

Minutes
City Council Special Meeting
April 15, 2021 at 3: 00 pm
102 Butler St., Saugatuck, MI 49453

Due to COVID-19 restrictions currently in place, the meeting was held via Zoom.

1. Call to Order: Mayor Bekken called the meeting to order at 3: 00 pm.

2. Roll Call:

Present: Bekken (Douglas, MI - Allegan County), Dean (Saugatuck, MI - Allegan County), Leo (Saugatuck, MI - Allegan County), Lewis (Pensacola Beach, FL - Escambia County), Peterson (Key West, FL - Monroe County), Stanton (Saugatuck, MI - Allegan County), Trester (Key West, FL - Monroe County)

Absent: None

Others Present: Ryan Heise - City Manager, Cindy Osman - Zoning Administrator, Erin Wilkinson - Clerk,

3. Agenda Changes: None

4. Public Comment:

Kyle Konwinski (non-resident) expressed concern regarding the floating home ordinance and suggested a grandfather clause be included. He also requested the letter he sent be added to the record.

Mike Prokopeak (non-resident) family owns a home on park street across from the Gazebo. Along with several other families they own the Southernmost 18 feet of property between Dune Grass and Casa Loma and they have a court approved agreement with Presbyterian Camp for an easement of 47 feet of land to the North of their lot, which is onto the Dune Grass property. They were not informed prior to the land swap between Dune Grass and the City and now 20 feet of the property the City has, is part of the easement they have. Dune Grass informed the city incorrectly that the easement had been vacated, when it had not.

Jane Underwood (resident) was upset by the tone of some people at Monday's meeting and felt it was unnecessary. She expressed concern for the safety of pedestrians exiting the Chain Ferry. She also suggested there would be limited space for parking for the house boats and she hopes the city will abide by their ordinances.

Jim Lindsey (resident) commented on the proposed house boat ordinance and wondered why it would even be needed with existing laws and ordinances, that seem to cover this issue.

Paulus Heule (non-resident) mentioned he agreed they need to abide by laws and if there is a possibility to sit down and negotiate with council or a representative regarding the fence, he would be more than happy to do so to identify a compromise. He also mentioned there is exclusive parking for the area where house boats will be located. He doesn't feel the house boat ordinance is necessary.

Gary Medler (resident) mentioned the fence placed by Dune Ridge was done without a permit and obtaining a proper variance. The agreement Dune Ridge refers to suggests it is a privacy screen, which was already reviewed with the site plan review, and the determination then was the spaces are not inconsistent. He also suggested the City doesn't need a floating home ordinance, because due to the US Supreme Court ruling from 2013, the City already has the authority to deny them under existing laws and ordinances.

5. Unfinished Business:

A. Dune Grass Fence - No action was taken.

B. Floating Homes - No action was taken.

6. Public Comments: Jane Underwood (resident) expressed her appreciation for the ordinances and laws being followed.

Paulus Heule (non-resident) with respect to the fence, the intent of the initial agreement was to put the fence on city property, and they acted in good faith with the city, and asked staff to talking to the planning board and be practical. He also expressed his disappointment in losing a season of potential revenue.

Gary Medler (resident) said he reviewed many cases across the country and US Supreme Court cases and commented that enforcement will be the issue with regard to Floating Homes. With regard to the Dune Ridge floating homes, he doesn't feel they pass the Michigan standard and should be prohibited.

Kyle Konwinski (non-resident) thanked the Council for taking their feedback seriously. He doesn't feel the moratorium is necessary and questioned the duration. He also said substantial investment has been made based upon good faith representations by the City and now an entire season of revenue will be lost.

Dick Waskin (non-resident) expressed concern that the council could enter into an agreement that conflicts with the City's laws and ordinances, allow the property owner to take action and make investment based on that agreement, and then just have it revoked. He cautioned the Council to proceed carefully.

7. Communications:

A. David Blandford - Dune Grass Fence

- B. Jim & Holly Lindsey** - Dune Grass Fence
- C. Gary Medler** - Dune Grass Fence (April 8 & April 12, 2021)
- D. Ann Broeker** - Floating Homes
- E. Gregory Alcock** - Dune Grass Fence
- F. Michael and Ruth Johnson** - Dune Grass Fence

- 8. Council Comments:** Council Member Lewis commented that this process has reinforced her belief in the Planning Commission and expressed appreciation for so much public feedback and involvement.

Council Member Trester applauded council and staff for getting through this process in a good faith manner and thanked the public for their input and involvement.

Council Member Stanton expressed appreciation for all the people who helped provide insight on the process. She asked the attorney to look into the land swap agreement and easement mentioned.

Council Member Peterson expressed her appreciation for how the conversation went and thanked the public for their input and involvement. She also thanked staff, the Mayor, and city Attorney.

Council Member Dean expressed his gratitude for the community's involvement in the process and said he is proud of the council for the way they are handling the changing demands in our community and forward thinking.

Mayor Bekken thanked staff for their time and effort.

- 9. Adjourn** A motion was made by Lewis, 2nd by Peterson, to adjourn the meeting at 4: 22 pm. Upon roll call vote the motion carried unanimously.

Respectfully submitted,

Erin K. Wilkinson
City of Saugatuck Clerk