



**CITY COUNCIL MEETING AGENDA
FEBRUARY 14, 2022 – 7:00 pm**

This is an in-person meeting, and will also be livestreamed via Zoom, virtual attendance is encouraged.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consent Agenda:** *(Roll Call)*
 - A. Regular City Council Meeting Minutes-January 24, 2022
 - B. Accounts Payable in the amount of \$741,149.91
5. **Staff Reports:**
 - A. City Manager
 - B. Treasurer
 - C. Planning and Zoning
 - D. DPW
 - E. Fire
 - F. Police
 - G. Engineer
6. **Agenda Changes** (Additions/Deletions)
7. **Guest Speakers**
8. **Public Comment on Agenda Items** (Limit 3 minutes)
9. **Introduction of Ordinances:**
 - A. Board of Review Alternate Members -Ordinance 220214-A *(Roll Call)*
 - B. Expanded Outdoor Dining Area -Ordinance 220214-B *(Roll Call)*
10. **Public Hearings**
11. **Unfinished Business**

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 clerk@saugatuckcity.com for further information.

12. New Business:

- A. The Butler Request for Temporary Road *(Voice Vote)*
- B. Board of Review March Alternate Dates -Resolution 220214-A *(Roll Call)*
- C. Board of Review Income and Poverty Exemption -Resolution 220214-B *(Roll Call)*
- D. Dumpster Enclosure Agreement -302-322 Culver Street *(Voice Vote)*
- E. Arbor Day Proclamation 2022 *(Voice Vote)*
- F. Special Event: The Market at SCA *(Voice Vote)*
- G. Expanded Outdoor Dining Area Policy Adoption -Resolution 220214-C *(Roll Call)*
- H. Expanded Outdoor Dining Area Schedule of Fee Adoption -Resolution 220214-D *(Roll Call)*

13. Public Comments (Limit 3 minutes)

14. Communications:

- A. Dan Fox letter to Council
- B. Phillip A Rothermich letter to Council
- C. Janet Schmidt letter to Council

15. Boards, Commissions & Committee Reports:

- A. KLSWA see attached report

16. Council Comments

17. Mayor's Comments

18. Adjourn *(Voice Vote)*



CITY COUNCIL MEETING MINUTES-PROPOSED

JANUARY 24, 2022 – 7:00 pm

This is an in-person meeting, and will also be livestreamed via Zoom, virtual attendance is encouraged.

Call to Order:

The meeting was called to order by Mayor Lewis at 7:01p.m.

Attendance:

Present: Mayor Lewis, Mayor Pro-Tem Dean, Councilmembers Gardner, Leo & Stanton.

Absent: Councilmembers Bekken and Trester were both excused.

Staff Present: City Manager Heise, City Zoning Administrator Osman, DPW Superintendent Herbert, Project Coordinator/Deputy Clerk White & City Clerk Wolters.

There were twenty-four persons in the audience.

Consent Agenda:

1. Approval of Regular Meeting Minutes from January 10, 2022:
 - a. Corrections to the minutes of January 10, 2022:
 1. Item 11F, change from “Motion by Bekken, second by Bekken” to “Motion by Bekken, second by Gardner”.
2. Accounts Payable in the amount of \$340,550.01.
Motion by Leo, second by Stanton to approve the Consent Agenda. Motion carried by roll call vote 5-0.

Staff Reports:

The City Manager, Treasurer, Planning and Zoning Administrator, DPW Superintendent, Fire Chief, Police Lieutenant and Engineer submitted status reports of current activities for their respective departments.

Agenda Changes:

1. Agenda Item 7, add two guest speakers Allegan County Clerk Bob Genetski and Allegan County District 1 Commissioner Dean Kapenga.
2. Agenda Item 15, delete closed session.

Guest Speakers:

Allegan County Clerk Genetski updated Council with his respective departments of elections, vital records, circuit court records and register of deeds.

Allegan County Commissioner Kapenga informed Council on the progress of the Allegan County five-year strategic plan.

Public Comment on Agenda Items:

City of Saugatuck resident Glenna DeJong spoke in support of Agenda Item 12H, Blue Star Trail Project.

City of Saugatuck resident Marsha Caspar spoke in support of Agenda Item 12H, Blue Star Trail Project.

City of Saugatuck resident Richard Donovan spoke in support of Agenda Item 12H, Blue Star Trail Project.

Introduction of Ordinances: None

Public Hearings: None

Unfinished Business: None

New Business:

Kalamazoo Lake Sewer and Water Authority reappointment:

The reappointment for the Kalamazoo Lake Sewer Water Authority Board position is as follows:

The reappointment of Mark Bekken with said term expiring February 28, 2025.

Motion by Stanton, second by Gardner to approve the Mayor's appointment of Mark Bekken as presented. Upon voice vote Motion carried 5-0.

Board of Review reappointment:

The reappointment for the Board of Review position is as follows:

The reappointment of Nico Leo with said term expiring January 1, 2025.

Motion by Dean, second by Stanton to approve Mayor's appointment of Nico Leo as presented. Motion carried 5-0.

2022 Summer Tax Collection for Ottawa Area ISD:

The agreement is between the City of Saugatuck and Saugatuck Public Schools for the collection of the Saugatuck Public Schools and the Ottawa Area Intermediate School District (OAISD) 2022 summer tax levies at a rate of \$2.75 per parcel.

Motion by Leo, second by Dean to authorize the Mayor and City Clerk to sign and enter into an agreement between the City of Saugatuck, Saugatuck Public Schools and the OAISD for collection of the 2022 summer tax levies at a rate of \$2.75 per parcel. Upon voice vote Motion carried 5-0.

Wicks Park Boat Slips:

The City of Saugatuck owns ten 24' boat slips located at Wicks Park. The City leases the slips out on an annual basis. The lease rates are reviewed by City Council on an annual basis. Staff is recommending the schedule of fees be amended by increasing the rates \$300. New rates suggested are \$2,000 for non-residents and \$1,800 for residents.

The City Council directed the City to make all repairs needed to the boat slips.

Motion by Stanton, second by Leo to approve amending the City of Saugatuck schedule of fee as follows Wick's Park boat slip lease, \$1,800 for residents and \$2,000 for non-residents. Upon voice vote Motion carried 5-0.

Chain Ferry Agreement:

Owner of Star of Saugatuck LLC presented to Council several planned capital improvements which received favorable responses. Given the investment, and as presented by the owner, an extension to the current agreement of five is requested. Existing agreement term was five years; May 13, 2019-2024, new agreement will be extended to May 13, 2029.

Motion by Stanton, second by Dean to extend the existing Chain Ferry operations agreement and date from May 13, 2024 to May 13, 2029. Motion carried by voice vote: (Yes Vote) - Leo, Stanton, Dean, Lewis (No Vote) - Gardner.

Expanded Outdoor Dining Areas:

To follow up on the policy options presented to City Council during two Pop-Up Patio (PUP) Special Meetings in December, city staff has assembled recommendations to improve the Pop-Up Patio permit policy. Council and community comments supported policy option two, in which the permit policy remains but with changes. Given the uncertainty of the COVID-19 Pandemic and the evolution of new contagious variants, maintaining the policy will assist businesses through the next year. Regardless of pandemic status, the City may consider maintaining a PUP policy in future years.

Below is the list of recommended changes from city staff for Council to evaluate and vote on:

- Add fee to permit. Staff recommends a charge of \$200 per parking space consumed per month.
- Change the maximum allowable dimensions of the patio space from 8ft by 60ft to 8ft by 40ft. If the outdoor dining patio is located on an angled parking street, the patio may extend 15ft from the face of the curb, instead of 8ft.
- Prohibit carpeting or ground coverings of any kind in patio spaces. Storm drain must NOT be covered.
- Electrical lighting and traffic reflectors are BOTH required in expanded outdoor dining spaces.
- Barrier structures must not be made of flexible materials. Examples of non-flexible materials include wood and plastic. Examples of flexible materials include rope and canvas.

Verizon Small Cell Agreement:

Proposed locations for two new Verizon small cell facilities are in the right-of-way at 561 Francis Street and 253 Spear Street.

Motion by Leo, second by Stanton the location of proposed small cell wireless facilities in the public right away at 561 Francis and 253 Spear Street on existing utility poles. Motion carried by roll call 5-0.

Blue Star Trail Project:

City staff and the Chair of the Blue Star Trail Committee reviewed the concerns presented by the Michigan Department of Transportation with the Transportation Alternative Program (TAP) grant submitted as the lead applicant. Overall, the meeting was very positive, however with the anticipation of a few minor design changes and the potential for escalating construction cost it is recommended that the City increase its contribution to the project from \$10,000 to \$50,000. This would increase the total

project cost by an additional 6% over existing.

Motion by Dean, second by Leo. Motion carried by roll call vote: (Yes Vote) – Leo, Stanton, Dean, Lewis (No Vote) – Gardner.

Public Comments:

Christine from Wicks Park commented that she would like to see detailed guidelines regarding barriers on Pop Up Patios.

Lt. Ensfield joined to see if Council had any questions on his staff report.

Communications:

Heron Bay Condominium Association submitted a letter to Council requesting a resolution of a no wake zone between the Blue Star Highway bridge and the I-196 Highway bridge on the Kalamazoo River.

Closed Session: Closed session was cancelled due to an agenda change at the beginning of the meeting.

Boards, Commissions & Committee Reports:

Councilmember Gardner spoke on behalf of the Planning Commission and The Mt. Baldhead Group. Planning Commission is currently working on 2022 and 2023 strategic goals using a SMART goal approach. Mt. Baldhead Group will be presenting a recap at the first Council meeting in February.

Councilmember Stanton spoke on behalf of the Historic District Commission. They approved a new dumpster to be either at the east side of the building where Scooters is in or at the tall brick condominium building behind Scooters.

Mayor Lewis spoke on behalf of the Tri-Community Recycling Ad-Hoc Committee. The February meeting agenda will include a Zoom call with Cassandra Ford regarding the grant for a recycling audit. The March meeting will be getting ready for the household hazardous waste day which is supported by the Saugatuck-Douglas Rotary Club.

Council Comments:

Councilmember Leo thanked Friends of the Blue Star Trail. They have spent \$64,000 in total on engineering and are covering 9% of our community match, which is \$205,000. She noted this community is one of the few communities that has a group like Friends of the Blue Star Trail that has stepped up to pay that match.

Mayor Pro-Tem Dean complimented City Staff on proactive communication getting the word out about the recent scheduled power outage.

Mayor's Comments:

Mayor Lewis encouraged everyone to remain safe and to take care of one another. There is information coming soon from the federal government regarding ARPA money which could assist with some Council topics of discussion.

Adjourn:

Mayor Lewis adjourned the meeting at 8:17 p.m. *Motion by Dean, second by Gardner to adjourn. Motion carried by voice vote.*

Vendor Name	Description	Amount
1. ALLEGAN COUNTY TREASURER	PROPERTY TAXES	79,723.52
2. ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,500.00
3. AT&T MOBILITY	CELL PHONES	92.17
4. BREWER'S CITY DOCK INC.	ICE CONTROL SAND	535.03
5. CAPITAL ONE	ROAD SALT & REPAIRS	677.93
6. CARELTON EQUIPMENT	PARTS	9.91
7. CERTASITE LLC	ALARM MONITORING	747.70
8. CONSUMERS ENERGY	ELECTRIC	3,605.80
9. DETROIT SALT COMPANY	ROAD BULK SALT	7,196.04
10. E DOWD CRANE SERVICE LLC	TREE SERVICE	4,200.00
	TREE SERVICE LUCY & BUTLER	1,920.00
	TREE SERVICE FRANCIS	1,920.00
	TOTAL	8,040.00
11. FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES	2,836.00
	ZONING LEGAL	615.00
	EMPLOYMENT LEGAL	12,934.50
	LEGAL DUNE RIDGE	18,701.79
	LEGAL ZBA DUNE RIDGE	5,736.29
	TOTAL	40,823.58
12. FIRST BANK CARD	DPW	69.96
	TRAINING, SUPPLIES & POSTAGE	1,704.59
	TOTAL	1,774.55
13. FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	853.84
	CAMPBELL ROAD	6,045.00
	BRIDGE ST WATER	5,959.55
	TOTAL	12,858.39
14. FRONTIER	OVAL BEACH	62.79
	DPW GARAGE	187.48
	TOTAL	250.27
15. GATES ELECTRIC INC	HOLIDAY TREE	195.00
16. GIL- ROY'S HARDWARE	SUPPLIES	107.98
17. INTERURBAN TRANSIT AUTHORITY	PROPERTY TAXES	20,810.60
18. JOHN DEERE FINANCIAL	SAFETY EQUIPMENT	334.90
19. K&R TRUCK SALES INC	TIRE REPAIR	171.27
	MIRROR	426.03
	TOTAL	597.30

Vendor Name	Description	Amount
20. KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	973.62
21. LORRIE PASTOOR	CLEANING SERVICES	50.00
22. MCKELLIPS PLUMBING INC	CITY HALL	120.00
23. MERCHANTS BANCARD NETWORK	BANK FEES	76.51
24. MICHIGAN GAS UTILITIES	BUTLER STREET TOILETS	192.17
	DPW GARAGE	490.94
	CITY HALL	133.99
	TOTAL	817.10
25. MICHIGAN OFFICE SOLUTIONS	COPIER USE	166.90
26. OVERISEL LUMBER COMPANY	SUPPLIES PICNIC TABLES	957.52
27. PETTY CASH	SUPPLIES	20.13
28. PIVOT POINT PARTNERS LLC	ASSESSING SOFTWARE	403.20
29. PRINTING SYSTEMS, INC.	SUPPLIES	164.11
30. PRIORITY HEALTH	HEALTH INSURANCE	9,745.63
31. SAUGATUCK DOUGLAS LIBRARY	PROPERTY TAXES	34,711.93
32. SAUGATUCK FIRE	RENTAL INSPECTIONS	1,750.00
	PROPERTY TAXES	93,728.95
	TOTAL	95,478.95
33. SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	369,265.29
34. SHELL	GASOLINE & DIESEL	977.83
35. SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	1,099.50
	COMPUTER SERVICES	1,099.50
	TOTAL	2,199.00
36. SMART BUSINESS SOURCE LLC	SUPPLIES	215.87
37. SOUTHWEST TRANSPORT CO	CAMPBELL ROAD	42,856.22
38. STANDARD INSURANCE COMPANY	INSURANCE	392.35
39. TRUCK & TRAILER SPECIALTIES	REPAIRS	109.84
40. VALLEY CITY LINEN INC	SHOP TOWELS	85.70
41. XEROX FINANCIAL SERVICES	COPIER LEASE	481.54
TOTAL - ALL VENDORS		741,149.91
FUND TOTALS:		
Fund 101 - GENERAL FUND		80,904.65
Fund 202 - MAJOR STREETS		10,988.57
Fund 203 - LOCAL STREETS		46,270.33

Vendor Name	Description	Amount
Fund 661 - MOTOR POOL FUND		4,693.90
Fund 701 - CURRENT TAX FUND		598,240.29
Fund 715 - ROSE GARDEN		52.17

02/02/2022 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 01/01/2022 - 01/31/2022				
Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL POOLED CASH				
01/05/2022	3873(E)	ERICKSON LANCE & HAMILL DENISE	2021 Win Tax Refund 57-550-024-00	2,524.41
01/07/2022	DD5303(A)	ARANT, LESTER	PAYROLL	1,398.75
01/07/2022	DD5304(A)	BOUWMAN, CHAD	PAYROLL	1,038.88
01/07/2022	DD5305(A)	HARDY, CODY	PAYROLL	1,278.04
01/07/2022	DD5306(A)	HARRIER, KIRK	PAYROLL	16,406.00
01/07/2022	DD5307(A)	HEISE, RYAN	PAYROLL	3,021.22
01/07/2022	DD5308(A)	HERBERT, SCOTT	PAYROLL	1,647.26
01/07/2022	DD5309(A)	KERRIDGE, ADAM	PAYROLL	1,290.81
01/07/2022	DD5310(A)	MARTIN, DANNY	PAYROLL	559.41
01/07/2022	DD5311(A)	OSMAN, CINDY	PAYROLL	1,631.96
01/07/2022	DD5312(A)	STANISLAWSKI, PETER	PAYROLL	1,365.97
01/07/2022	DD5313(A)	WENDT, MICHAEL	PAYROLL	1,430.18
01/07/2022	DD5314(A)	WHITE, KATHERINE	PAYROLL	1,454.22
01/07/2022	DD5315(A)	WOLTERS, JAMIE	PAYROLL	1,550.65
01/07/2022	EFT1505(E)	ALERUS	PAYROLL	3,151.46
01/07/2022	EFT1506(E)	EXPERT PAY	PAYROLL	487.13
01/07/2022	EFT1507(E)	MERS HYBRID	PAYROLL	1,863.45
01/07/2022	EFT1508(E)	FEDERAL TAX DEPOSIT	PAYROLL	16,250.34
01/10/2022	16866	AL'S EXCAVATING INC	BUTLER STREET SEWER	85,783.51
01/10/2022	16868	ALLEGAN COUNTY CLERK ASSOCIATION	DUES	40.00
01/10/2022	16870	DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	1,555.43
01/10/2022	16871	JOHN KERR	MT BALDHEAD SIGN & REPAIRS	423.03
01/10/2022	16872	MARILYNN J SEMONICK	TRAINING	3,097.44
01/10/2022	16873	MCKELLIPS PLUMBING INC	PLUMBING SERVICES	450.00
01/10/2022	16874	MINER SUPPLY CO	SUPPLIES	408.60
01/10/2022	16875	OVERISEL LUMBER COMPANY	SUPPLIES	632.65
01/10/2022	16876	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	367,416.50
01/10/2022	16877	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	129,491.29
01/10/2022	16878	SOUTHWEST TRANSPORT CO	CAMPBELL ROAD	59,756.50
01/10/2022	16879	STANDARD INSURANCE COMPANY	INSURANCE	392.34
01/10/2022	16880	TIM ERLANDSON CONSTRUCTION LLC	PARK STREET DRIVEWAY	2,600.00
01/10/2022	16881	WESTENBROEK MOWER INC	OIL	59.93
01/10/2022	3819(E)	AT&T MOBILITY	CELL PHONES	92.65
01/10/2022	3820(E)	CAPITAL ONE	MENARDS	109.60
01/10/2022	3821(E)	COMCAST	TELEPHONES & INTERNET	153.40
01/10/2022	3822(E)	CONSUMERS ENERGY	ELECTRIC	3,799.06
01/10/2022	3823(E)	FIRST BANK CARD	REPAIRS, TRAINING, SUPPLIES	7,257.18
01/10/2022	3824(E)	KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	1,028.70
01/10/2022	3825(E)	MERS	RETIREMENT	4,500.00
01/10/2022	3826(E)	PRIORITY HEALTH	HEALTH INSURANCE	9,107.11
01/10/2022	3827(E)	SHELL	GASOLINE & DIESEL	1,008.44

02/02/2022 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 01/01/2022 - 01/31/2022				
Check Date	Check	Vendor Name	Description	Amount
01/10/2022	3828(E)	VALLEY CITY LINEN INC	SHOP TOWELS	129.65
01/10/2022	3829(E)	XEROX FINANCIAL SERVICES	COPIER LEASE	481.54
01/10/2022	3830(A)	ALLEGAN COUNTY TREASURER	PROPERTY TAXES	30,415.80
01/10/2022	3831(A)	ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,500.00
01/10/2022	3832(A)	BARBER FORD INC	2018 FORD SHERIFF	454.08
01/10/2022	3833(A)	CERTASITE LLC	FIRE ALARM ANNUAL CITY HALL & DPW	1,072.40
01/10/2022	3834(A)	FASTENAL	SUPPLIES	296.28
01/10/2022	3835(A)	FIRST ADVANTAGE INC	DRUG TESTING	47.43
01/10/2022	3836(A)	FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	13,013.90
01/10/2022	3837(A)	HOLLAND P.T.	SKID STEER REPAIRS	270.73
01/10/2022	3838(A)	IHLE SERVICE	SWAP TIRES SHERIFF CAR	59.94
01/10/2022	3839(A)	INTERURBAN TRANSIT AUTHORITY	PROPERTY TAXES	8,400.71
01/10/2022	3840(A)	LORRIE PASTOOR	CLEANING SERVICES	100.00
01/10/2022	3841(A)	NEWCOMER PLOW & HITCH	HYDRAULIC HOSE	71.73
01/10/2022	3842(A)	ELF SHACK	CHRISTMAS TREES/ GARLAND	1,758.00
01/10/2022	3843(A)	RYAN HEISE	TRAINING COUNCIL	472.20
01/10/2022	3844(A)	SAUGATUCK DOUGLAS LIBRARY	PROPERTY TAXES	14,012.16
01/10/2022	3845(A)	SAUGATUCK FIRE	PROPERTY TAXES	39,600.44
01/10/2022	3846(A)	SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES LEGAL	625.00
01/10/2022	16865	TIRVA ROBERT L & KIMBERLY A	2021 Win Tax Refund 57-203-011-10	227.55
01/10/2022	16867	BOAT LIFTS UNLIMITED INC	INSTALL REMOVE BOUYS	1,870.00
01/10/2022	16869	D & L TRUCK & TRAILER LLC	SNOW PLOW REPAIR	787.00
01/10/2022	16882	MML UNEMPLOYMENT COMPENSATION GROUP		492.85
01/14/2022	3847(A)	ALLEGAN COUNTY TREASURER	PROPERTY TAXES	1,765.99
01/21/2022	DD5316(A)	BOUWMAN, CHAD	PAYROLL	1,078.89
01/21/2022	DD5317(A)	GAUNT, BOBBIE	PAYROLL	52.86
01/21/2022	DD5318(A)	HARDY, CODY	PAYROLL	1,461.51
01/21/2022	DD5319(A)	HEISE, RYAN	PAYROLL	3,021.21
01/21/2022	DD5320(A)	HERBERT, SCOTT	PAYROLL	1,766.34
01/21/2022	DD5321(A)	HERIFORD, RICHARD	PAYROLL	26.42
01/21/2022	DD5322(A)	KERRIDGE, ADAM	PAYROLL	1,705.73
01/21/2022	DD5323(A)	MARTIN, DANNY	PAYROLL	568.19
01/21/2022	DD5324(A)	OSMAN, CINDY	PAYROLL	1,418.97
01/21/2022	DD5325(A)	STANISLAWSKI, PETER	PAYROLL	1,365.95
01/21/2022	DD5326(A)	WENDT, MICHAEL	PAYROLL	928.38
01/21/2022	DD5327(A)	WHITE, KATHERINE	PAYROLL	1,454.21
01/21/2022	DD5328(A)	WOLTERS, JAMIE	PAYROLL	1,550.64
01/21/2022	EFT1509(E)	ALERUS	PAYROLL	2,972.07
01/21/2022	EFT1510(E)	EXPERT PAY	PAYROLL	487.13
01/21/2022	EFT1511(E)	MERS HYBRID	PAYROLL	1,712.42
01/21/2022	EFT1512(E)	FEDERAL TAX DEPOSIT	PAYROLL	5,372.23
01/21/2022	EFT1513(E)	MERS	PAYROLL	4,003.21
01/21/2022	EFT1514(E)	MI DEPT OF TREASURY	PAYROLL	2,939.60

02/02/2022 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 01/01/2022 - 01/31/2022				
Check Date	Check	Vendor Name	Description	Amount
01/24/2022	16884	CARELTON EQUIPMENT	BOBCAT SNOW PLOW	4,744.00
01/24/2022	16888	SAUGATUCK TOWNSHIP	CEMETERY AGREEMENT	6,067.21
01/24/2022	16889	SCOTT'S LANDSCAPE MANAGEMENT INC	LEAF PICK UP	1,037.50
01/24/2022	3850(E)	FRONTIER	OVAL BEACH	62.79
01/24/2022	3851(E)	JOHN DEERE FINANCIAL	PARTS & MAINTENANCE	201.55
01/24/2022	3852(E)	MERCHANTS BANCARD NETWORK	BANKING FEES	77.54
01/24/2022	3854(E)	MICHIGAN GAS UTILITIES	CITY HALL	103.70
01/24/2022	3855(E)	MICHIGAN GAS UTILITIES	BUTLER ST BATHROOM	104.24
01/24/2022	3856(E)	MICHIGAN GAS UTILITIES	DPW GARAGE	314.24
01/24/2022	3857(E)	NET2PHONE INC	TELEPHONES	175.90
01/24/2022	3858(E)	REPUBLIC SERVICES	TRASH	684.26
01/24/2022	3859(A)	ACTION INDUSTRIAL SUPPLY CO	UNIFORMS & SAFETY EQUIPMENT	136.77
01/24/2022	3860(A)	ALLEGAN COUNTY SHERIFF	SHERIFF CONTRACT	25,725.72
01/24/2022	3861(A)	ALLEGAN COUNTY TREASURER	TAX TRIBUNAL	36,235.93
01/24/2022	3862(A)	BS&A SOFTWARE	SOFTWARE UPDATES & ANNUAL SUPPORT	491.00
01/24/2022	3863(A)	FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES	16,130.50
01/24/2022	3864(A)	FIRST ADVANTAGE INC	DRUG TESTING	47.43
01/24/2022	3865(A)	FLEIS & VANDENBRINK ENGINEERING INC	CAMPBELL ROAD	20,023.78
01/24/2022	3866(A)	INTERURBAN TRANSIT AUTHORITY	PROPERTY TAXES	8,489.87
01/24/2022	3867(A)	K&R TRUCK SALES INC	TRUCK MIRROR	604.50
01/24/2022	3868(A)	OTTAWA AREA INTERMEDIATE SCHOOL D	PROPERTY TAXES	2,194.57
01/24/2022	3869(A)	SAUGATUCK DOUGLAS LIBRARY	PROPERTY TAXES	14,161.39
01/24/2022	3870(A)	SAUGATUCK FIRE	SHORT TERM RENTALS	40,056.27
01/24/2022	3871(A)	SMART BUSINESS SOURCE LLC	COPY PAPER	93.32
01/24/2022	3872(A)	TRUCK & TRAILER SPECIALTIES	SNOW PLOW CUTTING EDGES	2,375.36
01/24/2022	16883	ALLEGAN COUNTY CLERK	BUTLER EASEMENT BOARDWALK	30.00
01/24/2022	16885	DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	1,878.31
01/24/2022	16886	IHLE AUTO PARTS	MAINTENANCE	422.20
01/24/2022	16887	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	150,881.99
01/24/2022	16890	WYOMING ASPHALT PAVING CO	COLD PATCH ASPHALT	553.50
01/24/2022	3848(E)	COMCAST	TELEPHONES & INTERNET	153.67
01/24/2022	3849(E)	FRONTIER	DPW GARAGE	187.48
01/24/2022	3853(E)	MERS	RETIREMENT	4,337.53
01/31/2022	3874(E)	DELUXE	OFFICE SUPPLIES	203.11
01/31/2022	3875(E)	HUNTINGTON NATIONAL BANK	SAFETY DEPOSIT BOX	143.00
Total of 119 Checks:				1,229,454.97
Less 0 Void Checks:				0.00
Total of 119 Disbursements:				1,229,454.97



City Managers Report – Highlights February 14th, 2022

New! Mollusk Education

The Woolnough Lab at Central Michigan University has been working in the Kalamazoo River watershed on a variety of mollusk based research and outreach for the past 3-4 years (even through COVID). They have completed one of the largest native freshwater mussel (non-zebra mussel) surveys in any watershed in North American in the main branch and tributaries of the Kalamazoo River (<https://cmumussels.shinyapps.io/KalamazooRiverSurveys/>) and had a Masters student, Nathan Ring, complete a MS study on the watershed that considered the distributions of both native and invasive mollusks in the watershed.

Scott Dean along with City Staff had a meeting to discuss their fascinating research, also joining was Fisheries Biologist Matt Diana, Department of Natural Resources. They would like to place educational signage in key locations along the river and are flexible with location and signage type. Staff explained that we are a little “sign sensitive,” which they understood. Staff will recommend locations and signage type at a future meeting in March.

New! Council Training to be Scheduled In March

Attorney Chris Patterson will provide Council training 101 with a focus on Open Meeting Laws and a discussion on the Council-Manager form of Government.

New! Uniform Parade Routes and Safety Protocol

City staff has been working with the Fire and Sheriff’s Department to develop standard parade routes which incorporate safety protocols, including barricades. Staff will present the two different routes at a March meeting.

Newish! City Staff Meet With SCA and Friends Regarding Public Art in Coghlin Park

City staff had a productive meeting with the SCA regarding their proposed art installation. Staff will be assisting the SCA in addressing concerns and presenting their final ask to Council in March.

Bridge Street Utilities - Some owners have requested sewer as well

There is a new home being constructed on Bridge Street along the Kalamazoo River, west of Blue Star HWY. City ordinances require a connection to the water system. City staff is reviewing extending water services in cooperation with engineering and in partnership with the Kalamazoo Lake Water and Sewer Authority (KLWSA). Special assessment

methodologies will be reviewed and presented to Council. Meeting being scheduled with property owners to review process.

KLSWA Agreement

City Managers planning to meet with KLSWA to begin discussions on asset management plans for water and sewer as required by EGLE. Agreements to be finalized by 2023. Meetings delayed with management change at the Township. Legal counsel has been engaged and I will likely recommend that the City enter into a limited contract with a separate engineer to review agreement ((Fleis & VandenBrink (F&V) also provides services to KLSWSA)). This is a five (5) party agreement, F&V would be placed in a difficult to highlight any deficiencies in the agreement, should they exist; F&V has been notified.

Expanded Outdoor Dining Areas- previously known as Pop-Up-Patios

On Council agenda for additional discussion and approval.

Traffic Light Study by Allegan County Road Commission for Blue Star Highway

Allegan County will wait for City Council's direction on the potential placement for traffic light. Study linked to website under *2022 Council Meeting Information*.

Oval Beach Staffing and operations

Staff retention/recruitment will be a priority over the winter months. Staff to connect and visit with regional high schools.

Blue Star Trail Update

Transportation Alternatives Program grant has been submitted. Staff working with engineers to submit the State Stewardship Grant... due on April 1st. A public meeting regarding the Blue Star Trail specific to the Stewardship Grant will need to take place in March. I'll be recommending that this meeting take place before a regularly scheduled Workshop.

Dune Ridge Waterfront Update

The City attorneys are currently pursuing the removal of floating homes with Dune Ridge's attorney and through the current pending lawsuit. Initial depositions being scheduled. Clerk has completed an exhaustive records review (over 10,000 records) and has provided all pertinent information to legal. Depositions have been scheduled.

Road resurfacing (and utility) projects

Campbell Road – Water main installation continues to progress toward Park/Ferry Street. Campbell Road will continue to be closed at Park/Ferry and all traffic should continue to use the detour for access until water main installation is complete. Progress has been slowed by weather, but we are expecting installation of the water main to be complete within the next few weeks. Water service replacement is expected to begin in February. Jon Moxey of Fleis & VandenBrink will be reaching out to property owners or their designated local representatives

to begin coordinating water service work in the next few weeks.

Maple Street- Spring '22 project. Engineering proposal received. Project plans shared with the Township; however, they are not prepared to proceed in the coming year according to the Township Engineer. Maple street requires resurfacing. There are three infrastructure improvement projects that should coincide with the repairs, which include:

- Elevating Maple Street at the intersection of North Street, including the potential for adding culverts.
- Stormwater Improvements at Maple and Mason Street, addressing a resident concern that increased water runoff is causing erosion issues in an adjacent creek.
- Water service investigation and replacement.

The Township has determined that they do not receive and ACT 51 funds for this road and that they are not responsible for road maintenance. Their Responsibility would be specific to shared water service.

Butler/Hoffman Street sanitary project- Phase one (1) of the project went very well. Final asphalt work will commence in the spring.

Milfoil update

Staff will bring recommendation on treatment and billing methodology during the winter months. Staff has been on contact with legal counsel on various options.

AT&T & Verizon Cellular Facilities

I was able to connect with the government liaison from AT&T while in Detroit for the Michigan Municipal Executives conference. We are currently planning a site visit to Mt. Baldhead with their engineering in the next few weeks.

Two (2) of the three (3) Verizon permits for small cell technology are on the agenda. More details to be worked out on third location near City Hall, please anticipate on this to be placed on future agenda.

City Hall Office Space

Staff has prepared an RFP for architectural services for interior renovations and will request that selected Architect work with Herman Miller's design team. Staff will present plans as they begin to develop.

Exterior repairs are also needed.



Treasurer Report

Below is a summary of the administrative work done within the Treasurer's Office since the last Council meeting on 1/24/2022:

- Paid routine bills
- Completed and disseminated bi-weekly payroll
- Winter tax bill collection in progress with tax bill due date on 2/14/22
- Attending upcoming Board of Review training



Planning & Zoning Report

Below is a summary of the administrative work done within the Planning and Zoning Office since the last Council meeting on 1/24/2022:

1. Planning Commission:

- a. Scheduled training for 5 Planning Commission members with MSU
- b. Continued research for R-1 Comm Residential

2. Historic District Commission February 3, 2022:

- a. Cancelled meeting due to lack of quorum
- b. 449 Water Street – Wicks Bar and Grille remodel/addition - postponed
- c. 311 (313) Water Street – upstairs remodel – withdrawn – interior work only

3. Zoning Board of Appeals – February 10

- a. 143 Park Street – two docks – included extensive research – I will need to work with Don, the assessor, and possibly Allegan County to correct legal descriptions and GIS where streets and alleys were vacated in 1975 and 2000.

4. Other:

- a. Street cut application for 40 Butler - ongoing
- b. Working with Verizon on new small cell pole at 40 Water Street - ongoing.
- c. Various zoning permits and reviews
- d. Search for documents for Medler FOIA request



To: Saugatuck City Council
From: Saugatuck Historic District Commission
Date: January 6, 2022
Re: 2021 Historic District Commission Activities

The purpose of this memo is to provide an overview on the activities for the Historic District Commission for the 2021 calendar year. There were 28 regular applications, and 11 administrative applications (39 applications). There was one application withdrawn, and two applications tabled. Part of one application was denied.

During the 2020 calendar year there were 18 regular, and 6 administrative applications (24 applications). All applications were approved.

During the 2019 calendar year there were 23 regular applications, and 14 administrative applications (37 applications). There was one application withdrawn, two applications tabled, one application was denied, and two training sessions in Kalamazoo and in Holland.

This compares activities to the 2018 calendar year. There were 28 approved regular applications, and 29 administratively approved applications (57 approved applications). There were 4 items tabled, and 6 applications were denied, 3 status reviews, and 2 training sessions.

This compares to following activities in the 2017 calendar year: There were 15 approved regular applications, and 31 administratively approved applications (46 approved applications). There were 2 consultations, 6 items tabled, and 2 applications were denied.

This compares to the following activities in calendar year 2016: There were 21 approved regular applications, and 23 administratively approved applications (44 approved applications). One application was tabled, and two applications were denied.

During 2021, the Historic District Commission met 11 times for the following activities at each meeting:

January:

- Approved adding an egress window 60 Griffith Street – Non-contributing
- Approved deck removal and roofing at 880 Holland Street – Contributing

February:

- Approved a cooler addition and shed relocation at 880 Holland Street – Non-contributing
- Approved (in part) removal of windows at 820 Holland Street – Contributing

- Approved the placement of the Fish Shanty at 730 Water Street moved from 720 Water Street.

March:

- Approved a door replacement at 302 Culver Street. – Contributing
- Approved a pergola at 125 Water Street – Non-contributing

April:

- Tabled the application for the removal of some exterior walls at 118 Hoffman Street – Contributing
- Tabled an application for a sign replacement of a free-standing sign at 248 Hoffman Street – Contributing

May

- Approved the application for the removal of some exterior walls at 118 Hoffman Street – Contributing
- Approved an application for a sign replacement of a free-standing sign at 248 Hoffman Street – Contributing
- Approved an awning restoration at 222 (226) Butler Street - Contributing

June:

- Approved window replacement at 326 Butler Street – Contributing
- Approved a retaining wall replacement at 40 Butler Street – Non-contributing
- Approved demolition of a non-contributing structure at 890 Simonson Drive
- Approved the installation of skylights at 820 Holland Street – Contributing

July:

- Approved an application for a new single family dwelling at 890 Simonson Street – Non-contributing
- Approved the conversion of garage to a meeting room at 900 Lake Street – Contributing
- Approved the enclosure of an open porch at 841 Holland Street – Non-contributing

August:

- Approved a balcony remodel/addition at 400 Culver Street – Contributing

September:

- Approved new two-story patio at 40 Butler Street – Non-contributing
- Approved new small cell tower at 44 Water Street – Non-contributing
- Approved a new free-standing sign at 400 Culver Street – Contributing
- Approved a generator placement at 820 Holland Street – Contributing
- Approved the replacement of the front steps at 820 Holland - Contributing

November:

- Approved an application for minor changes to new building at 40 Butler Street – Non-contributing
- Approved new sheds at 790 Butler Street – Non-contributing

December:

- Approved various changes to the house at 547 Butler Street – Contributing

In addition to the projects listed above for formal Historic District Commission consideration, the following administrative approvals were granted:

- 40 Butler Street – extend guard rail.
- 64 Butler Street – replace decking
- 129 Griffith Street - two signs
- 129 Griffith Street – two signs
- 237 Butler Street – projecting sign
- 434 Butler Street – flat work and ramp
- 131 Hoffman Street – sign
- 118 Hoffman Street – roof and sign
- 222 (226) Butler Street – sign
- 831 Holland Street – fence
- 40 Butler Street - sign

If you should have any further questions, please contact Planning Director Cindy Osman.



To: Saugatuck City Council
 From: Saugatuck Planning Commission
 Date: January 8, 2022
 Re: 2021 Planning Commission Activities

The purpose of this memo is to provide an overview on the activities for the Planning Commission for the 2021 calendar year. Permit activity is as follows:

Year	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Permits*	75	52	98	107	108	89	77	62	100	80

*includes 71 permits issued administratively including zoning permits, historic district permits, and sign permits – does not include street cut permits, water and sewer permits, and permits for dumpsters in the ROW permits, or other miscellaneous permits.

In 2021, the Planning Commission met 6 times and held public hearings regarding the following projects:

- Three public hearings for ordinance amendments.
- Public Hearing to place a fish shanty at 730 Water Street
- Public Hearing for a garage space conversion to meeting space 900 Lake Street
- Public Hearing for a two-story patio at 40 Butler Street
- Public Hearing to create condos from existing tenant spaces at 133 Butler Street

The Planning Commission also held public hearings and made recommendations for amendments to the Zoning Ordinance in 2021:

- Reviewed and recommended zoning ordinance and regulatory ordinance regarding floating homes.
- Reviewed and recommended zoning ordinance to allow for a reduced front yard setback in the R-4 Zone district
- Reviewed and tabled zoning ordinance to allow for reduced front yard setbacks in R-1 Community Residential district.
- Set brainstorming meeting for January 8, 2022

If you should have any further questions, please contact Planning Director Cindy Osman.



To: Saugatuck City Council
From: Zoning Board of Appeals
Date: January 10, 2022
Re: 2021 Zoning Board of Appeals Activities

The purpose of this memo is to provide an overview on the activities for the Zoning Board of Appeals for the 2021 calendar year. During 2021, the Zoning Board of Appeals met six times for the following activities at each meeting:

June

- 17 – public hearing for 443 Park Street – tabled due to widespread internet outage
- 22 – continued public hearing for 443 Park Street – tabled to July 14

July

- 14 – public hearing for 184 Park Street front yard setback – approved
- 14 – deliberation regarding 443 Park Street
- 28 – Closed session regarding 443 Park Street

August

- 12 - adopted the written decision as prepared by counsel

December

- 9 - denied a setback variance for a shed and a patio at 994 Holland Street.

If you should have any further questions, please contact Zoning Administrator Cindy Osman.



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 01/24/2022:

- Snow/Ice Control
- Began hauling snow out of downtown
- Completed repair and uninstalled holiday trailer tree at Coghlin Park
- Tree removal at the following locations:
 - 638 Spear Street
 - 200 Lucy Street
 - 747 Butler Street
 - 312 Francis Street
 - Village Square Park SW
 - Peterson Park
- Worked with High School shop class to refurbish the Oval Beach sign
- Added asphalt millings, graded, and compacted open section of Butler Street between Hoffman and Main Street
- Repaired and replaced mailboxes
- Began clearing snow away from fire hydrants
- Met with SCA to discuss potential art installation



Allegan County Sheriff Report

Below is a summary of the notable activities carried out by the Allegan County Sheriff's Deputies since the last Council meeting on 1/24/2022:

- Deputy Hagerty was promoted to detective specializing in domestic violence cases and is doing an excellent job in her new position. Deputy Visser has replaced Deputy Hagerty in the contract who was also one of the original deputies in the contract.
- Deputy Flokstra broke his leg this week while off duty. I had previously discussed with City Manager Heise one of our young deputies that was interested in filling in for Deputy Klinge this summer while he deploys for the military. We will have him start this week until Deputy Flokstra returns. His name is Connor LaJoice and has an extensive amount of experience prior to joining law enforcement working on the tourist boats up north.
- The no wake grant was not available this year for us to apply. It was a one-year award and last year we added 900 hours of patrol in addition to the 750 hours normally provided in the Saugatuck/Douglas area.

To: Lieutenant Ensfield
From: Deputy Connor D. LaJoice
Date Wednesday, January 19th, 2022
Subject: Saugatuck City Contract Car

Lieutenant Ensfield,

I am writing you in reference to an expression of interest to fill in for Deputy Klinge for the Saugatuck City Car Contract while he is away for the Military. Although just being off F.T.O and new to the area in general, I feel like I would be an excellent fit for the City of Saugatuck to work as their contract car for a multitude of reasons.

Growing up in Northern Michigan and working in the Mackinac Area, one of the most heavily populated tourist destinations in the State of Michigan, I understand working in a popular tourist destination, such as Saugatuck, could be challenging at times but very rewarding and a fantastic experience throughout my career in Law Enforcement. Working in past tourist destinations, I have developed an interpersonal relation within the communities I have previously worked in as a civilian. I would provide and grow those interpersonal skills as a Deputy Sheriff for the community members and visiting public to the Saugatuck Area.

When I had submitted my application in spring of 2021 for the Allegan County Sheriff's Office, I first visited the Saugatuck area during my first visit to the county and was extremely impressed with the city and its density and variety of attractions it provides to the tourists, community members, and State of Michigan as a whole.

I have expressed interest working the Saugatuck area while in the F.T.O. process, and have spoken to Deputy Flokstra about the position. I currently have been working Saugatuck City while Deputy Flokstra has been training a new hire the last couple of shifts; it has made me enjoy the Saugatuck area even more. I understand that during the summer months there will be numerous calls of service as the number of people within the city and area due to tourism and residential reasons will rise.

By being the Saugatuck City Contract Car, I would be able to take a proactive approach towards policing and develop a community policing aspect due to the "tight-knit" mindset the Saugatuck area of the county has by being able to develop an interpersonal relationship with the community members.

I would like to express my gratitude for reviewing this letting of interest for the Saugatuck City Contract Car and I look forward to hearing from you soon.

Respectfully,



Connor D. LaJoice

**City of Saugatuck
Status Report of Engineering Activities
February 10, 2022**

General Consultation

- Water Street Sidewalk: Sidewalk design is complete. We are refining details for the fire dock ramp or steps with STFD based on site topography.
- The consultant for the Saugatuck High School project is finalizing details based on our review comments so that the water main permit application can be submitted.

Campbell Road Improvements

- Water main installation is nearly complete, expected to be complete mid to late February (slowed by contractor staffing, holidays and weather).
- Water service replacement is anticipated to begin late February or early March, depending on weather.
- Consumers Energy pole relocation and associated tree trimming work is complete on the north side of the road near Park Street.
- Roadway improvements are still scheduled for April/May, 2022.

Butler Street Sanitary Sewer Improvements

- 2021 work is complete. The road is a combination of milled concrete and asphalt millings. 314 and 318 are now connected to the new sewer. 317 and 325 have laterals extended to the right of way line to be used if and when they are needed.
- In April/May 2022, millings will be removed and asphalt pavement will be replaced, along with pavement markings. Paving work is tentatively scheduled for April 12.

Bridge Street Water Main Extension

- Project includes extension of watermain south from Blue Star Highway to serve new development in the City. The road will be resurfaced where it is disturbed during water main installation.
- Survey field work is complete. The right of way is quite narrow (33'), and the road wanders outside the right of way in several areas. We prepared easement sketches to assist the City with securing easements.
- Preliminary design is complete, and we anticipate meeting with City staff and property owner(s) soon. We anticipate bidding and permitting will take place in February/March with construction in late spring or early summer, depending on the availability of water main materials.
- City staff is working on a special assessment process for the project and future similar extensions.

Maple Street Improvements

- The original vision for this project included 4 parts: (1) water main (and service) replacement from Blue Star Highway to south of North Street; (2) drainage improvements at Mason Street; (3) crush, shape and resurface from Blue Star Highway to south of North Street; and (4) reconstruct the failing portion of Maple Street near North Street (raise alignment, improve base, etc.).
- The Township has questioned the urgency of the water main replacement. We will be discussing a reduced scope (items 2 and 4 are City only) and other options with City staff in the near future.



City Council Agenda Item Report

FROM: Jamie Wolters
MEETING DATE: February 14th, 2022
SUBJECT: Board of Review Ordinance for Adoption of Alternate Members

DESCRIPTION:

Our Assessor is making the recommendation to appoint alternate members to the Board of Review. The City Charter reference to the Board of Review is in Chapter 8. Section 8.6 which provides that three members are to be appointed by the City Council but is silent as to the appointment of alternate members. The attached proposed ordinance will allow the establishment of additional regulations for the Board of Review, including the appointment of not more than two alternate members for the same term and qualifications as regular members of the Board of Review consistent with the City Charter and state law.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Proposed ordinance amendment was prepared by municipal attorneys, Christopher Patterson and Jacob Witte of Fahey Schultz Burzych Rhodes PLC.

SAMPLE MOTION:

Motion to **approve/deny** Ordinance 220214-A for the adoption of Board of Review alternate members.

**CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN
(Ordinance No. 220214-A)**

At a regular meeting of the City Council for the City of Saugatuck held on February 14, 2022, beginning at 7 p.m., the following Ordinance was offered for adoption by Council Member _____, and was seconded by Council Member _____:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SAUGATUCK BY ADDING A NEW SUBCHAPTER TO CHAPTER 31 OF THE CITY CODE, WHICH NEW SUBCHAPTER SHALL BE DESIGNATED “BOARD OF REVIEW,” TO PROVIDE FOR APPOINTMENT OF ALTERNATE MEMBERS ON THE BOARD OF REVIEW, TO PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF PERSONS AND PROPERTY WITHIN THE CITY.

THE CITY OF SAUGATUCK ORDAINS:

Section 1. Amendment to Chapter 31. Chapter 31 of the Code is hereby amended to add a new and additional Subchapter, which be titled:

BOARD OF REVIEW

Section 2. Amendment to Chapter 31, Section 31.50. Chapter 31 of the Code is hereby amended to add a new and additional Section 31.50, which shall read as follows:

§ 31.50 PURPOSE

Pursuant to Chapter VIII of the Charter, the Board of Review shall consist of three (3) residents who are electors of the city, but not city officers or employees. Consistent with the Charter and state law, this subchapter is intended to provide for the appointment of alternate members for the purpose of fulfilling vacancies or absences, or for the purpose of reaching a decision where a board of review member is required to abstain for reasons of conflict of interest.

Section 3. Amendment to Chapter 31, Section 31.51. Chapter 31 of the Code is hereby amended to add a new and additional Section 31.51, which shall read as follows:

§ 31.51 APPOINTMENT OF ALTERNATES

- A. The City Council may appoint not more than two (2) alternate members for the same term and qualifications as regular members of the board of review consistent with the Charter and state law.
- B. The City Council may fill any vacancy that occurs in the alternate members of the board of review.

- C. An alternate member may be called to serve in the absence of a regular member of the board of review if a regular member is unable to attend the meeting of the board of review in full or in part.
- D. An alternate member may also be called to serve for the purpose of reaching a decision of issues protested if a regular member of the board of review has abstained for reasons of conflict of interest.

Section 4: Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5: Repeal. Any and all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 6: Effective Date. This Ordinance shall take effect shall take effect the day after its publication.

The vote in favor of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN:

ORDINANCE DECLARED ADOPTED.

At a regular meeting of the City Council held on the _____ day of _____, 2022, it was moved by _____ and supported by _____ that this Ordinance No. _____ be adopted. Motion _____.

Garnet Lewis, Mayor

Jamie Wolters, City Clerk

I, Jamie Wolters, City Clerk of the City of Saugatuck, hereby certify this to be a true and complete copy of Ordinance No. _____, duly adopted at a regular meeting of the City Council held on the _____ day of _____, 2022.

Jamie Wolters, City Clerk



City Council Agenda Item Report

FROM: Kate White, Project Coordinator & Deputy City Clerk

MEETING DATE: **Introduction/First Reading:** February 9, 2022
Action Date: February 14, 2022

SUBJECT: Introduction of Ordinance to amend Chapter 96 of the Saugatuck Code of Ordinances to add a new Section 96.33

DESCRIPTION:

Attached is an ordinance amendment to Chapter 96 of the Saugatuck Code of Ordinances. This ordinance amendment would add Section 96.33, titled “Expanded Outdoor Dining Area; License Required”. The purpose of this amendment to the ordinance is to allow for the licensing of expanded outdoor dining areas in the City’s public streets. Currently, the City Code of Ordinances prohibits “temporary obstructions”, which includes expanded outdoor dining areas and associated structures.

TIMELINE:

February 9, 2022, Ordinance amendment introduced to Council for first reading at a workshop meeting.

February 14, 2022, Council action on the ordinance amendment.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Proposed ordinance amendment was prepared by municipal attorneys, Christopher Patterson and Jacob Witte of Fahey Schultz Burzych Rhodes PLC.

SAMPLE MOTION:

Motion to **adopt** Ordinance Amendment 220214-B to amend the Code of the City of Saugatuck by adding a new section which shall be designated as Section 96.33, to provide for the licensing of expanded outdoor dining areas within the City’s streets, to protect the public health, safety, and general welfare of persons and property within the City.



EXECUTIVE SUMMARY: PROGRESS TO DATE

POP-UP PATIOS/EXPANDED OUTDOOR DINING AREAS

1. SURVEY AND DATA COLLECTION:

Throughout the summer of 2021, city staff collected survey data from PuP permit holders and downtown businesses to determine business owners' perspectives and opinions on pop-up patios. The survey response rate from downtown businesses was small.

2. ENGAGEMENT WITH BUSINESS OWNERS:

City staff presented survey findings to PuP permit holders on September 14 to further elicit thoughts and suggestions from participants. The same presentation was given to downtown business owners on October 20 to draw more information and suggestions from business owners who may be affected by the loss of downtown parking. This meeting had a low turnout of business owners.

3. SPECIAL MEETINGS WITH COUNCIL AND COMMUNITY:

City Council held two special meetings in December (7th and 15th) to listen to city staff's presentation of findings and policy suggestions. The community was encouraged to provide their input on pop-up patios. Council discussion leaned towards maintaining pop-up patios for the next year, but with policy changes to address the concerns of residents, visitors, and business owners.

4. JANUARY:

At the January 19th workshop meeting, city staff presented a rough draft of policy recommendations to Council. Recommendations included adding a fee of \$200/month/parking space, reducing the maximum dimensions of the patios, prohibiting ground coverings, requiring electrical lighting and traffic reflectors, and required materials for barrier structures. Council discussed these items which provided further guidance to staff on what the policy should include.

5. FEBRUARY:

At the February 9th workshop meeting, city staff presented an ordinance amendment to permit the City to license the use of expanded outdoor dining areas (formerly pop-up patios) within the City's streets. Staff also presented a draft policy to establish a formal procedure and standards for administrative approval of expanded outdoor dining area (EODA) licenses. Below is a summary of the policy and standards for approval:

- Annual licenses are only permitted for food and beverage service businesses
- EODA season runs from April 1st to November 30th
- EODA fee is \$200 per parking space for every month the Applicant will operate their EODA

- EODA fee must be paid and submitted with the completed application
- EODA barriers shall not exceed 40 feet in length. If the EODA is located on parallel parking spaces, the barrier will not exceed 8 feet from the face of the curb. If the EODA is located on angled parking spaces, the EODA will not exceed 15 feet from the face of the curb.
- No ground coverings are permitted
- No advertising banners or related decorations are permitted
- There are established design requirements for EODAs

Additionally, staff presented a resolution to adopt and add the \$200 EODA fee to the Schedule of Fees. At the February 14th regular meeting, Council will be taking action on the EODA items presented at the previous workshop meeting.

**CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN
(Ordinance No. 220214-B)**

At a regular meeting of the City Council for the City of Saugatuck held on February 14th, 2022, beginning at 7:00 p.m., the following Ordinance was offered for adoption by Council Member _____, and was seconded by Council Member _____:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SAUGATUCK BY ADDING A NEW SECTION WHICH SHALL BE DESIGNATED AS SECTION 96.33, TO PROVIDE FOR THE LICENSING OF EXPANDED OUTDOOR DINING AREAS WITHIN THE CITY'S STREETS, TO PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF PERSONS AND PROPERTY WITHIN THE CITY.

THE CITY OF SAUGATUCK ORDAINS:

Section 1: Amendment to Chapter 96. Chapter 96 of the Code is hereby amended to add a new and additional Section 96.33, which shall read as follows:

§ 96.33 EXPANDED OUTDOOR DINING AREA; LICENSE REQUIRED

- (A) The owners or operators of food and beverage service businesses may apply to the City for an Expanded Outdoor Dining Area license to temporarily occupy parking spaces within City streets for the purpose of serving food and beverages to their customers. No person shall occupy any street or place any objects in any street for the purposes of using the street for an Expanded Outdoor Dining Area without first obtaining a license from the City.
- (B) Applications for an Expanded Outdoor Dining Area license shall be reviewed by the City to ensure that the Expanded Outdoor Dining Area will:
 - a. Not unreasonably interfere with the flow of pedestrian or vehicular traffic.
 - b. Be aesthetically pleasing and consistent with the general character of the surrounding area.
 - c. Be adequately illuminated.
 - d. Not interfere with any Fire Department equipment or impede drainage.
 - e. Be adequately separated from the street and sidewalk with appropriate barricades and screening.
 - f. Not pose any safety or health concerns.

- g. Utilize approved heating equipment.
- h. Comply with all City and County Ordinances and applicable State laws, COVID limitations, and City policies.

(C) After reviewing an application for an Expanded Outdoor Dining Area license, the City shall approve the application, deny the application, or approve the application subject to conditions reasonably necessary to ensure compliance with the standards enumerated in subsection (B) above. No application for an Expanded Outdoor Dining Area may be approved until the applicant pays in full the fee for occupying the City's streets, which shall be established by resolution of the City Council.

(D) Any person approved for an Expanded Outdoor Dining Area license must conduct all operations in the street consistent with the standards enumerated in subsection (B) above and in compliance with the following:

- a. The Expanded Outdoor Dining Area shall be kept free of debris and in a neat, clean, safe, reasonable, and orderly condition, and all objects and items located thereon shall be kept in good and safe maintenance and repair.
- b. The City's Department of Public Works shall be allowed access to the Expanded Outdoor Dining Area for any maintenance purposes.
- c. At no point may operations for the Expanded Outdoor Dining Area take place beyond the area approved by the City.
- d. The Expanded Outdoor Dining Area shall not create a nuisance of any kind.
- e. All operations shall be conducted per the policy approved by City Council via Resolution No. 220214-C as may be amended from time to time.

(E) The City may terminate any Expanded Outdoor Dining Area license for failing to comply with any requirements of this Section or for any other reason, including but not limited to, the City's need for parking infrastructure, utilities, or other City needs, as determined in the City's sole discretion.

Section 2: Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 3: Repeal. Any and all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4: Effective Date. This Ordinance shall take effect the day after its publication.

The vote in favor of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN:

ORDINANCE DECLARED ADOPTED.

At a regular meeting of the City Council held on the 14th day of February, 2022, it was moved by _____ and supported by _____ that this Ordinance No. 220214-B be adopted. Motion _____.

Garnet Lewis, Mayor

Jamie Wolters, City Clerk

I, Jamie Wolters, City Clerk of the City of Saugatuck, hereby certify this to be a true and complete copy of Ordinance No. 220214-B, duly adopted at a regular meeting of the City Council held on the 14th day of February, 2022.

Jamie Wolters, City Clerk

Jamie Wolters

From: Jamie Wolters
Sent: Wednesday, February 2, 2022 10:06 AM
To: Jamie Wolters
Subject: FW: The Butler - Dura Base Temp Road
Attachments: DSC00316.JPG; db 3.jpg; DURA-BASE Brochure.pdf

From: Aaron Byler <ab@askourclients.com>
Sent: Friday, January 28, 2022 9:06 AM
To: Ryan Heise <Ryan@saugatuckcity.com>
Subject: The Butler - Dura Base Temp Road

Morning Ryan,
I hope you are enduring the cold weather and staying healthy.

As you may have noticed we have been onsite at The Butler throughout the week working on some due diligence for the project.

Through our test holes we have discovered that the water table is higher than expected. Because of this, we will need to install a longer trench for dewatering, and unfortunately this trench cuts off our access to the site dramatically. Our problem with site access will get even worse when we begin installing the watermain.

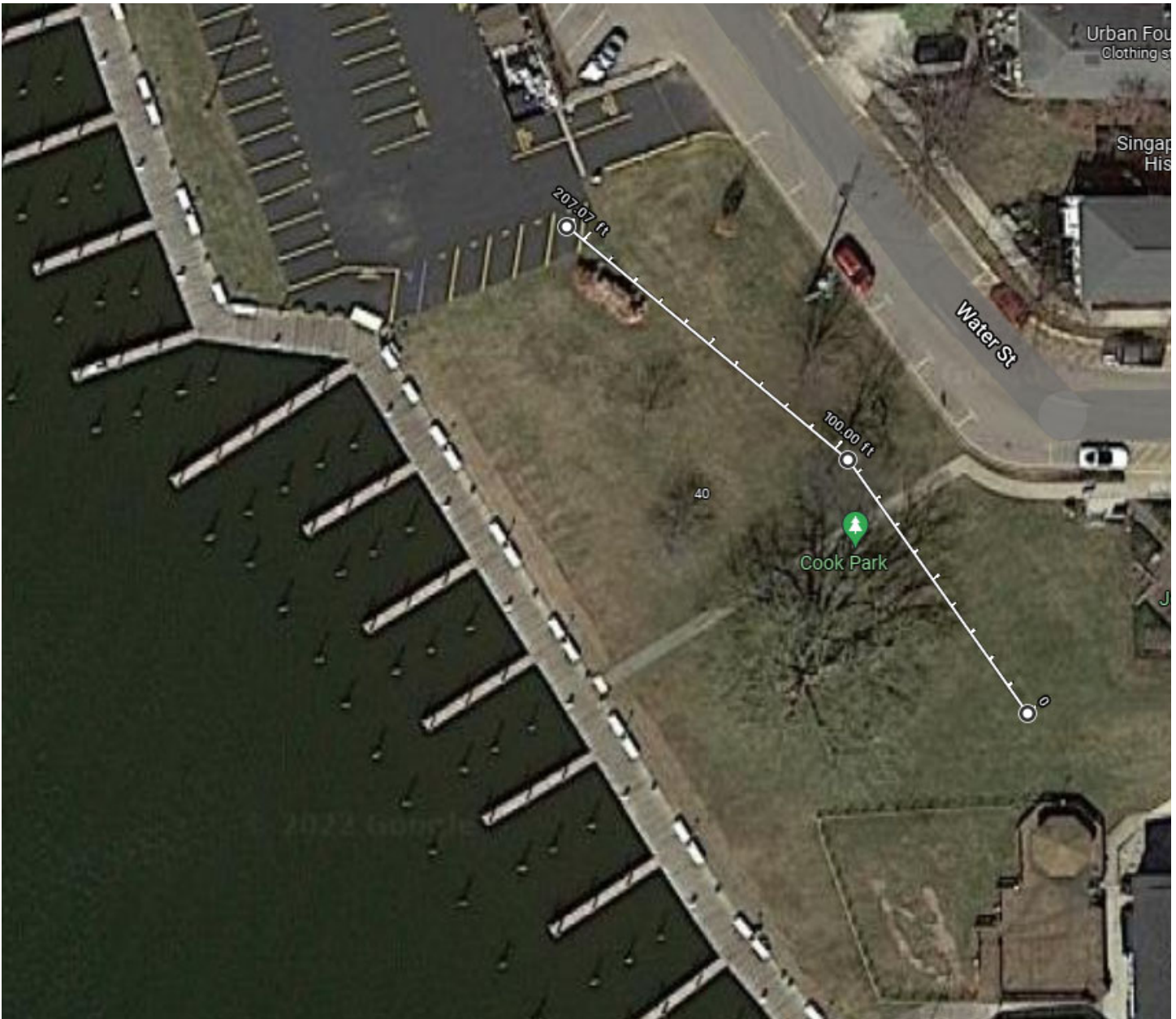
We have access to a product called DuraBase that can be placed ontop of the ground to create a temp road. These mats are 8' Long x 14' Wide x 4 -1/4" thick. Each mats weighs approximately 990 lbs and can support compressive loads up to 600 lbs per square inch. This leaves the ground beneath the mats undisturbed.

Would it be possible to gain access across the City park to the Yacht Club parking lot so that we could place a temp road to be used as site access?

Pinnacle will cover all cost of the Dura Base rental and install. We will also run a temporary fence along the Durabase road to prevent anyone from driving off the mats and disturbing the grass.

I have attached a couple photos and the brochure for the DuraBase system. I would love to talk to you in more detail when you have time.

Thanks



Aaron Byler

Project Manager
pinnacle construction group, inc.
1000 front avenue nw
grand rapids, mi 49504
e ab@askourclients.com
f 616.451.0860
m 616.514.0013
www.askourclients.com





DURA-BASE®, a product of Newpark Mats and Integrated Services, has been the leader in temporary road and jobsite technology for more than four decades.

The DURA-BASE Composite Mat System gives you the ability to access locations that are environmentally sensitive while providing minimal surface or soil disturbance.

When it comes to strength, durability and versatility, no other product equals the DURA-BASE Composite Mat System. We continue our commitment to providing you with temporary roads and work surfaces that are safe, strong and tailored to your specific needs.



Tidal Flat Access



Road To Drill Site



Keep Equipment On Solid Surface





Transmission Line Construction
In Tidal Marsh



Power Line Access
To Make Repairs



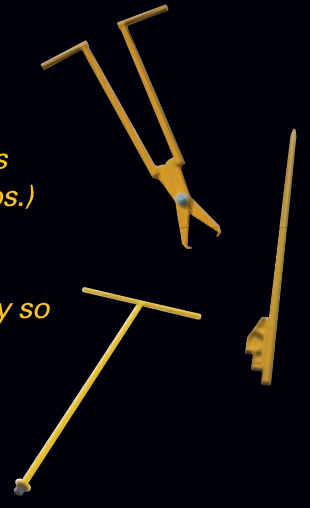
Alaskan Utilities Project



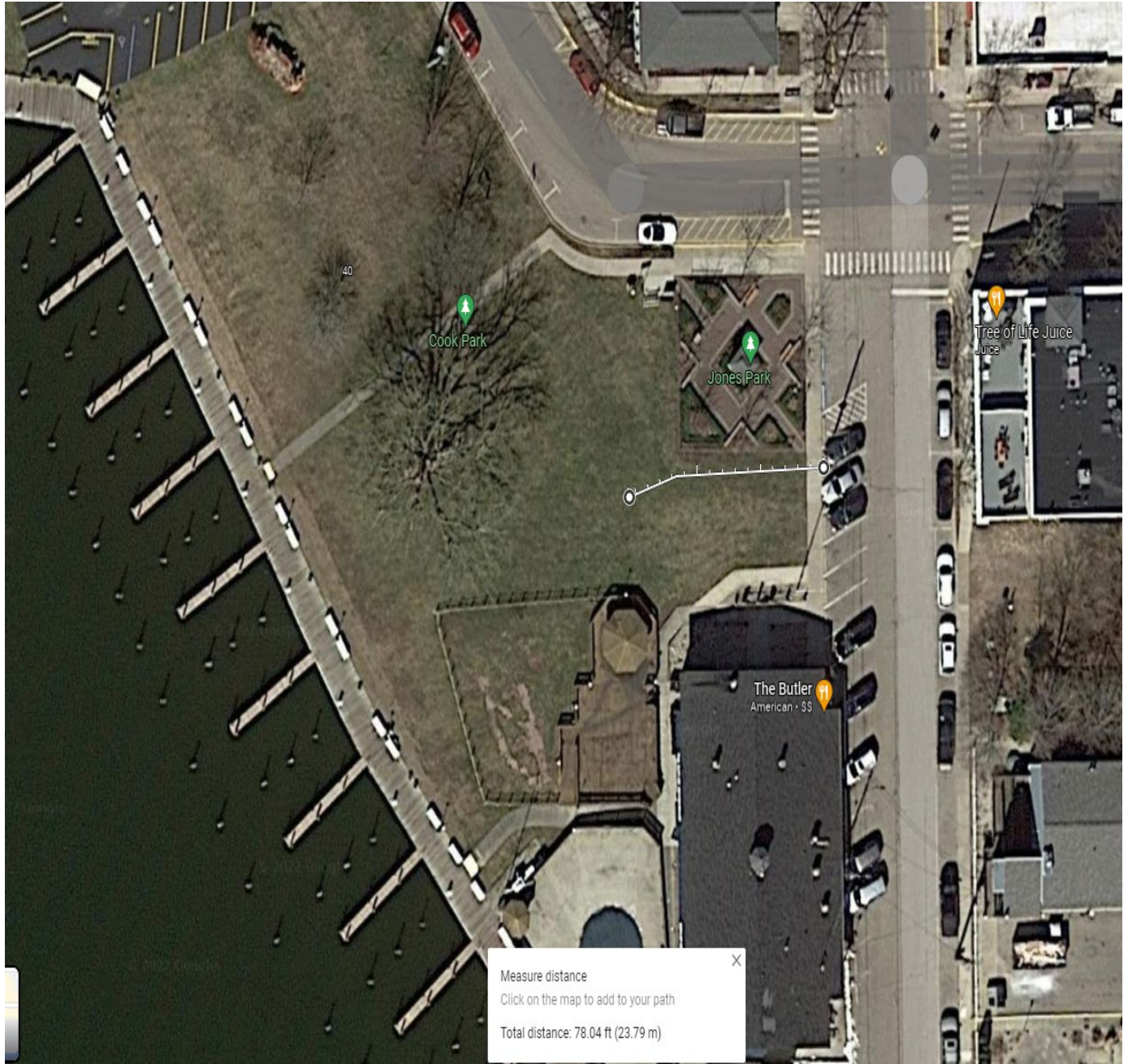
Helps Stabilize Equipment

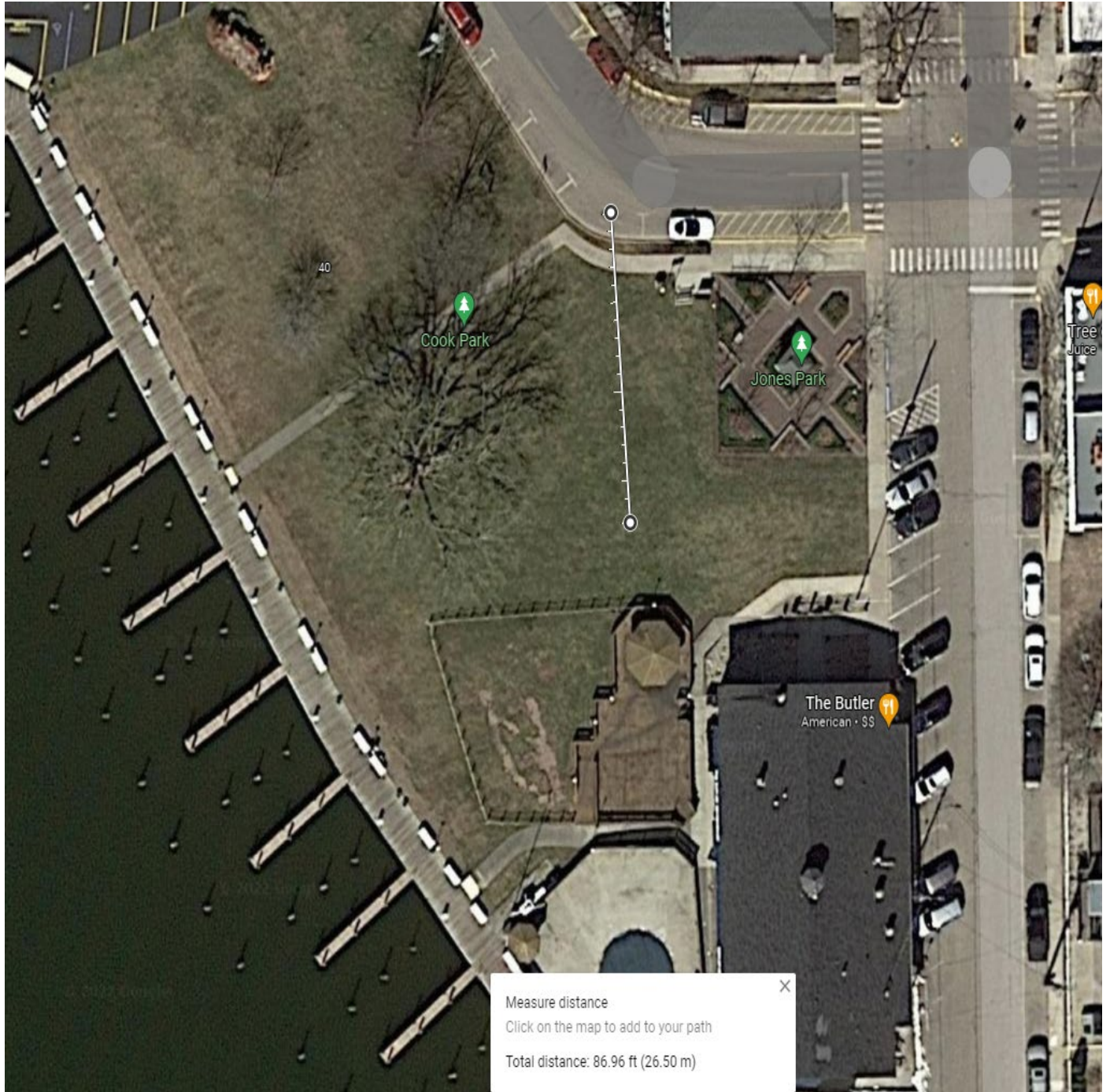
Specialized features help take you where you want to go.

- ✓ *The tread pattern improves traction for load-bearing vehicles and heavy equipment.*
- ✓ *Twist-lock fasteners lock each DURA-BASE mat solidly into place with a single 90° turn.*
- ✓ *The overlapping lip system ensures a continuous barrier between ground and work surface, reducing the chance of slippage and movement.*
- ✓ *The mat system follows surface contours for terrain flexibility.*
- ✓ *Each mat measures 8' x 14' x 4.25" thick (2.44m x 4.27m x 10.8cm) and weighs approximately 990 lbs (449kg). (Small mats are also available – 8' x 7'6", 525 lbs.) Mats can support compressive loads up to 600 lbs. per square inch.*
- ✓ *Mats contain an additive that combines with plastic to increase the conductivity so a charge may rapidly dissipate, eliminating the potential for static buildup.*
- ✓ *Each mat is manufactured with a built-in RFID chip to help you track inventory.*



**All measurements and weights are nominal.*





ID	Task Name	Duration	Start	Finish	January 2022					February 2022					March 2022					April 2022					May 2022					June 2022					
					6	11	16	21	26	31	5	10	15	20	25	2	7	12	17	22	27	1	6	11	16	21	26	1	6	11	16	21	26	31	5
0	The Butler Schedule	261 days?	Mon 5/10/21	Tue 5/17/22																															The Butler Schedule
1	Construction	197 days?	Mon 5/10/21	Wed 2/16/22																															Construction
2	Break Ground	0 days	Mon 1/24/22	Mon 1/24/22																															1/24 ♦ Break Ground
3	Excavate for foundations	1 wk	Mon 1/24/22	Fri 1/28/22																															1/24 ■ Excavate for foundations
4	Helical Piers	9 days	Mon 1/31/22	Thu 2/10/22																															1/31 ■ Helical Piers
5	Foundations	3 wks	Fri 2/11/22	Thu 3/3/22																															2/11 ■ Foundations
6	Watermain installation	4 wks	Fri 3/4/22	Thu 3/31/22																															3/4 ■ Watermain installation
7	Backfill foundations	3 days	Fri 3/4/22	Tue 3/8/22																															3/4 ■ Backfill foundations
8	Underground Ris	5 days	Wed 3/9/22	Tue 3/15/22																															3/9 ■ Underground Ris
9	Pour slab	5 days	Wed 3/16/22	Tue 3/22/22																															3/16 ■ Pour slab
10	Structural Steel	2 wks	Wed 3/23/22	Tue 4/5/22																															3/23 ■ Structural Steel
11	Structural Masonry	1 wk	Wed 3/23/22	Tue 3/29/22																															3/23 ■ Structural Masonry
12	Precast Panels	3 days	Wed 3/30/22	Fri 4/1/22																															3/30 ■ Precast Panels
13	Steel stairs/pour stop	1 wk	Wed 4/6/22	Tue 4/12/22																															4/6 ■ Steel stairs/pour stop
14	Precast topping/stair pans	1 wk	Wed 4/13/22	Tue 4/19/22																															4/13 ■ Precast topping/stair pans
15	Truss Installation	3 days	Wed 4/6/22	Fri 4/8/22																															4/6 ■ Truss Installation
16	MEP rough ins	3 wks	Mon 4/11/22	Fri 4/29/22																															4/11 ■ MEP rough ins
17	Accent Masonry	2 wks	Mon 4/11/22	Fri 4/22/22																															4/11 ■ Accent Masonry
18	Wood Framing/Detailing	2 wks	Mon 4/11/22	Fri 4/22/22																															4/11 ■ Wood Framing/Detailing
19	Roofing	4 days	Mon 4/18/22	Thu 4/21/22																															4/18 ■ Roofing
20	Bar Die walls	3 days	Mon 4/18/22	Wed 4/20/22																															4/18 ■ Bar Die walls
21	Template for concrete top	1 day	Thu 4/21/22	Thu 4/21/22																															4/21 ■ Template for concrete top
22	Wall Tile	5 days	Thu 4/21/22	Wed 4/27/22																															4/21 ■ Wall Tile
23	Doors & Hardware	3 days	Mon 4/25/22	Wed 4/27/22																															4/25 ■ Doors & Hardware
24	LP Trims	2 wks	Mon 4/18/22	Fri 4/29/22																															4/18 ■ LP Trims
25	Handrails	1 wk	Mon 4/25/22	Fri 4/29/22																															4/25 ■ Handrails
26	Painting	2 wks	Mon 4/25/22	Fri 5/6/22																															4/25 ■ Painting
27	Concrete Countertops	5 days	Thu 4/28/22	Wed 5/4/22																															4/28 ■ Concrete Countertops
28	Toilet Partitions	3 days	Thu 4/28/22	Mon 5/2/22																															4/28 ■ Toilet Partitions
29	MEP finishes	8 days	Mon 5/2/22	Wed 5/11/22																															5/2 ■ MEP finishes
30	Final Cleaning	2 days	Thu 5/12/22	Fri 5/13/22																															5/12 ■ Final Cleaning
31	Final Inspections	2 days	Mon 5/16/22	Tue 5/17/22																															5/16 ■ Final Inspections
32	Occupancy	0 days	Tue 5/17/22	Tue 5/17/22																															5/17 ♦ Occupancy

RE: Temporary Construction Access Agreement

Pinnacle Construction Group would like to request a temporary 20' wide access agreement through the parcel at 40 Water St, between the parcels at 40 Butler St and 48 Water St in order to install and use a temporary construction access road using DuraBase Composite Mats.

THIS ACCESS AGREEMENT is given this ___ day of February, 2022, by _____ ("Grantor"), whose mailing address is _____, to Pinnacle Construction Group ("Grantee").

WHEREAS, Grantor has agreed to grant and convey to Grantee, a temporary 20' wide non-exclusive access agreement, over, on, upon, and across the Property for the specific and limited purposes set forth herein.

The scope, nature, and character of this Access Agreement shall be as follows:

1. Recitals.

The recitals herein are true and correct and are hereby incorporated into and made a part of this Access Agreement.

2. Purpose.

It is the purpose of this Access Agreement to grant a temporary 20' wide non-exclusive access agreement over, on, upon, and across the Property located at 40 Water St, to perform installation of a temporary construction access road using DuraBase Composite Mats, all of which Grantee shall be authorized to perform in its sole discretion. This temporary construction access will be used for access of construction equipment and material used on the project located at 40 Butler St. A temporary fence will be installed on each side of the mat system to prevent access off the temporary road.

3. No Dedication.

No right of access by the general public to any portion of the Property is conveyed by this Access Agreement.

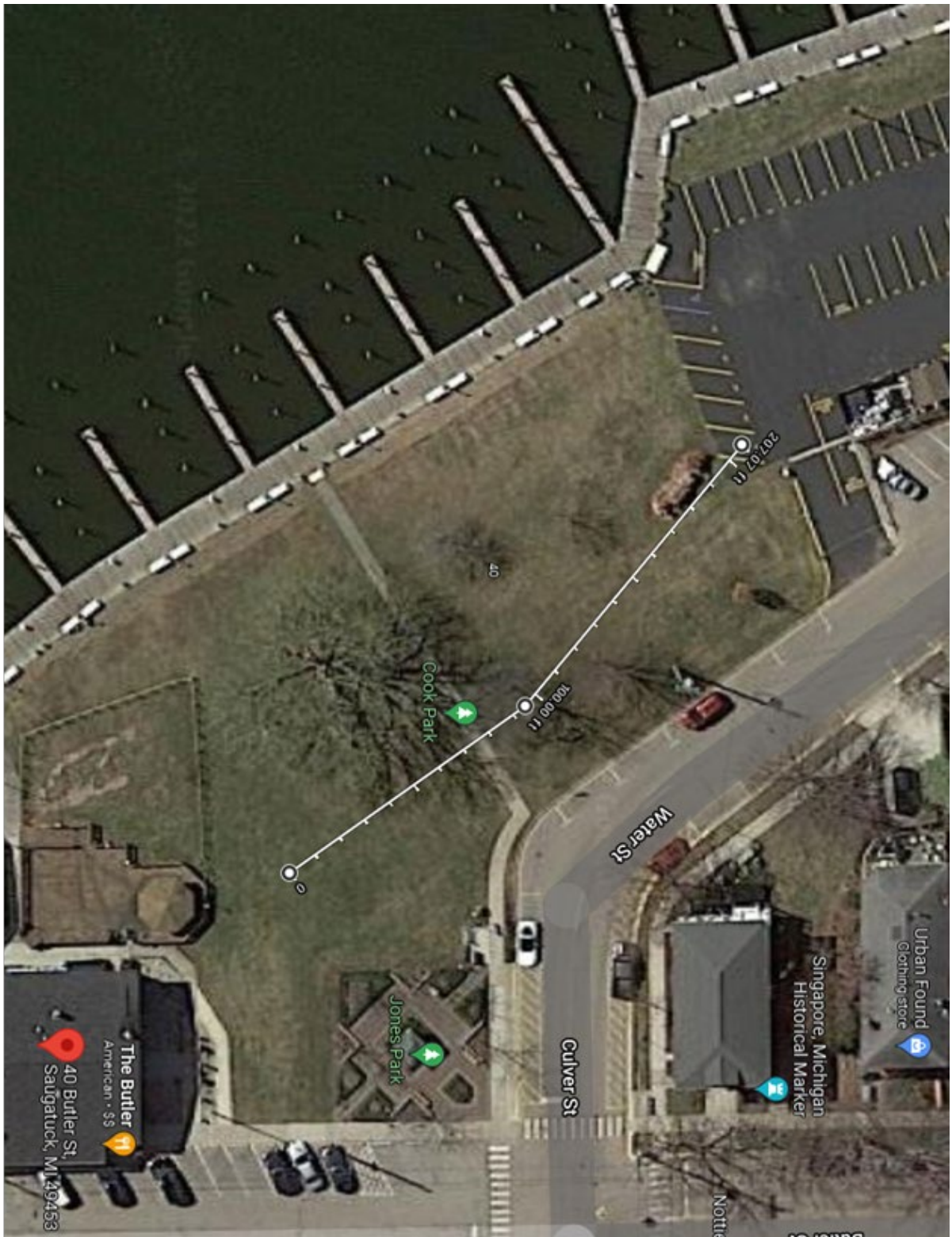
4. Grantor's Liability.

Grantor or Property Owner **shall not** be responsible for **any costs or liabilities** related to the maintenance of this Access Agreement for the duration work is being performed.

Grantor or Property Owner **shall not** be responsible for **any costs or liabilities** related to the necessary repair or replacement caused by this Access Agreement.

5. Duration.

This Access Agreement shall remain in full force and effect for ___ days from the date which work begins in the easement, unless otherwise extended in writing by Grantor and Grantee. This Access Agreement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest





By: _____
(Signature)

Name: _____
(Print)

Date: _____

Sincerely,

Aaron Byler
Project Manager
Pinnacle Construction Group
ab@askourclients.com
C: (616) 514-0013



City Council Agenda Item Report

FROM: Jamie Wolters
MEETING DATE: February 14th, 2022
SUBJECT: Board of Review Alternate Start Date for March 2022

DESCRIPTION:

MCL 211.30(2) allows the City Council to authorize, by adoption of an ordinance or resolution, an alternative starting date in March when the Board of Review shall initially meet, which alternative starting dates shall be the Tuesday or Wednesday following the second Monday of March.

Resolution 220214-A will allow for Board of Review to meet on the alternative starting date of March 16, 2022, the Wednesday following the second Monday of March.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to **approve/deny** Resolution 220214-A for Board of Review to meet on the alternative starting date of March 16, 2022.

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

RESOLUTION #220214-A

A RESOLUTION TO SET AN ALTERNATIVE STARTING DATE FOR THE MARCH BOARD OF REVIEW MEETING

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

WHEREAS, the General Property Tax Act, MCL 211.30, requires the Board of Review to meet on the second Monday in March to hold its first meeting for taxpayer appeals; and

WHEREAS, MCL 211.30(2) allows the City Council to authorize, by adoption of an ordinance or resolution, an alternative starting date in March when the board of review shall initially meet, which alternative starting dates shall be the Tuesday or Wednesday following the second Monday of March; and

NOW, THEREFORE, BE IT RESOLVED that March 16, 2022, the Wednesday following the second Monday of March, has been selected as the first meeting date of the **2022** Board of Review.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSTAIN: Council Members: _____

ABSENT: Council Members: _____

ADOPTED this 14th day of February, 2022

Signed: _____

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the duly appointed 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 February 14, 2022, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended. The minutes of the meeting were kept and will be or have been made available as required by said Act.

Signed: _____

Jamie Wolters, City Clerk

Memo

To: Saugatuck City Council

From: Anthony E. Meyaard, Assessor

Date: January 24, 2022

Re: Approval of the 2022 Poverty Exemption guidelines

PA 253 of 2020 amended MCL 211.7u which requires the City Council to approve and adopt Poverty Exemption Guidelines on an annual basis. The attached resolution and policy has been updated with the income levels as approved by the U.S. Department of Health and Human Services for 2022.

In addition, you will find the new Poverty Exemption Application as approved by the State Tax Commission. In the past we had created and used our own application but since the passage of PA 253 of 2020 we must now use the State approved form.

I respectfully request City Council approval of the attached poverty exemption resolution and guidelines in order to stay in compliance of MCL 211.7u

Respectfully submitted,

Anthony E. Meyaard
City of Saugatuck Assessor

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

RESOLUTION #220214-B

**A RESOLUTION TO ADOPT GUIDELINES FOR POVERTY EXEMPTIONS FOR THE
BOARD OF REVIEW TO IMPLEMENT IN 2022**

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

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the City Council, and

WHEREAS, the homestead of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u) and as amended by PA 620 of 2002 and further amended by PA 253 of 2020; and

WHEREAS, pursuant to PA 390, 1994, PA 620, 2002 and PA 253 of 2020, City of Saugatuck, Allegan County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the immediately preceding year,

To be eligible, a person shall meet all the following requirements:

- 1) Be an owner of and occupy as a principal residence of the property for which an exemption is requested.
- 2) File a claim with the Supervisor, Assessor or Board of Review, accompanied by federal and state income tax returns **for all persons** residing in the homestead, including any property tax credit returns filed in the immediately preceding year UNLESS the attached affidavit is completed for each person that is not required by law to file Federal and/or State income tax return(s).
- 3) Produce a valid driver's license or other form of identification.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is required, if requested.
- 5) Meet the federal poverty income standards as defined and determined annually by the United States Office of Management and Budget (see attached).
- 6) Have assets totaling no more than \$15,000, not including the primary residence.
- 7) The application for an exemption shall be filed after January 1, but before the day prior to the last day of Board of Review in the year that the exemption is being requested.
- 8) Any additional eligibility requirements allowed by law as determined by the City Board of Review.

NOW, THEREFORE BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSTAIN: Council Members: _____

ABSENT: Council Members: _____

ADOPTED this 14th day of February, 2022

Signed: _____
Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the duly appointed 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 February 14, 2022, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended. The minutes of the meeting were kept and will be or have been made available as required by said Act.

Signed: _____
Jamie Wolters, City Clerk

2022 Poverty Exemption Application Instructions

THIS APPLICATION SHOULD BE RETURNED TO:

Mailing Address & Building Location:
Saugatuck City Assessing Department 102 Butler St, Saugatuck, MI 49453

City of Saugatuck
www.SaugatuckCity.com

To be considered for a hardship exemption, the following steps must be followed:

1. The Petitioners must complete this application **IN FULL** including signatures on the last page. Signatures must be notarized. Return the application and attachments to the Assessing Department by **March 5th**, **July 16th**, or **December 10th**, 2022 depending on which Board of Review your application will be heard.
2. Per City of Saugatuck's Poverty Resolution, you must attach signed copies of the following for all persons living in the household:
 - ___ 2021 FEDERAL INCOME TAX RETURN (1040) with W 2's & 1099's.
 - ___ 2021 MICHIGAN INCOME TAX RETURN (MI-1040)
 - ___ 2021 HOMESTEAD PROPERTY TAX CREDIT FORM (MI-1040CR)
 - ___ 2021 SOCIAL SECURITY BENEFIT STATEMENT (SSA-1099)
 - ___ YEAR END STATEMENTS FOR ASSET INFORMATION

IF YOU ARE NOT REQUIRED, BY LAW, TO FILE OR STATE INCOME TAX FORMS, YOU MUST COMPLETE THE ATTACHED POVERTY EXEMPTION AFFIDAVIT.

Hardship Exemption as defined by the Michigan Compiled Laws is as follows:

Section 211.7u: The homestead of persons who, in the judgment of the supervisor and Board of Review, by reason of poverty, are unable to contribute toward the public charges are eligible in whole or in part from taxation under this act.

Please be aware that as an applicant for Hardship Exemption, you must also comply with the following sections of the Michigan Compiled Laws:

Section 211.116 Perjury: Any person who, under any of the proceedings required or permitted by this act, shall willfully swear falsely, will be guilty of perjury and subject to its penalties.

If received timely, your application will be presented at the next scheduled Board of Review.

Your attendance at the appropriate meeting is strongly encouraged but is not required. The Board of Review may have questions for you regarding your application or documentation. Please be aware that the Board of Review MUST conduct their meetings according to the Open Meetings Act.

FEDERAL POVERTY INCOME STANDARDS FOR 2022 ASSESSMENTS

The following are the federal poverty income standards as of December 31, 2021, for use in setting poverty exemption guidelines for 2022 assessments.

<u>Federal Poverty Income Guidelines a</u>	
Number of Persons Residing in the Principal Residence	Maximum Total Income
1	\$12,880
2	\$17,420
3	\$21,960
4	\$26,500
5	\$31,040
6	\$35,580
7	\$40,120
8	\$44,660
Each Additional Person \$4,540	

Income Guidelines

The income guidelines used by the Board of Review have been established in accordance with P.A. 390 of 1994. In determining qualifications for the exemption, the Board of Review shall consider every variable on the application including total household income, the nature and duration of the income stream, the current taxable and state equalized values of the subject property, the quality and accuracy of the information submitted and any other such evidence as they feel appropriate in making their decision. These guidelines shall assist the Board of Review in their decisions. When outside the listed range below, hardship relief may only be granted when accompanied by unusual circumstances.

2022 Poverty Income Guidelines Range for City of Saugatuck

Number of Persons Residing in the Principal Residence	Household Income	Recommended Board Action Exemption % Percentage Granted
1	\$0 - \$12,880 \$16,100 Max \$19,320	Maximum 100 % At this range point 50 % At this range point 25 %
2	\$0 - \$17,420 \$21,775 Max \$26,130	Maximum 100 % At this range point 50 % At this range point 25 %
3	\$0 - \$21,960 \$27,450 Max \$32,940	Maximum 100 % At this range point 50 % At this range point 25 %
4	\$0 - \$26,500 \$33,125 Max \$39,750	Maximum 100 % At this range point 50 % At this range point 25 %
5	\$0 - \$31,040 \$38,800 Max \$46,560	Maximum 100 % At this range point 50 % At this range point 25 %
6	\$0 - \$35,580 \$44,475 Max \$53,370	Maximum 100 % At this range point 50 % At this range point 25 %
7	\$0 - \$40,120 \$50,150 Max \$60,180	Maximum 100 % At this range point 50 % At this range point 25 %
8	\$0 - \$44,660 \$55,825 Max \$66,990	Maximum 100 % At this range point 50 % At this range point 25 %
Each Additional Person \$ 4,480		



City Council Agenda Item Report

FROM: Kate White, Project Coordinator & Deputy City Clerk

MEETING DATE: February 14, 2022

SUBJECT: License Agreement (Dumpster Enclosure at 302-322 Culver St)

DESCRIPTION:

License agreement identifying terms/conditions for privately owned resident dumpsters to be placed on City owned property. The City currently has a license agreement with Saugatuck Mews Condominium Association for a residential dumpster located in the public parking lot on Culver St. Saugatuck Mews Condominium Association requested approval for the installation of a new dumpster enclosure, which would match the existing dumpster enclosure, at a Historic District Commission meeting on January 19th, 2022. Historic District Commission approved the application for the installation of the dumpster enclosure.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Municipal attorneys Christopher Patterson and Jacob Witte of Fahey Schultz Burzych Rhodes PLC reviewed and approved the proposed license agreement.

SAMPLE MOTION:

Motion to **approve/deny** the License Agreement between the City of Saugatuck and Saugatuck Mews Condominium Association to place resident dumpsters in a location that does not interfere with the City of Saugatuck's parking space layout plan as presented and attached to the Agreement and consistent with local and state laws and regulations.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made this 14th day of February, 2022, by and between the **City of Saugatuck**, a home rule city, hereinafter referred to as “**CITY**,” and Saugatuck Mews Condominium Association, a Michigan domestic nonprofit corporation, hereinafter referred to as “**LICENSEE**.”

1. Licensed Premises: The real property that is the subject of this Agreement is a public parking lot located in the CITY off of Culver Street near its intersection with Griffith Street, as shown on the map attached as Exhibit A, which is incorporated herein by reference.

2. Term of License: This License shall be for the term commencing February 14, 2022, and terminating on February 14, 2027, unless earlier terminated as permitted or required by law. LICENSEE may apply for a renewal of this License no later than one month before its date of termination, and the CITY in its sole discretion may extend the License for additional terms of five (5) years from the date of such renewal.

3. Consideration for License: LICENSEE shall pay to the CITY a one-time administration fee of One Hundred Dollars (\$100) upon LICENSEE’s execution of this Agreement, and for each subsequent renewal thereafter.

4. Use of Licensed Premises: LICENSEE shall use the licensed premises for the following purposes only:

a. Placement of resident dumpster(s) to be used for the benefit of the residents located at 129 Griffith Street only, in a location that does not interfere with the existing parking space layout plan or sidewalks as depicted in Exhibit A, and subject to the approval of CITY staff.

b. The licensed premises shall be used for no other purpose than that identified in subsection a, above, without prior written consent of the Saugatuck City Council (which may be granted or withheld by the Saugatuck City Council in its sole discretion).

5. Obligations of the Licensee:

a. Maintain the dumpster(s) located on the licensed premises in a clean and sanitary condition and in compliance with all local, state, and federal laws and regulations.

b. Make no improvements or other structural alterations or additions to the licensed premises without the prior written consent of the CITY.

c. Promptly pay, when due, trash removal charges and any fees or taxes associated with the use of the licensed premises.

d. Clean licensed premises of all garbage, trash, and rubbish generated from the dumpster(s), keep and confine all garbage, trash, and rubbish within the dumpster(s) and provide for the regular removal of garbage, trash, and rubbish from the licensed premises. When this License expires or is terminated by either party, LICENSEE shall

remove all dumpster(s), improvements or additions thereto, and return the Licensed Premises to the CITY in substantially the same condition it was in at the onset of this Agreement.

6. Time to Cure Breaches of Obligations and Termination for Cause: LICENSEE will be deemed in default if it fails to meet any of its obligations under this License. No failure will be deemed to exist if LICENSEE has commenced to cure such default within five (5) days of receiving notice from the CITY and provided that the efforts to cure are prosecuted to completion within 14 days. Delay in curing a default will be excused if due to causes beyond the reasonable control of LICENSEE. If LICENSEE remains in default in the performance of any obligation beyond any applicable cure period, the CITY will have the right to perform any such obligation on LICENSEE's behalf at LICENSEE's expense, and/or may terminate this License for cause. All reasonable sums incurred by the CITY will be reimbursed by LICENSEE upon written demand.

7. Indemnification and Insurance: LICENSEE shall indemnify and hold CITY harmless from any and all claims for damages of any kind whatsoever and/or personal injuries which might arise from the occupation or use of the licensed premises by LICENSEE or its employees, agents or customers. LICENSEE shall provide and maintain during the term of this License a public liability insurance policy with limits of at least Two Hundred Fifty Thousand Dollars (\$250,000) per occurrence. Proof of such insurance protection shall be filed with the City Clerk. CITY shall not be responsible for any damage to any personal property which may be placed on the licensed premises by LICENSEE and LICENSEE shall be responsible to carry its own personal property insurance relative thereto and the CITY shall be held harmless therefrom. LICENSEE's obligations to the CITY hereunder shall survive any termination of this Agreement.

8. Public Rights to Licensed Premises: The public shall be entitled to walk across and use the licensed premises unimpeded, but LICENSEE shall have complete control over the dumpster(s) subject to the terms of this Agreement.

9. Non-Transferability of License: This License may not be transferred by assignment, sub-license, or otherwise, by the LICENSEE to any third party without the prior expressed written approval of the City.

10. Environmental Issues: The LICENSEE shall not cause or permit any hazardous or toxic substances to be re-licensed, stored, produced, emitted, disposed of or used upon the licensed premises. The LICENSEE shall hold the CITY harmless from, indemnify it for, and defend it against any and all costs, claims, losses, liability, damages, administrative and criminal proceedings, or other actions as a result of environmental contamination occurring on the licensed premises resulting from the presence of the dumpster(s).

11. Enforcement. This Agreement shall be construed and enforced from the laws of the state of Michigan. The parties agree that the jurisdiction and venue for any action brought pursuant to and/or to enforce any provision of this Agreement shall be in the state courts in Allegan County, Michigan. The failure of either party to enforce any term or condition of this Agreement shall be not a waiver thereof or of the right of either party to enforce every provision of this Agreement. No provision of this Agreement shall be deemed to have been waived unless such waiver is in writing and signed by both parties.

SAUGATUCK MEWS CONDOMINIUM
ASSOCIATION

CITY OF SAUGATUCK

By: _____

Its: _____

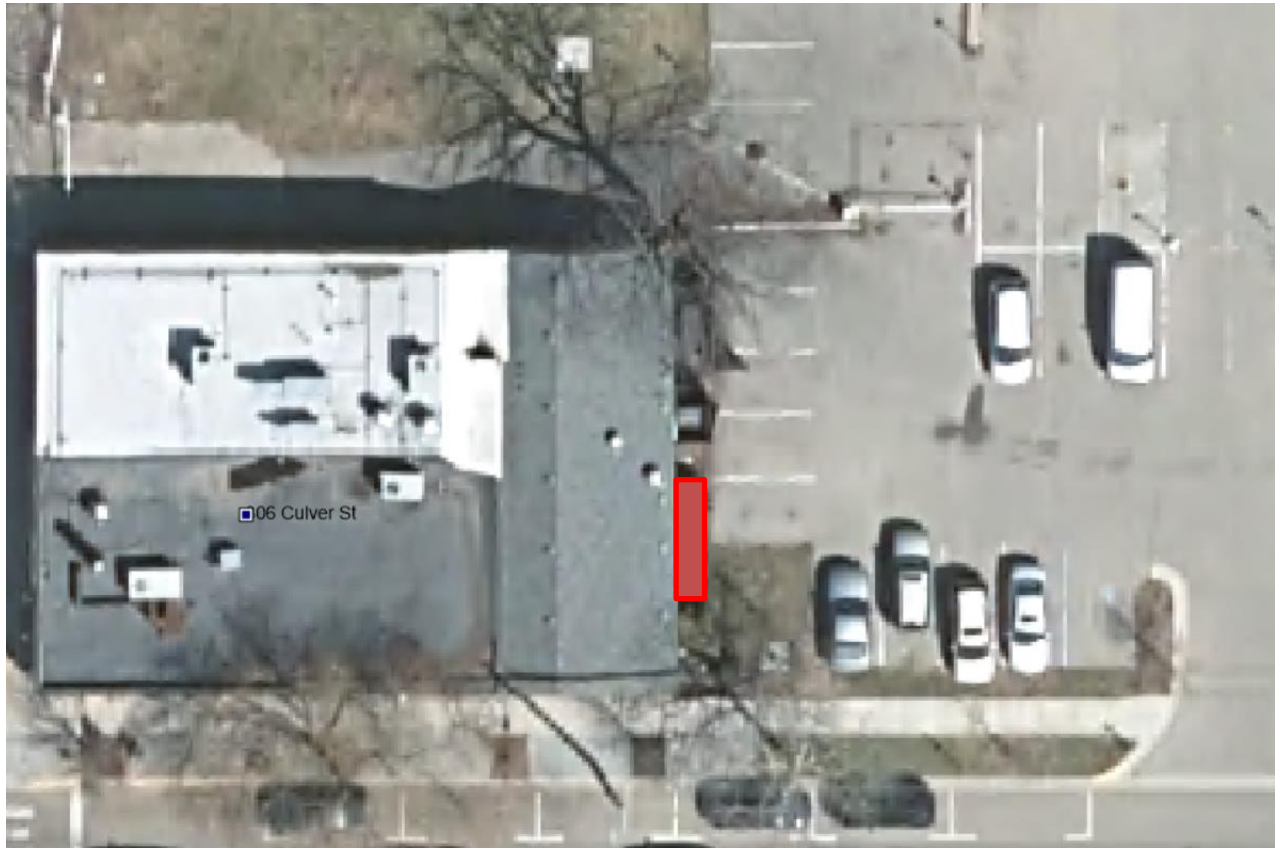
By: _____
Garnet Lewis

Its: Mayor

By: _____
Jamie Wolters

Its: City Clerk

EXHIBIT A:





City Council Agenda Item Report

FROM: Kate White, Project Coordinator & Deputy City Clerk

MEETING DATE: February 14, 2022

SUBJECT: Proclamation No. 220214-P1 – Arbor Day

DESCRIPTION:

As part of the Tree City USA requirements for certification, the City of Saugatuck must publicly proclaim and celebrate Arbor Day. By passing a proclamation for Arbor Day and celebrating the holiday, city officials and the community are displaying their support for the community tree program. The City of Saugatuck will proclaim April 29, 2022 as Arbor Day; a tree planting ceremony on Arbor Day with the location to be determined by the Department of Public Works.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to **approve/deny** Proclamation No. 220214-P1 as presented, proclaiming April 29, 2022 as Arbor Day in the City of Saugatuck.



*** OFFICIAL PROCLAMATION ***

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Garnet Lewis, Mayor of the City of Saugatuck, do hereby proclaim April 29, 2022 as **ARBOR DAY**

In the City of Saugatuck, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS _____ day of _____,

Mayor _____



City Council Agenda Item Report

FROM: Jamie Wolters
MEETING DATE: February 14, 2022
SUBJECT: Special Event-The Market at SCA

DESCRIPTION:

Saugatuck Center for the Arts is hosting a farmer & artisan market with 41 vendors on three non-consecutive dates and requesting full parking lot closure of the Culver Street parking lot on each occasion. Approximately 800 guests at each date and there will be no music, alcohol, or fireworks. See attached application.

Breakdown of Event:

Name: The Market at SCA
Location: City of Saugatuck Culver Street parking lot
3 Dates: 6-17-22, 8-5-22 & 9-23-22
Time: 7am-3pm (*verified lot will be open by 5pm per SHS agreement*)
Vendors: 41 Tents (*vendor parking via interurban at Saugatuck Christian Reformed Church*)
All food trucks must contact STFD to schedule inspection prior to start of event

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny The Market at SCA hosted by Saugatuck Center for the Arts with dates of 6-17-22, 8-5-22 & 9-23-22.



Council Action

____ Approved

____ Denied

____ Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

2022

Must be filled out in its entirety & returned to the City Clerk's Office 30 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: Saugatuck Center for the Arts TELEPHONE: 2698572399

MAILING ADDRESS: 400 Culver St, Saugatuck, MI 49453

CONTACT NAME: Kristin Armstrong TELEPHONE: 2698572399

E-MAIL ADDRESS: kristin@sc4a.org CELL PHONE: 2698572399

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: Susan Poolman TELEPHONE: 2698572399

E-MAIL ADDRESS: market@sc4a.org CELL PHONE: 2692273448

EVENT INFORMATION

NAME OF EVENT: The Market at SCA

DATE(S) OF EVENT: 06/17; 08/05; 09/23

PURPOSE OF EVENT: Farmer & Artisan Market

RAIN DATE: none

- Non-Profit For-Profit City Operated/Sponsored Co-Sponsored
- Marathon/Race Festival/Fair Video/Film Production Other _____

EVENT LOCATION: Saugatuck Center for the Arts EVENT HOURS: 9am-3pm

ESTIMATED NUMBER OF ATTENDEES: 800 guests at each

ESTIMATED NUMBER OF VOLUNTEERS: 4

ESTIMATE DATE / TIME FOR SET-UP: 06/17; 08/05; 09/23 7:00 A.M. P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: 06/17; 08/05; 09/23 3:00 A.M. P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: Yes No

TYPE OF MUSIC PROPOSED: Live Amplification Recorded Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: _____ END: _____

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) Yes No
 Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: Yes No
 Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)
 Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: _____

WILL FIREWORKS BE APART OF EVENT: Yes No
 Provide Copy of Liability Insurance (listing the City as additionally insured)
 Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

"YARD" SIGNS - Number requested: ____ (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

BANNER UNDER SAUGATUCK PALETTE SIGN - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

SIGNAGE AT EVENT SITE - Location(s): _____
Description of signs: _____
(Signs at event site cannot be displayed prior to day of the event and must be removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

BOOTHS – QUANTITY _____ TENTS – QUANTITY Max 41 (10' x 10')
 AWNINGS – QUANTITY _____ TABLES – QUANTITY _____
 PORTABLE TOILETS – QUANTITY _____

VENDOR PARKING: Have you made arrangement for vendor parking? Yes No

If yes, where do you propose your vendors park? Saugatuck Christian Reformed Church

Will the Interurban be utilized? Yes No Time(s) 7:am-8:45am & 3pm-4:15pm

DEPARTMENT OF PUBLIC WORKS

APPROVED

DENIED

See attached Email
Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: Yes No

TRASH RECEPTACLES – QUANTITY _____

BARRICADES – QUANTITY _____

TRAFFIC CONES – QUANTITY _____

PARKING SIGNS – QUANTITY _____

FENCING WATER

ELECTRIC

RESTROOM CLEANING

OTHER _____

POLICE DEPARTMENT

APPROVED

DENIED

See attached Email
Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? Yes No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

APPROVED

DENIED

See attached Email
Authorized Personnel Signature

STREET CLOSURES: Yes No (use attached map to outline proposed closures)

Street closure date/time: _____ A.M. P.M.

Street re-open date/time: _____ A.M. P.M.

SIDEWALK CLOSURES: Yes No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ A.M. P.M.

Sidewalk re-open date/time: _____ A.M. P.M.

PARKING LOT CLOSURES: Yes No (use attached map to outline proposed closures)

Parking Lot Location: Culver City Parking Lot (partial closure, see attached map)

Sidewalk closure date/time: _____ A.M. P.M.

Sidewalk re-open date/time: _____ A.M. P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

- Completed Application
- Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)
- Road/Sidewalk/Parking Lot Closure Map
- Certificate of Insurance (listing the City of Saugatuck as additionally insured)
- Fireworks Permit (if applicable)
- Michigan Liquor Control Commission Special Event License (if applicable)
- Health Department Food Service License (if applicable)

If document is missing, please explain: see attached note

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.


Applicant Signature

1/10/22
Date

The Saugatuck Center for the Arts will need the use of the City Parking Lot for our weekly Market at SCA on the following dates:


- Friday, June 17th
- Friday, August 5th
- Friday, September 23rd

Attached is our layout.

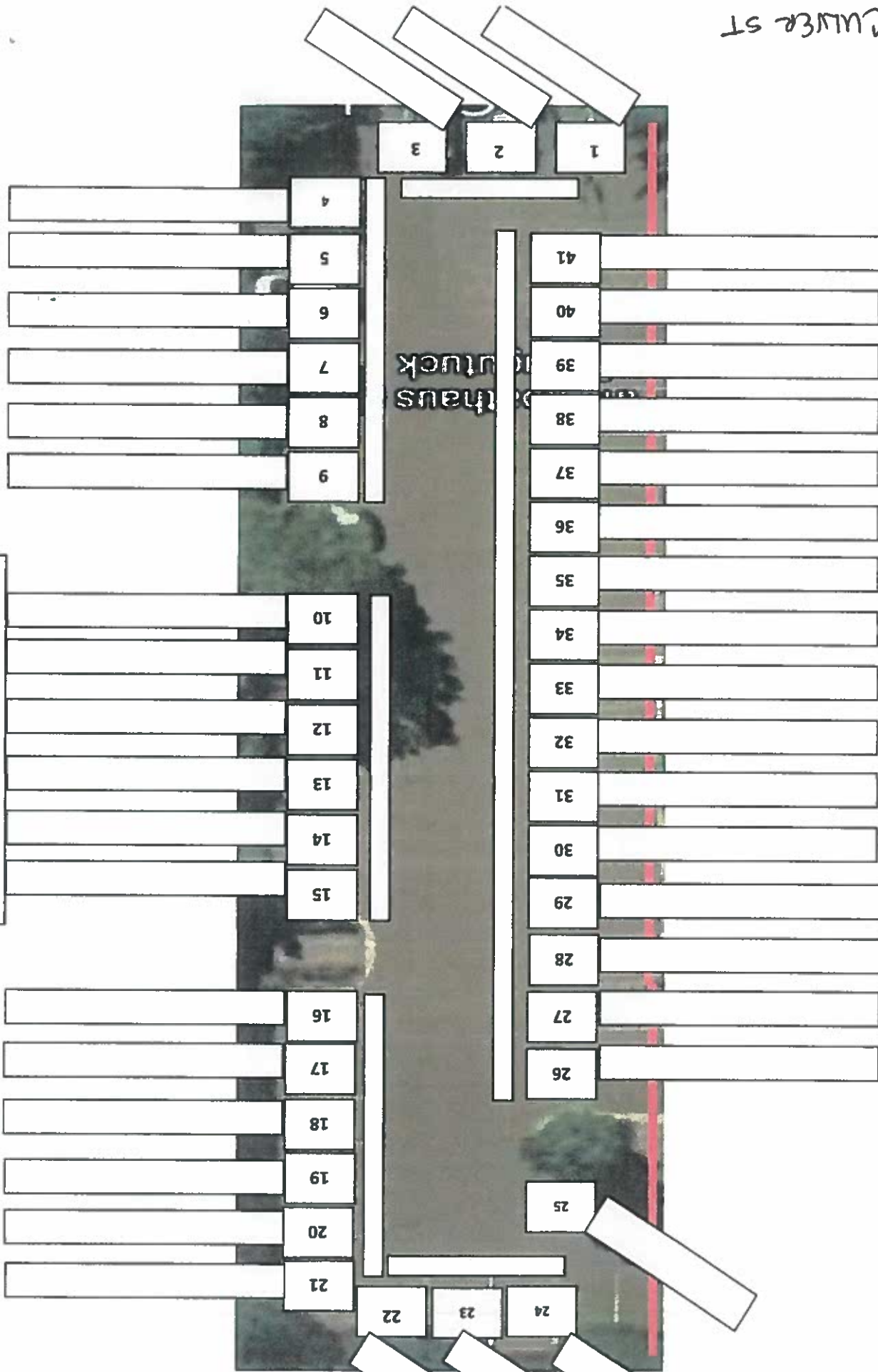
Certificate of Insurance should already be on file

All food trucks that we have will have their food license, insurance paperwork and MI Sales Tax ID just as they do for our market.

CULVER ST

 = Safety cones or fencing
Spots marked would be Friendors
Tents/Booths.

SCA
BLDG



89



Jamie Wolters

From: Brett Ensfield <BEnsfield@ALLEGANCOUNTY.ORG>
Sent: Wednesday, January 26, 2022 11:15 AM
To: Jamie Wolters; Scott Herbert; Greg Janik
Cc: Ryan Heise
Subject: Re: Special Event. The Market at SCA

No issues from Law Enforcement with the event

From: Jamie Wolters <Jwolters@saugatuckcity.com>
Sent: Wednesday, January 26, 2022 10:12 AM
To: Scott Herbert <scott@saugatuckcity.com>; Greg Janik <gjanik@saugatuckfire.org>; Brett Ensfield <BEnsfield@ALLEGANCOUNTY.ORG>
Cc: Ryan Heise <Ryan@saugatuckcity.com>
Subject: Special Event. The Market at SCA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Attached is a Special Event form for your review from the SCA.

Breakdown of Event:

Name: The Market at SCA (*farmer & artisan market*)
Location: City of Saugatuck Culver Street parking lot (*full parking lot closure request*)
3 Dates: 6/17/22, 8/5/22 & 9/23/22
Time: 7am-9am(*set up*) 9am-3pm(*event*) (*verified lot will be open by 5pm per SHS agreement*)
41 Vendors with tents (*vendor parking via interurban at Saugatuck Christian Reformed Church*)
Approximately 800 guests at each date
No music, alcohol, or fireworks

The event form has marked NO required use by DPW, Police or Fire.

Please review and email me any questions and if none, your department approve/deny

Thank you for your time,

Jamie Wolters

City Clerk

City of Saugatuck

O: 269.857.2603

F: 269.857.4406



Jamie Wolters

From: Scott Herbert
Sent: Thursday, January 27, 2022 8:12 AM
To: Jamie Wolters; Greg Janik; Brett Ensfield
Cc: Ryan Heise
Subject: RE: Special Event. The Market at SCA

Thanks Jamie,

That's a big ask to block that much parking that time of year but it has Public Works approval as long as Council approves.

Scott Herbert
Public Works Supt.
City of Saugatuck
(269) 857-2558

From: Jamie Wolters <Jwolters@saugatuckcity.com>
Sent: Wednesday, January 26, 2022 11:13 AM
To: Scott Herbert <scott@saugatuckcity.com>; Greg Janik <gjanik@saugatuckfire.org>; Brett Ensfield <BEnsfield@ALLEGANCOUNTY.ORG>
Cc: Ryan Heise <Ryan@saugatuckcity.com>
Subject: Special Event. The Market at SCA

Good morning,

Attached is a Special Event form for your review from the SCA.

Breakdown of Event:

Name: The Market at SCA (*farmer & artisan market*)
Location: City of Saugatuck Culver Street parking lot (*full parking lot closure request*)
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The event form has marked NO required use by DPW, Police or Fire.

Please review and email me any questions and if none, your department approve/deny

Thank you for your time,

Jamie Wolters

City Clerk
City of Saugatuck
O: 269.857.2603
F: 269.857.4406

Jamie Wolters

From: Greg Janik <gjanik@saugatuckfire.org>
Sent: Thursday, January 27, 2022 5:46 PM
To: Jamie Wolters
Cc: Chris Mantels; Chris Bernhardy
Subject: RE: Special Event. The Market at SCA

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jamie,

Sorry for the confusion, I have not had a chance to print and fill out the application. The approval is contingent that any and all Vendor Food Trucks are inspected by Saugatuck Township Fire District prior to the start of the event and are found to be compliant. We can inspect the day of the event, however, it must be before the event starts and the Vendor Food Truck operator contacts STFD to schedule the inspection.

Thank you,
Greg

Greg Janik

Fire Chief/Fire Marshal
3342 Blue Star Highway
Saugatuck, MI 49453

Phone: 269 857-3000

E-mail : gjanik@saugatuckfire.org



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3342 Blue Star Highway
Saugatuck, MI 49453

Phone: 269 857-3000

E-mail : gjanik@saugatuckfire.org



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From: Jamie Wolters <jwolters@saugatuckcity.com>

Sent: Wednesday, January 26, 2022 11:13 AM

To: Scott Herbert <scott@saugatuckcity.com>; Greg Janik <gjanik@saugatuckfire.org>; Brett Ensfield <BEnsfield@ALLEGANCOUNTY.ORG>

Cc: Ryan Heise <Ryan@saugatuckcity.com>

Subject: Special Event. The Market at SCA

Good morning,

Attached is a Special Event form for your review from the SCA.

Breakdown of Event:

Name: The Market at SCA (*farmer & artisan market*)

Location: City of Saugatuck Culver Street parking lot (*full parking lot closure request*)

3 Dates: 6/17/22, 8/5/22 & 9/23/22

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41 Vendors with tents (*vendor parking via interurban at Saugatuck Christian Reformed Church*)

Approximately 800 guests at each date

No music, alcohol, or fireworks

The event form has marked NO required use by DPW, Police or Fire.

Please review and email me any questions and if none, your department approve/deny

Thank you for your time,



City Council Agenda Item Report

FROM: Kate White, Project Coordinator & Deputy City Clerk
MEETING DATE: February 14, 2022
SUBJECT: Resolution No. 220214-C (Expanded Outdoor Dining Policy)

DESCRIPTION:

Attached is a policy for Expanded Outdoor Dining Areas in the public right-of-way. The purpose of establishing a policy for Expanded Outdoor Dining Areas is to create formal guidelines and procedures for handling the licensing of the public right-of-way to food and beverage service businesses.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Municipal attorneys Christopher Patterson and Jacob Witte of Fahey Schultz Burzych Rhodes PLC reviewed and approved the proposed policy.

SAMPLE MOTION:

Motion to **approve/deny** Resolution No. 220214-C as presented approving the creation of the City of Saugatuck Expanded Outdoor Dining Area Policy.

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

RESOLUTION NO. 220214-C

**A RESOLUTION TO APPROVE THE CITY OF SAUGATUCK EXPANDED OUTDOOR
DINING AREA POLICY**

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

- A. The City of Saugatuck Charter vests the City Council with all powers granted by law including, when not otherwise delegated, responsibility for City operations and functions.
- B. The City Charter further provides that the City Council is responsible to determine all matters of policy on behalf of the City.
- C. The City Council has received from the Saugatuck Project Coordinator a proposed Expanded Outdoor Dining Area policy (the "Policy"), which establishes a procedure and process for licensing the use of the City of Saugatuck public streets for expanded outdoor dining.
- D. Based on its review of the Policy, the City Council concludes that adoption of the Policy is in the best interest of the City.

NOW, THEREFORE, IT IS RESOLVED THAT:

- 1. The Policy, a copy of which is attached hereto and the original of which is on file with the City Clerk of the City of Saugatuck, is hereby adopted.
- 2. All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, repealed.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSTAIN: Council Members: _____

ABSENT: Council Members: _____

ADOPTED this 14th day of February, 2022.

Signed: _____
Garnet Lewis, Mayor

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the duly appointed 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 February 14, 2022, 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.

Jamie Wolters, City Clerk

Policy/Procedure: Expanded Outdoor Dining Area Policy

Date Adopted or Implemented: February 14, 2022

Revision Date: N/A

Resolution Number (if applicable): 220214-C

CITY OF SAUGATUCK

Purpose: To provide procedure and process for licensing the use of the City of Saugatuck public streets for expanded outdoor dining.

Policy: On an annual basis, interested food and beverage service business applicants must apply for the license to extend their dining services into the public right-of-way from April 1st to November 30th. The fees for the license shall be set by the City Council from time to time based on factors as determined by the Council.

Procedure: The expanded outdoor dining area licenses will be approved on a yearly basis consistent with this policy and the standards and requirements set forth herein:

Procedures:

1. Any food and beverage service business that wishes to establish new or additional outdoor dining areas between April 1st and November 30th shall complete all required paperwork, as well as pay the necessary fee for use of the parking space(s) for the EODA season. The entirety of the EODA fees must be paid at the time an application is submitted and are non-refundable upon issuance of an EODA license.
2. The EODA fee will be \$200 per parking space for every month the Applicant wishes to operate an EODA during the EODA season, which will begin on April 1st of each year and end on November 30th of that same year. The City may deposit the EODA fee upon approving a license.
3. All completed/appropriate application(s) shall be submitted to the Zoning Administrator for review.
4. Following receipt of all completed/appropriate application forms, City Administration will review and investigate the request for any use of public property consistent with the standards for approval and design requirements set forth below. The City may approve the application, deny the application, or approve the application subject to conditions reasonably necessary to ensure compliance with the standards enumerated below and in the City Code.
5. Upon approval by the City, the applicant will receive a license signed by the Zoning Administrator. If the City has imposed any conditions of approval, the conditions will be included on the license. Each license will be valid for one EODA season (April 1st to November 30th). If an application is denied, the City will notify the Applicant of the denial in writing, specifying the reason for denial.

Standards for Approval:

1. The Applicant is an owner or operator of a food and beverage service business and will be using the EODA only for the purposes of serving food and beverages to their customers.
2. The Applicant has submitted a complete EODA application and has paid the EODA fee in full.
3. The City has been added as a named insured on the Applicant's general liability insurance policy and the Applicant has provided the City with a copy of the certificate of insurance, demonstrating coverage in the amount of \$500,000 per person, per incident, for general and product liability and have umbrella coverage in the amount of not less than \$1,000,000.
4. The EODA will comply with all City and County Ordinances and applicable State laws, COVID limitations, and City policies.
5. If the EODA is located in parallel parking spaces, then the EODA's furniture/barriers shall not extend more than 8 feet from the face of the curb, and not exceed 40 feet in length. If the EODA is located on an angled parking street (i.e. Water Street), the EODA's furniture/barriers do not extend more than 15 feet from the face of the curb, and do not exceed 40 feet in length.
6. No tents or enclosures are proposed.
7. All heating equipment proposed by the Applicant has been approved by the Fire Department.
8. The Applicant has submitted two EODA Maps which include detailed seating layout, trash container, and sanitation station with exact measurements and indication/location of any manhole covers within the Premises.
8. The EODA will not disrupt street or sidewalk drainage or impound water.
9. No carpeting or ground coverings of any kind are proposed.
10. Property taxes, including personal property taxes, have been paid in full.
11. No advertising banners or related decorations are proposed.
12. Fire lanes, fire hydrants, and other fire department connections will not be blocked by the EODA and required fire access will be maintained.
13. The EODA will not block or otherwise restrict access to handicapped parking spaces.
14. The EODA only consumes parking spaces adjacent to the Applicant's business, and does not extend past the building frontage of the Applicant's business.

Design Requirements:

- 1.** Barrier structures for EODAs must be made of non-flexible materials. Examples of acceptable non-flexible materials include wood, plastic, and metal. Concrete barriers and cinder blocks are not acceptable. Flexible materials, like rope and canvas, are not acceptable barriers.
- 2.** Barriers must clearly define the perimeter of the EODA to prevent pedestrians and from entering or exiting from the street.
- 3.** Planters, plants, and organic materials are required parts of the EODA.
- 4.** Both electrical lighting and traffic reflectors are required in the EODAs to promote visibility for traffic. Overhead and underground electrical cords are permitted. Electrical cords may not run along the ground and onto the sidewalk for safety reasons.
- 5.** The EODA will not unreasonably interfere with the flow of pedestrian or vehicular traffic or the use of adjacent parking spaces
- 6.** The EODA will be aesthetically pleasing and consistent with the general character of the surrounding area.



City Council Agenda Item Report

FROM: Kate White, Project Coordinator & Deputy City Clerk

MEETING DATE: February 14, 2022

SUBJECT: Resolution No. 220214-D

DESCRIPTION:

As recommended by City staff and discussed with Council, a fee for the use of public parking spaces for expanded outdoor dining areas should be established to mitigate the loss of downtown parking. The funds raised by the fees will be directed towards public transit and administrative costs associated with regulating expanded outdoor dining areas.

Proposed revisions to the City's Schedule of Fees:

New

Expanded Outdoor Dining Area License Fee - \$200/month per parking space

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Municipal attorneys Christopher Patterson and Jacob Witte of Fahey Schultz Burzych Rhodes PLC reviewed and approved the proposed resolution.

SAMPLE MOTION:

Motion to **approve/deny** Resolution No. 220214-D as presented approving a change in the City's Schedule of Fees.

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

RESOLUTION NO. 220214-D

A RESOLUTION APPROVING A CHANGE IN THE CITY’S SCHEDULE OF FEES

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

WHEREAS, the City of Saugatuck, acting through the City Council, is authorized by various ordinances and state law to set fees for the provision of permits, etc.; and

WHEREAS, the City Council adopts and establishes such fees from time to time by resolution; and

WHEREAS, based on matters of record presented to it, the City Council is of the opinion that certain City-imposed fees and charges need to be approved and incorporated into the City’s Schedule of Fees.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The City Council hereby approves a change in the City’s adopted Scheduled of Fees as follows: adopt a \$200 Expanded Outdoor Dining Area license fee, which is a monthly fee and charged per parking space consumed by the expanded outdoor dining area.
2. The City Manager and City Clerk are authorized to take all actions necessary to effectuate the terms of the Resolution including, without limitation, modifying the City’s adopted Schedule of Fees maintained at City Hall.
3. All resolutions and parts of resolutions that conflict with the provisions of this Resolution are rescinded.

YEAS: Council Members: _____

NAYS: Council Members: _____

ABSTAIN: Council Members: _____

ABSENT: Council Members: _____

ADOPTED this 14th day of February, 2022.

Signed: _____
Garnet Lewis, Mayor

Jamie Wolters, City Clerk

CERTIFICATION

I, Jamie Wolters, the duly appointed 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 February 14, 2022, 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.

Jamie Wolters, City Clerk



Brief Introduction to Temporary Sidewalk Restaurant Seating

The following documents include the zoning ordinance on temporary sidewalk restaurant seating, an example application for the temporary sidewalk seating, and an example of a revocable license for sidewalk seating applicants. Individuals who apply for a temporary sidewalk seating area must receive approval from City Council.

SECTION 154.092 DESIGN STANDARDS FOR SELECTED SPECIAL LAND USES

construed to permit any new dwelling unit to be located closer than five feet to the front property line.

(b) *Separation.* Side yard setbacks shall be established by considering the other side yard setbacks in the general neighborhood, but shall not be less than the required side yard setbacks for the zoning district.

(c) *Elevations.* Finished floor elevations, the height of exposed basement walls, and front yard grade elevations shall be substantially similar to those of immediately adjacent dwellings or, when the immediately adjacent properties are non-residential structures, vacant lots, or are otherwise inadequate to make a determination, the elevations shall be determined by the average of elevations in the general neighborhood.

(d) *Size and mass.* Overall height, width, scale, footprint, and general proportions shall be similar to and compatible with the general character of the neighborhood. In determining compatibility, greater weight will be given to the overall height, width, scale, footprint, and general proportions to the immediately adjacent residential properties.

(O) *Restaurants with outdoor seating.* The inclusion of outdoor seating shall be viewed as an expansion of a commercial business and shall meet the following standards:

(1) Tables, chairs, or similar features shall not have display signage or emblems representative of the restaurant;

(2) Outdoor seating area shall be on a fully improved surface of concrete, paver brick, or similar solid material;

(3) If alcohol is served, area shall meet all applicable local, state, and federal regulations; and

(4) Seating and service within the right-of-way shall be classified as a special land use regardless of the zoning district and shall also meet the following standards:

(a) Tables must be removed from the public right-of-way when restaurant is not open;

(b) A five-foot wide, unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction;

(c) An approved revocable usage license, issued by City Council, must be obtained before any tables, chairs, or similar features can be placed within the right-of-way;

(d) No accessory features, including but not limited to garbage cans, service stations, fencing, or similar features shall be permitted within the public right-of-way;

(e) Seating shall be arranged to not interfere with pedestrian travel or the opening of car doors; and

(f) No outdoor seating within the public right of way shall be permitted between November 1 and April 1.

(P) *Service of alcoholic beverages standards.*

(1) Any new establishment seeking a license for the sale and consumption of beer, wine, or alcoholic beverages on-premises shall require special land use approval and site plan review in accordance with this division.

(2) The applicant shall provide a copy of any licensing materials submitted to the Michigan Liquor Control Commission.

(3) The applicant shall provide a site plan illustrating the proposed location where the alcohol sales would occur, as well as all other locations where on-premises sales presently exist within a one thousand-foot radius of the closest lot lines of the subject site.

(4) The proposed establishment must promote the city's economic development goals and objectives, and must be consistent with the city's master plan and zoning ordinance.

(5) Given the character, location, development trends and other aspects of the area in which the proposed use or change in use is requested, the applicant shall demonstrate that the use will: rejuvenate an underutilized property or an identifiable area within the city; provide a unique business model, service, product, or function; add to the diversity of the to the city or to an identifiable area within the city; or, that the addition of the use or proposed change in use will be otherwise a benefit or asset to the city or identifiable area.

(6) The applicant must demonstrate that the use or change in use as constructed and operated is compatible with the area in which it will be located, and will not have appreciable negative secondary effects on the area, such as:

(a) Vehicular and pedestrian traffic, particularly during late night or early morning hours that might disturb area residents;

(b) Noise, odors, or lights that emanate beyond the site's boundaries onto property in the area on which there are residential dwellings;

(c) Excessive numbers of persons gathering outside the establishment; or

(d) Peak hours of use that add to congestion or other negative effects in the neighborhood.

(Ord. passed 6-24-1996; Am. Ord. 040726, passed - -; Am. Ord. 040927, passed - -; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 060710-1, passed 7-10-2006; Am. Ord. 070108-1, passed 1-8-2007; Am. Ord. 080324-3, passed 3-24-2008; Am. Ord. 100726-1, passed 7-26-2010; Am. Ord. 101122-1, passed 11-22-2010; Am. Ord. 110214-1, passed 12-14-2011; Am. Ord. 121008-1, passed 10-8-2012; Am. Ord. 140908-1, passed 9-8-2014; Am. Ord. 150309-2, passed 3-9-2015; Am. Ord.



Temporary Sidewalk Restaurant Seating

LOCATION INFORMATION APPLICATION NUMBER ____ - ____

Business Address 302 / 322(A) Culver St. Parcel Number 57-300-195-00

APPLICANTS INFORMATION

Name Alec Payleitner Address / PO Box PO Box 841
City Saugatuck State MI Zip 49453 Phone 312.480.8161
Interest In Project Owner/Operator E-Mail alec@grow-food.com
Signature _____ Date _____

SUBJECT PROPERTY OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name Fred Gerigery Address / PO Box PO Box 2840
City Douglas State MI Zip 49406 Phone 561.889.3255

I hereby authorize that the applicant as listed above is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions before, during, and after the proposed work is completed.

Signature  Date 11.09.2020

BUSINESS PROPERTY INFORMATION

Depth See Width Attached Size Diagram Zoning District _____ Current Use _____
Check all that apply: Waterfront _____ Dunes _____ Vacant _____

DESCRIPTION (LOCATION OF TABLES, NUMBER OF CHAIRS, HOURS OF OPERATION, DURATION OF OPERATION)

Adjacent to Griffith Street between Culver and the alley to the north.
10 2-top tables, arranged for parties of 2,4 or 6 as space allows.
See diagram for details.
Maximum hours of operation: 8am-9pm.
Maximum duration of operation: April 1-October 31.

STANDARDS AND APPLICATION REQUIREMENTS

Please submit a scaled drawing showing the following:

Y N NA

- Scaled drawing showing the location of the proposed seating,
- Sidewalk surface materials
- Adjacent Property lines,
- Curb-line and crosswalks,
- Obstructions including but not limited to trees, tree pits, signs, fire hydrants, benches, or similar features within 25 feet of proposed seating area.



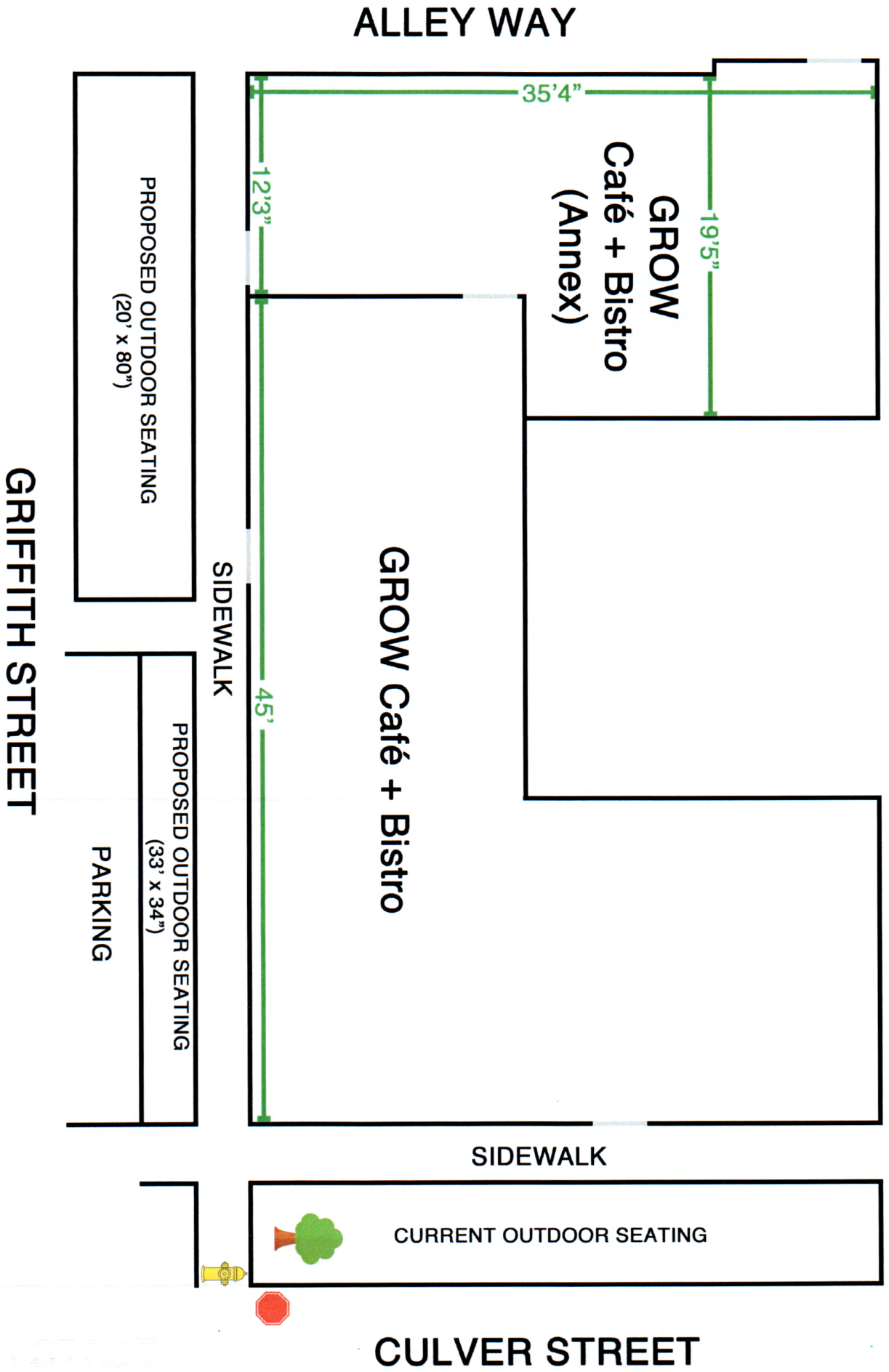
Temp. Sidewalk Restaurant Seating

Application # ____ - ____

Please note that the restaurants with outdoor seating within the right of way shall be required to meet the following standards to receive temporary approval and before any tables or chairs can be placed within the public right-of-way.

- (1) Tables, chairs, or similar features shall not have display signage or emblems representative of the restaurant;
- (2) Outdoor seating area shall be on a fully improved surface of concrete, paver brick, or similar solid material.
- (3) If alcohol is served, area shall meet all applicable local, state, and federal regulations;
- (4) Tables must be removed from the public right-of-way when restaurant is not open;
- (5) A 5-foot wide, unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction;
- (6) An approved revocable usage license, issued by the City, and liability insurance shall be obtained before any tables can be placed within the right of way;
- (7) No accessory features, including but not limited to garbage cans, service stations, fencing, or similar features shall be permitted within the public right-of-way;
- (8) Seating shall be arranged to not interfere with pedestrian travel or the opening of car doors and shall be located between the front of the business and the edge of the curb;
- (9) No outdoor seating within the public right of way shall be permitted between November 1 and April 1; and
- (10) Per the moratorium approved by City Council, temporary approval may be granted for six months, or until amendments to the City Code regarding the use of public sidewalks by adjacent properties are effective, whichever occurs first. Applicants will need to seek full approval as required by the Zoning Code following the expiration.

OFFICE USE ONLY:
 Application Complete _____ \$25 Fee Paid _____ Date Paid _____
 Reviewed By _____ Approval Granted _____ Date of Approval _____
 Notes: _____



FENCING FOR PROPOSED OUTDOOR SEATING

We're planning to do a nautical-style rope and post fencing around the new outdoor space. It will enclose, on all sides, both areas listed on the diagram with a small sidewalk-side opening for entry/exit. The fencing will be similar to this:



GROUND MATERIALS

Currently, the outdoor space is dirt with wild plants. We are planning to clear and pave the area, taking care to differentiate between the sidewalk and the outdoor seating.

REVOCABLE LICENSE AGREEMENT

FOR RESTAURANT SEATING IN THE PUBLIC RIGHT OF WAY

THIS AGREEMENT is made this 31st day of May, 2016, by and between the CITY OF SAUGATUCK, (hereinafter "City") a municipal corporation located in Allegan County, Michigan; and Grow – A Saugatuck Diner (Grow Estate LLC), (hereinafter "Licensee").

Recitals

- A. Licensee has leasehold interest in real property located at 322 Culver Street, in the City of Saugatuck, further described as PP No. 03-57-300-195-00. A restaurant is operated on the property.
- B. Licensee desires to place (6) of tables and (20) of chairs within and on the public sidewalk adjoining the property, to be utilized in conjunction with the restaurant.
- C. The public sidewalk is under the control and jurisdiction of the City and the City is amenable to granting a revocable license to Licensee for the purposes described herein, subject to the terms of this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, it is agreed as follows:

Agreement

- 1. The parties affirm that the recitals set forth above are correct, form an integral part of this Agreement and are incorporated by reference.
- 2. The City grants to the Licensee, and the Licensee accepts from the City, a non-exclusive, revocable license to install and utilize tables and chairs within and on the public sidewalk directly adjacent to the Licensee's property, in the precise location shown on the attached sketch plan, marked as Exhibit A (the "Licensed Premises") subject to the terms and conditions of this Agreement. Without limiting the foregoing, the placement of the seating and tables shall not obstruct or interfere with a five (5) foot wide path on the improved sidewalk, which path shall be continuously maintained for pedestrian travel.
- 3. The Licensee acknowledges and agrees that Licensee has inspected the Licensed Premises and has determined such premises to be in a satisfactory condition and that the Licensee's entry upon and use of the Licensed Premises constitutes acceptance of the Licensed Premises on an "as is" basis. The City makes no representations or warranties as to the condition of the public right-of-way, the suitability of the use of the Licensed Premises proposed by Licensee, or any physical or other condition. The City will have no liability or responsibility for upkeep, maintenance, or any other action with regard to personal property located on the Licensed Premises or the Licensed Premises as a result of this Agreement. Licensee will comply with all

applicable ordinances, laws, and regulations governing the same and will keep its personal property in neat and clean condition, reasonable wear and tear excepted.

4. This Agreement is subject, without limitation, to the following general restrictions:
 - A. The use of the personal property on the Licensed Premises shall not be conducted in such a way as to become a public nuisance; and Licensee's use of the Licensed Premises shall not interfere with traffic or circulation on any adjoining streets, alleys, sidewalks or public open-space areas.
 - B. The Licensee is responsible for maintaining, in a clean and safe condition, the personal property as well as the Licensed Premises.
 - C. The personal property shall only be located in that area expressly designated on Exhibit A.
5. This Agreement shall not authorize the installation or placement of any other personal property within or on the Licensed Premises, including, but not limited, to signage, fencing, trash cans, service stations, or features except those items referenced in Recital B above.
6. The Licensee shall hold the City and its officers, employees, and agents harmless from, and defend and indemnify them against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceedings instituted against any of them, directly or indirectly, arising from the installation or physical existence of the tables and chairs within and on the public sidewalks or from the City's permitting the Licensee to install and maintain such encroachment, regardless of whether the Licensee or any of its officers, employees, or agents are negligent. The obligations of the Licensee under this paragraph shall survive the termination of this Agreement for a period of three years.
7. The license granted by this Agreement shall expire on November 1, 2016, and shall renew annually until the license is revoked, or until the Licensee operates as approved. Notwithstanding the foregoing, the license granted by this Agreement shall be revocable at the will of the City, with or without cause, by the City giving Licensee 15 days written notice of intent to revoke. Upon written notice to Licensee, mailed by regular mail to the Licensee at the property Licensee's address of record, Licensee shall forthwith remove the tables and chairs from within the City right-of-way. In the event the license is revoked, neither Licensee nor its successors or assigns shall be entitled to any compensation
8. Any food or alcohol service shall conform to applicable local, county, state, and federal laws, regulations, licensing requirements, and standards.
9. The Licensee shall obtain, continuously maintain for the duration of this Agreement, and provide the City prior to execution of this Agreement, and from time to time thereafter, with proof acceptable to the City Manager of commercial general liability

insurance coverage, naming the City as an additional insured party. Such insurance shall have an initial limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate. Said insurance must contain comprehensive coverage to insure against any and all claims arising out of or attributable to the encroachment of the tables and chairs into the Licensed Premises or other public right-of-way, regardless of whether the Licensee or any of its officers, employees, or agents are negligent in any manner. The certificate of insurance must contain an unqualified guarantee that the City will be provided with 30 days prior written notice of cancellation, termination, non-renewal, or material change in coverage of the insurance policy provided. If the Licensee fails to maintain the required insurance in force, the City may, at its option, obtain such insurance at its own expense and bill the costs of the same to the Licensee, which costs the Licensee agrees to promptly pay.

10. In no event shall the City be responsible for loss or damage to improvements or personal property owned by the Licensee or its invitees or employees and located on the Licensed Premises, which are caused by fire, theft, loss, vandalism or other casualty.
11. The failure of either party to enforce any covenant or condition of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each and every covenant and condition of this License. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.
12. Licensee acknowledges and agrees that the City is the owner of the Licensed Premises, that the license granted under this Agreement involves the permission to enter and use property which is a public right of way, that the public's rights are paramount, and that the Licensee's use under this license may not interfere with the public's rights to the reasonable use of the Licensed Premises. Licensee further acknowledges that its use of the Licensed Premises does not constitute any title, claim of right, or other interest in the Licensed Premises.
13. Violations of a term of this Agreement by Licensee shall result in the suspension of Licensee's rights hereunder with 24-hour notice to Licensee.
14. This license is personal with the Licensee and does not run with the land. This license shall not be assigned or transferred in any manner by the Licensee to any other person or business entity. The City, in its sole discretion, may authorize the assignment or transfer of this license to a third party by amendment to this Agreement or by a separate license agreement.

In witness whereof, the parties have caused this Agreement to be executed on the date first set forth above.

CITY OF SAUGATUCK, a municipal corporation

By: _____

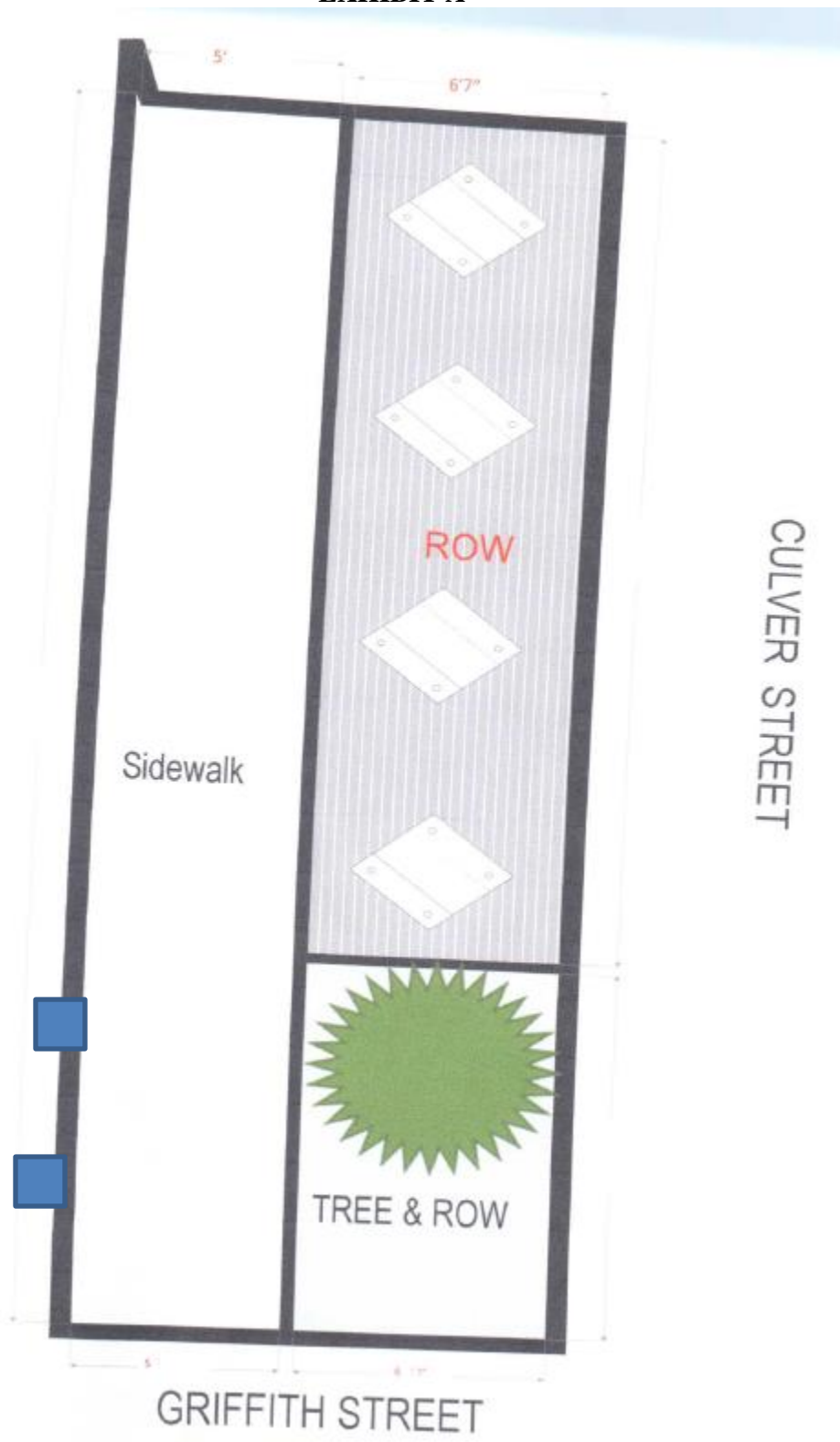
Its: _____

_____, a _____

By: _____

Its: _____

EXHIBIT A



Jamie Wolters

From: Craig Steenbergh <craig@inthebox.com>
Sent: Monday, January 24, 2022 8:30 AM
To: Ryan Heise
Cc: Jamie Wolters
Subject: PUP/EODA

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ryan,

The one requirement I would recommend for PUP/EODA is that the sidewalk should be clear for pedestrian traffic. There should be no tables, sign-boards, host stand, etc. blocking pedestrians from using the full width of the sidewalk.

Thanks

Craig Steenbergh & Cathy Hart
685 Lake Street, Saugatuck, MI

DANIEL W. FOX
1006 ELIZABETH STREET
SAUGATUCK, MICHIGAN 49453

25 January 2022

By email to the City Clerk

To the Saugatuck City Council:

Yesterday I was informed by email that the existing protocol for presenting the highlights of STFD Fire Board meetings to the Saugatuck City Council had been changed. To my knowledge, this decision was taken without public debate or discussion. Regardless, the new protocol would allow only City Council members serving on the various boards and commissions to make such reports at the Council meetings.

I believe this change is wrong-headed. Several boards—including the Board of Review, Zoning Board of Appeals, Library Board, Tree Board, Interurban Board, as well as the STFD Fire Board—have no Council members in their ranks, and therefore (apparently) no way of reporting on their meetings to the Council that appointed their Saugatuck members.

More important however, in the case of the Fire Board on which I serve as Secretary, not reporting on Fire Board meetings to the City Council denies the Council and Saugatuck's citizens an easy way of hearing about the Fire Board's public-safety priorities and decisions without having to attend our full meetings in person or online. It also denies you an opportunity to voice your questions and comments in public and further, denies our shared constituents their right to hear that dialogue. So much for transparency.

I would ask you to revisit this executive decision.

Meanwhile, a work-around: Consistent with the oath I took upon joining the Fire Board some years back, and to ensure you and the citizens of Saugatuck are not denied the opportunity to hear regular summaries of the Fire Board's meetings from an attendee at those meetings, I will prepare a short synopsis of our monthly meetings. I will then share this mini-report with you in person during the 3-minute open-public-comment opportunity near the end of City Council meetings. I look forward to seeing you then.

Sincerely,



City of Saugatuck
Post Office Box 86
Saugatuck, Michigan 49453

From: Rothermich, Phillip A. < >
Sent: Tuesday, February 8, 2022 7:45 PM
To: Ryan Heise <Ryan@saugatuckcity.com>
Subject: Butler Temporary Road Request

Ryan – I noticed the request in the February 9 Council packet for a temporary “road” through the city park to accommodate the project at The Butler. While I am fully supportive of the Butler’s project and I think it is good for the city, I’m concerned about the proposed temporary road through the park. I think that old willow tree is a landmark, and I’m concerned that the heavy equipment traffic could threaten it.

I cannot make the meeting to comment publicly, but please ask the council to take preserving that tree into consideration, and if possible find a solution that steers completely clear of the drip line (or more) of that tree. It would be a real shame for the Butler’s project to end up killing that tree, which is a large part of what makes that park a space special. It is the subject of many tourist pictures during the season.

Thank you!

Phil Rothermich
979 Singapore Drive
314-616-4650

Jamie Wolters

From: Ryan Heise
Sent: Thursday, February 10, 2022 9:52 AM
To: Jamie Wolters
Subject: Correspondence please for packet please

> From: Janet Schmidt <jbschmidt@wmol.com>
> Sent: Wednesday, February 9, 2022 8:40 AM
> To: Ryan Heise <Ryan@saugatuckcity.com>
> Cc: Jane Verplank <jverplank@saugatuckcity.com>; Scott Herbert
> <scott@saugatuckcity.com>
> Subject: The Butler
>
>
> Hi Ryan. We are in Florida and I have been reviewing the temporary
> road request. Can you tell me how close the road/mat and fencing come
> to the willow tree. Will this mat in any way affect the tree. How
> long is it anticipated it will be up? I realize construction is
> construction but this certainly does not add to the beauty of the
> park. Thank you for following up on this. Janet Schmidt, Tree Board
> Sent from my iPhone



Manager's Report 1/17/2022
To the KLSWA Commission:

- A. The December 2021 Water Monthly Operating Reports (MOR) were submitted without issue along with the EGLE MOR version. The Wastewater Treatment Plant (WWTP) Daily Monitoring Report (DMR) for the same timeframe was submitted without issue. I have been working on several of the annual regulatory reports for water and for wastewater. Attached (I) is the water system's Annual Pumpage Report noting June 14th as the 2021 maximum daily pumpage of 2.250 million gallons per day (MGD). There are several other regulatory annual reports that are more administrative reporting to the EGLE.
- 1) Attached (II) is a letter from the EGLE noting the water system's reportable 90th percentile from the lead and copper sampling performed this past Summer. The 90th percentile for lead and for copper will be published in the Annual Water Quality Report that is required to be published and publicly available by July 1st of each year. I am currently working on the data needed for this annual report. The 90th percentile is the published value of the contaminant of concern for the whole system.
 - 2) Attached (III) is a letter from EGLE noting that our PFAS sampling frequency will revert back to once annually due to the non-detectable levels of PFAS at the Douglas Iron Removal Plant (IRP) achieved in the last quarter of 2021. If the sampling in 2022 of the IRP is consistent with the most recent sampling, the water system may again have a non-detectable PFAS at all water supply sites.
- B. Operations: Attached (IV) is the Operations Supervisor's report for the stated duration. The following is more details.
- 1) In preparation for a couple high wind storms over the past month and a half, the wastewater treatment plant's generator failed to produce AC on one occasion and I requested emergency service from Total Energy whom responded and was lucky enough to have the part for the repair within 24 hours. Then two weeks later the same generator experienced a low oil alarm 8 hours after shut down when outside temps were single digits. Total Energy again performed diagnostics and attempted to identify the cause of oil lose. It is suspected that the pre-warm oil circulator partially failed due to low temps and forced oil out the dip stick tube as a cracked crankcase was not evident.
 - 2) The staff has begun the annual wastewater treatment plant's clarifier maintenance whereas the two clarifiers are drained of a ¼ million gallons each, spray cleaned, sludge removed, scrapper arm parts replaced and the entire units inspected for future repairs. We have discovered that the reducing gear box's oil seal is leaking which will be a significant expense to repair. This gear box holds 5 gallons of oil with no noticeable loss of oil level, so the leak is not currently significant though will become significant over time. This original equipment is 44 years old with original seals. It's had a good long useful life and will now need a good rebuild by the manufacturer in the Traverse City area, if they still have parts and are in business.
 - 3) The staff has begun the annual filter media conditioning with potassium permanganate at the Douglas Iron Removal Plant (IRP). This conditioning is similar to pickling where as you soak the media in a strong solution of potassium permanganate over a period of time. Potassium permanganate is a common chemical used for water treatment filters to assist in the removal of iron. You'll often hear me use the term "pickling" the IRP. During this time that the IRP is out of service until late March, we also will be replacing all chemical feed lines along with other maintenance tasks.



- C. Plummers Environmental completed their cleaning and televising of the sewer system in early December with a follow-up recommendation for repairs, see attached (V). I have reviewed all videos of recommended repairs by both Plummers and Fleis & VandenBrink. I can clearly state that I am in concurrence with their recommendations. I have authorized these needed repairs as they were priced in the bid process. The only item not planned currently for repair is #5 of the bored utility through the sewer line that will need to be addressed in early spring as that utility will likely need to excavate to relocate around the sewer line. I am asking Plummers to invoice us directly for those repairs. We have been invoiced for the cleaning, televising and partial engineering for this project. F&V will need to take the CCTV videos and upload into the GIS for future referencing. We should see a final project close out in February in order to capture these expenses into this current fiscal year.
- D. Berger Chevrolet has received the two Chevy Silverado 2500's that were ordered in July which have been delivered to Truck & Trailer Specialties (T&T) for final upfitting of safety strobe lighting, field lighting, snow plow, safety rack, and tool chests. We have made payment to Berger and are awaiting finish build by T&T. Berger has informed me that Chevrolet will not be accepting any fleet vehicle orders in 2022 with a possibility of no orders for 2023! This does not surprise me though I am still shocked. The supply chain complications are pervasive.
- E. Staff and I are preparing to address the next fiscal year's budget which will be challenging. We will need to schedule for two meetings in February; one Budget Workshop Hearing meeting, and a regular meeting. The workshop is typically a near complete budget for review and discussion purposes, and at the regular meeting we may adopt the budget along with the forthcoming year's rates. Or vis versa. Please remember that the regularly scheduled 3rd Monday falls on President's Day, February 21st. I recommend a Budget Workshop Hearing the week of February 14th or the week prior, then a rescheduled Regular meeting up to February 24th.

Operations report for period 12-14--2021 to 1-13-2022

Monthly maintenance inspection of the sewer lift stations was performed twice as well as generator maintenance inspection. No serious issues were recorded in the inspections. Lift Station 1 had an elevated amount of grease load and was cleaned using the Vactor truck after the truck was picked up from service. Additionally, a couple of other sewer main lines with historic heavy grease loads were treated with Caustic Soda to prevent grease buildup in low flow winter months.

The Backhoe was picked up from service and the hydraulic / transmission fluid leak has been corrected. The skid steer had a traffic white/yellow strobe installed. All of the C class vehicles had their annual safety inspection and DOT permit renewed. In the specified time frame, we had a couple of power outages. Lift Stations Blue Star continues suffering from sporadic electrical faults due to inconsistent power supply, resulting in call outs due to Low and High wet well alarms. As the result the manual transfer switch on Blue Star Lift Station failed and was replaced. We also had an issue at Booster station with the transfer of power. The WTPP generator developed an oil leak after an Emergency run cycle.

We continue to assist with Water Service-related issues on Campbell Road. The unseasonably warm weather in December gave us the opportunity to lower some of the newly installed street valve boxes to prevent plow damage.

All structures are regularly checked for rodent infestation, heat issues and security concerns. IRP is in the process of annual preventive maintenance as are the Clarifiers and flash mixer. In the specified period we executed a total of 365 Miss Digs and location requests. In the specified time frame, we had one minor and one major snow / ice event resulting in expenditure of 800 Lbs. of rock salt.

In addition to seasonal turn off requests, faulty meter top replacement, emergency shut off requests and customer water related issues, we continue to investigate meter misreads, that were flagged in monthly meter reading.

Kaz Bajc
Operations Supervisor