
Joe Clark, resident: supports recommendations that have been put in front of council.
Keith Charak, resident: in support of a moratorium.
Tyler Cane, non-resident: recommended the city looks into an economic impact study.
Bill Hess, resident: All property owner should know what a moratorium means to them.
Elizabeth Estes, non-resident: opposed to moratorium.
Joe Coelho, resident: opposed to moratorium.
Tony Francoeur, resident: opposed to moratorium.
Holly Leo, resident: opposed to moratorium.
Brah Vah, non-resident: suggested a data analysis of the community.
Sevryn Nowicki, resident: opposed to moratorium.
Ethan Barde, resident: opposed to moratorium.
Joseph Park, non-resident: spoke from a property management company perspective.
Mark Klungle, resident: opposed to moratorium.
Steve Manns, resident: in support of a moratorium.
Bob Hartmann, resident: opposed to moratorium.
Jane Underwood, resident: does not want to live in a dead community as a result of short-term rentals.
CJ Bagierek, resident: opposed to a moratorium.
Felicia Fairchild, resident: she sees both sides of the moratorium as previous director of the CVB.

Discussion Items:

Ordinance 240229-A- Zoning Ordinance Amendment - STRs and ADUs:

The City's STR Task Force met for several months and finalized its report at the end of September. The Task Force recommendations were presented to the Planning Commission on October 19 and the City Council on November 8. On November 16 and December 21, the Planning Commission reviewed and discussed the STR Task Force recommendations. The Planning Commission found consensus on several of the Task Force recommendations. For items for which there was a consensus and for other staff identified as needing further clarity, a draft police-powers ordinance, zoning amendments, and noise ordinance amendments were drafted.

The Planning Commission reviewed the draft zoning amendments at its January 18 meeting and held a public hearing on February 15. The Planning Commission voted 7-0 to recommend the zoning amendments. Ryan Cummins reviewed the highlights of some of the proposed changes.

Ordinance 240229-B- Police Powers Licensing Ordinance- STRs:

The City's STR Task Force met for several months and finalized its report at the end of September. The Task Force recommendations were presented to the Planning Commission on October 19 and the City Council on November 8. On December 11 the City Council authorized the Planning Commission to make police-power ordinance recommendations regarding short-term rentals.

On November 16 and December 21, the Planning Commission reviewed and discussed the STR Task Force recommendations. The Planning Commission found consensus on several of the Task Force

recommendations. For items for which there was a consensus and for others staff identified as needing further clarity, a draft police-powers ordinance, zoning amendments, and noise ordinance amendments were drafted. The Planning Commission reviewed a draft police powers ordinance at its meetings on January 18 and February 15. The Planning Commission voted 6-1 to recommend approval of the short-term rental licensing ordinance. Ryan Cummins reviewed highlights and some of the key elements of the licensing ordinance for short-term rentals.

Ordinance 240229-C- Amendment to Noise Ordinance:

The City's STR Task Force met for several months and finalized its report at the end of September. The Task Force recommendations were presented to the Planning Commission on October 19 and the City Council on November 8. On December 11 the City Council authorized the Planning Commission to make police-power ordinance recommendations regarding short-term rentals. On November 16 and December 21, the Planning Commission reviewed and discussed the STR Task Force recommendations. The Planning Commission found consensus on several of the Task Force recommendations. For items for which there was a consensus and for others staff identified as needing further clarity, a draft police-powers ordinance, zoning amendments, and noise ordinance amendments were drafted. The Planning Commission reviewed noise ordinance amendments at its meetings on January 18 and February 15. The Planning Commission voted 7-0 to recommend approval of the noise ordinance. Ryan Cummins reviewed highlights of the key elements of the noise ordinance.

Dean left meeting at 5:59 p.m.

Short-Term Rental Police Power Moratorium- R-1 Residential Zoning District:

Ryan Cummins explained the a temporary STR moratorium for just R-1 residential zoning districts would apply to the following districts:

- Community Residential
- Maple Street
- Peninsula North - Duneside
- Peninsular North – Riverside
- Peninsula South
- Peninsula West

Intergovernmental Agreement- Minor Revisions to Blue Star Trail Phase 2:

On April 24, 2023, City Council approved a revised intergovernmental agreement for phase two design engineering for the development and continuation of the Blue Star Trail:

Saugatuck Township and the City of the Village of Douglas proposed two changes to the agreement:

1. A change to Section 4, which clarifies the City to be Saugatuck City and Township to be Saugatuck Township.
2. A change to Section 20, which relates to available remedies in the event of dispute.

City Council was asked to review the proposed revisions and consider approval so the agreement can be fully executed. A red line and clean copy are attached. The requested revisions are reasonable, and staff recommends approval.

Revocable License Agreement – GROW Estate, LLC:

Alec Payleitner, owner of GROW Estate, LLC submitted a request to install a freestanding sign in the right of way at 650 Water Street. The signage is for a new restaurant and will be replacing an existing sign in the same location.

Revocable License Agreement- GROW Estate, LLC:

Alec Payleitner, owner of GROW Estate, LLC, submitted a request to place 6 tables (of a size to seat two persons), 1 table (of a size to seat six persons), 18 chairs, 1 sanitation station for waste and recycling collection, and 4 planters within and on the public sidewalk adjoining the property at 650 Water Street, to be utilized in conjunction with a new restaurant. The seating will only be on the east side of the building. Mr. Payleitner advised they are not pursuing seating on the north side of the building for 2024.

Revocable License Agreement- Scooter's Café & Pizzeria:

Charles Myers, managing partner of Scooters Café and Pizzeria, requested the placement of 2 tables (of a size to seat two persons), 2 tables (of a size to seat four persons), and 16 chairs on the public sidewalk adjoining the property. Scooters Café and Pizzeria received zoning approval for this seating in 2015, and no changes are proposed.

Revocable License Agreement- Boardwalk Café:

Ehran Kara, owner of Boardwalk Café (Boardwalk Café LLC), submitted a request to place six picnic tables on the public sidewalk adjoining the property. Boardwalk Café has previously placed picnic tables on the sidewalk in this area.

Request for Proposal- Oval Beach Concession Stand:

The Request for Proposal (RFP) is to solicit proposals from qualified vendors to use The Oval Beach Concessions located at 699 Perryman Street (Property) for food and beverages, bagged ice, and novelty souvenirs. This is in effort to provide services and relieve the Department of Public Works of some of their workload during a busy time of year for staff.

Equipment Purchase- Asphalt Hot Box:

The Department of Public Works recommended the purchase of a Falcon Asphalt Hot Box Reclaimer in the amount of \$42,439.92.

Social District Permit – Grow Estate, LLC:

A qualified licensee applied for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Grow Estate, LLC at 650 Water St. requested approval to be added to the City of Saugatuck Social District.

Right of Way Sign Permit – SCA Events:

Saugatuck Center for the Arts submitted a Right of Way Sign Application. The request is for 12 signs with the size 18" H X 24" W to be displayed on the following dates:

Spring Market- April 11th - 13th.

Holiday Market- December 5th - 7th.

Farmer Market- Every Friday between May 24th – September 27th.

Right of Way Sign Permit – SCA Interurban Parking:

Saugatuck Center for the Arts has submitted a Right of Way Sign Application. The request was to display signage in the right of way to reserve parking for the Interurban which provides local transportation to and from the SCA during market season.

Board of Review Appointment:

The City Clerk provided notice that the city is accepting applications for the Board of Review. An application recently came in with interest in the Board of Review. A copy of the application in your meeting packet. An interview was conducted with Mayor Stanton and Deputy Assessor Jollay. Mayor Stanton recommends appointing David Isliamovski to the Board of Review.

Public Comment:

Diana Decker, resident: spoke regarding moratorium hardships and ADU concerns.

Tammy Kerr, non-resident: suggested an economic study.

Laura Durham, resident: opposed of moratorium.

Brad Vah, non-resident: questioned how the moratorium discussion started.

Greg Auer, resident: suggested more research on Short term rentals, compared Palm Springs numbers.

Brian Elmore, resident: suggested an economic impact study and is opposed to moratorium.

Mark Klungle, resident: opposed to occupancy limits, questioned how neighborhoods will be built.

Closed Session:

Motion by Baldwin, second by Mucey to enter into closed session to discuss confidential written legal opinion regarding a personnel matter pursuant to MCL 15.268(1)(h). Via roll call, motion carried 6-0. The Council entered closed session at 7:46 p.m.

The Council entered open session at 8:34 p.m.

Motion by Baldwin, second by Muncey to accept the City Attorney's recommendation to negotiate a resignation agreement consistent with the parameters discussed in closed session and to authorize the Mayor and Clerk to execute the same. Via roll call vote, motion carried 6-0.

Correspondence: Board Vacancy notice.

Council Comments:

- **Mayor Pro-Tem Baldwin:**
Thanked everyone that voiced their concerns and questions about short-term rentals.
- **Councilmember Anderson:**
Nice work to everyone on the long meeting.
- **Councilmember Gardner:**
Said sleep well to all.

- Councilmember Muncey:
Appreciates working for the Council even though they may not all agree. He enjoys tackling issues and is proud of all the work being done.
- Councilmember White:
He appreciates all the time that the community has spent on this considering the short-term rental topic. Everyone should be proud of the work being done.

Adjournment:

Motion by Anderson, second by Muncey to adjourn the meeting. Upon voice vote, motion carried unanimously. Mayor Stanton adjourned at 8:38 p.m.

Respectfully Submitted

Jamie Wolters, City Clerk