



CITY COUNCIL AGENDA

November 9, 2020 – 7:00 P.M.

1. CALL TO ORDER
2. ROLL CALL
3. **MAYOR & MAYOR PRO TEM NOMINATION/ELECTION**
4. APPROVAL OF MINUTES
 - A. **Regular City Council Meeting of Oct. 26, 2020 (ROLL CALL)**
5. MAYOR'S COMMENTS
6. CITY MANAGER'S COMMENTS
7. AGENDA CHANGES (ADDITIONS/DELETIONS)
8. GUEST SPEAKERS:
 - A. **Lt. Brett Ensfield – Allegan Co. Sheriff's Department**
9. PUBLIC COMMENT (*Limit 3 minutes*) *Select "unmute" mic in the Zoom interface and speak your name to be recognized or press *6 if you are calling in by phone to unmute your phone to speak.*
10. REQUESTS FOR PAYMENT
 - A. **Approval of Accounts Payable (ROLL CALL)**
11. INTRODUCTION OF ORDINANCES:
12. UNFINISHED BUSINESS:
13. NEW BUSINESS
 - A. **Chapter 154 – Section 035(D) Front Setback**
 - B. **Chapter 154 – Section 143 Fence Height for Corner Lots**
 - C. **Chapter 154 – Section 174(C) Non-Conforming Structure out of Flood Plain**
 - D. **Chapter 154 – Section 154.005/024/039/040/041 Land Usage: Zoning Code**
 - E. **Resolution Adopting MERS as Employee 457 Deferred Compensation Plan Administrators**
 - F. **Saugatuck Township Intent to Consider Joining the Kalamazoo Lake Harbor Authority**
 - G. **Correction of Lisa DeSoto Legal Description**
14. CONSENT AGENDA:
15. PUBLIC COMMENTS (*Limit 3 minutes*) *Select "unmute" mic in the Zoom interface and speak your name to be recognized or press *6 if you are calling in by phone to unmute your phone to speak.*
16. COMMUNICATIONS:
 - A. **Fire Chief Janek Incident Data (Accept as Information)**

NOTICE:

This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

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:
citymanager@saugatuckcity.com



17. **BOARDS, COMMISSIONS & COMMITTEE REPORTS**
 - A. Fish Shanty Restoration Project Committee**
18. COUNCIL COMMENTS
19. ADJOURN (*ROLL CALL*)

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 erin@saugatuckcity.com for further information.



City Council Agenda Item Report

FROM: Karen Doyle Homan

MEETING DATE: April 13, 2020

SUBJECT: Election of Mayor and Mayor Pro Tempore (Pro Tem)

DESCRIPTION

SECTION 4.12 ORGANIZATION OF THE COUNCIL, MAYOR AND MAYOR PRO TEM.

The council at its first meeting following each regular city election shall elect one (1) of its members as mayor and one (1) mayor pro tem by an affirmative vote of a majority of its members, and whom shall serve for one (1) year or until their successors are elected. The mayor shall preside at all meetings of the council, shall speak and vote at such meetings as any other council member, shall be recognized as head of the city government for all ceremonial purposes and for purposes of military law, but shall have no administrative duties. The mayor pro tem shall act as mayor during the absence or disability of the mayor.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

N/A

LEGAL REVIEW

Municipal attorney Jeff Sluggett has approved the process described below.

PROCESS:

- 1.) Mayor opens nominations for office of mayor
- 2.) Any member may make a nomination (does not need a second); Mayor then asks for other nominations and the process is continued until no further nominations are offered
- 3.) A vote is then held for each nominee in the order nominated (roll call by City Clerk) until a majority of the Council has voted in favor of a particular nominee, at which point the person is announced to be elected as mayor and that election is over
- 4.) New Mayor assumes chair position
- 5.) Repeat steps 1 thru 3 for mayor pro tem position

Policy/Procedure: Mayor and Mayor Pro Tem Election

Date Adopted or Implemented: 11-10-2007

Revision Date: N/A

Resolution Number (if applicable): N/A

CITY OF SAUGATUCK

Per Section 4.12 (Organization of the Council, Mayor and Mayor Pro Tem) of the Saugatuck City Charter requires the City Council at its first meeting following each regular City election to select one Council member as Mayor and one member as Mayor Pro Tem. Each position requires an affirmative vote of the majority (4) membership of the entire Council.

Process:

1. Mayor opens the floor to accept nominations for Mayor from Council members;
2. Mayor closes the floor for nominations;
3. City Clerk administers roll call vote in which each City Council member selects one nomination. Vote by secret ballot is not permitted and nominees are required to vote and may vote for themselves;
4. The nominee with the majority vote is elected;
5. Repeat process for Mayor Pro Tem;
6. After Mayor and Mayor Pro Tem election is complete, seats are changed and new Mayor presides over meeting.

Proposed Minutes Saugatuck City Council Meeting
Saugatuck, Michigan, October 26, 2020

The City Council met in regular session at 7:00 p.m. via Zoom/audio conference technology due to COVID-19 restrictions currently in place.

1. **Call to Order** by Mayor Trester at 7:00 p.m.

2 **Attendance:**

Present: Bekken, Johnson, Leo, Lewis, Peterson, Verplank & Trester

Others Present: Interim City Manager Doyle Homan, Clerk Wilkinson, Zoning Administrator Osman, Finance Director/Treasurer Peter Stanislawski

3. **Approval of Minutes:** A motion was made by Peterson, 2nd by Verplank, to approve the October 12, 2020 regular meeting minutes as presented. Amendments were offered by Council Member Johnson to strike the portion of the last sentence in 5) City Manager's Report which read, "which is equal to the amount of time the interim manager was offered 30 years when she started working in this field" as anecdotal in content; also to amend 18) Council Comments to include a reference to the Tri-Community Walking Trail Master Plan to further identify Jon Vanderbeek. 2nd by Peterson to amend the minutes as amended. Upon roll call the motion carried to approve the October 12, 2020 minutes as amended.

4. **Mayor's Comments:** The Saugatuck Douglas Area Business Association (SDABA) has created their annual Christmas ornament with proceeds going to the SDABA Sparkle fund.

The Allegan County Health Department's Halloween guidance has been posted on the City's website and Facebook page and there will be extra deputies posted downtown during the evening. We hope for a safe Halloween in Saugatuck.

The City of Saugatuck recently passed Resolution 200928-B to reauthorize the Tri-Community Advisory Blue Star Trail Committee. The communities of Douglas and Saugatuck Township Resolutions did not have a deadline date; as a result the committee can be activated without delay.

Because of recent legislation the City will be able to continue with Zoom meetings.

The state legislature is considering bills to establish a state-wide short-term rental registry, which is good, but would usurp local units of government's authority to regulate short-term rentals within their jurisdictions. The MML has come out in opposition and we should join the MML in opposition to this.

The State's surge in COVID-19 cases is alarming although Allegan County and the Saugatuck Douglas area numbers have remained steady.

5. **City Manager's Report:** Interim City Manager stated that the date for swearing in new and returning Council Members is on or before November 16, 2020 and the first regular meeting for the new City Council is November 23, 2020.

6. **Agenda Changes:** Add City Clerk Erin Wilkinson as a guest speaker

7. **Guest Speakers:**

Clerk Erin Wilkinson: We are in good shape going into the election. We have 890 registered voters, and as of today 512 have requested absentee ballots, 388 have returned their ballots, with 124 still outstanding. There have been 12 ballots spoiled. The Women's Club is set up as the polling place and we have plenty of poll workers. Clerk Wilkinson explained the process of someone desiring to re-do their ballot and gave that as an example of a spoiled ballot. We have one instance of attempted voter fraud which has been turned over to the Allegan County Sheriff and the Prosecuting Attorney.

8. Public Comment:

Scott Dean, resident, asked Council to consider not selecting a new mayor before the seating of the new council. Mayor Trester explained that the sequence of choosing the mayor is dictated by the City Charter.

- 9. Request for Payment:** A motion was made by Johnson, 2nd by Peterson, to approve the accounts payable in the amount of \$329,802.90. The payment of the Road Bond was questioned; Finance Director/Treasurer Stanislawski explained this was the annual principal and semi-annual interest payment on our outstanding road debt. Upon roll call the motion carried unanimously.

10. Introductions of Ordinances:

Chapter 154 – Section 035(D) Front Setback
Chapter 154 – Section 143 Fence Height for Corner Lots
Chapter 154 – Section 174(C) Non-Conforming Structure out of Flood Plain
Chapter 154 – Section 154.005/024/039/040/041 Land Usage: Zoning Code

The Zoning Administrator presented the above ordinances for first reading. Motion by Johnson, 2nd by Verplank, to put the ordinance amendments on the November 9th Regular Meeting. Upon roll call the motion carried unanimously.

11. Public Hearings: None

12. Unfinished Business: None

13. New Business:

A. Proclamation of Appreciation for the Saugatuck Douglas CVB

Motion by Peterson, 2nd by Bekken, to adopt Proclamation 201026-P1, A Proclamation of Appreciation for the Saugatuck Douglas Convention and Visitors Bureau for their \$5,000 donations toward the downtown Saugatuck Christmas lighting in both years 2019 and 2020. Upon roll call the motion carried unanimously.

B. Resolution 201026-A Fish Shanty Restoration Project Advisory Committee

Motion by Lewis, 2nd by Leo, to approve Resolution 201026-A to appoint a Fish Shanty Restoration Project Advisory Committee comprised of Barry Johnson, Garnet Lewis, Holly Leo, and Randy Dirosa. Upon roll call the motion carried unanimously.

C. Resolution 201026-B Eurasian Water Milfoil Advisory Committee

Motion by Lewis, 2nd by Peterson to approve Resolution 201026-B to appoint a Eurasian Water Milfoil Advisory Committee comprised of Ken Trester, Garnet Lewis, Bob Shuchman, Pat Burroughs, Tim Straker, and the City Manager. Upon roll call the motion carried unanimously.

D. Policy and Procedure for Remote and Hybrid Meetings.

Motion by Peterson, 2nd by Leo to approve City Public Bodies: Policies and Procedures for Remote and Hybrid Meetings. Upon roll call the motion carried unanimously.

14. CONSENT AGENDA: None

15. Public Comment: Greg Muncie, resident, supported an open band shell suited to the water-view Wicks Park site and allowing for better audience placement for performances. He noted that the old gazebo is rotting from the inside out and should be rebuilt or replaced. He likes the Big Pavilion design.

Scott Dean, resident, asked the City to amend its ordinances regarding the timing of selecting the Mayor and Mayor Pro-tem. The Council does not have the power to amend the charter. To change the timing would require a vote by the registered voters of the City.

Todd Hoskins, resident, spoke against the procedure for selecting the next Mayor.

Lt. Brett Ensfield – Allegan Co. Sheriff Department updated Council on departmental activities in the City.

David Blandford, resident, commended the Council on the safety measures taken the past summer

season. He commented that the three options in the Park Street Non-Motorized Study all take away parking and are problematic to the conditions on Park Street.

John Dart, resident, suggested lowering the speed limit even further, installation of speed bumps, and to consider other options for Park Street.

Doug Sander, resident, said taking more space to widen the road would be detrimental to the people who lived on Park Street. He does not support a bike path and suggested a speed hump to slow traffic down.

16. Communications:

David Blandford email (*accepted as information*)

Fire Chief Greg Janik (*accepted as information*)

17. Boards, Commissions & Committee Reports: Council received reports from the following committee(s): Kal-Lake Sewer Water Authority, Fire District, Planning Commission, Harbor Authority

18. Council Comments:

Council Member Lewis reminded Council that Tri-Community Recycling Committee would be meeting the next day.

Council Member Johnson suggested that names should be used on the Zoom meeting screens rather than slogans.

19. Adjournment: A motion was made by Peterson, 2nd by **Verplank**, to adjourn the meeting at 8:26 p.m. Upon roll call the motion carried unanimously.

Respectfully Submitted,

Erin Wilkinson

Saugatuck City Clerk

Vendor Name	Description	Amount
1. AMERICAN LEGAL PUBLISHING CORP.	ORDINANCE UPDATES	1,675.58
2. AT&T MOBILITY	CELL PHONES	396.78
3. CERTASITE LLC	ALARM MONITORING	480.00
4. COMCAST	INTERNET	84.90
5. CONSUMERS ENERGY	ELECTRIC	3,065.13
6. D & L TRUCK & TRAILER LLC	REPAIRS INTERNATIONAL TRUCK	7,009.90
7. DIANNA MC GREW	POSTAGE	6.60
8. DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	449.24
9. FIRST BANK CARD	OVAL BEACH FENCE	449.91
	ZOOM MEETING	15.89
	TRAINING, ELECTION & SUPPLIES	1,742.66
	TOTAL	2,208.46
10. GROUNDS MANAGEMENT SOLUTIONS	PARKS MAINTENANCE	1,090.00
11. KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	2,148.12
12. LANDSCAPE DESIGN SERVICES INC	ROSE GARDEN	2,780.00
13. LORRIE PASTOOR	CLEANING SERVICES	225.00
14. MICHIGAN GAS UTILITIES	BUTLER STREET BATHROOM	58.25
	CITY HALL	52.93
	DPW GARAGE	66.37
	TOTAL	177.55
15. MICHIGAN MUNICIPAL LEAGUE	DRIVER CONSORTIUM	375.00
16. MICHIGAN OFFICE SOLUTIONS	COPIER USE	34.55
17. MINER SUPPLY CO	SUPPLIES	963.80
18. NEWCOMER PLOW & HITCH	SNOW PLOW INSTALL	1,911.65
19. OVERISEL LUMBER COMPANY	SUPPLIES	1,364.93
20. SHELL	GASOLINE & DIESEL	1,115.56
21. SHORELINE TECHNOLOGY SOLUTIONS	NEW SERVER	12,197.00
	CITY MANAGER COMPUTER	1,938.00
	COMPUTER SERVICES	803.25
	TOTAL	14,938.25
22. SMART BUSINESS SOURCE LLC	OFFICE SUPPLIES	41.48
	OFFICE SUPPLIES	78.60
	OFFICE SUPPLIES	48.81
	TOTAL	168.89
23. SUPERIOR ASPHALT INC		

Vendor Name	Description	Amount
	ROAD PATCHES	1,125.00
24. WYOMING ASPHALT PAVING CO	ASPHALT	227.15
25. XEROX FINANCIAL SERVICES	COPIER LEASE	451.68
TOTAL - ALL VENDORS		44,473.72
FUND TOTALS:		
Fund 101 - GENERAL FUND		28,219.28
Fund 202 - MAJOR STREETS		722.00
Fund 203 - LOCAL STREETS		630.15
Fund 661 - MOTOR POOL FUND		12,023.87
Fund 715 - ROSE GARDEN		2,878.42

11/04/2020 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 10/01/2020 - 10/31/2020				
Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL POOLED CASH				
10/02/2020	DD4726(A)	BULTMAN, LINDA	PAYROLL	1,456.38
10/02/2020	DD4727(A)	DOYLE HOMAN, KAREN	PAYROLL	2,344.32
10/02/2020	DD4728(A)	GOODRICH, RICHARD	PAYROLL	847.01
10/02/2020	DD4729(A)	HARRIER, KIRK	PAYROLL	3,245.50
10/02/2020	DD4730(A)	HERBERT, SCOTT	PAYROLL	1,614.49
10/02/2020	DD4731(A)	KERRIDGE, ADAM	PAYROLL	1,145.88
10/02/2020	DD4732(A)	OSMAN, CINDY	PAYROLL	1,405.22
10/02/2020	DD4733(A)	STANISLAWSKI, PETER	PAYROLL	1,400.36
10/02/2020	DD4734(A)	VAN OSS, BRENT	PAYROLL	1,140.36
10/02/2020	DD4735(A)	WENDT, MICHAEL	PAYROLL	1,223.69
10/02/2020	DD4736(A)	WILKINSON, ERIN	PAYROLL	1,472.37
10/02/2020	EFT1337(E)	457-VALIC	PAYROLL	10,216.69
10/02/2020	EFT1338(E)	STATE OF MICHIGAN	PAYROLL	185.06
10/02/2020	EFT1339(E)	MERS HYBRID	PAYROLL	1,645.78
10/02/2020	EFT1340(E)	FEDERAL TAX DEPOSIT	PAYROLL	7,469.00
10/12/2020	16547	ACTION INDUSTRIAL SUPPLY CO	UNIFORMS & SAFETY EQUIPMENT	768.70
10/12/2020	16549	APEX SOFTWARE	ASSESSING SOFTWARE	235.00
10/12/2020	16550	CAPITAL ONE	WEED CUTTER ZERO TURN	574.71
10/12/2020	16551	DTR SIGN COMPANY	PALLET SIGN REPAIR	553.54
10/12/2020	16552	ELECTION SOURCE	ELECTION	255.00
10/12/2020	16553	FENCE CONSULTANTS OF W. MICHIGAN	FENCE SUPPLIES	2,776.00
10/12/2020	16554	GIL- ROY'S HARDWARE	SUPPLIES	209.91
10/12/2020	16555	HOLLAND LOCK & SAFE	CONCESSION	173.00
10/12/2020	16556	KENDALL ELECTRIC INC	STREET LIGHTS	163.88
10/12/2020	16557	MMTA	TRAINING	75.00
10/12/2020	16558	OVERISEL LUMBER COMPANY	SUPPLIES & REPAIRS	414.40
10/12/2020	16559	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	5,203.31
10/12/2020	16560	WALSH MUNICIPAL SERVICES LLC	MANAGERIAL SEARCH CONTRACT	7,000.00
10/12/2020	16562	WYOMING ASPHALT PAVING CO	ASHPHALT HOT	446.05
10/12/2020	3133(E)	FIRST BANK CARD	ELECTION, LAPTOP & SUPPLIES	3,615.61
10/12/2020	3134(E)	GREENMARK EQUIPMENT INC	REPAIRS	151.29
10/12/2020	3135(E)	KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	2,328.65
10/12/2020	3136(E)	MERS	RETIREMENT	4,500.00
10/12/2020	3137(E)	PRIORITY HEALTH	HEALTH INSURANCE	10,248.52
10/12/2020	3138(E)	SHELL	GASOLINE & DIESEL	1,353.59
10/12/2020	3139(E)	VALLEY CITY LINEN INC	SHOP TOWELS	82.70
10/12/2020	3140(A)	ALLEGAN COUNTY SHERIFF	RESERVE DEPUTIES	4,424.52
10/12/2020	3141(A)	ALLEGAN COUNTY TREASURER	PROPERTY TAXES	5,259.18
10/12/2020	3142(A)	BURNETT & KASTRAN PC	LEGAL FEES	420.00
10/12/2020	3143(A)	FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	5,021.68
10/12/2020	3144(A)	MC CANN INDUSTRIES INC	BACKHOE REPAIR	2,773.46

11/04/2020 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 10/01/2020 - 10/31/2020				
Check Date	Check	Vendor Name	Description	Amount
10/12/2020	3145(A)	OTTAWA AREA INTERMEDIATE SCHOOL D	PROPERTY TAXES	3,147.05
10/12/2020	3146(A)	PURITY CYLINDER GASES INC	CONCESSION	16.16
10/12/2020	3147(A)	SAUGATUCK FIRE	RENTAL INSPECTIONS	125.00
10/12/2020	3148(A)	SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	776.25
10/12/2020	16548	AMERICAN LEGAL PUBLISHING CORP.	ORDINANCES UPDATE	203.00
10/12/2020	16561	WESTENBROEK MOWER INC	OIL	495.63
10/16/2020	DD4737(A)	BULTMAN, LINDA	PAYROLL	1,175.51
10/16/2020	DD4738(A)	DOYLE HOMAN, KAREN	PAYROLL	2,906.17
10/16/2020	DD4739(A)	GOODRICH, RICHARD	PAYROLL	764.83
10/16/2020	DD4740(A)	HERBERT, SCOTT	PAYROLL	1,679.48
10/16/2020	DD4741(A)	KERRIDGE, ADAM	PAYROLL	1,541.87
10/16/2020	DD4742(A)	MANNS, STEVEN	PAYROLL	26.42
10/16/2020	DD4743(A)	OSMAN, CINDY	PAYROLL	1,405.21
10/16/2020	DD4744(A)	STANISLAWSKI, PETER	PAYROLL	1,400.35
10/16/2020	DD4745(A)	VAN METER, MICHAEL	PAYROLL	26.42
10/16/2020	DD4746(A)	VAN OSS, BRENT	PAYROLL	1,180.36
10/16/2020	DD4747(A)	WENDT, MICHAEL	PAYROLL	1,263.70
10/16/2020	DD4748(A)	WILKINSON, ERIN	PAYROLL	1,472.37
10/16/2020	EFT1341(E)	457-VALIC	PAYROLL	2,571.47
10/16/2020	EFT1342(E)	STATE OF MICHIGAN	PAYROLL	185.06
10/16/2020	EFT1343(E)	MERS HYBRID	PAYROLL	938.78
10/16/2020	EFT1344(E)	FEDERAL TAX DEPOSIT	PAYROLL	5,210.06
10/16/2020	16563	MML UNEMPLOYMENT COMPENSATION	PAYROLL	18.45
10/26/2020	16570	KENDALL ELECTRIC INC	LIGHT BULBS STERNBERGS	358.93
10/26/2020	3149(E)	CAPITAL ONE	PARKS & REPAIRS	601.61
10/26/2020	3150(E)	CONSUMERS ENERGY	ELECTRIC	3,343.10
10/26/2020	3151(E)	MERCHANTS BANCARD NETWORK	OVAL BEACH FEES	480.02
10/26/2020	3153(E)	REPUBLIC SERVICES	TRASH	415.85
10/26/2020	3154(E)	REPUBLIC SERVICES	TRASH	89.06
10/26/2020	3155(A)	ALLEGAN COUNTY SHERIFF	SHERIFF CONTRACT	25,725.72
10/26/2020	3156(A)	ALLEGAN COUNTY TREASURER	PROPERTY TAXES	15,427.77
10/26/2020	3157(A)	BLOOM SLUGGETT PC	TAX TRIBUNAL	5,800.00
10/26/2020	3158(A)	COMPASS MINERALS AMERICA INC	ROAD SALT	4,265.51
10/26/2020	3159(A)	DIANNA MC GREW	ASSESSING SERVICES	2,689.47
10/26/2020	3160(A)	OTTAWA AREA INTERMEDIATE SCHOOL D	PROPERTY TAXES	9,231.78
10/26/2020	3161(A)	SEPTIC TANK SYSTEMS CO INC	CULVER STREET	545.00
10/26/2020	3162(A)	SMART BUSINESS SOURCE LLC	OFFICE SUPPLIES	68.48
10/26/2020	16564	ACTION INDUSTRIAL SUPPLY CO	UNIFORMS & SAFETY EQUIPMENT	140.79
10/26/2020	16565	ALLEGAN COUNTY NEWS	PRINTING	196.00
10/26/2020	16566	DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	403.19
10/26/2020	16567	HOLLAND MEDI-CENTER	DOT DRUG TESTING	46.00
10/26/2020	16568	IHLE AUTO PARTS	SUPPLIES	91.23
10/26/2020	16569	IXL MACHINE SHOP INC	SALT SPREADER CRADLE	2,180.00

11/04/2020 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 10/01/2020 - 10/31/2020				
Check Date	Check	Vendor Name	Description	Amount
10/26/2020	16571	MACATAWA BANK	ROAD BOND	236,095.75
10/26/2020	16572	SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	14,222.64
10/26/2020	16573	SAWYER ENGINE & COMPRESSOR	AIR COMPRESSOR MAINTENANCE	804.25
10/26/2020	16574	STANDARD INSURANCE COMPANY	INSURANCE	300.64
10/26/2020	16575	WESTENBROEK MOWER INC	REPAIRS MOWER	137.98
10/26/2020	3152(E)	PRIORITY HEALTH	HEALTH INSURANCE	6,047.13
10/30/2020	DD4749(A)	BULTMAN, LINDA	PAYROLL	1,135.52
10/30/2020	DD4750(A)	DOYLE HOMAN, KAREN	PAYROLL	2,906.17
10/30/2020	DD4751(A)	GOODRICH, RICHARD	PAYROLL	795.64
10/30/2020	DD4752(A)	HERBERT, SCOTT	PAYROLL	1,614.48
10/30/2020	DD4753(A)	KERRIDGE, ADAM	PAYROLL	1,145.88
10/30/2020	DD4754(A)	OSMAN, CINDY	PAYROLL	1,405.23
10/30/2020	DD4755(A)	STANISLAWSKI, PETER	PAYROLL	1,400.35
10/30/2020	DD4756(A)	VAN OSS, BRENT	PAYROLL	1,140.36
10/30/2020	DD4757(A)	WENDT, MICHAEL	PAYROLL	1,313.89
10/30/2020	DD4758(A)	WILKINSON, ERIN	PAYROLL	1,531.75
10/30/2020	EFT1345(E)	457-VALIC	PAYROLL	2,571.45
10/30/2020	EFT1346(E)	STATE OF MICHIGAN	PAYROLL	185.06
10/30/2020	EFT1347(E)	MERS HYBRID	PAYROLL	938.78
10/30/2020	EFT1348(E)	FEDERAL TAX DEPOSIT	PAYROLL	5,096.55
10/30/2020	EFT1349(E)	MERS	PAYROLL	4,950.29
10/30/2020	EFT1350(E)	MI DEPT OF TREASURY	PAYROLL	2,506.73
10/31/2020	3163(E)	AT&T MOBILITY	CELL PHONES	124.09
10/31/2020	3164(E)	COMCAST	INTERNET	84.90
10/31/2020	3165(E)	MERS	RETIREMENT	4,034.28
10/31/2020	3166(E)	XEROX FINANCIAL SERVICES	COPIER LEASE	451.68
Total of 110 Checks:				489,410.39
Less 0 Void Checks:				0.00
Total of 110 Disbursements:				489,410.39



Call For Service 1st Qtr 2020



Areas: Saugatuck City

Call For Service Type	JAN		FEB		MAR		APR		MAY		JUNE		JULY		AUG		SEP		TOTALS	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		
1038													12	2.4	7	1.4	2	0.4		21
911 WELFARE													5	1.0	0	0.0	1	0.2		6
A New Call													7	1.4	5	1.0	4	0.8		16
ABANDON 911													1	0.2	2	0.4	3	0.6		6
ABANDONED VEHICLE													0	0.0	0	0.0	2	0.4		2
ALARM													5	1.0	3	0.6	9	1.8		17
AMBULANCE													1	0.2	2	0.4	0	0.0		3
ANIMAL WELFARE													1	0.2	3	0.6	0	0.0		4
ASSAULT													2	0.4	1	0.2	2	0.4		5
ASSIST OTHER AGENCIES													6	1.2	7	1.4	3	0.6		16
BOATING/MARINE													3	0.6	11	2.2	5	1.0		19
BOL													6	1.2	6	1.2	3	0.6		15
BOND VIOLATION													0	0.0	0	0.0	1	0.2		1
BREAKING & ENT													1	0.2	1	0.2	0	0.0		2
BREATHING PROBLEMS													1	0.2	0	0.0	0	0.0		1
CARBON MON ALARM													0	0.0	3	0.6	0	0.0		3
CIVIL													3	0.6	2	0.4	1	0.2		6
CONSERVATION													0	0.0	0	0.0	1	0.2		1
CONVULSION/SEIZURE													1	0.2	1	0.2	0	0.0		2
CSC													1	0.2	0	0.0	0	0.0		1
CUSTODY DISPUTE													1	0.2	0	0.0	0	0.0		1
DEATH INVESTIGATION													0	0.0	1	0.2	1	0.2		2
DISORDERLY PERSON													3	0.6	2	0.4	0	0.0		5
DOMESTIC ASSAULT													1	0.2	3	0.6	1	0.2		5
DRIVING W LIC SUSP													0	0.0	1	0.2	0	0.0		1
EMD													0	0.0	0	0.0	1	0.2		1
FALLS													0	0.0	2	0.4	1	0.2		3
FIGHT													0	0.0	2	0.4	0	0.0		2
FIRE													2	0.4	0	0.0	0	0.0		2
FIRE ALARM													6	1.2	0	0.0	4	0.8		10
FIREWORKS													2	0.4	0	0.0	0	0.0		2

FOLLOW UP					3 0.6	2 0.4	2 0.4			7
FRAUD					1 0.2	0 0.0	2 0.4			3
GAS ODOR					1 0.2	0 0.0	0 0.0			1
GENERAL PUBLIC ASST					39 7.9	36 7.3	29 5.9			104
HARASSMENT					2 0.4	2 0.4	2 0.4			6
HEALTH SAFETY					4 0.8	0 0.0	0 0.0			4
HIT & RUN					1 0.2	0 0.0	1 0.2			2
ILLEGAL BURN					1 0.2	1 0.2	0 0.0			2
INTOX SUBJECT					3 0.6	6 1.2	0 0.0			9
JUVENILE DELINQUENT					0 0.0	0 0.0	2 0.4			2
LAND LORD TENANT					1 0.2	0 0.0	4 0.8			5
LARCENY					2 0.4	1 0.2	3 0.6			6
LEWD					0 0.0	1 0.2	0 0.0			1
LIQUOR VIOLATION					0 0.0	0 0.0	1 0.2			1
LOCKOUT					1 0.2	2 0.4	3 0.6			6
LOST AND FOUND					4 0.8	4 0.8	3 0.6			11
LOUD NOISE					2 0.4	5 1.0	6 1.2			13
MALICIOUS DESTR					0 0.0	2 0.4	2 0.4			4
MEDICAL EXAMINER					0 0.0	1 0.2	1 0.2			2
MINOR IN POSSESSION					0 0.0	0 0.0	3 0.6			3
MISSING PERSON					4 0.8	3 0.6	0 0.0			7
MOTORIST ASSIST					4 0.8	1 0.2	0 0.0			5
OFFICER ON FOOT					1 0.2	1 0.2	0 0.0			2
ORDINANCE VIOLATION					0 0.0	3 0.6	1 0.2			4
OWI					0 0.0	1 0.2	2 0.4			3
PARADE					0 0.0	0 0.0	1 0.2			1
PARKING					13 2.6	5 1.0	4 0.8			22
PD ACCIDENT					3 0.6	5 1.0	0 0.0			8
PEACE OFFICER					1 0.2	0 0.0	0 0.0			1
PRIV PROP ACC					2 0.4	3 0.6	0 0.0			5
RECKLESS DRIVER					0 0.0	1 0.2	0 0.0			1
RESIST & OBSTRUCT					1 0.2	0 0.0	0 0.0			1
ROAD HAZARD					0 0.0	1 0.2	1 0.2			2
ROAD RAGE					0 0.0	0 0.0	1 0.2			1
SHOPLIFTING					1 0.2	0 0.0	0 0.0			1
SUBPOENA SERVICE					1 0.2	0 0.0	0 0.0			1
SUICIDAL SUBJECT					0 0.0	3 0.6	0 0.0			3
SUSPICIOUS SIT					11 2.2	5 1.0	5 1.0			21
THREATS					1 0.2	1 0.2	0 0.0			2
TREE DOWN					1 0.2	1 0.2	0 0.0			2
TRESPASSING					4 0.8	5 1.0	2 0.4			11
UDAA-STOLEN VEHICLE					0 0.0	1 0.2	0 0.0			1
UNCONS/FAINTING					0 0.0	0 0.0	1 0.2			1
WARRANT ARREST					0 0.0	1 0.2	0 0.0			1

WEAPONS							1 0.2	0 0.0	0 0.0				1
WELFARE CHECK							4 0.8	3 0.6	2 0.4				9
WIRE DOWN							1 0.2	1 0.2	0 0.0				2
Totals							190 38.6	173 35.2	129 26.2				492



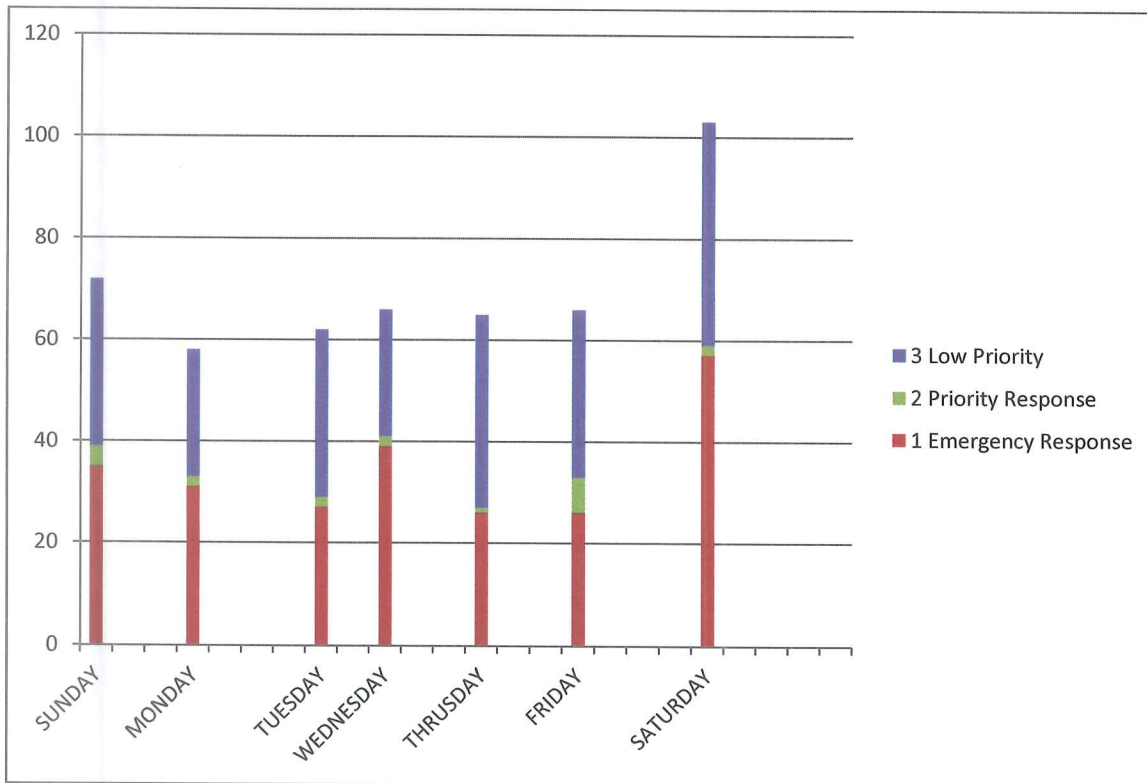
1st Quarter Calls for Service By Priority



2020

Areas: Saugatuck City

Priority	SUNDAY		MONDAY		TUESDAY		WEDNESDAY		THURSDAY		FRIDAY		SATURDAY		TOTAL
	CALLS	%	CALLS	%	CALLS	%	CALLS	%	CALLS	%	CALLS	%	CALLS	%	CALLS
1 Emergency Response	35	14.5	31	12.9	27	11.2	39	16.2	26	10.8	26	10.8	57	23.7	241
2 Priority Response	4	20.0	2	10.0	2	10.0	2	10.0	1	5.0	7	35.0	2	10.0	20
3 Low Priority	33	14.3	25	10.8	33	14.3	25	10.8	38	16.5	33	14.3	44	19.0	231
Totals	72	14.6	58	11.8	62	12.6	66	13.4	65	13.2	66	13.4	103	20.9	492





Call For Service 2019-20

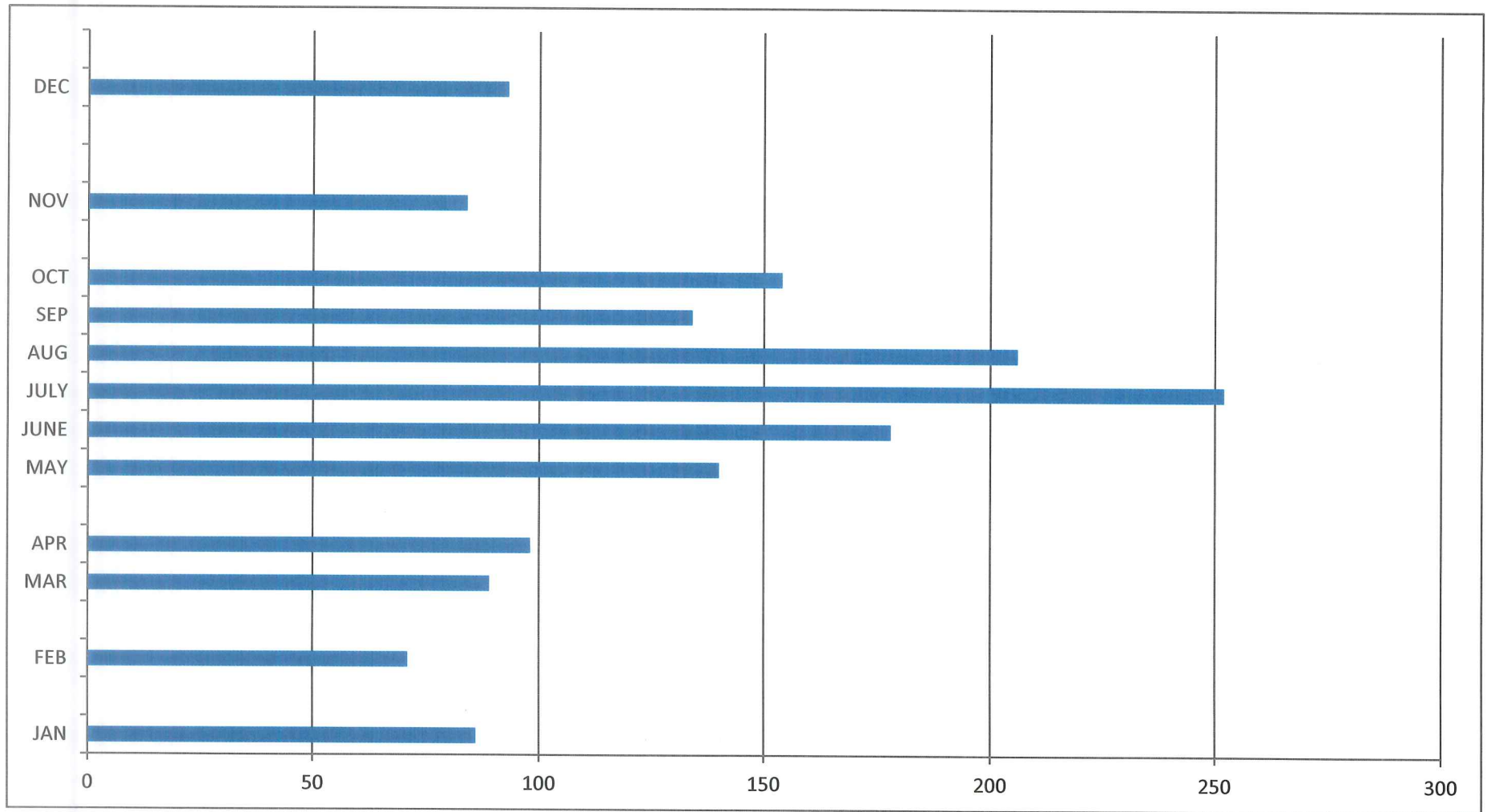


Areas: Saugatuck City

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	TOTALS
Saugatuck City													
1038	5	7	5	5	7	15	22	12	5	10	6	4	103
1046	0	0	0	0	1	0	0	1	0	0	0	0	2
911 WELFARE	2	0	0	1	1	0	0	1	1	0	1	3	10
A New Call	6	0	2	2	3	3	11	1	5	5	6	5	49
ABANDON 911	2	0	0	0	0	1	1	1	1	0	4	7	17
ABANDONED VEHICLE	0	1	0	0	0	1	3	1	0	1	3	1	11
ALARM	3	2	7	5	2	8	5	9	5	4	4	1	55
AMBULANCE	0	0	1	0	0	2	0	0	2	0	0	0	5
ANIMAL (GENERAL)	0	0	0	0	2	0	2	1	0	1	0	1	7
ANIMAL BITE	0	1	1	0	1	0	0	2	1	1	0	0	7
ANIMAL WELFARE	0	0	1	0	0	0	0	1	2	0	0	0	4
ASSAULT	1	0	0	3	0	3	1	1	1	1	0	1	12
ASSIST OTHER AGENCIES	2	1	2	2	0	4	3	4	4	2	1	3	28
ATTEMPT TO LOCATE	0	0	0	0	0	0	1	0	1	0	0	0	2
ATTEMPT TO SERVE	0	1	2	0	0	0	0	0	0	0	0	0	3
BARKING DOG	0	0	0	0	0	0	1	0	1	0	0	0	2
BOATING/MARINE	2	0	0	0	4	6	4	5	0	0	0	0	21
BOL	0	1	0	2	2	3	0	1	1	0	1	0	11
BREAKING & ENT	1	0	0	0	0	1	0	0	2	0	0	1	5
BREATHALYZER	0	0	0	0	0	0	0	0	1	0	0	0	1
BREATHING PROBLEMS	0	0	0	0	0	0	0	1	0	0	0	0	1
CARBON MON ALARM	0	1	0	0	0	0	1	0	0	1	0	0	3
CARDIAC/RESP ARREST	0	0	0	0	0	0	0	0	1	0	0	0	1
CHEST PAIN	0	0	0	1	0	0	1	0	0	1	0	0	3
CHILD ABUSE	0	1	0	0	0	0	0	0	0	0	0	0	1
CIVIL	1	1	3	0	1	2	0	2	3	1	1	1	16
CONSERVATION	2	0	2	1	0	3	1	0	1	0	1	0	11
CONVULSION/SEIZURE	0	1	0	0	0	1	0	0	0	0	0	0	2
CSC	1	1	1	1	0	0	0	0	0	0	1	1	6
CUSTODY DISPUTE	2	0	1	0	0	0	0	0	0	0	0	0	3
DEATH INVESTIGATION	0	0	0	0	0	1	0	0	1	0	0	0	2

DISORDERLY PERSON	2	0	0	0	1	1	5	3	1	0	1	2	16
DIVE TEAM	0	0	0	0	0	0	0	1	0	0	0	0	1
DIVE TEAM-CANCEL	0	0	0	0	0	0	0	1	0	0	0	0	1
DOMESTIC ASSAULT	2	0	1	1	0	2	1	2	0	1	1	0	11
DRIVING W LIC SUSP	0	0	1	0	0	0	1	0	0	0	0	0	2
DRUGS	1	0	0	0	0	0	1	0	0	0	0	0	2
EMD	0	0	0	0	0	0	0	0	0	0	1	0	1
FALLS	0	1	0	0	0	0	1	0	0	0	2	0	4
FIGHT	0	0	0	0	0	0	0	0	0	0	1	0	1
FIRE	0	0	2	0	7	1	0	0	0	0	4	0	14
FIRE ALARM	1	0	0	0	1	2	3	6	9	1	0	2	25
FIREWORKS	0	0	0	0	0	3	3	0	0	0	0	0	6
FOLLOW UP	0	4	1	0	3	2	4	5	7	7	5	0	38
FRAUD	0	0	1	0	2	0	3	0	2	0	1	0	9
GAS ODOR	0	1	0	0	0	1	2	2	0	2	0	0	8
GENERAL PUBLIC ASST	36	36	19	14	19	36	49	52	45	34	38	37	415
HARASSMENT	0	0	0	1	0	3	1	1	1	2	1	0	10
HAZMAT	0	0	0	0	0	0	0	1	0	0	0	0	1
HEALTH SAFETY	0	0	1	4	6	3	0	0	0	0	1	1	16
HIT & RUN	0	0	1	0	0	1	3	1	0	1	0	0	7
ILLEGAL BURN	0	0	0	0	0	0	0	0	1	0	0	0	1
INCORRIGIBLE	0	0	0	0	0	0	0	0	0	0	1	0	1
INSTRUCTIONAL	0	1	0	0	0	0	0	0	0	0	0	0	1
INTOX SUBJECT	0	0	1	0	0	2	4	5	3	1	0	0	16
JUVENILE DELINQUENT	0	0	2	0	1	0	0	0	0	0	0	0	3
K-9	1	0	0	0	0	0	1	3	0	0	0	2	7
LAND LORD TENANT	0	0	0	0	0	0	1	0	0	0	0	0	1
LARCENY	0	1	1	0	2	1	8	2	3	0	0	0	18
LEWD	0	0	0	0	0	0	0	0	1	0	0	0	1
LIQUOR VIOLATION	0	0	0	0	7	0	0	0	0	0	0	0	7
LITTERING	0	0	0	1	0	0	0	0	0	0	0	0	1
LOCKOUT	0	0	0	0	0	1	1	2	1	0	0	0	5
LOST AND FOUND	1	0	0	0	3	3	7	9	7	2	0	1	33
LOUD NOISE	0	0	0	1	3	8	1	3	1	0	0	0	17
MALICIOUS DESTR	0	0	1	0	0	0	0	0	2	2	1	0	6
MEDICAL EXAMINER	0	0	0	0	0	1	0	0	1	0	0	0	2
MENTAL SUBJECT	0	1	0	0	0	0	0	0	0	2	0	0	3
MINOR IN POSSESSION	0	0	0	0	0	0	2	0	0	0	0	1	3
MISSING PERSON	0	0	0	0	0	2	2	1	1	0	0	1	7
MOTORIST ASSIST	0	0	1	0	0	1	3	0	0	0	0	0	5
NEIGHBOR DISP	0	0	0	0	0	0	1	2	0	0	0	0	3
NO OPS	1	0	0	0	1	0	0	0	0	0	0	0	2
OFFICER ON FOOT	1	0	0	0	5	9	3	1	3	0	0	0	22
OPEN CONTAINER	0	0	0	0	1	0	1	0	0	0	0	0	2

OPEN DOOR	0	0	2	0	0	1	2	2	2	3	2	1	15
ORDINANCE VIOLATION	0	0	0	0	1	2	0	2	2	0	0	0	7
OVERDOSE/POISONING	0	0	0	0	0	0	0	2	0	0	0	0	2
OWI	0	1	0	0	0	1	1	0	1	0	1	0	5
PARADE	0	0	0	0	0	0	1	0	0	1	0	1	3
PARKING	1	0	1	0	1	9	23	14	6	1	2	0	58
PD ACCIDENT	1	1	0	0	1	1	4	6	2	1	1	2	20
PEACE OFFICER	0	0	0	0	0	0	0	1	0	0	0	1	2
PI ACCIDENT	0	0	0	0	0	1	1	0	0	0	0	0	2
PPO SERVICE	0	0	1	0	0	0	0	0	0	0	0	0	1
PRIV PROP ACC	0	1	0	0	0	1	1	0	0	0	0	0	3
PRIV PROP IMPOUND	0	0	0	0	0	0	0	3	1	0	0	0	4
PROB/PAROLE VIOL	1	0	0	0	1	1	0	0	1	0	0	0	4
PROPERTY INSPECTION	1	1	1	0	2	0	0	0	1	3	4	3	16
PROWLER	0	0	0	0	0	0	1	0	0	0	0	0	1
RECKLESS DRIVER	1	0	0	0	0	0	0	0	0	0	0	0	1
RECOVERED PROPERTY	0	0	0	0	0	0	1	0	0	0	0	0	1
RESIST & OBSTRUCT	0	0	0	0	0	0	2	1	0	0	0	0	3
ROAD HAZARD	0	0	0	0	1	1	1	1	0	1	1	1	7
ROAD RAGE	0	0	0	0	0	0	0	1	1	0	0	0	2
RUNNING DOG	0	1	0	0	1	0	0	1	0	0	0	0	3
SHOPLIFTING	0	0	0	0	0	0	1	1	0	0	0	0	2
SICK PERSON	1	0	0	0	0	0	1	0	0	1	0	0	3
SILENT OBSERVER	0	0	0	0	0	0	0	1	0	0	0	0	1
STALKING	0	0	1	0	0	0	0	0	1	0	0	0	2
STROKE	0	0	0	0	0	0	0	1	0	0	0	0	1
SUBPOENA SERVICE	0	0	0	0	0	1	0	2	1	0	0	0	4
SUICIDAL SUBJECT	0	0	0	0	0	0	0	0	0	0	0	1	1
SUSPICIOUS SIT	1	3	6	5	5	13	10	6	5	15	3	2	74
THREATS	0	1	0	1	0	2	0	1	1	0	0	0	6
TRAFFIC VIOLATION	1	0	0	0	0	1	0	1	0	0	0	0	3
TREE DOWN	0	0	0	0	2	2	0	0	0	1	1	0	6
TRESPASSING	1	1	1	1	0	3	5	4	1	2	1	3	23
UDAA-STOLEN VEHICLE	0	0	0	0	0	0	1	0	0	0	0	0	1
UNCONS/FAINTING	0	1	0	0	0	1	1	4	0	0	1	0	8
UNKNOWN PROBLEM	0	0	0	0	2	0	0	0	1	0	0	0	3
UNKNOWN SITUATION	0	0	1	0	0	0	0	0	0	0	0	0	1
VEHICLE In The DITCH	0	0	0	0	0	0	0	0	0	0	1	0	1
WARRANT ARREST	0	0	2	0	1	0	1	0	2	2	0	0	8
WEAPONS	0	0	0	1	0	2	0	1	0	0	1	0	5
WELFARE CHECK	4	1	0	1	4	2	4	4	3	2	2	2	29
WIRE DOWN	4	0	0	4	6	1	5	2	2	8	2	1	35
Saugatuck City Totals:	93	76	77	58	114	183	236	209	162	124	110	94	1536
Totals	93	76	77	58	114	183	236	209	162	124	110	94	1536





Call For Service 2018-19



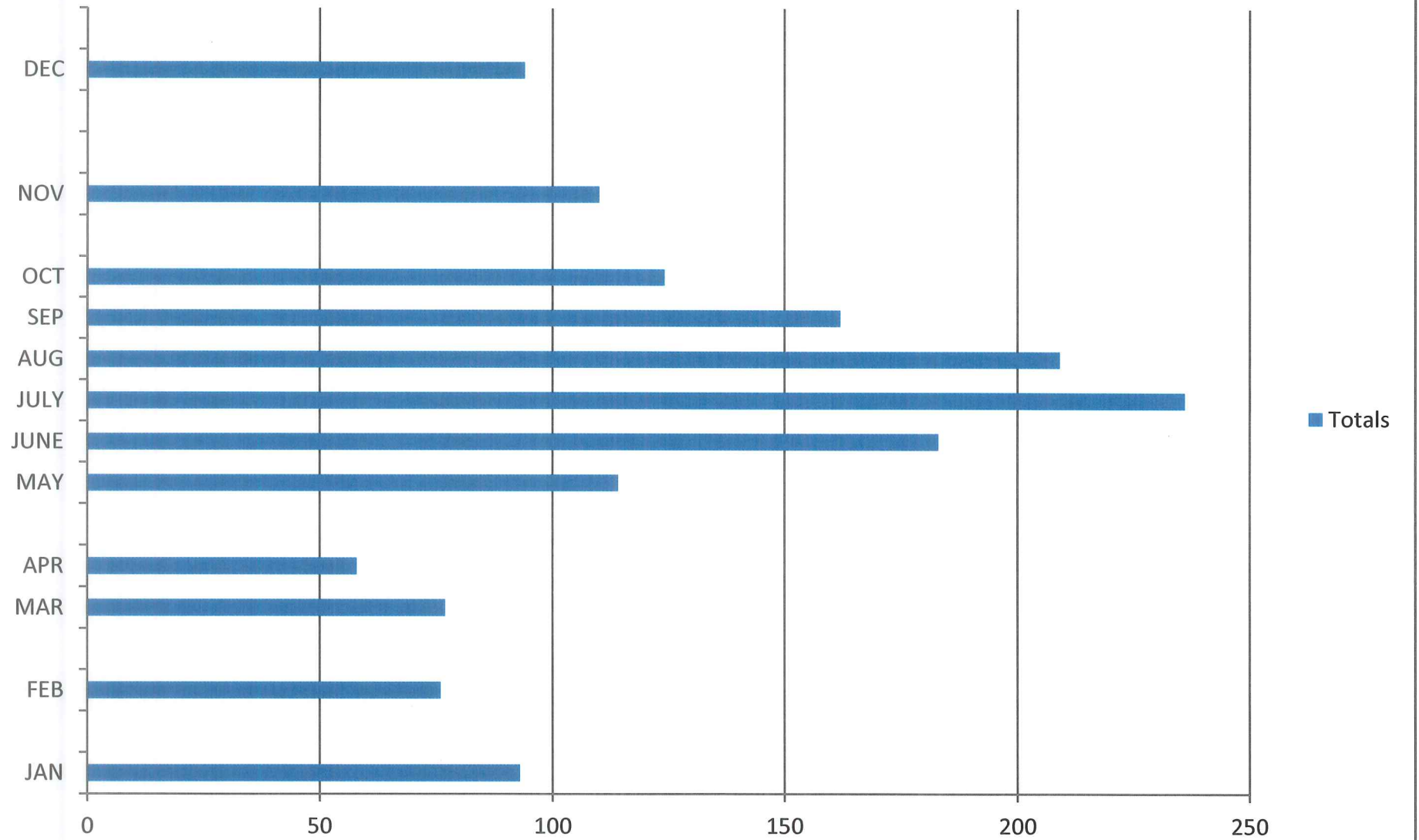
Areas: Saugatuck City

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	TOTALS
Saugatuck City													
1038	1	3	8	5	9	8	12	17	5	7	13	5	93
1046	1	0	0	0	0	1	2	0	0	0	0	0	4
911 WELFARE	1	0	0	0	0	0	1	2	1	0	0	1	6
A New Call	3	0	4	3	6	6	7	6	6	1	2	2	46
ABANDON 911	0	0	1	0	0	0	0	0	0	0	0	0	1
ABANDONED VEHICLE	0	0	0	0	0	0	2	0	1	0	0	1	4
ALARM	6	1	6	1	4	1	4	0	2	1	0	4	30
ALLERGIES/RXNS	0	0	0	0	0	0	0	1	0	1	0	0	2
AMBULANCE	0	0	0	0	3	0	1	2	0	1	0	0	7
ANIMAL (GENERAL)	0	0	0	0	1	1	3	0	0	0	0	0	5
ANIMAL BITE	0	0	0	0	0	0	0	0	1	0	0	0	1
ANIMAL WELFARE	0	0	0	0	1	1	0	1	1	0	1	0	5
ASSAULT	0	0	0	1	1	0	2	0	1	0	0	0	5
ASSIST OTHER AGENCIES	2	4	2	1	2	4	3	6	3	8	1	1	37
ATTEMPT TO LOCATE	1	1	0	0	0	0	1	0	0	0	0	0	3
ATTEMPT TO SERVE	1	0	0	0	0	0	2	0	0	0	0	0	3
BARKING DOG	0	0	0	0	0	1	0	0	0	0	0	0	1
BOATING/MARINE	0	0	0	0	6	4	6	2	2	0	0	0	20
BOL	0	0	1	1	3	2	6	3	3	1	1	1	22
BREAKING & ENT	0	0	0	0	0	0	0	0	2	0	0	0	2
BREATHING PROBLEMS	0	1	0	0	0	0	0	0	0	1	0	0	2
CAR/DEER	0	0	0	0	0	0	0	1	0	0	0	0	1
CARBON MON ALARM	1	0	1	0	1	0	0	0	0	0	0	0	3
CHEST PAIN	1	0	1	0	0	0	0	0	0	0	0	0	2
CHILD ABUSE	0	0	0	0	0	0	0	0	0	1	0	0	1
CIVIL	2	0	1	3	1	3	5	3	0	6	2	2	28
CONSERVATION	0	0	0	1	1	1	0	1	1	0	1	0	6
CONVULSION/SEIZURE	0	0	1	0	0	0	0	1	0	0	0	0	2
CSC	0	1	0	0	0	0	0	0	0	0	0	0	1
CUSTODY DISPUTE	0	0	2	0	0	0	0	0	0	1	0	0	3
DEATH INVESTIGATION	0	0	0	0	0	0	0	1	0	0	0	0	1

DISORDERLY PERSON	0	1	2	1	0	1	8	9	2	2	0	1	27
DIVE TEAM	0	0	0	1	0	0	0	0	0	0	0	0	1
DOMESTIC ASSAULT	0	2	1	1	0	0	0	2	1	1	1	3	12
DRIVING W LIC SUSP	0	1	0	0	0	0	0	0	0	1	0	0	2
DROWNING	0	0	0	1	0	0	0	2	0	0	0	0	3
DROWNING/NEAR DROWNING	0	0	0	1	0	0	0	0	0	0	0	0	1
DRUGS	0	0	1	0	1	0	3	2	0	1	2	0	10
EMD	0	0	0	0	0	0	0	0	0	0	1	0	1
EXP OPS	0	0	1	0	0	0	0	0	0	0	0	1	2
FAIL TO PAY	0	0	0	0	0	0	0	0	0	1	0	0	1
FALLS	0	0	0	0	0	1	0	0	1	0	0	0	2
FIGHT	1	0	0	0	1	1	0	0	0	0	0	0	3
FIRE	0	0	0	1	0	0	2	2	0	1	0	0	6
FIRE ALARM	0	1	4	0	1	2	5	0	8	2	0	0	23
FIREWORKS	1	0	0	0	0	0	4	1	0	0	0	0	6
FOLLOW UP	1	0	3	3	1	3	7	1	4	9	2	4	38
FRAUD	1	0	0	2	0	0	1	2	0	2	0	0	8
GAS ODOR	0	0	0	1	0	0	0	0	1	3	3	0	8
GENERAL PUBLIC ASST	35	30	32	30	35	54	56	49	43	39	33	36	472
HARASSMENT	2	0	1	0	1	4	3	2	2	1	1	0	17
HEALTH SAFETY	0	0	0	1	0	0	0	1	0	0	0	0	2
HEART PROBLEMS	0	0	0	1	0	0	1	0	0	0	0	0	2
HIT & RUN	0	0	0	1	1	2	4	1	4	1	0	0	14
INCORRIGIBLE	0	0	0	0	1	0	0	0	0	0	0	0	1
INSTRUCTIONAL	0	1	0	0	1	0	1	1	0	0	0	0	4
INTOX SUBJECT	1	1	0	0	5	3	3	4	2	0	0	1	20
JUVENILE DELINQUENT	1	0	0	0	0	0	0	0	0	2	0	0	3
K-9	0	0	0	0	0	1	1	2	0	0	0	1	5
LAND LORD TENANT	0	0	1	0	0	0	0	1	0	1	0	0	3
LARCENY	0	2	1	3	3	1	1	1	4	1	0	1	18
LEWD	0	0	0	0	0	1	1	0	0	1	0	0	3
LITTERING	0	0	0	0	1	0	0	0	0	0	1	0	2
LOCKOUT	0	0	0	0	2	1	4	1	1	0	0	1	10
LOST AND FOUND	1	0	0	1	4	4	5	9	2	2	0	0	28
LOUD NOISE	0	0	0	1	2	5	3	2	1	4	0	0	18
MALICIOUS DESTR	1	1	0	0	1	1	0	2	0	2	0	2	10
MEDICAL EXAMINER	0	0	0	0	0	0	0	1	0	1	0	0	2
MINOR IN POSSESSION	0	0	0	1	0	0	0	0	0	0	1	0	2
MISSING PERSON	0	0	0	1	0	1	1	0	0	1	0	0	4
MOTORIST ASSIST	0	0	0	0	0	2	0	1	0	0	0	0	3
NEIGHBOR DISP	0	0	0	0	1	3	1	0	0	0	0	1	6
NO OPS	0	0	0	0	0	0	1	0	0	0	0	1	2
OFFICER ON FOOT	0	1	0	1	3	4	3	1	0	0	0	0	13
OPEN CONTAINER	0	0	0	0	0	2	0	1	0	0	0	0	3

OPEN DOOR	0	0	3	7	6	1	3	4	0	0	0	1	25
ORDINANCE VIOLATION	0	0	0	0	0	0	0	2	2	0	1	1	6
OUT OF SERVICE	0	0	0	0	0	0	0	1	0	0	0	0	1
OWI	0	0	0	0	0	1	2	2	1	0	0	0	6
PARADE	0	0	0	0	0	1	1	0	0	1	0	0	3
PARKING	11	2	0	5	5	8	32	15	2	5	2	2	89
PD ACCIDENT	0	0	0	2	2	5	8	6	2	2	2	3	32
PEACE OFFICER	0	0	0	1	0	1	0	0	0	0	0	0	2
PI ACCIDENT	0	0	0	1	0	0	0	0	0	0	0	0	1
PPO SERVICE	0	0	0	0	0	0	0	1	0	0	0	0	1
PRIV PROP ACC	0	0	0	0	0	1	1	3	0	0	0	0	5
PROPERTY INSPECTION	3	0	0	0	1	0	0	0	0	6	4	4	18
PSYCHIATRIC	0	1	0	0	0	0	0	0	0	0	0	0	1
RECOVERED UDAA	0	1	0	0	0	0	0	0	0	0	0	0	1
RESIST & OBSTRUCT	0	0	0	0	0	0	0	0	1	0	0	0	1
ROAD HAZARD	1	2	1	0	1	0	5	1	1	1	0	1	14
RUNNING DOG	0	0	0	0	0	1	1	0	0	0	0	0	2
SEARCH WARRANT	0	0	0	0	0	1	0	0	0	0	0	0	1
SHOPLIFTING	1	0	0	1	0	0	1	0	0	0	0	0	3
SICK PERSON	0	0	0	0	0	1	0	0	0	0	0	0	1
SILENT OBSERVER	0	0	0	0	0	0	1	1	0	0	0	0	2
STROKE	0	0	0	1	0	0	0	0	0	0	0	0	1
SUICIDAL SUBJECT	1	1	0	0	1	0	0	0	0	6	2	0	11
SUSPICIOUS SIT	1	4	6	4	11	10	9	6	13	13	3	6	86
THREATS	2	0	0	0	0	0	3	2	1	1	0	1	10
TRAFFIC STOP	0	0	1	0	1	0	0	0	0	0	0	0	2
TRAFFIC VIOLATION	0	0	0	0	1	0	0	0	0	0	0	0	1
TREE DOWN	0	2	0	1	0	1	1	1	2	1	0	0	9
TRESPASSING	0	0	0	1	3	3	0	2	2	1	0	0	12
UDAA-STOLEN VEHICLE	0	0	0	0	0	0	1	0	0	0	0	0	1
UNCONS/FAINTING	0	0	1	0	1	1	1	1	0	0	1	0	6
UNKNOWN PROBLEM	0	1	1	0	0	0	0	0	0	0	0	0	2
VEHICLE In The DITCH	0	0	0	0	0	0	0	0	0	0	0	0	1
WARRANT ARREST	0	1	0	0	1	2	1	1	0	2	0	0	8
WEAPONS	1	0	0	1	0	0	0	1	0	1	0	0	4
WEATHER	0	0	0	0	0	0	0	0	1	0	0	0	1
WELFARE CHECK	0	2	1	0	1	5	1	5	1	3	1	4	24
WIRE DOWN	0	2	0	4	1	5	4	3	0	3	1	0	23
Saugatuck City Totals:	86	71	89	98	140	178	252	206	134	154	84	93	1585
Totals	86	71	89	98	140	178	252	206	134	154	84	93	1585

Totals





FROM: Cindy Osman, Planning and Zoning

MEETING DATE: **Introduction:** October 26, 2020
Action Date: November 9, 2020

SUBJECT: Introduction of Ordinance amendment to Section 154.035(D) front setback. Chapter 154, Front yard setback - clarification

DESCRIPTION

While processing an application for Zoning Board of Appeals, an error in front yard setbacks was discovered. It was traced back to the time that the PS R-1 zone district was created. It referenced the Manchester Plat and Campbell Street, but the Manchester Plat and Campbell Street are not in the PS R-1 zone district.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

Planning Commission unanimously voted to recommend Council adoption on February 20, 2020.

LEGAL REVIEW

Municipal Attorney has reviewed the amendment and prepared the attached Ordinance amendment.

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment to amend section 154.035(D) Front yard of the Code of the City of Saugatuck on the November 9, 2020 regular council meeting agenda for action.

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

ORDINANCE NO. _____ -__

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTION 154.035 OF
THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 154.035. That Section 154.035, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “ZONING DISTRICTS AND DISTRICT REGULATIONS; R-1 PENINSULA SOUTH DISTRICT (PS),” is amended to read as follows:

154.035 R-1 PENINSULA SOUTH DISTRICT (PS).

(A) *Generally*. The Peninsula South District is intended to recognize the character of plats that were created prior to 1968 and, as far as possible, allow for reasonable development. The District is also intended to promote waterfront residential land uses and enhance and protect the existing character of the District. The District objective is to promote visual access to Kalamazoo Lake and River and preserve the environmental characteristics of the zone. This District is designed to be more restrictive than other residential zones because of its proximity to water and the undeveloped portions of the city.

(B) *Permitted uses*.

- (1) Dwelling, single-family detached, with a floor area ratio that does not exceed 0.3:1.
- (2) Essential public services;
- (3) Home occupations; and
- (4) Short-term rental unit.

(C) *Special land uses*. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#).

- (1) Home businesses;
- (2) Rented accessory dwelling units in accordance with § [154.092](#)(J); and
- (3) Dwelling, single-family detached, with a floor area ratio that exceeds 0.3:1.

(D) *Dimension and area regulations*:

Front setback	25 feet from right-of-way for lots fronting on Park ^{7,5} and Perryman- Street and Campbell Streets in the Manchester Plat, or 15 feet from all other platted streets and alleys
Side setback	10 feet*
Rear setback	10 feet*
Minimum lot width	66 feet
Maximum lot coverage	25%
Minimum lot area	8,712 square feet
* Except waterfront yards – see § 154.022(F)(4) waterfront lots	

Section 2. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Monica Nagel, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2020, and noticed in accordance with all legal requirements.

Monica Nagel, Clerk

Introduced: _____

Adopted: _____

Published: _____

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

ORDINANCE NO. _____ -__

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTION 154.035 OF
THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 154.035. That Section 154.035, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “ZONING DISTRICTS AND DISTRICT REGULATIONS; R-1 PENINSULA SOUTH DISTRICT (PS),” is amended to read as follows:

154.035 R-1 PENINSULA SOUTH DISTRICT (PS).

(A) *Generally*. The Peninsula South District is intended to recognize the character of plats that were created prior to 1968 and, as far as possible, allow for reasonable development. The District is also intended to promote waterfront residential land uses and enhance and protect the existing character of the District. The District objective is to promote visual access to Kalamazoo Lake and River and preserve the environmental characteristics of the zone. This District is designed to be more restrictive than other residential zones because of its proximity to water and the undeveloped portions of the city.

(B) *Permitted uses*.

- (1) Dwelling, single-family detached, with a floor area ratio that does not exceed 0.3:1.
- (2) Essential public services;
- (3) Home occupations; and
- (4) Short-term rental unit.

(C) *Special land uses*. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#).

- (1) Home businesses;
- (2) Rented accessory dwelling units in accordance with § [154.092](#)(J); and
- (3) Dwelling, single-family detached, with a floor area ratio that exceeds 0.3:1.

(D) *Dimension and area regulations*:

Front setback	25 feet from right-of-way for lots fronting on Park and Perryman Streets, or 15 feet from all other platted streets and alleys
Side setback	10 feet*
Rear setback	10 feet*
Minimum lot width	66 feet
Maximum lot coverage	25%
Minimum lot area	8,712 square feet
* Except waterfront yards – see § 154.022(F)(4) waterfront lots	

Section 2. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Erin Wilkinson, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Clerk

Introduced: _____

Adopted: _____

Published: _____



FROM: Cindy Osman Planning and Zoning

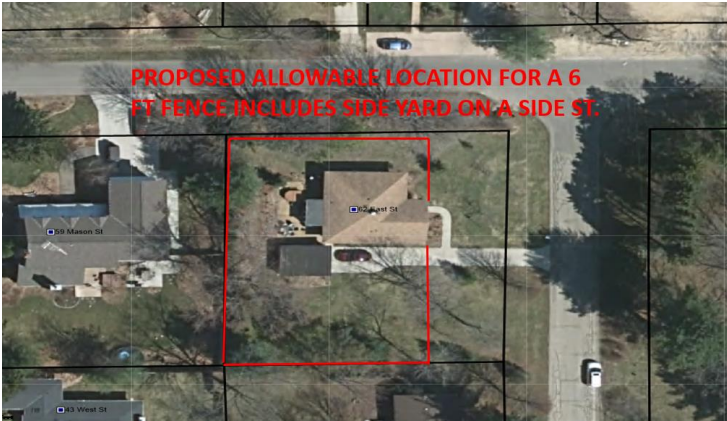
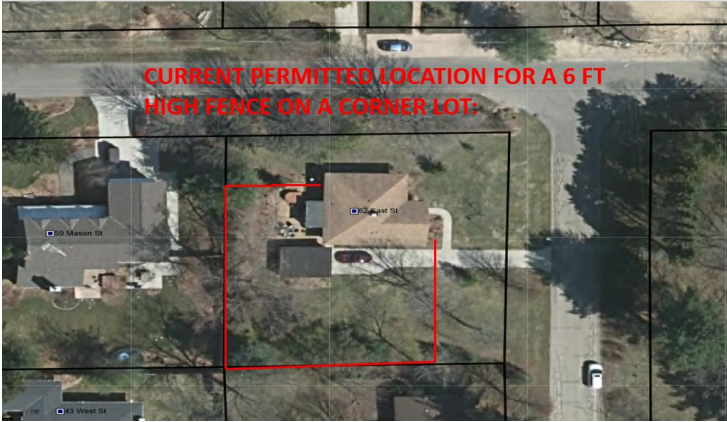
MEETING DATE: Introduction: October 26, 2020
Action: November 9, 2020

SUBJECT: Introduction of Ordinance amendment to Section 154.005 definitions, 154.143 regarding fence height for corner lots

DESCRIPTION

On an interior lot, a property owner can enclose their entire back yard with a six foot high fence. On a corner lot, a property owner can only enclose a portion of their back yard, because on a corner lot they are defined as having two front yards.

“152.022 (3) *Corner lots.* On a corner lot, each lot line which abuts a street shall be deemed to be a front lot line, and the required yard along both lot frontages shall be required front yard”



BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

Approved by Planning Commission on October 15, 2020

LEGAL REVIEW

Reviewed and Prepared by City Attorney Jeff Sluggett

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment to amend those Sections 154.143, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage; Zoning Code section 154.143, November 9, 2020 regular council meeting agenda for action.

§ 154.143 FENCING.

(A) *Intent.* The purpose of this section is to promote the public health, safety and welfare by regulating the manner and location of fence installations in the city while preserving the appearance, character and value of the community and its residential neighborhoods and commercial areas.

(B) *Permit required.* The erection, construction or substantial rebuilding of any fence shall require a fence permit. Substantial rebuilding is reconstruction of more than 50% of the structure, a change in height of the structure or a change from existing material. Painting, cleaning, replacement of like materials or other actions commonly considered as general maintenance shall not be defined as "substantial rebuilding".

(C) *Permit process.* Any person desiring to construct, or cause to be constructed, any fence or screen for which a permit is required as defined in this chapter, shall apply to the Zoning Administrator for a permit. A site plan of the proposed fence or screen shall be submitted with the application and shall:

- (1) Be drawn to scale with the scale noted, and the direction North noted;
- (2) Include the name, address and phone number of the person who prepared the drawing;
- (3) Show the locations and proper dimensions of lot lines and street right of way lines. A legal survey may be requested at the discretion of the Zoning Administrator;
- (4) Show the location of the proposed fence or screen in relation to the property lines;
- (5) Show the height the fence throughout; and
- (6) The Zoning Administrator shall review the application with respect to compliance with the requirements of this chapter. If all requirements have been met, a permit will be issued.

(D) *General requirements.*

(1) *Materials.* Fences and screens shall be constructed of steel, iron, wood, masonry or other durable materials. Masonry piers may be substituted for wood posts.

(2) *Construction.* Fences and screens shall be constructed and maintained plumb and true with adequate support and in a safe and sightly manner. Posts or piers shall be spaced not more than eight feet on center.

(3) *Maintenance and repair.* The owner of any fence or screen shall remove or repair a fence that is dangerous, dilapidated or otherwise in violation of this code. Fences and screens shall be maintained to retain their original appearance, shape and configuration. Elements of the fence or screen that are missing, damaged, destroyed or repaired shall be replaced and/or repaired to maintain conformity with the original fence.

(4) *Fire/public hazard.* No fence shall be approved which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor

which interferes with access by the Fire Department, or which will constitute a hazard to street traffic or pedestrians.

(E) *Fence location and height regulations.*

(1) There shall be a maximum of one fence permitted along a property line, ~~for~~ each property owner. No portion of a fence shall project beyond the owner's property line.

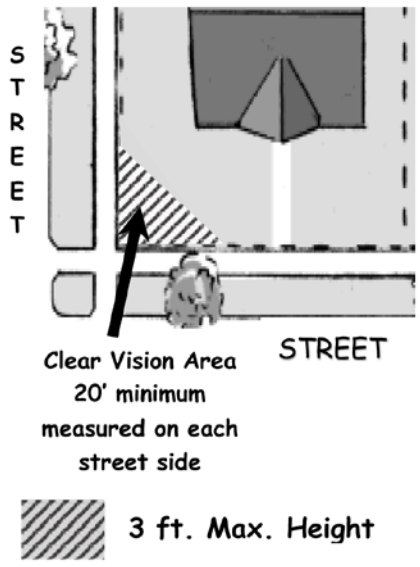
(2) When erecting a new fence next to an existing fence, the maintenance of the area between the fences shall be the responsibility of the person erecting the new fence. Fence panels shall be raised sufficiently above grade to allow for maintenance of the area between the fences.

(3) The decorative side of the fence (the one that reveals to the least extent the support members of the fence) shall be located so that it is facing toward the adjacent properties and toward the street on a corner lot.

(4) Fences located within a rear or side yard shall not exceed six feet in height measured from the surface of the ground, unless as part of an approved site plan, in which case the Planning Commission may approve fences up to ten feet in height.

(5) Fences located within a front yard setback shall not exceed three feet in height measured from the surface of the ground and shall not be located within one foot of the public right of way or sidewalk and shall not prevent clear vision of an intersection or a driveway.

(6) For corner lots, fences located within a side yard abutting a side street shall not exceed six feet in height measured from the surface of the ground. All fences in the side yard on a side street shall be located at least one foot from the public right of way or sidewalk and shall not prevent clear vision of an intersection or a driveway. Clear vision at an intersection means that no fence higher than three feet measured from the surface of the ground shall be placed within 20 feet of an intersection as illustrated below.



(7) -No fence may be located in the public right-of-way, including but not limited to the area between the sidewalk and the street.

(8) For purposes of this subsection, for a corner lot the widest lot dimension along a street line shall be deemed to be a side yard on a side street.

(F) *Additional fence requirements.*

(1) *Barrier fences.* Fences containing barbed wire, electric charges or sharp materials at the top of the fence are prohibited unless needed to protect the public safety and approved by the Planning Commission.

(2) *Temporary construction fences.* Temporary construction fences and fences for protection around excavations shall comply with all requirements of the State Construction Code. The fences shall not be in place for a period of more than one year without special approval from the Zoning Administrator.

(3) *Hedges.* A hedge used as a fence or screen shall be considered a fence for the purposes of this chapter.

(4) *Masonry walls.* A masonry wall used as a fence or screen shall be considered a fence for the purposes of this chapter. Masonry walls shall be constructed to facilitate maintenance. Drainage patterns shall not be modified so as to endanger adjacent property. The outer face of the wall (those facing adjacent property owners or streets) shall be made of clay, brick, stone, split face or cut concrete block, or other similar decorative material.

(5) *Privacy screening.* See § [154.142](#).

(6) *Waterfront.* Fences located within 25 feet of the shore of any lake, river or stream shall not be greater than four feet in height and shall be wrought iron, open

mesh, chain link, lattice, slatted or similar type fencing provided that a minimum ratio of six parts open space to one part solid material is maintained.

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

ORDINANCE NO. _____ -__

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTION 154.143 OF
THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 154.143. That Section 154.143, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "SIGNS, SCREENING AND FENCES; FENCING," is amended to read as follows:

§ 154.143 FENCING.

(A) *Intent.* The purpose of this section is to promote the public health, safety and welfare by regulating the manner and location of fence installations in the city while preserving the appearance, character and value of the community and its residential neighborhoods and commercial areas.

(B) *Permit required.* The erection, construction or substantial rebuilding of any fence shall require a fence permit. Substantial rebuilding is reconstruction of more than 50% of the structure, a change in height of the structure or a change from existing material. Painting, cleaning, replacement of like materials or other actions commonly considered as general maintenance shall not be defined as "substantial rebuilding".

(C) *Permit process.* Any person desiring to construct, or cause to be constructed, any fence or screen for which a permit is required as defined in this chapter, shall apply to the Zoning Administrator for a permit. A site plan of the proposed fence or screen shall be submitted with the application and shall:

- (1) Be drawn to scale with the scale noted, and the direction North noted;
- (2) Include the name, address and phone number of the person who prepared the drawing;
- (3) Show the locations and proper dimensions of lot lines and street right of way lines. A legal survey may be requested at the discretion of the Zoning Administrator;
- (4) Show the location of the proposed fence or screen in relation to the property lines;
- (5) Show the height the fence throughout; and
- (6) The Zoning Administrator shall review the application with respect to compliance with the requirements of this chapter. If all requirements have been met, a permit will be issued.

(D) *General requirements.*

(1) *Materials.* Fences and screens shall be constructed of steel, iron, wood, masonry or other durable materials. Masonry piers may be substituted for wood posts.

(2) *Construction.* Fences and screens shall be constructed and maintained plumb and true with adequate support and in a safe and sightly manner. Posts or piers shall be spaced not more than eight feet on center.

(3) *Maintenance and repair.* The owner of any fence or screen shall remove or repair a fence that is dangerous, dilapidated or otherwise in violation of this code. Fences and screens shall be maintained to retain their original appearance, shape and configuration. Elements of the fence or screen that are missing, damaged, destroyed or repaired shall be replaced and/or repaired to maintain conformity with the original fence.

(4) *Fire/public hazard.* No fence shall be approved which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor which interferes with access by the Fire Department, or which will constitute a hazard to street traffic or pedestrians.

(E) *Fence location and height regulations.*

(1) There shall be a maximum of one fence permitted along a property line for each property owner. No portion of a fence shall project beyond the owner's property line.

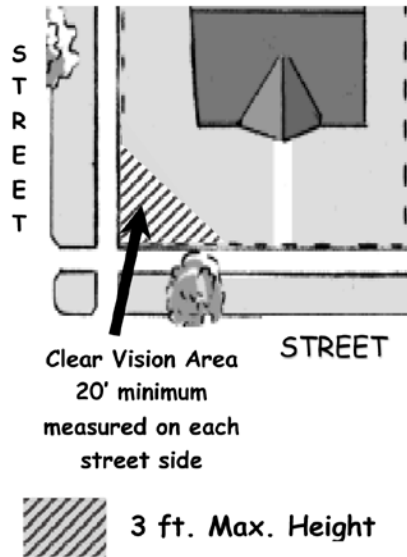
(2) When erecting a new fence next to an existing fence, the maintenance of the area between the fences shall be the responsibility of the person erecting the new fence. Fence panels shall be raised sufficiently above grade to allow for maintenance of the area between the fences.

(3) The decorative side of the fence (the one that reveals to the least extent the support members of the fence) shall be located so that it is facing toward the adjacent properties and toward the street on a corner lot.

(4) Fences located within a rear or side yard shall not exceed six feet in height measured from the surface of the ground, unless as part of an approved site plan, in which case the Planning Commission may approve fences up to ten feet in height.

(5) Fences located within a front yard setback shall not exceed three feet in height measured from the surface of the ground and shall not be located within one foot of the public right of way or sidewalk and shall not prevent clear vision of an intersection or a driveway.

(6) For corner lots, fences located within a side yard abutting a side street shall not exceed six feet in height measured from the surface of the ground. All fences in the side yard on a side street shall be located at least one foot from the public right of way or sidewalk and shall not prevent clear vision of an intersection or a driveway. Clear vision at an intersection means that no fence higher than three feet measured from the surface of the ground shall be placed within 20 feet of an intersection as illustrated below.



(7) No fence may be located in the public right-of-way, including but not limited to the area between the sidewalk and the street.

(8) For purposes of this subsection, for a corner lot the widest lot dimension along a street line shall be deemed to be a side yard on a side street.

(F) *Additional fence requirements.*

(1) *Barrier fences.* Fences containing barbed wire, electric charges or sharp materials at the top of the fence are prohibited unless needed to protect the public safety and approved by the Planning Commission.

(2) *Temporary construction fences.* Temporary construction fences and fences for protection around excavations shall comply with all requirements of the State Construction Code. The fences shall not be in place for a period of more than one year without special approval from the Zoning Administrator.

(3) *Hedges.* A hedge used as a fence or screen shall be considered a fence for the purposes of this chapter.

(4) *Masonry walls.* A masonry wall used as a fence or screen shall be considered a fence for the purposes of this chapter. Masonry walls shall be constructed to facilitate maintenance. Drainage patterns shall not be modified so as to endanger adjacent property. The outer face of the wall (those facing adjacent property owners or streets) shall be made of clay, brick, stone, split face or cut concrete block, or other similar decorative material.

(5) *Privacy screening.* See § [154.142](#).

(6) *Waterfront.* Fences located within 25 feet of the shore of any lake, river or stream shall not be greater than four feet in height and shall be wrought iron, open mesh, chain link, lattice, slatted or similar type fencing provided that a minimum ratio of six parts open space to one part solid material is maintained.

Section 2. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Erin Wilkinson, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Clerk

Introduced: _____

Adopted: _____

Published: _____



City Council Agenda Item Report

FROM: Cindy Osman Planning and Zoning

MEETING DATE: **Introduction:** October 26, 2020
Action Date: November 9, 2020

SUBJECT: Introduction of Ordinance amendment to Section 154.174(C) regarding lifting a non-conforming structure out of the flood plain

DESCRIPTION

Recent high water events have created some problems for existing structures that are in the areas of special flood hazard (commonly known as flood plain). Section R322 of the Michigan residential code requires that all new and substantially improved structures be elevated out of the established flood plain. Substantially improved means that the cost of the improvements is 50% or more than the assessed value of the structure. Repairs to flood damaged structures can easily exceed this amount.

The intent of this amendment to give structures threatened by flooding the same non-conforming rights as structures damaged or destroyed by fire or wind or other calamities, to rebuild on the same footprint.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

Approved by Planning Commission on October 15, 2020

LEGAL REVIEW

Reviewed and prepared by City Attorney Jeff Sluggett

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment to amend Section 154.174(C), Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage; Zoning Code section 154.174(C), on the November 9, 2020 regular council meeting agenda for action.

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

ORDINANCE NO. _____ -__

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTION 154.174(C)
OF THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Subsection 154.174(C). That Subsection 154.174(C), Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “NONCONFORMING USES, LOTS AND STRUCTURES; NONCONFORMING STRUCTURES,” is amended to read as follows:

§ 154.174(C)

(C) *Nonconforming structures*. Use of structures which are existing and lawful on the effective date of this chapter, or amendment thereto, may be continued, even though the structures do not conform with the provisions of this chapter, or amendment thereto, subject to the following provisions.

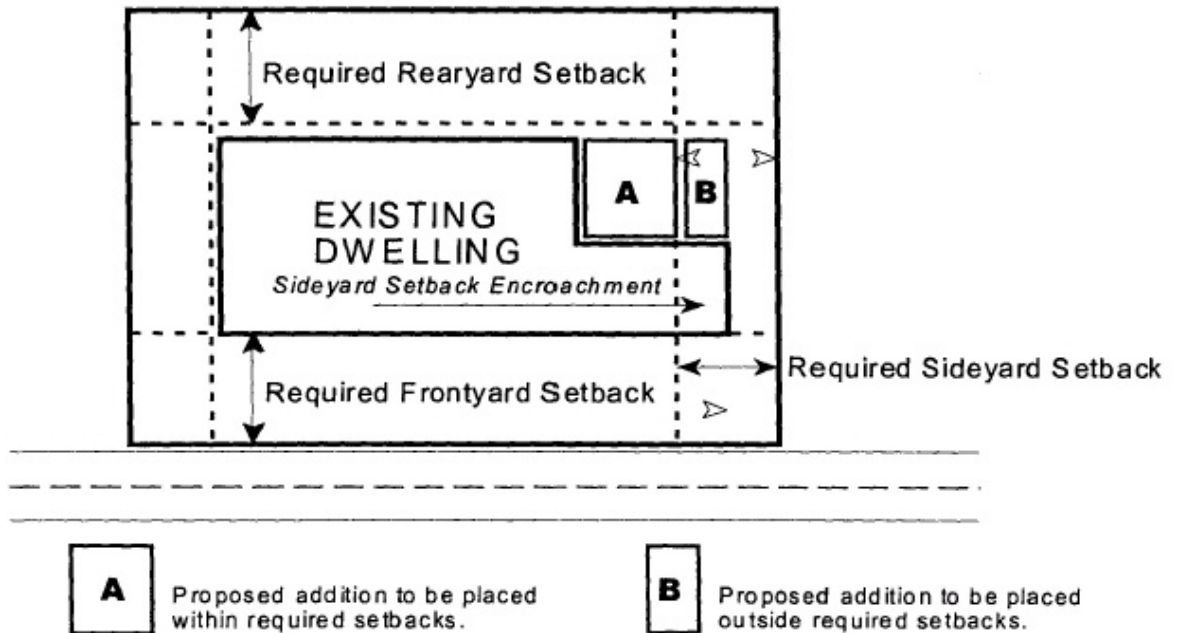
(1) *Enlargement or alteration*.

(a) A lawful nonconforming structure may not be enlarged, expanded or altered in any way which increases its nonconformity with the provisions of this chapter unless otherwise noted within this chapter. The nonconforming structure may be enlarged or altered provided that all such changes are in conformance with all provisions of this chapter at every structural level. All enlargements or alterations shall be subject to review and approval by the Zoning Administrator.

(b) Pursuant to the above, the Zoning Administrator may require the applicant to provide boundary and/or topographic surveys of the existing nonconforming structure and associated site. These surveys shall be sealed by a registered land surveyor registered in the State of Michigan. The topographic survey may be limited to providing dimensional detail on the height of existing structures, unless additional information is required by the Zoning Administrator.

(c) The surveys shall verify that the existing setbacks and height limit of the existing nonconforming structure comply with the setbacks and height standards of the underlying zone district. Further, the survey drawing shall be used to identify the specific area, with dimensions, to be occupied by the expansion or alteration of the nonconforming structure.

Example: Nonconforming Residential Structure



The existing dwelling encroaches on a required side yard setback resulting in a nonconforming situation. Proposed addition “A” may be permitted following a residential site plan review by the Planning Commission. However, a variance from the Zoning Board of Appeals would be required for addition “B”.

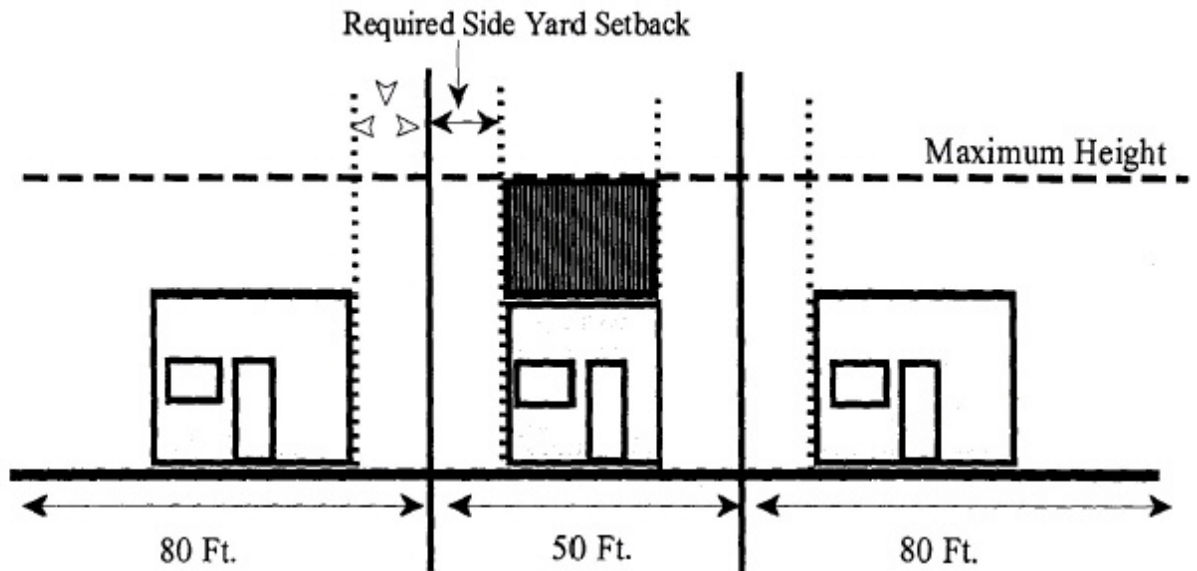
(2) *Non-use (dimensional) variance.* Such variances may be authorized by the Zoning Board of Appeals for enlargement or alterations of nonconforming structures that increase any nonconformity(ies) under the provisions of §§ [154.150](#) through [154.157](#).

(3) *ZBA conditions pursuant to enlargement/alteration.* In authorizing a variance to enlarge or alter a lawful nonconforming structure, the Zoning Board of Appeals may impose conditions necessitated by the request including, but not limited to: additional site landscaping; site buffers; fencing; facade design requirements, building materials and building color changes; additional off-street parking and vehicular circulation modifications; signage; exterior lighting; and related building and site design modifications and conditions.

Example: Structural Alteration on a Nonconforming Lot

The zone district requires a minimum lot width of 80 feet. The undersized lot of 50 feet is a legal nonconforming parcel. The lot may be used to accommodate a permitted building provided all setbacks are complied with. In the following example, the undersized lot meets all building setbacks. The applicant wishes to increase the height of the structure. He or she may do

so provided the upper story remains within all setbacks and height limits. A variance is not required.



(4) *Damage and reconstruction.*

(a) *Nonconforming structure.* In the event that any lawful, nonconforming, structure shall be damaged or destroyed by fire, wind, accident, act of God, or other similar means or manner, or threatened by flood, reconstruction or, restoration, and/or raising shall be permitted by right, unless such destruction or damage was due to the intentional or reckless act or actions of an owner of the property, ~~regardless of the district within which the preexisting structure was located.~~ A structure to be reconstructed or restored shall be located within the original dimensions at every structural level, and/or within the original gross finished floor area, including decks and patios, with the exception that no portion of the structure shall be reconstructed within, or so as to encroach on, a public right-of-way or public easement. In addition, a structure to be reconstructed, and all reconstruction or restoration of structures restored, or raised within a designated special flood hazard area shall be located within the original dimensions at every structural level, and/or within the original gross finished floor area, including decks and patios, and shall further conform to the State Construction Code. Any reconstruction shall be subject to compliance with the provisions of this chapter, and any expansion shall be in full conformance with the requirements of the zoning district.

(b) *Building permit required.* Any reconstruction or restoration authorized pursuant to this division shall require the issuance of a building permit within 12 months of the occurrence of the damage.

(c) *Special flood hazard area.* For purposes of this subsection, threatened by flood shall mean that the structure is located in the special flood hazard area as designated in the current Flood Insurance Rate Map (FIRM) and the lowest floor level is less than one foot above

the Base Flood Elevation (BFE) as designated in the FIRM. In addition, a structure that is threatened by flood shall not be raised more than three feet above the BFE.

(5) *Decrease of nonconformity and re-establishment.* If a lawful nonconforming structure is altered or modified so as to eliminate, remove or lessen any or all of its nonconforming characteristics, then those nonconforming characteristics shall not be later re-established or increased.

Section 3. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Erin Wilkinson, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Clerk

Introduced: _____

Adopted: _____

Published: _____

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

ORDINANCE NO. _____ -__

**AN ORDINANCE TO AMEND TITLE XV, SECTIONS 154.174(C) OF THE
CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Subsection 154.174(C). That Subsection 154.174(C), Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “NONCONFORMING USES, LOTS AND STRUCTURES; NONCONFORMING STRUCTURES,” is amended to read as follows:

§ 154.174(C)

(C) *Nonconforming structures*. Use of structures which are existing and lawful on the effective date of this chapter, or amendment thereto, may be continued, even though the structures do not conform with the provisions of this chapter, or amendment thereto, subject to the following provisions.

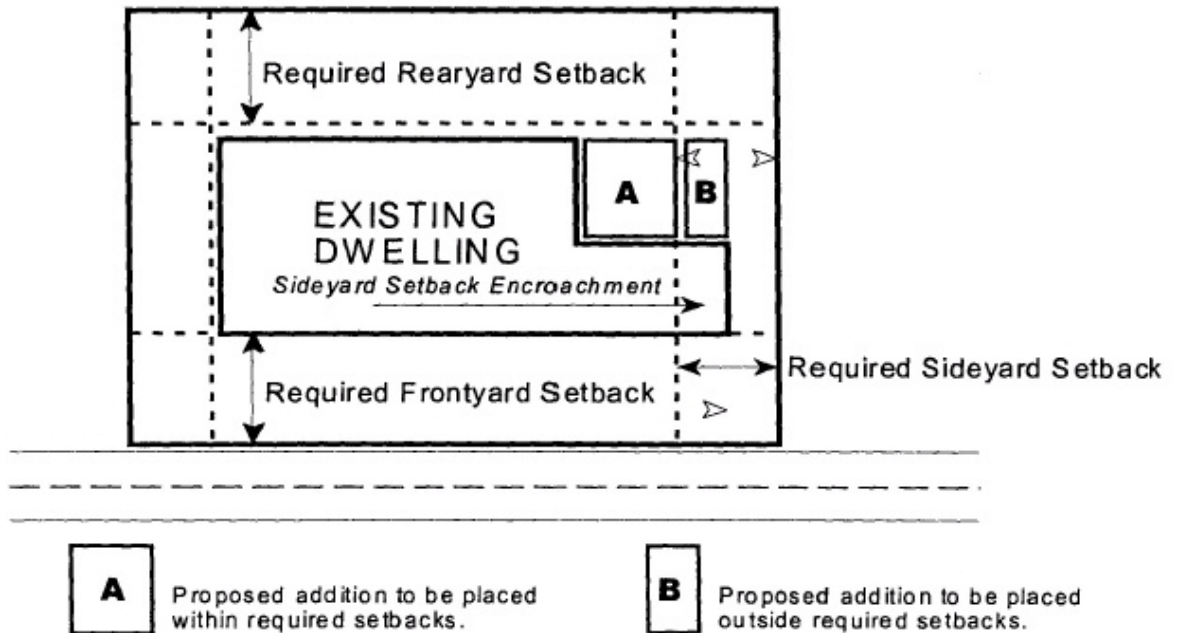
(1) *Enlargement or alteration*.

(a) A lawful nonconforming structure may not be enlarged, expanded or altered in any way which increases its nonconformity with the provisions of this chapter unless otherwise noted within this chapter. The nonconforming structure may be enlarged or altered provided that all such changes are in conformance with all provisions of this chapter at every structural level. All enlargements or alterations shall be subject to review and approval by the Zoning Administrator.

(b) Pursuant to the above, the Zoning Administrator may require the applicant to provide boundary and/or topographic surveys of the existing nonconforming structure and associated site. These surveys shall be sealed by a registered land surveyor registered in the State of Michigan. The topographic survey may be limited to providing dimensional detail on the height of existing structures, unless additional information is required by the Zoning Administrator.

(c) The surveys shall verify that the existing setbacks and height limit of the existing nonconforming structure comply with the setbacks and height standards of the underlying zone district. Further, the survey drawing shall be used to identify the specific area, with dimensions, to be occupied by the expansion or alteration of the nonconforming structure.

Example: Nonconforming Residential Structure



The existing dwelling encroaches on a required side yard setback resulting in a nonconforming situation. Proposed addition “A” may be permitted following a residential site plan review by the Planning Commission. However, a variance from the Zoning Board of Appeals would be required for addition “B”.

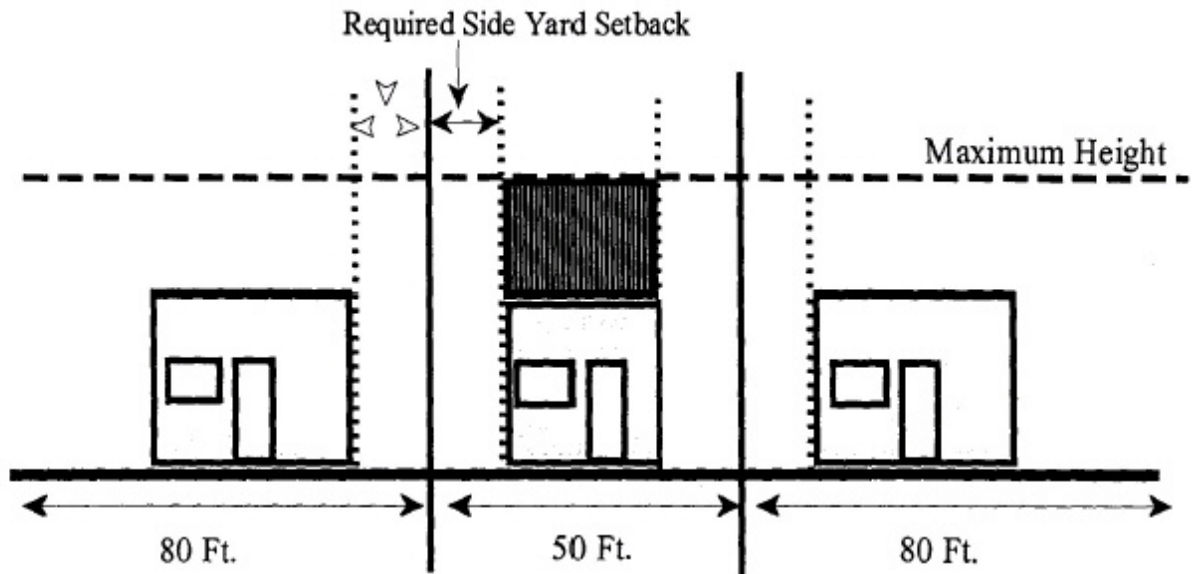
(2) *Non-use (dimensional) variance.* Such variances may be authorized by the Zoning Board of Appeals for enlargement or alterations of nonconforming structures that increase any nonconformity(ies) under the provisions of §§ [154.150](#) through [154.157](#).

(3) *ZBA conditions pursuant to enlargement/alteration.* In authorizing a variance to enlarge or alter a lawful nonconforming structure, the Zoning Board of Appeals may impose conditions necessitated by the request including, but not limited to: additional site landscaping; site buffers; fencing; facade design requirements, building materials and building color changes; additional off-street parking and vehicular circulation modifications; signage; exterior lighting; and related building and site design modifications and conditions.

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so provided the upper story remains within all setbacks and height limits. A variance is not required.



(4) *Damage and reconstruction.*

(a) *Nonconforming structure.* In the event that any lawful, nonconforming, structure shall be damaged or destroyed by fire, wind, accident, act of God, or other similar means or manner, or threatened by flood, reconstruction, restoration, and/or raising shall be permitted by right, unless such destruction or damage was due to the intentional or reckless act or actions of an owner of the property. A structure to be reconstructed or restored shall be located within the original dimensions at every structural level, and/or within the original gross finished floor area, including decks and patios, with the exception that no portion of the structure shall be reconstructed within, or so as to encroach on, a public right-of-way or public easement. In addition, a structure to be reconstructed, restored, or raised within a designated special flood hazard area shall be located within the original dimensions at every structural level, and/or within the original gross finished floor area, including decks and patios, and shall further conform to the State Construction Code. Any reconstruction shall be subject to compliance with the provisions of this chapter, and any expansion shall be in full conformance with the requirements of the zoning district.

(b) *Building permit required.* Any reconstruction or restoration authorized pursuant to this division shall require the issuance of a building permit within 12 months of the occurrence of the damage.

(c) *Special flood hazard area.* For purposes of this subsection, threatened by flood shall mean that the structure is located in the special flood hazard area as designated in the current Flood Insurance Rate Map (FIRM) and the lowest floor level is less than one foot above the Base Flood Elevation (BFE) as designated in the FIRM. In addition, a structure that is threatened by flood shall not be raised more than three feet above the BFE.

(5) *Decrease of nonconformity and re-establishment.* If a lawful nonconforming structure is altered or modified so as to eliminate, remove or lessen any or all of its nonconforming characteristics, then those nonconforming characteristics shall not be later re-established or increased.

Section 2. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____ ADOPTED

I, Erin Wilkinson, the Clerk of the City of Saugatuck, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on _____, 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Clerk

Introduced: _____

Adopted: _____

Published: _____



City Council Agenda Item Report

FROM: Cindy Osman Planning and Zoning

MEETING DATE: **Introduction:** October 26, 2020
Action Date: November 9, 2020

SUBJECT: Introduction of Ordinance to amend Sections 154.005, 154.024, 154.039, 154.040, and 154.041 to update uses in the commercial zone districts

DESCRIPTION: To update and modernize the permitted uses in the commercial zone district – the definition of motion picture establishments was updated to include live performances, restaurants require special land use approval across all districts, and some other minor changes as shown in the attached chart.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

Approved by Planning Commission on June 25, 2020

LEGAL REVIEW

Reviewed and prepared by City Attorney Jeff Sluggett

SAMPLE MOTION:

Motion to place the proposed Ordinance amendment to amend Sections 154.005, 154.024, 154.039, 154.040, and 154.041, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage;" Zoning Ordinance on the November 9, 2020 regular council meeting agenda for action.

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

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTIONS 154.005, 154.024,
154.039, 154.040, AND 154.041 OF THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 154.005. That Section 154.005, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage; Zoning Code; Definitions" is amended with respect to the following:

Delete **MOTION PICTURE FACILITY**

Section 2. Amendment of Section 154.024. That Section 154.024, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage; Zoning Code; C-1 City Center Commercial District (CC)" is amended to read as follows:

154.024 C-1 CITY CENTER COMMERCIAL DISTRICT (CC).

(A) *Generally.*

(1) This district is designed to promote and preserve the Central Business District character of the city.

(2) The district permits intense retail and commercial uses.

(3) Residential uses and business and professional offices are encouraged on the second and third floors of buildings in the district.

(4) Utilization of existing undeveloped land in the district is encouraged when done in a manner consistent with the character of the district.

(B) *Permitted uses:*

(1) Essential public services;

(2) Retail stores;

~~(3) Domestic and business repairs;~~

~~(43)~~ Personal service establishment;

~~(45)~~ Art gallery;

~~(56)~~ Single-family, two-family, multiple-family dwelling units on second or third floors;

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- (67) Home occupations;
- (78) Short-term rental unit on second or third floors; and,
- (89) Business, Professional Offices on second and third floors only.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Bed and breakfast;
- (2) Hotel/inn;
- (3) Motel/motor court;
- (4) ~~Motion picture facility~~; Theater;
- (5) Parking facility;
- (6) Restaurants;
- (7) Rental of accessory dwellings;
- (88) Recreational transportation rental facilities; and
- (99) Brewery, distillery, and winery.

(D) *Dimension and area regulations.*

(1) Permitted uses and special uses: 4. ~~Motion picture facility~~ Theater, 5. Parking facility, 6. Restaurants, 8. Recreational transportation rental facilities, and 9. Brewery, distillery, and winery.

Front setback	0 feet
Side setback	0 feet*
Rear setback	0 feet*
Minimum lot area	4,356 square feet
Minimum lot width	33 feet of street frontage
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(2) Special uses: 1. Bed and breakfast, 2. Hotel/inn, 3. Motel/motor court, and 7. Rental of accessory dwellings.

Front setback	0 feet
Side setback	0 feet*

Rear setback	0 feet*
Minimum lot area	8,712 square feet
Minimum lot width	66 feet
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(Ord. passed 6-24-1996; Am. Ord. 050711, passed - -; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; 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. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 200622-1, passed 6-22-2020)

Section 3. Amendment of Section 154.039. That Section 154.039, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-2 Water Street East District (WSE)” is amended to read as follows:

154.039 C-2 WATER STREET EAST DISTRICT (WSE).

(A) *Generally*. The Water Street East District is designed to preserve the residential flavor of the area while promoting commercial land use and development. The district is designed for an intermediate intensity and density of structures and land use. Commercial development is desired in this district. The district will also promote visual access to the Kalamazoo River and lake.

(B) *Permitted uses*:

- (1) Essential public services;
- (2) Retail stores;
- ~~(3) Domestic business repairs;~~
- (34) Personal service establishment;
- (45) Art gallery;
- (56) Dwelling, single-family detached;
- (67) Second ~~and~~ and third-floor apartments; ~~and~~
- (78) Short-term rental unit on second and third floors; ~~and~~.

(8) Home occupations.

(C) *Special uses*. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ 154.060 through 154.068 and §§ 154.080 through 154.092:

- (1) Hotel/inn;

- (2) Motel/motor court;
- (3) Motion picture facilities;
- (4) Amusement and recreation services;
- (5) Recreational transportation rental facilities;
- (6) Parking facilities;
- (7) Restaurant; ~~and~~
- (8) Domestic business repairs;
- (108) Business, Professional Offices; and,-
- (11) Bed and Breakfast establishment.

(D) *Dimension and area regulations:*

(1) Permitted uses (except as noted) and special uses: 4. Amusement and recreation services and 5. Recreational transportation rental facilities.

Front setback	0 feet
Side setbacks	10 feet
Rear setback	10 feet
Minimum lot area	4,356 square feet
Maximum lot coverage	65%

(2) Special uses: 1. Hotel/inn, 2. Motel/motor court, 3. ~~Motion picture facilities~~Theater, and 8. Dwelling unit, single-family detached.

Front setback	0 feet
Side setbacks	10 feet
Rear setback	10 feet
Minimum lot area	8,712 square feet
Minimum lot width	66 feet
Maximum lot coverage	65%
*Front setback shall be 10 feet for single- family dwellings.	

(Ord. 050711, passed - -; Am. Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 101122-1, passed 11-22-2010;

Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015; Am. Ord. 200622-1; 6-22-2020)

Section 4. Amendment of Section 154.040. That Section 154.040, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled "Land Usage; Zoning Code; C-1 Water Street North District (WSN)" is amended to read as follows:

154.040 C-1 WATER STREET NORTH DISTRICT (WSN).

(A) *Generally.* Water Street North District is designed to promote high intensity commercial uses that ~~compliment~~complement its waterfront setting. This district will promote visual access to the Kalamazoo River and Lake to coordinate with the commercial uses of the district. The purpose of the district is to promote a more intense commercial use and encourage development of similar businesses and land uses in the district.

(B) *Permitted uses:*

- (1) Dwelling, single-family detached;
- (2) Dwelling unit, two-family;
- (3) Essential public services;
- (4) Retail stores;
- ~~(5) Domestic business repairs;~~
- (56) Personal service establishments;
- (67) Art gallery;
- (78) Marinas/commercial boats;
- (89) Second- and third-floor apartments;
- (940) Charter fishing/tours;
- (104) Home occupations; and
- (112) Short-term rental unit.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Bed and breakfasts;
- (2) Hotel/inn;
- (3) Motel/motor court;
- (4) Restaurants;

(5) Home businesses;

(6) Domestic business repairs;

~~(76)~~ Recreational transportation rental facilities; and

~~(87)~~ Parking facilities.

(D) *Dimension and area regulations:*

(1) Permitted non-residential uses and special uses: 4. Restaurants and 6. Recreational transportation rental facilities.

Front setback	0 feet
Side setbacks	0 feet*
Rear setback	0 feet*
Minimum lot	4,560 square feet
Minimum lot width	66 feet
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(2) Single-family dwellings, two-family dwellings, and special use: 5. Home businesses.

Front setback	15 feet
Side setbacks	5 feet
Rear setback	10 feet
Minimum lot area	6,600 square feet
Minimum lot width	66 feet
Maximum lot coverage	50%

(3) Special uses: 1. Bed and breakfast, 2. Hotel/inn, and 3. Motel/motor court.

Front setback	0 feet
Side setback	0 feet*
Rear setback	0 feet*
Minimum lot area	8,712 square feet
Minimum lot width	66 feet

Maximum lot coverage	50%
* Subject to Fire Code Regulations	

(Ord. 050711, passed - -; Am. Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 101122-1, passed 11-22-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015)

Section 5. Amendment of Section 154.041. That Section 154.041, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-2 Water Street South District (WSS)” is amended to read as follows:

154.041 C-2 WATER STREET SOUTH DISTRICT (WSS).

(A) *Generally.* This district will provide an area for waterfront retail and commercial land use. The Water Street South District will provide for a less intense commercial use than the City Center District and promote visual access to the Kalamazoo River. The intent of the district is to coordinate the aspects of a central business district with that of waterfront property and blend commercial uses that complement and enhance the waterfront.

(B) *Permitted uses:*

- (1) Essential public services;
- (2) Retail stores;
- (3) Bed and breakfasts;
- ~~(4) Domestic and business repairs;~~
- (5) Personal service establishments;
- (6) Art gallery;
- ~~(7) Restaurants;~~
- ~~(78)~~ Parks;
- ~~(89)~~ Dwelling, single-family detached;
- ~~(940)~~ Second- and third-floor apartments;
- ~~(1044)~~ Home occupations; and
- ~~(112)~~ Short-term rental unit on second or third floors.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Hotel/inn;
- (2) Motel/motor court;
- (3) Motion picture facilities;
- (4) Marina commercial/private;
- (5) Community center;
- (6) Club and fraternal organization;
- (7) Amusement and recreational services;
- (8) Recreational transportation rental facilities;

(9) Amusement Arcades

- (109) Parking facilities; and
- (110) Restaurants.

(D) *Dimension and area regulations:*

(1) Permitted uses and special uses: 5. Community center, 6. Club and fraternal organization, 7. Amusement and recreational services, and 8. Recreational transportation rental facilities.

Front setback	0 feet
Side setback	10 feet
Rear setback	15 feet
Minimum lot area	6,600 square feet
Minimum lot width	66 feet of street frontage
Maximum lot depth	100 feet
Maximum lot coverage	45%

(2) Special uses: 1. Hotel/inn, 2. Motel/motor court, 3. Motion picture facility, and 4. Marina commercial/private:

Front setback	0 feet
Side setback	10 feet
Rear setback	15 feet
Minimum lot area	13,200 square feet
Minimum lot width	132 feet
Minimum lot depth	100 feet

Maximum lot coverage	45%
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(Ord. 050711, passed - Am. -; Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 100510-1, passed 5-10-2010; Am. Ord. 101122-1, passed 11-22-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015; Am. Ord. 200622-1; 6-22-2020)

Section 6. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS:

NAYS:

ABSENT:

ORDINANCE NO. _____ ADOPTED

I, Erin Wilkinson, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on ~~June 22~~ October 26, , 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Saugatuck City Clerk

Introduced:

Adopted:

Published:

Current Uses

	CC CI	East C2WSE	North C1WSN	South C2WSS
Essential public services	right	right	right	right
Retail Stores	right	right	right	right
Domestic and Business repairs	right	right	right	right
Personal service establishment	right	right	right	right
Art Gallery	right	right	right	right
Single-family 2 family multiple family dwelling units on 2nd or 3rd floors	right	right	right	right
Home occupations	right	NP	right	right
Short term rentals on 2nd or 3rd floors	right	right	right	right
B&B	SLU	SLU	SLU	right
Hotel/inn	SLU	SLU	SLU	SLU
Motel/motor court	SLU	SLU	SLU	SLU
Parking facility	SLU	SLU	SLU	SLU
Motion picture facility	SLU	SLU	NP	SLU
Restaurants	SLU	right	SLU	right
Rental of ADUs	SLU	NP	NP	NP
Recreational transportation rental facility	SLU	SLU	SLU	SLU
Brewery, distillery, winery	SLU	NP	NP	NP
Business and professional office	2nd 3rd fl	SLU	NP	NP
Clubs and fraternal Organizations	NP	NP	NP	SLU
Community Center	NP	NP	NP	SLU
Amusement arcade	NP	NP	NP	NP
Marinas/commercial boats	NP	NP	right	SLU
single family dwelling detached	NP	right	right	right
Amusement and recreation services	NP	SLU	NP	SLU
Charter Fishing tours	NP	NP	right	NP
Parks	NP	NP	NP	right

Potential Uses

	CC CI	East C2WSE	North C1WSN	South C2WSS
Essential public services	right	right	right	right
Retail Stores	right	right	right	right
Domestic and Business repairs	NP	SLU	SLU	NP
Personal service establishment	right	right	right	right
Art Gallery	right	right	right	right
Single-family 2 family multiple family dwelling units on 2nd or 3rd floors	right	right	right	right
Home occupations	right	right	right	right
Short term rentals on 2nd or 3rd floors	right	right	right	right
B&B	SLU	SLU	SLU	right
Hotel/inn	SLU	SLU	SLU	SLU
Motel/motor court	SLU	SLU	SLU	SLU
Parking facility	SLU	SLU	SLU	SLU
Theater	SLU	SLU	NP	SLU
Restaurants	SLU	SLU	SLU	SLU
Rental of ADUs	SLU	NP	NP	NP
Recreational transportation rental facility	SLU	SLU	SLU	SLU
Brewery, distillery, winery	SLU	NP	NP	NP
Business and professional office	2nd 3rd fl	SLU	NP	NP
Clubs and fraternal Organizations	NP	NP	NP	SLU
Community Center	NP	NP	NP	SLU
Amusement arcade	SLU	SLU	SLU	NP
Marinas/commercial boats	NP	NP	right	SLU
single family dwelling detached	NP	right	right	right
Amusement and recreation services	NP	SLU	NP	SLU
Charter Fishing tours	NP	NP	right	NP
Parks	NP	NP	NP	right

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

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE XV, CHAPTER 154, SECTIONS 154.005, 154.024,
154.039, 154.040, AND 154.041 OF THE CODE OF THE CITY OF SAUGATUCK**

The City of Saugatuck Ordains:

Section 1. Amendment of Section 154.005. That Section 154.005, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; Definitions” is amended with respect to the following:

Delete **MOTION PICTURE FACILITY**

Section 2. Amendment of Section 154.024. That Section 154.024, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-1 City Center Commercial District (CC)” is amended to read as follows:

154.024 C-1 CITY CENTER COMMERCIAL DISTRICT (CC).

(A) *Generally.*

(1) This district is designed to promote and preserve the Central Business District character of the city.

(2) The district permits intense retail and commercial uses.

(3) Residential uses and business and professional offices are encouraged on the second and third floors of buildings in the district.

(4) Utilization of existing undeveloped land in the district is encouraged when done in a manner consistent with the character of the district.

(B) *Permitted uses:*

(1) Essential public services;

(2) Retail stores;

(3) Personal service establishment;

(4) Art gallery;

(5) Single-family, two-family, multiple-family dwelling units on second or third floors;

(6) Home occupations;

- (7) Short-term rental unit on second or third floors; and,
- (8) Business, Professional Offices on second and third floors only.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Bed and breakfast;
- (2) Hotel/inn;
- (3) Motel/motor court;
- (4) Theater;
- (5) Parking facility;
- (6) Restaurants;
- (7) Rental of accessory dwellings;
- (8) Recreational transportation rental facilities; and
- (9) Brewery, distillery, and winery.

(D) *Dimension and area regulations.*

(1) Permitted uses and special uses: 4. Theater, 5. Parking facility, 6. Restaurants, 8. Recreational transportation rental facilities, and 9. Brewery, distillery, and winery.

Front setback	0 feet
Side setback	0 feet*
Rear setback	0 feet*
Minimum lot area	4,356 square feet
Minimum lot width	33 feet of street frontage
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(2) Special uses: 1. Bed and breakfast, 2. Hotel/inn, 3. Motel/motor court, and 7. Rental of accessory dwellings.

Front setback	0 feet
Side setback	0 feet*
Rear setback	0 feet*
Minimum lot area	8,712 square feet

Minimum lot width	66 feet
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(Ord. passed 6-24-1996; Am. Ord. 050711, passed - -; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; 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. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 200622-1, passed 6-22-2020)

Section 3. Amendment of Section 154.039. That Section 154.039, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-2 Water Street East District (WSE)” is amended to read as follows:

154.039 C-2 WATER STREET EAST DISTRICT (WSE).

(A) *Generally*. The Water Street East District is designed to preserve the residential flavor of the area while promoting commercial land use and development. The district is designed for an intermediate intensity and density of structures and land use. Commercial development is desired in this district. The district will also promote visual access to the Kalamazoo River and lake.

(B) *Permitted uses*:

- (1) Essential public services;
- (2) Retail stores;
- (3) Domestic business repairs;
- (3) Personal service establishment;
- (4) Art gallery;
- (5) Dwelling, single-family detached;
- (6) Second- and third-floor apartments;
- (7) Short-term rental unit on second and third floors; and,
- (8) Home occupations.

(C) *Special uses*. Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Hotel/inn;
- (2) Motel/motor court;
- (3) Motion picture facilities;

- (4) Amusement and recreation services;
- (5) Recreational transportation rental facilities;
- (6) Parking facilities;
- (7) Restaurant;
- (8) Domestic business repairs;
- (9) Business, Professional Offices; and,
- (10) Bed and Breakfast establishment.

(D) *Dimension and area regulations:*

(1) Permitted uses (except as noted) and special uses: 4. Amusement and recreation services and 5. Recreational transportation rental facilities.

Front setback	0 feet
Side setbacks	10 feet
Rear setback	10 feet
Minimum lot area	4,356 square feet
Maximum lot coverage	65%

(2) Special uses: 1. Hotel/inn, 2. Motel/motor court, 3. Theater, and 8. Dwelling unit, single-family detached.

Front setback	0 feet
Side setbacks	10 feet
Rear setback	10 feet
Minimum lot area	8,712 square feet
Minimum lot width	66 feet
Maximum lot coverage	65%
*Front setback shall be 10 feet for single- family dwellings.	

(Ord. 050711, passed - -; Am. Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 101122-1, passed 11-22-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015; Am. Ord. 200622-1; 6-22-2020)

Section 4. Amendment of Section 154.040. That Section 154.040, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-1 Water Street North District (WSN)” is amended to read as follows:

154.040 C-1 WATER STREET NORTH DISTRICT (WSN).

(A) *Generally.* Water Street North District is designed to promote high intensity commercial uses that complement its waterfront setting. This district will promote visual access to the Kalamazoo River and Lake to coordinate with the commercial uses of the district. The purpose of the district is to promote a more intense commercial use and encourage development of similar businesses and land uses in the district.

(B) *Permitted uses:*

- (1) Dwelling, single-family detached;
- (2) Dwelling unit, two-family;
- (3) Essential public services;
- (4) Retail stores;
- (5) Personal service establishments;
- (6) Art gallery;
- (7) Marinas/commercial boats;
- (8) Second- and third-floor apartments;
- (9) Charter fishing/tours;
- (10) Home occupations; and
- (11) Short-term rental unit.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Bed and breakfasts;
- (2) Hotel/inn;
- (3) Motel/motor court;
- (4) Restaurants;
- (5) Home businesses;
- (6) Domestic business repairs;
- (7) Recreational transportation rental facilities; and
- (8) Parking facilities.

(D) *Dimension and area regulations:*

(1) Permitted non-residential uses and special uses: 4. Restaurants and 6. Recreational transportation rental facilities.

Front setback	0 feet
Side setbacks	0 feet*
Rear setback	0 feet*
Minimum lot	4,560 square feet
Minimum lot width	66 feet
Maximum lot coverage	100%*
* Subject to Fire Code Regulations	

(2) Single-family dwellings, two-family dwellings, and special use: 5. Home businesses.

Front setback	15 feet
Side setbacks	5 feet
Rear setback	10 feet
Minimum lot area	6,600 square feet
Minimum lot width	66 feet
Maximum lot coverage	50%

(3) Special uses: 1. Bed and breakfast, 2. Hotel/inn, and 3. Motel/motor court.

Front setback	0 feet
Side setback	0 feet*
Rear setback	0 feet*
Minimum lot area	8,712 square feet
Minimum lot width	66 feet
Maximum lot coverage	50%
* Subject to Fire Code Regulations	

(Ord. 050711, passed - -; Am. Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 101122-1, passed 11-22-2010;

Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015)

Section 5. Amendment of Section 154.041. That Section 154.041, Chapter 154, Title XV, of the Code of the City of Saugatuck, entitled “Land Usage; Zoning Code; C-2 Water Street South District (WSS)” is amended to read as follows:

154.041 C-2 WATER STREET SOUTH DISTRICT (WSS).

(A) *Generally.* This district will provide an area for waterfront retail and commercial land use. The Water Street South District will provide for a less intense commercial use than the City Center District and promote visual access to the Kalamazoo River. The intent of the district is to coordinate the aspects of a central business district with that of waterfront property and blend commercial uses that complement and enhance the waterfront.

(B) *Permitted uses:*

- (1) Essential public services;
- (2) Retail stores;
- (3) Bed and breakfasts;

- (5) Personal service establishments;
- (6) Art gallery;
- (7) Parks;
- (8) Dwelling, single-family detached;
- (9) Second- and third-floor apartments;
- (10) Home occupations; and
- (11) Short-term rental unit on second or third floors.

(C) *Special land uses.* Special land uses are subject to review and approval by the Planning Commission in accordance with §§ [154.060](#) through [154.068](#) and §§ [154.080](#) through [154.092](#):

- (1) Hotel/inn;
- (2) Motel/motor court;
- (3) Motion picture facilities;
- (4) Marina commercial/private;
- (5) Community center;

- (6) Club and fraternal organization;
- (7) Amusement and recreational services;
- (8) Recreational transportation rental facilities;
- (9) Amusement Arcades
- (10) Parking facilities; and
- (11) Restaurants.

(D) *Dimension and area regulations:*

(1) Permitted uses and special uses: 5. Community center, 6. Club and fraternal organization, 7. Amusement and recreational services, and 8. Recreational transportation rental facilities.

Front setback	0 feet
Side setback	10 feet
Rear setback	15 feet
Minimum lot area	6,600 square feet
Minimum lot width	66 feet of street frontage
Maximum lot depth	100 feet
Maximum lot coverage	45%

(2) Special uses: 1. Hotel/inn, 2. Motel/motor court, 3. Motion picture facility, and 4. Marina commercial/private:

Front setback	0 feet
Side setback	10 feet
Rear setback	15 feet
Minimum lot area	13,200 square feet
Minimum lot width	132 feet
Minimum lot depth	100 feet
Maximum lot coverage	45%

(Ord. 050711, passed - Am. -; Ord. passed 6-24-1996; Am. Ord. 02-02, passed 2-11-2002; Am. Ord. 090824-1, passed 8-24-2009; Am. Ord. 100510-1, passed 5-10-2010; Am. Ord. 101122-1, passed 11-22-2010; Am. Ord. 111212-1, passed 12-12-2011; Am. Ord. 140714-1, passed 7-14-2014; Am. Ord. 150427-1, passed 4-27-2015; Am. Ord. 200622-1; 6-22-2020)

Section 6. Effective Date. This Ordinance shall become effective seven (7) days after its publication unless otherwise provided by law.

YEAS:

NAYS:

ABSENT:

ORDINANCE NO. _____ ADOPTED

I, Cindy Osman, certify that the foregoing is a true and accurate copy of an ordinance adopted at a regular meeting of the City Council of the City of Saugatuck, held on October 26, 2020, and noticed in accordance with all legal requirements.

Erin Wilkinson, Saugatuck City Clerk

Introduced:

Adopted:

Published:



City Council Agenda Item Report

FROM: Karen Doyle Homan
MEETING DATE: November 9, 2020
SUBJECT: Proposed Move to MERS for Employees 457 Plan

DISCUSSION:

At your last workshop, Council was briefed by Treasurer/Finance Director Peter Stanislawski on the benefits of moving employees 457 Deferred Compensation Plan administration from VALIC to Michigan Employees Retirement System (MERS). These include:

- Lower fees charged against employee returns
- Continued education on retirement options throughout the State of Michigan
- Roth option
- Local and specific to Michigan local government employees
- Portability between municipalities in Michigan
- Relationship already established as MERS administers employees' pension accounts

Peter has met with employees and they are supportive of the move. There is no cost to the City.

There are three documents attached. The first Resolution adopts the MERS 457 Supplemental Retirement Program. Following the Resolution is the Participation Agreement establishing January 1, 2021 as the starting date, following that is the Contribution Addendum which spells out that the City will match contributions up to 4% of employee's compensation (same as old plan) and the final document is a Resolution specifying the positions of City Manager and City Treasurer to be the authorized signatories.

SAMPLE MOTION:

Motion to approve/deny the attached Resolutions establishing the Michigan Employees Retirement System (MERS) for Employees 457 Deferred Compensation Plan and Authorizing the positions of City Manager and City Treasurer to sign current and future documents related thereto.

MERS Uniform 457 Supplemental Retirement Program Resolution



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

This Resolution, together with the MERS 457(b) Supplemental Retirement Program Plan Document and the MERS 457 Supplemental Retirement Program Participation Agreement and any Addendum thereto, constitute the entire MERS 457 Deferred Compensation Plan Document.

WHEREAS, the Municipal Employees Retirement Act of 1984, Section 36(2)(a), MCL 38.1536(2)(a) (MERS Plan Document (Section 36(2)(a)) authorizes the Municipal Employees' Retirement Board (the "Board") to "establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other postemployment benefit programs," and on November 8, 2011, the Municipal Employees' Retirement Board adopted the MERS 457 Deferred Compensation Plan.

WHEREAS, this Uniform Resolution has been approved by the Board under the authority of Section 36(2)(a), and the Board has authorized the MERS 457 Deferred Compensation Plan, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution.

WHEREAS, the Participating Employer, a participating "municipality" (as defined in Section 2b(2) in the Municipal Employees Retirement Act of 1984; MCL 38.1502b(2); Plan Document Section 2b(4)) or participating "court" (circuit, district or probate court as defined in Section 2a(4) – (6) of the Act, MCL 38.1502a(4) – (6); Plan Document Section 2a(4) – (6)) within the State of Michigan has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a deferred compensation plan;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees' saving for retirement by offering salary reduction contributions;

WHEREAS, the Participating Employer has reviewed the MERS 457 Supplemental Retirement Program ("Plan");

WHEREAS, the Participating Employer wishes to participate in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Participating Employer is an Employer as defined in the Plan;

WHEREAS, concurrent with this Resolution, and as a continuing obligation, this Governing Body has completed and approved, and submitted to MERS and the Board documents necessary for adoption and implementation of the Plan; and

WHEREAS, the Governing Body for and on behalf of the Participating Employer is authorized by law to adopt this Resolution approving the Participation Agreement on behalf of the Participating Employer. In the event any alteration of the terms or conditions stated in this Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to continue to administer (or to have administered) the MERS 457 Supplemental Retirement Program for the Participating Employer.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body adopts the MERS 457 Supplemental Retirement Program as provided below.

MERS Uniform 457 Supplemental Retirement Program Resolution

- I. The Participating Employer adopts the Plan for its Employees.
- II. The Participating Employer hereby adopts the terms of the Participation Agreement, which is attached hereto and made a part of this Resolution. The Participation Agreement sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Participation Agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board.
- III. The Participating Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Board, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.
- IV. The Participating Employer acknowledges that the Board is only responsible for the Plan and any other plans of the Employer administered by MERS and that the Board has no responsibility for other employee benefit plans maintained by the Employer that are not part of MERS.
- V. The Participating Employer accepts the administrative services to be provided by MERS and any services provided by a Service Manager as delegated by the Board. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' accounts.
- VI. The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.
- VII. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Board to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.
- VIII. This Resolution and the Participation Agreement shall be submitted to the Board for its approval. The Board shall determine whether the Resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Board may refuse to approve a Participation Agreement by an Employer that does not possess State statutory authority to participate in the Plan. The Governing Body hereby acknowledges that it is responsible to assure that this Resolution and the Participation Agreement are adopted and executed in accordance with the requirements of applicable law.

MERS Uniform 457 Supplemental Retirement Program Resolution

BE IT FINALLY RESOLVED: This Resolution shall have no legal effect under the Plan until a certified copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under the 457 Supplemental Retirement Program Plan and Trust, the Participation Agreement, and this Resolution have been met. All dates for implementation of the Plan shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer.

In the event an amendatory Resolution or other action by the municipality is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred by this Governing Body and MERS (and a third-party administrator, if applicable and necessary). The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on

_____, 20____. _____
(Signature of authorized official)

Printed name: _____ (Authorized Official - printed) Position title: _____ (Authorized Official - position)

Municipality name: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____ _____
(Authorized MERS signatory)

MERS 457 Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9707

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The Employer, a participating municipality or participating court within the state of Michigan, hereby agrees to adopt and administer the MERS 457 Program provided by the Municipal Employees' Retirement System of Michigan, in accordance with the MERS Plan Document, as both may be amended, subject to the terms and conditions herein.

I. **Employer Name:** City of Saugatuck
(Name of municipality or court)

Municipality Number: 0307 **Division Number (if amendment):** _____

II. **Effective Date:** The MERS 457(b) Program will be effective as follows (choose one):

Original Adoption. The MERS 457(b) Program will be effective Jan 2021,
(Month and year)
with respect to contributions upon approval by the Program Administrator.

To establish a new plan or replace current 457 carrier with the MERS 457 Program.

To add the MERS 457 Program in addition to: _____
(Other plan provider)

VERY IMPORTANT: All eligible programs of a Participating Employer are considered to be a single plan for purposes of compliance with Code Section 457(b). Thus, if a Participating Employer has more than one eligible 457 (or additional investment options under a 457(b) arrangement with more than one vendor), the Participating Employer is responsible for ensuring that all of its arrangements, treated as a single program, comply with the 457(b) requirements. In order to fulfill its responsibility for monitoring coordination of multiple programs, the Participating Employer must carefully review the Master Plan Document provisions.

Amendment and Restatement. The amended and restated MERS 457(b) Program will be effective _____, with respect to contributions upon approval by the
(Month and year)
Program Administrator. *Please note:* You only need to mark **changes** to your plan throughout the remainder of this Agreement.

III. **Eligible Employees:** Only Employees as defined in the Program may be covered by the Participation Agreement. Subject to other conditions in the Program, this Agreement, and Addendum (if applicable), the following Employees are eligible to participate in the Program:

Full time employees

IV. **Contributions will be submitted (check one):**

Contributions will be remitted according to Employer's "Payroll Period" which represents the actual period amounts are withheld from participant paychecks, or within the month during which amounts are withheld.

Weekly

Semi-Monthly (twice each month)

Bi-Weekly (every other week)

Monthly

MERS 457 Participation Agreement



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Compensation

Employers may designate the definition of compensation per division participating in MERS 457(b) Supplemental Retirement Program Plan Document (check one):

- All income subject to income tax reported in Box 1 of Form W-2, plus elective deferrals
- Medicare taxable wages reported in Box 5 of Form W-2
- Base wages, to which any of the following may be included:
 - Longevity pay
 - Overtime pay
 - Shift differentials
 - Pay for periods of absence from work by reason of vacation, holiday, and sickness
 - Workers' compensation weekly benefits (if reported and are higher than regular earnings)
 - A member's pre-tax contributions to a plan established under Section 125 of the IRC
 - Transcript fees paid to a court reporter
 - A taxable car allowance
 - Short term or long term disability payments
 - Payments for achievement of established annual (or similar period) performance goals
 - Payment for attainment of educational degrees from accredited colleges, universities, or for acquisition of job-related certifications
 - Lump sum payments attributable to the member's personal service rendered during the FAC period
 - Other: _____
 - Other 2: _____

NOTE: For purposes of applying the Internal Revenue Code Section 415(c) limits on annual additions, compensation shall be defined as required under that law.

V. **Roth Deferral Contributions:** shall be permitted shall not be permitted

If **Roth Deferral Contributions** are elected, the Program will allow Roth rollover contributions from other designated Roth 457(b), 401(k), or 403(b) Plans. Roth in-plan rollovers will also be allowed. Roth in-plan rollovers allow a participant who has reached 70½ or who has incurred a severance from employment to elect to have all or a portion of his or her pre-tax contribution account directly rolled into a designated Roth rollover account under the plan if the amount would otherwise be permitted to be distributed as an eligible rollover distribution. Any amounts that are rolled to the Roth rollover account are considered to be irrevocable and may not be rolled back to the pre-tax account.

MERS 457 Participation Agreement

VI. Loans: shall be permitted shall not be permitted

If Loans are elected, please refer to the [Defined Contribution & 457 Loan Addendum](#).

VII. Automatic Enrollment: shall be permitted shall not be permitted

If selected, please complete and attach the [457 Eligible Automatic Contribution Arrangement \(EACA\) Addendum](#).

VIII. Employer Contributions: shall be permitted shall not be permitted

If selected, please complete and attach the [457 Employer Contribution Addendum](#).

IX. Modification of the Terms of the Participation Agreement

If the employer desires to amend any of its elections contained in the Participation Agreement, including attachments/addendums, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Participation Agreement. The amendment of the new agreement is not effective until approved by MERS.

X. Enforcement

1. This Participation Agreement, including attachments/addendums may be terminated only in accordance with the Master Plan Document
2. The Employer hereby agrees to the provisions of the *MERS 457 Supplemental Retirement Program and Trust Master Plan Document*.
3. The employer hereby acknowledges it understands that failure to properly fill out this Participation Agreement may result in the ineligibility of the program.

XI. Execution

Authorized Designee of Governing Body of Municipality or Chief Judge of Court

The foregoing Participation Agreement is hereby approved by _____
on the ____ day of _____, 20____. (Name of Approving Employer)

Authorized signature: _____

Title: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____ Signature: _____
(Authorized MERS Signatory)

MERS 457 Employer Contribution Addendum



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

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This is an Addendum to the Participation Agreement completed by City of Saugatuck
Name of Employer
 for Full time employees
Employee Group of _____
Division Number

The Addendum modifies the Participation Agreement by providing for employer matching and/or non-matching contributions to the Program.

I. Employer Contributions

The Participating Employer may make matching contributions and/or non-matching contributions. In no event will the employers' matching contributions and participant contributions combined exceed IRS maximums established annually, Section 457(e)(5).

The Participating Employer elects to make contributions as follows (check *Matching*, *Non-Matching*, or both as applicable):

A. **Matching Contributions**

Employer Contributions shall be made to match all or a portion of a participant's compensation deferred into this Program. The Employer elects the following matching contribution formula (check and complete *Percentage* or *Flat Dollar* and *Employer Cap*, if applicable, below):

Percentage: For each payroll period in which the participant deferred compensation into the Program, the Employer will contribute 100 % of the deferral amount.
For example, if an Employer elects a 50% match, then for every \$10 the participant defers to the Program, the Employer will contribute \$5 to the Program.

Flat Dollar: For each payroll period in which the participant deferred at least \$ _____ to the Program, the Participating Employer will contribute \$ _____ per payroll period.

Employer Cap: The Employer elects to establish a cap on its matching contributions, so that the match amount cannot exceed a certain amount. The Employer elects the following cap on its matching contribution:

Flat Dollar Cap: In no event will matching contributions made on behalf of a participant exceed a flat dollar amount equal to \$ _____ per _____ (pay period / year / etc.).

Cap Equal to Percentage of Total Compensation: In no event will matching contributions made on behalf of a participant exceed 4 % of the participant's compensation as defined by Section 1.9 of the Plan Document.

B. **Non-Matching Contributions**

The Employer hereby elects to make contributions to the Program without regard to a participant's contribution to the Program. The Employer elects the following contribution formula (check one):

Annual Contributions: A one-time annual contribution of \$ _____ or _____ % of compensation per participant.

\$ _____ or _____ % of compensation per participant for each payroll period.

Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711 www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution is being adopted by the governing body of the participating entity and applies to all reporting units of said participating entity.

WHEREAS, City of Saugatuck ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. City Manager

Optional additional job positions:

2. City Treasurer
3. _____

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on _____, 20_____.

Authorized signature (must be currently in a position named above): _____

Name: _____

Title: _____

Witness signature: _____

Witness name: _____

Witness title: _____



City of Saugatuck

MERS 457 Supplemental Retirement Program

Prepared: October 2018

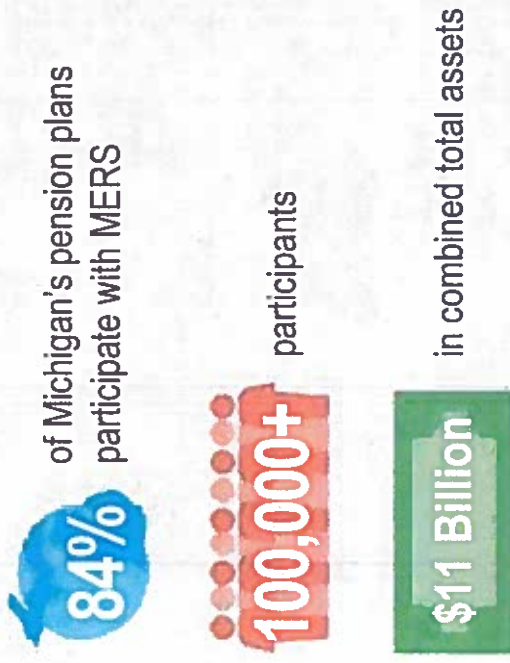
Data: June 30, 2018



About MERS of Michigan

MERS is an independent, professional retirement services company that was **created to administer** the retirement plans for Michigan municipalities on a **not-for-profit basis**

BY THE NUMBERS



An Independent Elected Board

- MERS is governed by an elected board that operates without compensation
- Our board is committed to accountability and transparency; holding the line on costs; and watching out for the best interest of our members



MERS Retirement Board

is responsible for administration of the system with fiduciary responsibility for the investment of assets and oversight.

- MERS provides customers with peace of mind because the ***MERS Retirement Board takes on the sole fiduciary responsibility of their plan***

Municipal Retirement Plan Experts

We provide one-stop access to shared professional retirement services:

- Plan governance**
- Administration**
- Portfolio management**
- Investment options**
- Participant education**
- Legal counsel**
- Plan compliance, including tax qualification**



Fiduciary Responsibility



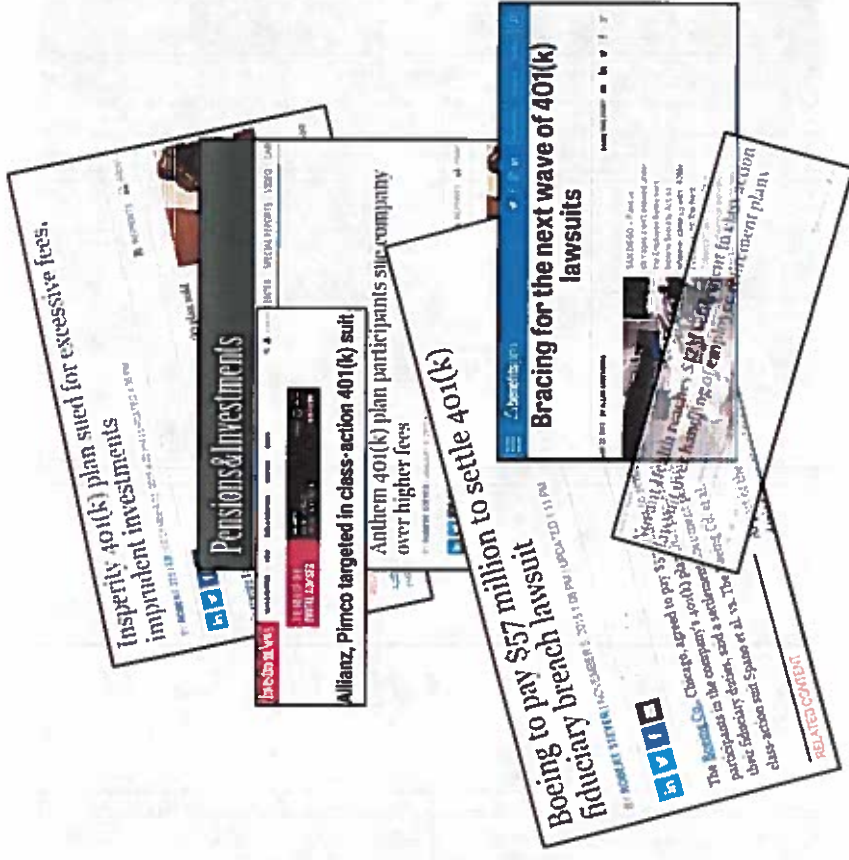
• With recent regulatory changes

A Hot Topic for Municipal Retirement Systems



A Hot Topic Facing Municipalities

- With recent high-profile class action suits alleging violation of fiduciary duty, employers need to manage fiduciary risks
- When fiduciary breaches occur there can be:
 - Personal liability
 - Fines and penalties
 - Legal action
 - Plan disqualification
 - Higher operating expenses



Fiduciary Oversight

- A fiduciary is anyone who has discretionary authority over:
 - Plan assets
 - The administration of the plan
 - The management of the plan
- Fiduciaries are subject to standards of conduct and must act on behalf of participants
- Responsibilities:
 - Adherence to Plan Document
 - Investment oversight
 - Ensure reasonable expenses

MERS provides employers with peace of mind because the **MERS Retirement Board takes on the sole fiduciary responsibility of their plan.**

Degrees of Fiduciary Responsibility

When it comes to the fiduciary responsibility for your retirement plan, not all plan providers assume the role of sole fiduciary.



Plan Provider

In some instances, the plan provider takes fiduciary responsibility, establishes the plan document, determines the investment options available and monitors performance.

MERS provides employers with this level of confidence.

Co-Fiduciary Responsibility

Many plan providers act as co-fiduciaries. The provider offers investment information and makes recommendations. The employer is responsible for selecting and monitoring the performance of the funds.

The plan provider and employer share fiduciary responsibility for the plan.

Employer

Most plan providers act only as a record keeper and leave decisions regarding the plan document, investment options and performance monitoring to the employer.

The employer has unlimited choices under this scenario, but risks being held liable for fiduciary violations.



MERS Investments



Is a Bigger Investment Menu Better?

Psychologists have concluded that an overload of options can paralyze people or push them into decisions that are against their own best interest.



When Less is Actually More

A study on shopping behavior experimented with jam displays. One table held 24 varieties of gourmet jam; the other held only 6 varieties. The large display attracted more interest, but people were 1/10th as likely to buy from the large display as from the small display.

The same principle of “less is more” was found to apply to participation rates in retirement programs. A large number of fund choices actually *discourages* participation amongst even well informed participants.^{1, 2}

¹ Mollola, Gary and Ulkus, Stephen. “Can There Be Too Much Choice In a Retirement Savings Plan?” The Vanguard Center for Retirement Research, June 2003

² Schwartz, Barry. “More Isn’t Always Better.” Harvard Business Review, 01 June 2006 Web 24 Feb 2016

Simplified Investment Options

- Our streamlined investment menu is a sophisticated set of selections by our experienced investment professionals
- MERS performs the necessary research, due diligence and monitoring to ensure high-quality options
- MERS offers several fully diversified, professionally managed portfolios that provide access to funds not otherwise available with other providers
- Our pre-built portfolio funds use outside institutional investment managers that are selected and monitored by the MERS Office of Investments and Retirement Board

Investment Categories

1

“Do it for me”

Fully diversified target date funds that automatically adjust over time

2

“Help me do it”

Prebuilt portfolios that are monitored and rebalanced quarterly

3

“I’ll do it myself”

Self-Directed Brokerage Account to access funds outside of MERS

MERS Investment Menu Resources

Using research and best practices, MERS developed our investment information to assist investors of every experience level:

2Q 2016 Performance Summary
 MERS Investment Menu Summary
 For the period ending 9/30/16. All figures are in US dollars unless otherwise indicated.

Investment Option	Assets Under Management	Investment Objective	Investment Strategy	Investment Style	Investment Focus	Investment Risk	Investment Return
MERS 2015 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2020 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2025 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2030 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2035 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2040 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2045 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2050 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2055 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2060 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2065 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2070 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2075 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2080 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2085 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2090 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2095 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2100 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2105 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2110 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2115 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2120 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2125 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2130 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2135 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2140 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2145 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2150 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2155 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2160 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2165 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2170 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2175 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2180 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2185 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2190 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2195 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference
MERS 2200 Reference	\$1.5B	Reference	Reference	Reference	Reference	Reference	Reference



Grid of nine detailed fund sheets, each with a title and a pie chart:

- MERS 2015 Reference
- MERS 2020 Reference
- MERS 2025 Reference
- MERS 2030 Reference
- MERS 2035 Reference
- MERS 2040 Reference
- MERS 2045 Reference
- MERS 2050 Reference
- MERS 2055 Reference

Performance and Fee Summary with Categories

Overview Booklet with Glossary of Terms

Detailed Fund Sheets

Straightforward Costs

Our members benefit from the economies of scale and low administrative costs that come with being part of a large pool of assets.

As of 12/31/2017, our asset-weighted average fund cost is just 0.43%.

1 MERS clearly discloses the fees charged for custodial, recordkeeping, operating and investment management costs, following the Department of Labor guidelines.

2 MERS charges the same administrative fees and recordkeeping costs on each of our professionally managed portfolios.

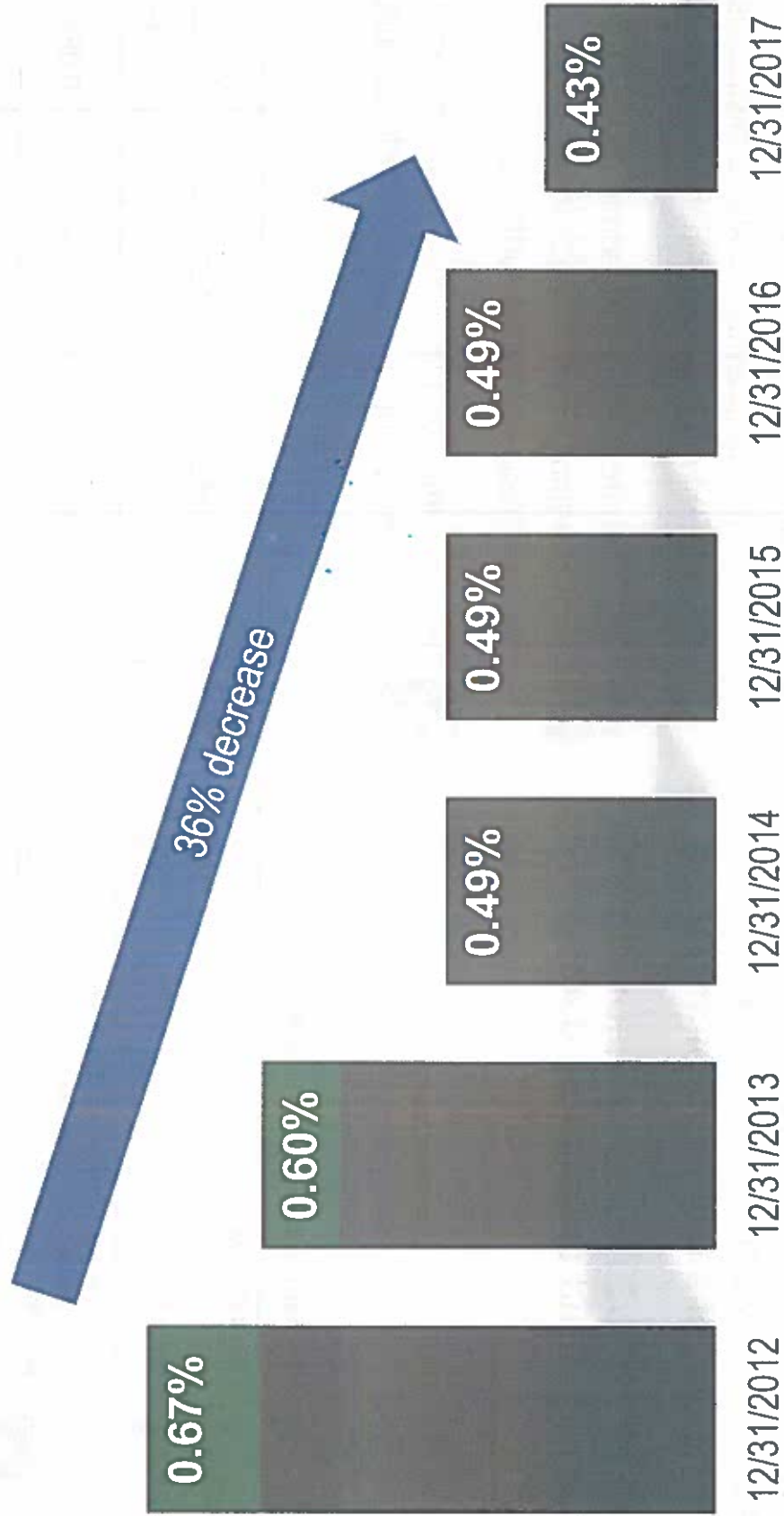
3 MERS reimburses all revenue sharing received from outside mutual funds directly to participants.

International Stock Index Fund (as of 12/31/2017)

MERS Operating Costs: Costs to run the day-to-day operations of the plan, which include legal, accounting, auditing, compliance, printing and overhead costs.	0.15%
Custody and Recordkeeping Costs: Costs related to bookkeeping, settling trade activity, and holding assets in custody at a bank.	0.15%
Investment Management Expense: All costs incurred in the overall management of the fund. The Investment Management Expense varies based on the level of assets. As assets increase, the Investment Management Expense is expected to decline.	0.09%
Fund Company Rebate: The Fund Company Rebate is a reimbursement from the fund company for services provided by our recordkeeper.	0.00%
Total Annual Operating Expense: The Total Annual Operating Expense reduces the rate of return of the investment option. A Total Annual Operating Expense of 0.39% means that for every \$1,000 invested in the fund, a participant is charged \$3.90 in fees a year.	0.39%

A History of Cost Reduction

Asset-Weighted Average Fund Expense



The MERS asset-weighted average fund cost is determined by the percentage of assets participants invest in each fund offered on the MERS Defined Contribution Plan and MERS 457 Program Investment Menu.

Provider Comparison *Asset-Weighted Comparison*

Asset-Weighted Plan Averages (Appendix III)	Valic	MERS	Difference
Expense			
Asset-Weighted Average Expense	1.52%	0.43%	-1.09%
Total Impact (Performance, Less Fund Fees)			
1-Year Asset-Weighted Average Performance	8.76%	12.06%	3.30%
3-Year Asset-Weighted Average Performance	7.13%	9.72%	2.59%
5-Year Asset-Weighted Average Performance	8.59%	10.76%	2.17%

Asset-Weighted Average is calculated by multiplying expense or performance by the percentage of assets held in each fund. Additional notes:

- 1) The City of Saugatuck provided MERS with its Valic "Asset List" report, which showed the amount invested in each fund on 6/30/2018. The City of Saugatuck provided MERS with its "Valic Portfolio Director (A079) UITG-194-SWMC" report, which provided each fund's performance and expenses, as of 6/30/2018. Note that the "non-standard" performance data was used, which does not include "Surrender or Withdrawal charges."
- 2) The funds are mapped to the closest "like-style" asset class available on the MERS investment menu. Note that the assets invested in the "Fixed Account Plus" and "Short Term Fixed Account" were *not* included in the comparison because MERS does not have a fixed account on its investment menu. This is shown in Appendix III.
- 3) 1, 3, and 5-Year Impact (Performance, Less Fund Fees) are used because several funds do not have longer performance history.
- 4) The fees reflected for Valic include each fund's "Expense Ratio," as shown in the City of Saugatuck's Valic Portfolio Director (A079) UITG-194-SWMC" report, for 6/30/2018. These fees are shown in Appendix I. The fees reflected for MERS include all operating, custody, recordkeeping, and investment management expense charged by MERS on all of its funds, as shown in Appendix II.
- 5) The asset-weighted averages shown above are *not intended to show actual expense or performance* experienced by the plan during the periods shown because the calculation does not account for plan activity (i.e. contributions, distributions, participant transfers between investment options) during the periods. The asset-weighted averages reflect a hypothetical illustration based on assets held in each investment option as reported at a specific point in time.

The City of Saugatuck provided its Plan details (disclosed above). MERS data is as of 6/30/2018.

Why Fund Costs Matter *Hypothetical Example*

Meet John

- John is 30 years old
- He currently makes \$42,000/year, and anticipates a 2% annual salary increase
- John makes bi-weekly contributions of 5% of his salary into his 457 account
- His 457 account currently has \$5,000
- He anticipates a 7% investment return *before factoring in the investment expenses*
- John plans to retire at age 62
 - He plans to receive his balance through equal monthly payments until age 90 (28 years of payments)
 - He anticipates a lower investment return of 5% during his retirement, before factoring in the investment expenses



Impact of Fees on John's Account Growth

Hypothetical Account Growth Illustration (Appendix IV)

In this comparison, MERS' low fund expenses would provide John with 25% more at retirement!

- John's 457 Account Balance
- Amount John Lost to Higher Fees



Asset-Weighted Average Expense Ratios: Valic – 1.52%; and MERS – 0.43%.

Impact of Fees on John's Retirement Income

Hypothetical Account Distribution Illustration (Appendix V)

MERS' low fund expenses would provide John with 43% more in monthly income during retirement!

- John's Monthly 457 Income
- Income John Lost to Higher Fees



Asset-Weighted Average Expense Ratios: Valic – 1.52%; and MERS – 0.43%.



Participant Education and Resources



Retirement Readiness Reports

- Plan providers often offer financial planning for a fee
- MERS provides a solution that reaches a broader percentage of participants
- Retirement Readiness reports provide individual guidance at no additional cost to the participant or the employer

Retirement Readiness Snapshot Reports



Developing the Full Retirement Picture

The “Full Picture” report allows participants to:

- ⊕ Add spouse and outside investment information online to build their “Full Picture” report
- ⊕ Identify their risk tolerance and receive customized suggestions for improving their retirement readiness
- 🐷 Increase retirement savings
- 📊 Review investment selections
- 🕒 Consider delaying retirement
- % Adjust retirement income replacement rate



MERS Investment Guidance

- Online investment guidance available to participants through *Guidance Plus!*
- Risk Advisor helps participants determine their personal tolerance for risk
- Resource for information on key investing concepts:
 - Plan Ahead - importance of time, effect of inflation, etc.
 - Save for the Future - rate of return, pre-tax vs. Roth savings, employer contributions, rollovers, etc.
 - Invest Wisely - investment categories, management styles, glossary of terms, risk vs. return, diversification, etc.

Resources



One Click Away

- To keep up with trending information related to retirement follow us on Facebook, Twitter, LinkedIn and YouTube
- Our website provides helpful calculators and other retirement resources



Quick Bite Webinars

- Our webinar series delivers online education
- Participants can tune in live and ask questions or view recorded sessions from the library of topics any time



Pizza & Planning

- Free, local education for employees held after traditional work hours
- Hosted at various locations throughout the state



On-site education

- Group presentation can be held at your location during work hours or whenever is convenient for your employees
- Attend benefit fairs
- One-on-one meetings for all MERS programs



Benefits of Partnering with MERS

- ✓ **Fiduciary responsibility and plan compliance**
- ✓ **Customer service excellence**
 - Participant education
 - Employer resources
 - MERS Regional Team
- ✓ **Cost effective benefits**
 - No cost to the employer
 - Low participant fees
 - Oversight and administration
- ✓ **Participant Resources**
 - Guidance Plus
 - Retirement readiness



Appendices



Appendix I Valic Fund Expenses

Valic Fund	Expense Ratio	Valic Fund	Expense Ratio	Valic Fund	Expense Ratio
TRP Retirement 2015	1.84%	Stock Index	1.34%	Capital Conserv	1.64%
TRP Retirement 2020	1.88%	AmBn Brdwy LC Gr	2.20%	Core Bond	1.52%
TRP Retirement 2025	1.92%	Blue Chip Gr	1.84%	Govt Securities	1.64%
TRP Retirement 2030	1.94%	Cap Appr	1.60%	Infln Protected	1.58%
TRP Retirement 2035	1.97%	Growth	1.76%	Strategic Bond	1.63%
TRP Retirement 2040	1.99%	LC Gr	1.75%	VG LT Treasury	1.20%
TRP Retirement 2045	1.99%	NASDAQ 100 Idx	1.53%	VG LT Inv-Grd	1.22%
TRP Retirement 2050	1.99%	MC Val	1.80%	Intl Govt Bond	1.64%
TRP Retirement 2055	1.99%	MC Idx	1.36%	High Yield	1.71%
TRP Retirement 2060	1.99%	MC Gr	1.60%	Govt MM I	1.53%
<i>Average Target Date Fund</i>	<i>1.95%</i>	MC Strg Gr	1.82%	Govt MM II	1.30%
Aggr Gr Lifestyle	1.62%	SC Special Val	1.87%	Fixed Plus	0.00%
Mod Gr Lifestyle	1.62%	SC Val	1.70%	ST Fixed	0.00%
Cons Gr Lifestyle	1.65%	SC Fund	1.93%	<i>Average Fixed Income Fund</i>	<i>1.28%</i>
VG LS Gr	1.39%	SC Idx	1.41%	Arithmetic Average Fund Exp—	1.68%
VG LS Mod	1.38%	SC Aggr Gr	1.99%	ALL FUNDS	
VG LS Cons	1.37%	SC Gr	1.91%		
Asset Alloc	1.74%	Sm-Mid Gr	1.95%		
VG Weillington	1.50%	Gbl Soc Awareness	1.62%		
<i>Average Asset Allocation Fund</i>	<i>1.53%</i>	Gbl Strat	1.66%		
Broad Cap Val	1.85%	EM Econ	1.94%		
Dividend Val	1.82%	Foreign Val	1.80%		
LC Val	1.56%	Intl Gr	2.01%		
Value	1.85%	Intl Eq Idx	1.45%		
VG Windsor II	1.59%	Intl Opp	1.75%		
Core Eq	1.80%	Gbl Real Est	1.85%		
Gr & Inc	1.85%	Invsc Bal Risk Cmdty	2.25%		
LC Core	1.83%	Sci & Tech	1.99%		
Soc Responsible	1.31%	Hlth Sci	2.07%		
		<i>Average Stock Fund</i>	<i>1.77%</i>		

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.

Appendix II MERS Average Fund Expenses

MERS Funds (as of 6/30/2018):						
Target Date Funds	Investment Management Expense ¹	Fund Rebate ²	Custody & Record-keeping Costs ³	MERS Operating ¹	Total Annual Expense	
2005 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2010 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2015 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2020 Retirement Strategy	0.13%	0.00%	0.15%	0.15%	0.43%	
2025 Retirement Strategy	0.13%	0.00%	0.15%	0.15%	0.43%	
2030 Retirement Strategy	0.13%	0.00%	0.15%	0.15%	0.43%	
2035 Retirement Strategy	0.13%	0.00%	0.15%	0.15%	0.43%	
2040 Retirement Strategy	0.13%	0.00%	0.15%	0.15%	0.43%	
2045 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2050 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2055 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
2060 Retirement Strategy	0.12%	0.00%	0.15%	0.15%	0.42%	
Average Target Date Fund					0.42%	
Target Risk/Balanced Funds						
MERS Global Stock Portfolio (100/0)	0.38%	0.00%	0.15%	0.15%	0.68%	
MERS Capital Appreciation Portfolio (80/20)	0.26%	0.00%	0.15%	0.15%	0.56%	
MERS Established Market Portfolio (60/40)	0.25%	0.00%	0.15%	0.15%	0.55%	
MERS Total Market Portfolio	0.28%	0.00%	0.15%	0.15%	0.58%	
MERS Balanced Income Portfolio (40/60)	0.23%	0.00%	0.15%	0.15%	0.53%	
MERS Capital Preservation Portfolio (20/80)	0.18%	0.00%	0.15%	0.15%	0.48%	
MERS Diversified Bond Portfolio (0/100)	0.20%	0.00%	0.15%	0.15%	0.50%	
Average Asset Allocation Fund					0.55%	

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.

Appendix II MERS Average Fund Expenses

MERS Funds (as of 6/30/2018):						
Stock Funds	Investment Management Expense ¹	Fund Rebate ²	Custody & Record-keeping Costs ³	MERS Operating ⁴	Total Annual Expense	
Large Cap Stock Index	0.05%	0.00%	0.15%	0.15%	0.35%	
Mid Cap Stock Index	0.05%	0.00%	0.15%	0.15%	0.35%	
Small Cap Stock Index	0.05%	0.00%	0.15%	0.15%	0.35%	
International Stock Index	0.09%	0.00%	0.15%	0.15%	0.39%	
Emerging Market Stock	0.91%	0.00%	0.15%	0.15%	1.21%	
Real Estate Stock	0.96%	-0.45%	0.15%	0.15%	0.81%	
Average Stock Fund					0.58%	
Fixed Income Funds						
Stable Value	0.30%	0.00%	0.15%	0.15%	0.60%	
Short-Term Income	0.05%	0.00%	0.15%	0.15%	0.35%	
Bond Index	0.15%	0.00%	0.15%	0.15%	0.45%	
High Yield Bond	0.55%	0.00%	0.15%	0.15%	0.85%	
Average Fixed Income Fund					0.56%	
MERS Average of ALL Funds					0.50%	

¹Investment Management Expense: All costs incurred in the overall management of the fund. The Investment Management Expense varies based on the level of assets.

²Fund Company Rebate: The Fund Company Rebate is a reimbursement from the fund company for services provided by our recordkeeper.

³Custody and Recordkeeping Costs: Costs related to bookkeeping, settling trade activity, and holding assets in custody at a bank.

⁴MERS Operating Costs: Costs to run the day-to-day operations of the plan, which include legal, accounting, auditing, compliance, printing, and overhead costs.

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.

Appendix III Valic Asset-Weighted Calculation

Current Provider	Plan Assets	% of Plan	Ex.p.	1 Yr	3 Yr	5 Yr	Wid Exp	Wid 1 Yr	Wid 3 Yr	Wid 5 Yr	MERS	Exp.	1 Yr	3 Yr	5 Yr	Wid Exp	Wid 1 Yr	Wid 3 Yr	Wid 5 Yr
Aggr Gr Lifestyle Asset Alloc	\$944	0.2%	1.62%	8.47%	6.37%	7.75%	0.00%	0.02%	0.02%	0.02%	MERS Cap Appr Portfolio	0.56%	11.16%	8.85%	9.60%	0.00%	0.03%	0.02%	0.02%
VG Wellington	\$1,621	0.4%	1.74%	4.97%	3.96%	5.69%	0.01%	0.02%	0.02%	0.02%	MERS Cap Appr Portfolio	0.56%	11.16%	8.85%	9.60%	0.00%	0.04%	0.04%	0.04%
Dividend Val	\$51,814	12.9%	1.50%	5.47%	6.54%	7.42%	0.19%	0.70%	0.82%	0.93%	MERS Est Mkt Portfolio	0.55%	7.94%	7.32%	7.87%	0.07%	1.02%	0.94%	1.01%
VG Windsor II	\$10,451	2.6%	1.82%	7.03%	8.95%	9.34%	0.05%	0.18%	0.23%	0.24%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.01%	0.36%	0.30%	0.34%
Soc Responsible Stock Index	\$55,042	13.7%	1.59%	6.18%	6.68%	8.63%	0.22%	0.84%	0.89%	1.15%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.05%	1.91%	1.58%	1.77%
Blue Chip Gr	\$4,496	1.1%	1.31%	12.65%	10.22%	12.46%	0.01%	0.14%	0.11%	0.14%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.00%	0.16%	0.13%	0.14%
NASDAQ 100 Idx	\$71,251	17.7%	1.34%	12.86%	10.46%	11.90%	0.24%	2.28%	1.82%	2.07%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.06%	2.47%	2.02%	2.29%
MC Val	\$921	0.2%	1.84%	26.42%	15.83%	17.39%	0.00%	0.06%	0.04%	0.04%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.00%	0.03%	0.03%	0.03%
MC Idx	\$4,380	1.1%	1.53%	24.00%	16.60%	18.96%	0.02%	0.26%	0.16%	0.20%	Large Cap Stock Index	0.35%	13.96%	11.43%	12.94%	0.00%	0.15%	0.12%	0.14%
SC Val	\$4,557	1.1%	1.80%	7.71%	7.12%	9.31%	0.02%	0.09%	0.08%	0.10%	Mid Cap Stock Index	0.35%	13.24%	10.72%	12.46%	0.00%	0.15%	0.12%	0.14%
SC Idx	\$49,403	12.3%	1.36%	12.00%	9.52%	11.25%	0.17%	1.47%	1.14%	1.36%	Mid Cap Stock Index	0.35%	13.24%	10.72%	12.46%	0.04%	1.62%	1.32%	1.53%
Global Strat	\$2,608	0.6%	1.70%	10.83%	8.43%	9.71%	0.01%	0.07%	0.05%	0.06%	Small Cap Stock Index	0.35%	20.45%	13.81%	14.25%	0.00%	0.13%	0.09%	0.09%
EM Econ	\$42,174	10.5%	1.41%	16.16%	9.70%	11.19%	0.15%	1.69%	1.00%	1.15%	Small Cap Stock Index	0.35%	20.45%	13.81%	14.25%	0.04%	2.14%	1.45%	1.49%
Foreign Val	\$32,787	8.1%	1.66%	2.02%	1.98%	4.23%	0.14%	0.16%	0.14%	0.33%	MERS Gbl Slt Portfolio	0.68%	14.33%	10.14%	10.97%	0.06%	1.17%	0.83%	0.89%
Intl Eq Idx	\$3,140	0.8%	1.94%	4.22%	4.36%	3.17%	0.02%	0.03%	0.03%	0.02%	Emerging Market Stock	1.21%	5.48%	6.26%	4.99%	0.01%	0.04%	0.05%	0.04%
Intl Opp	\$3,350	0.8%	1.80%	0.92%	2.62%	4.06%	0.01%	0.01%	0.02%	0.03%	International Stock Index	0.39%	6.84%	4.72%	6.08%	0.00%	0.06%	0.04%	0.05%
Global Real Est	\$3,405	0.8%	1.45%	5.41%	3.58%	5.04%	0.01%	0.05%	0.03%	0.04%	International Stock Index	0.39%	6.84%	4.72%	6.08%	0.00%	0.06%	0.04%	0.05%
Invsc Bal Risk Cmndy	\$12,104	3.0%	1.75%	16.89%	10.90%	9.92%	0.05%	0.51%	0.32%	0.29%	International Stock Index	0.39%	6.84%	4.72%	6.08%	0.01%	0.21%	0.14%	0.18%
Sci & Tech	\$993	0.2%	1.85%	6.09%	4.82%	5.03%	0.00%	0.02%	0.01%	0.01%	Real Estate Stock	0.81%	4.28%	10.52%	8.31%	0.00%	0.01%	0.03%	0.02%
Hlth Sci	\$2,026	0.5%	2.25%	8.98%	-1.43%	-4.40%	0.01%	0.05%	-0.01%	-0.02%	Small Cap Stock Index	0.35%	20.45%	13.81%	14.25%	0.00%	0.10%	0.07%	0.07%
Capital Consvr	\$728	0.2%	1.99%	30.15%	19.53%	20.61%	0.00%	0.05%	0.03%	0.04%	Small Cap Stock Index	0.35%	20.45%	13.81%	14.25%	0.00%	0.04%	0.02%	0.03%
Core Bond	\$4,616	1.1%	2.07%	13.90%	3.81%	17.05%	0.02%	0.16%	0.04%	0.19%	Small Cap Stock Index	0.35%	20.45%	13.81%	14.25%	0.00%	0.23%	0.16%	0.16%
Infln Protected	\$5,527	1.4%	1.64%	-2.03%	0.28%	1.00%	0.02%	-0.03%	0.00%	0.01%	MERS Div Bond Portfolio	0.50%	-0.85%	2.04%	2.13%	0.01%	-0.01%	0.03%	0.03%
Strategic Bond	\$13,185	3.3%	1.52%	-1.46%	0.95%	1.54%	0.05%	-0.05%	0.02%	0.04%	MERS Div Bond Portfolio	0.50%	-0.85%	2.04%	2.13%	0.02%	-0.03%	0.07%	0.07%
High Yield	\$2,315	0.6%	1.58%	0.38%	0.70%	0.33%	0.01%	0.00%	0.00%	0.00%	MERS Div Bond Portfolio	0.50%	-0.85%	2.04%	2.13%	0.00%	0.00%	0.01%	0.01%
Plan Totals (Without Fixed Accounts)	\$16,327	4.1%	1.63%	-0.95%	2.16%	2.63%	0.07%	-0.04%	0.08%	0.10%	MERS Div Bond Portfolio	0.50%	-0.85%	2.04%	2.13%	0.02%	-0.03%	0.08%	0.09%
Fixed Plus	\$2,464	0.6%	1.71%	1.81%	3.76%	3.91%	0.01%	0.01%	0.02%	0.02%	High Yield Bond	0.85%	0.83%	4.36%	4.62%	0.01%	0.01%	0.03%	0.03%
ST Fixed	\$402,630	100.0%									MERS Totals	0.43%	12.06%	9.72%	10.76%		9.72%	10.76%	
Plan Totals (With Fixed Accounts)	\$175,301										Difference in Weighted Averages	-1.09%	3.30%	2.59%	2.17%		3.30%	2.59%	2.17%

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.

Appendix IV John's Retirement Account Growth Illustration

John's Details	
Current Salary	\$42,000
Salary Growth Rate	2%
457 Contribution Rate	5%

Return Assumptions		VALIC		MERS	
Market Return		7.00%		7.00%	
Investment Expense		1.52%		0.43%	
Net Investment Return		5.48%		6.57%	

Age	Salary	Contr.	VALIC			MERS		
			Start	Growth	End	Start	Growth	End
30	\$42,000	\$2,100	\$5,000	\$338	\$7,438	\$5,000	\$407	\$7,507
31	\$42,840	\$2,142	\$7,438	\$476	\$10,056	\$7,507	\$578	\$10,227
32	\$43,697	\$2,185	\$10,056	\$624	\$12,865	\$10,227	\$764	\$13,176
33	\$44,571	\$2,229	\$12,865	\$784	\$15,877	\$13,176	\$965	\$16,370
34	\$45,462	\$2,273	\$15,877	\$954	\$19,104	\$16,370	\$1,183	\$19,826
35	\$46,371	\$2,319	\$19,104	\$1,137	\$22,560	\$19,826	\$1,419	\$23,564
36	\$47,299	\$2,365	\$22,560	\$1,333	\$26,258	\$23,564	\$1,674	\$27,603
37	\$48,245	\$2,412	\$26,258	\$1,542	\$30,212	\$27,603	\$1,950	\$31,965
38	\$49,210	\$2,460	\$30,212	\$1,766	\$34,438	\$31,965	\$2,247	\$36,673
39	\$50,194	\$2,510	\$34,438	\$2,005	\$38,953	\$36,673	\$2,568	\$41,751
40	\$51,198	\$2,560	\$38,953	\$2,260	\$43,773	\$41,751	\$2,914	\$47,224
41	\$52,222	\$2,611	\$43,773	\$2,533	\$48,917	\$47,224	\$3,287	\$53,122
42	\$53,266	\$2,663	\$48,917	\$2,824	\$54,405	\$53,122	\$3,688	\$59,474
43	\$54,331	\$2,717	\$54,405	\$3,134	\$60,255	\$59,474	\$4,121	\$66,312
44	\$55,418	\$2,771	\$60,255	\$3,465	\$66,491	\$66,312	\$4,586	\$73,669
45	\$56,526	\$2,826	\$66,491	\$3,817	\$73,134	\$73,669	\$5,087	\$81,583
46	\$57,657	\$2,883	\$73,134	\$4,192	\$80,210	\$81,583	\$5,626	\$90,091
47	\$58,810	\$2,941	\$80,210	\$4,592	\$87,742	\$90,091	\$6,205	\$99,236
48	\$59,986	\$2,999	\$87,742	\$5,017	\$95,759	\$99,236	\$6,827	\$109,062
49	\$61,186	\$3,059	\$95,759	\$5,470	\$104,288	\$109,062	\$7,495	\$119,616
50	\$62,410	\$3,120	\$104,288	\$5,952	\$113,361	\$119,616	\$8,213	\$130,950
51	\$63,658	\$3,183	\$113,361	\$6,464	\$123,007	\$130,950	\$8,983	\$143,116
52	\$64,931	\$3,247	\$123,007	\$7,008	\$133,262	\$143,116	\$9,810	\$156,173
53	\$66,230	\$3,311	\$133,262	\$7,587	\$144,161	\$156,173	\$10,698	\$170,182
54	\$67,554	\$3,378	\$144,161	\$8,202	\$155,741	\$170,182	\$11,650	\$185,210
55	\$68,905	\$3,445	\$155,741	\$8,856	\$168,042	\$185,210	\$12,672	\$201,327
56	\$70,284	\$3,514	\$168,042	\$9,550	\$181,106	\$201,327	\$13,767	\$218,608
57	\$71,689	\$3,584	\$181,106	\$10,287	\$194,977	\$218,608	\$14,941	\$237,134
58	\$73,123	\$3,656	\$194,977	\$11,069	\$209,702	\$237,134	\$16,200	\$256,990
59	\$74,585	\$3,729	\$209,702	\$11,900	\$225,331	\$256,990	\$17,549	\$278,268
60	\$76,077	\$3,804	\$225,331	\$12,781	\$241,916	\$278,268	\$18,994	\$301,066
61	\$77,599	\$3,880	\$241,916	\$13,716	\$259,512	\$301,066	\$20,543	\$325,488

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.

Appendix V John's Retirement Distribution Calculation

John's Distribution Illustration		
Assumptions	VALIC	MERS
Balance at Retirement (PV)	\$259,512	\$325,488
Balance after Retirement (FV)	\$0	\$0
Equal Monthly Payment (PMT)	\$1,159	\$1,656
Years of Payments	30	30
Total Monthly Payments (N)	360	360
Market Return	5.00%	5.00%
Average Fee	1.52%	0.43%
Net Investment Return (Rate)	3.48%	4.57%
Annual Income	\$13,909	\$19,877
Total of All Payments	\$417,264	\$596,325

Calculation uses the Time Value of Money (TVM), where PV=Payment; FV=Future Value; PMT=Payment; N=Number of Periods; ip=Interest Rate per period, and k=1 if payment made at the end of period, or 1+ip if made at the beginning:

$$PMT = \left(PV + \frac{FV}{(1+ip)^N} - 1 \right) \times \frac{ip}{k}$$

The City of Saugatuck provided its Plan details (disclosed on page 16). MERS data is as of 6/30/2018.



This publication contains a summary description of MERS benefits, policies or procedures. MERS has made every effort to ensure that the information provided is accurate and up to date as of the date of publication. Where the publication conflicts with the relevant Plan Document, the Plan Document controls. MERS, as a governmental plan, is exempted by federal and state law from registration with the SEC. However, it employs registered investment advisors to manage the trust fund in compliance with Michigan Public Employee Retirement System Investment Act. Past performance is not a guarantee of future returns. Please make independent investment decisions carefully and seek the assistance of independent experts when appropriate.

Municipal Employees' Retirement System of Michigan

1134 Municipal Way • Lansing, MI 48917

800.767.6377 (MERS) • www.mersofmich.com



City Council Agenda Item Report

FROM: Karen Doyle Homan

MEETING DATE: November 9, 2020

SUBJECT: Saugatuck Township Intent to Consider Joining the Kalamazoo Lake Harbor Authority

DISCUSSION

The Kalamazoo Lake Harbor Authority, at their October 15, 2019 meeting, considered a Resolution of Intent to Consider Joining The Kalamazoo Lake Harbor Authority submitted by Saugatuck Township. KLHA members recommended that the City of Saugatuck and the City of Douglas approve the Township's Resolution. The motion failed in Douglas (03/16/20) because the Resolution waived the Township's entry fee. They preferred the Township have a financial interest in joining the Authority. After failing in Douglas, the City of Saugatuck did not take it up.

KLHA and Saugatuck Township came back asking for reconsideration based upon in-kind contributions, participation in harbor maintenance activities, and the financial contribution listed below:

- Saugatuck Township annually appropriates funding to install/remove four (4) no-wake buoys in the Kalamazoo River to aid navigation.
- In 2019, Saugatuck Township contributed \$5,000 toward the DNR Waterway grant in an equal amount as the City of Douglas and the City of Saugatuck. The purpose of the grant was to study sediment samples for contaminants in the lower Kalamazoo River basin, map the existing harbor and model sediment deposit patterns in the harbor.
- Saugatuck Township regularly attends KLHA meetings as a non-voting member to stay current with the harbor related topics.
- Saugatuck Township actively participated in developing the Tri-Community Master Plan, which included planning for the harbor and waterfront areas.

The City of Douglas, at their meeting of November 2, 2020, approved waiving the entry fee for Saugatuck Township to join Kalamazoo Lake Harbor Authority in consideration of their in-kind contributions, participation in harbor activities, and their financial contribution to cover legal fees associated with joining the KLHA.

It is important to note that acceptance of waiving the entry fee to join KLHA will not automatically mean that Saugatuck Township becomes a member. The Interlocal Cooperation Agreement between the City of Saugatuck and the City of Douglas that formed the Kalamazoo Lake Harbor Authority would need to be amended. When and if the Agreement is amended, it would then come back to each entity to be voted upon.

BUDGET ACTION REQUIRED N/A

LEGAL REVIEW N/A

SAMPLE MOTION:

Motion to **approve/deny** waiving the entry fee for Saugatuck Township to join the Kalamazoo Lake Harbor Authority in consideration of their in-kind contributions, participation in harbor activities, their financial contribution to the DNR Waterway Grant, and their financial contribution to cover legal fees associated with joining the KLHA.

TOWNSHIP BOARD
SAUGATUCK TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

Resolution No. 2019-09

Board Member Marcy, supported by Board Member Aldrich, moved adoption of the following resolution:

**RESOLUTION OF INTENT TO CONSIDER JOINING THE KALAMAZOO LAKE
HARBOR AUTHORITY**

WHEREAS, on or about November 15, 2011, the City of Saugatuck and the City of the Village of Douglas Michigan (the "Cities") entered into an Interlocal Agreement (the "Agreement") that established the Kalamazoo Lake Harbor Authority (the "Authority"); and

WHEREAS, the Agreement allows adding additional parties using a specified procedure; and

WHEREAS, the Township wishes to promote the restoration, maintenance, preservation, and future development of Kalamazoo Lake waterways, channels; harbor, marina, and waterfront area; and

WHEREAS, to further those objectives, the Township may wish to join the Authority provided it can do so consistent with the conditions in this resolution; and

WHEREAS, the Township understands that joining the Authority would not obligate the Township or its taxpayers to monetarily support the Authority; and

WHEREAS, because the Township's general operating millage is only .4117 mills, the Township typically funds all but its most essential government functions through extra-voted special millages approved by the electors in the Township or through special assessments accepted by the owners of the assessed properties; and

WHEREAS, the Township Board may choose to monetarily support Authority projects either through a line item in the Township's approved general fund budget or through a revenue stream specifically approved for such purposes; and

WHEREAS, the Township envisions assisting the Authority through in-kind contributions such as efforts by Township staff and volunteers, noting that past Township contributions have included significant efforts to develop the Tri-Community Master Plan (which includes planning for the harbor and waterfront areas) and efforts to prepare an easement through a Township park to assist in the dredging of the harbor; and

WHEREAS, the Township understands that membership in the Authority may assist the Authority in obtaining certain grants such as those from Michigan Natural Resources Trust Fund, which consider the level of participation among the communities adjoining a body of water that is the subject of the grant application; and

WHEREAS, the Township wishes to confirm its understandings and to obtain other needed assurances and clarifications before becoming a party to the Agreement.

Now, it is therefore resolved that:

1. The Township Board will consider entering into the Agreement and joining the Authority if:
 - A. The entry fee described in Section 9.01 of the Agreement is fully waived.
 - B. The specific requirements for the opinion of legal counsel described in Section 10.04 of the Agreement are, after further explanation by the Authority, acceptable to the Township Board.
 - C. The Agreement is amended to clarify the following:
 - i. No special assessments against the Township or any property within the Township can be levied without prior approval of the Township Board.
 - ii. The Authority may not capture tax increment revenues from any property within the Township without prior approval of the Township Board. (The amendment should further clarify what

approvals are needed in order to capture tax increment revenues from property that lies within one of the parties).

iii. The Authority may not levy or require the levy of any tax by or within the Township without prior approval of the Township Board.

iv. The Authority may not issue debt without prior approval of the Township Board.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

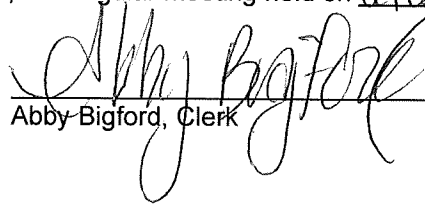
YEAS: Board Members Bigford, Marcy, Aldrich, Osman

NAYS: Board Members 0

ABSENT: Board Members Helmrich

CERTIFICATION

As its Clerk, I certify that this is a true and complete copy of a resolution adopted by the Township Board of the Township of Saugatuck, Allegan County, Michigan, at a regular meeting held on October 2, 2019.



Abby Bigford, Clerk

ACT 7 INTERLOCAL COOPERATION AGREEMENT

creating the

**KALAMAZOO LAKE
HARBOR AUTHORITY, INC.**

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This **INTERLOCAL AGREEMENT** is entered into pursuant to Act No. 7 of PA 1967 (hereinafter defined), taking in, but not limiting to those the powers and authorities granted under the Acts set forth below, by and among the signatory parties hereto (“Parties”) for the purpose of creating the **KALAMAZOO LAKE HARBOR AUTHORITY, INC.** (the “KLHA” or “Authority”) a separate legal entity and public body corporate, to administer the economic development objectives and purposes set forth herein. Each of the Parties is a “public agency” as defined in Act 7 with the power to carry out the programs described in this Agreement.

RECITALS

A. The Parties have determined that the restoration, maintenance, preservation and future development of Kalamazoo Lake waterways, channels, harbor, marina and waterfront area offers significant economic development opportunities and benefits.

B. The Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, Ex. Sess., MCL 124.501 *et seq.* (“Act 7”), permits a public agency to exercise jointly with any other public agency any power, privilege or authority which such public agencies share in common and which each might exercise separately.

C. The Natural Resources and Environmental Protection Act, Act No. 451 of PA 1944, as amended, MCL 324.79301, *et seq.*, (“Act 451”), defines “Political Subdivisions” as local units of government and any other governmental agency, subdivision, public corporation or authority, which is or may be authorized by law to acquire, establish, construct, maintain, improve and operate harbors, channels, and other navigational facilities.

D. Section 79303 of Act 451 authorizes two or more Political Subdivisions to enter into a contract with each other for the purpose of implementing Part 793 of the Natural Resources and Environmental Protection Act.

E. Section 30903 of Act 451 authorizes any local unit of government by itself or in combination with other local governments, to create a lake board for the protection of the public health, welfare, and safety; the conservation of the natural resources; and the preservation of property values around the lake by and empowering said lake board to take steps necessary to remove and properly dispose of undesirable accumulated materials from the bottom of the lake or wetland by dredging, ditching, digging or other related work.

F. The Water Resource Improvement Tax Increment Finance Authority Act, Act 94 of PA 2008, MCL 125.1771 *et seq.* empowers the governing body of a municipality to establish an authority within a water resource improvement district created under Section 5(1) of Act 94 and authorizes said municipality to enter into an umbrella agreement with an adjoining municipality that has created a similar authority to jointly operate and administer those authorities under an interlocal agreement under Act 7 [Sec. 5(5)].

G. The Parties desire to enter into an interlocal agreement, pursuant to Act 7 to jointly create the Authority and exercise the economic development powers shared by the Parties through the authority granted by the above acts.

H. Each Party has the power, privilege and authority to perform various economic development activities and administrative functions supportive of economic development activities, and to enter into this Agreement.

I. To the extent that State law is enacted or amended subsequent to the execution date of this Agreement to provide for powers which may be exercised by the Authority, the Parties desire and intend that the Authority created hereby be fully empowered and authorized to exercise such powers to the full extent authorized by law from and after such enactment or amendment, without further amendment to this Agreement, subject only to the limitations set forth in this Agreement.

J. Each Party, pursuant to resolution of its governing body, is authorized to execute and deliver this Agreement.

IN WITNESS WHEREOF, the Parties covenant and agree as follows:

ARTICLE I
DEFINITIONS

The following words and expressions, whenever initially capitalized, whether used in the singular or plural, possessive or nonpossessive and/or either within or without quotation marks shall be defined and interpreted as follows:

Section 1.01 "Act 7" means the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967 (Ex Sess), as amended, MCL 124.501 to 124.512.

Section 1.02 "Act 451" means the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of Michigan, 1944, as amended, MCL 324.79301 *et seq.*

Section 1.03 "Act 94" means the Water Resource Improvement Tax Increment Finance Authority Act, Act No. 94 of the Public Acts of Michigan, 2008, as amended, MCL 125.1771, *et seq.*

Section 1.04 "Agreement" means this Interlocal Agreement, dated as of the Effective Date.

Section 1.05 "Authority" means that term as defined in Act 94, Act 7 or Act 451.

Section 1.06 "Authority Board" means the board of the Authority created by Section 6.01 of this Agreement.

Section 1.07 "Benefit" or "Benefits" means advantages resulting from a project to public corporations, the inhabitants of public corporations, the inhabitants of this state, and the property within public corporations. Benefit includes benefits that result from the elimination of pollution and elimination of flood damage, elimination of water conditions that jeopardize the public health and safety; increase of the value or use of lands and property

arising from improving a lake or lakes as a result of the lake project and the improvement or development of a lake for fishing, wildlife, boating, swimming, or any other recreational, agricultural or conservation use. (See MCL 324.30901).

Section 1.08 "Captured Assessed Value" means that term as defined in Act 94.

Section 1.09 "County Party" shall mean any Party organized as a Michigan county.

Section 1.10 "Days" means calendar days, unless otherwise expressly provided.

Section 1.11 "Development Area" or "Water Resource Improvement District" means that term as defined in Act 94, as amended.

Section 1.12 "Development Master Development Plan" means an overall conceptual design plan adopted by the Authority pursuant to Act 94 and Section 5.03 of this Agreement to encourage the coordinated and orderly development of the KLHA, including the recommended designation of land uses by the Local Government Parties under relevant provisions of their Zoning Acts and tax increment financing authority ordinances. The KLHA Master Development Plan shall have no binding force or effect within or upon any portion of the territory of any Local Government Party except to the extent expressly approved by resolution and any necessary implementing ordinance of the governing body of the Local Government Party.

Section 1.13 "Effective Date" means the later of the dates on which a fully executed copy of this Agreement, pursuant to Section 10 of Act 7, is (i) filed with Michigan Department of State, Office of the Great Seal, and (ii) filed with the Allegan County Clerk.

Section 1.14 Reserved.

Section 1.15 "Fiscal Year" means the fiscal year of the Authority, which shall begin on July 1 of each year and end on June 30 of each year, or such other fiscal year as may be determined from time to time by the Authority Board.

Section 1.16 "FOIA" or "Freedom of Information Act" means the Freedom of Information Act, Act No. 442 of the Public Acts of Michigan, 1976, as amended, MCL 15.231 to 15.246.

Section 1.17 "Governing Body" means the elected body of a municipality having legislative powers.

Section 1.18 "Initial Assessed Value" means the term as used in Act 94.

Section 1.19 "Inland Lake" means a natural or artificial lake that has a surface area of more than 5 acres.

Section 1.20 "KLHA" or "Authority" means the Kalamazoo Lake Harbor Authority, Inc. created by this Agreement, a separate legal entity and public body corporate, to administer the economic development objectives and purposes set forth herein.

Section 1.21 "Local Government Party" or "Municipality" shall mean any Party organized as a Michigan city, village or township or county who is a signatory under this Agreement.

Section 1.22 "OMA" or "Open Meetings Act" means the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, MCL 15.261 to 15.275.

Section 1.23 "Operations and Maintenance" means maintenance of assets, recreational improvements made by the KLHA, including salaries and expenses of employees, office supplies, consultation fees, design costs and other expenses incurred in the daily activities and management of the Authority and planning of its activities.

Section 1.24 "Participation Agreement" means an agreement as described in Article IX of this Agreement.

Section 1.25 "Party" or "Parties" means, either individually or collectively as applicable to Local Government Party which is a signatory to this Agreement.

Section 1.26 "Permit" shall mean a permit, license or approval required to be granted by a Local Government Party as a condition of the operation of a business.

Section 1.27 "Person" means any individual, authority, profit or non-profit corporation, partnership, limited liability company, university, joint venture, trust, association, chamber of commerce, travel and visitors center, Public Agency, or other legal entity.

Section 1.28 "Public Agency" means that term as defined in Act 7.

Section 1.29 "Public Facility" means the term as defined in Act 94.

Section 1.30 "Site Plan" means that term as defined in the Zoning Act.

Section 1.31 "State" means the State of Michigan.

Section 1.32 "Tax Increment Revenues" means that term as defined in Act 94.

Section 1.33 "TIF Plan" means a Development Plan and/or a Tax Increment Financing Plan as those terms are defined and used in Act 94.

Section 1.34 "Water Resource Improvement" or "Lake Improvements" means that term as defined in Act 94 in Part 309 of Act 451.

Section 1.35 "Zoning Act" means the Michigan Zoning Enabling Act, Act No. 110 of the Public Acts of Michigan, 2006, as amended, MCL 125.3101 to 125.3702.

ARTICLE II
CREATION OF THE
KALAMAZOO LAKE HARBOR AUTHORITY

Section 2.01 Creation and Legal Status of the Kalamazoo Lake Harbor Authority, Inc. There is hereby created a separate legal entity and public body corporate to be known as the "Kalamazoo Lake Harbor Authority" for the purpose of administering and executing this Agreement. The Authority shall have those powers granted by law and identified in this Agreement.

Section 2.02 Geographic Boundaries. The boundaries of the Authority, within which it may exercise its powers shall be the submerged bottom land within that portion of the Kalamazoo River and Kalamazoo Lake which lies west of the I-196 bridge and continues to the east end of the break wall at the mouth of the river and Lake Michigan and land that may be up to one (1) mile from the shoreline of Kalamazoo Lake that contains one or more public access points within the collective political boundaries of the Local Government Parties, as more particularly described in Exhibit A attached hereto and made a part hereof. The Authority shall have no extraterritorial power or authority outside of these geographic boundaries.

Section 2.03 Principal Office. The initial principal office of the Authority is 86 W. Center Street, Douglas, Michigan 49406, or such other location as may be determined from time to time by the Authority Board.

Section 2.04 Title to Authority Assets. Except as otherwise provided under the terms of a transfer of programs and/or funding from a Party or Person to the Authority, the Authority shall have exclusive title to all its property, and no Party or Person shall have an ownership interest in the Authority property.

Section 2.05 Tax-exempt Status. The Parties intend and declare the activities of the Authority to be governmental functions carried out by an instrumentality or political subdivision of government as described in Section 115 of the Internal Revenue Code of 1986, 26 USC 115, or any corresponding provisions of any future tax code. The Parties also intend and declare the activities of the Authority to be of the same character as "governmental functions carried out by a political subdivision of this State," exempt to the extent provided under Michigan law from taxation by this State, including, but not limited to, the business tax under the Michigan Business Tax Act, Act No. 36, Public Acts of Michigan, 2007, as amended, MCL 208.1101 to 208.1601, and ad valorem property taxes under Act 206, and exempt to the extent provided under Michigan law from all governmental assessments and fees otherwise applicable to private entities.

Section 2.06 Compliance with Law. The Authority shall comply with all federal and state laws, rules, regulations, and orders applicable to this Agreement.

Section 2.07 Independent Contractor. The Parties agree that at all times and for all purposes under the terms of this Agreement each Party's relationship to each other shall be that of an independent contractor. Each Party will be solely responsible for the acts of its own

employees, agents, and servants. No liability, right or benefit arising out of any employer/employee relationship either express or implied shall arise or accrue to any Party as a result of this Agreement.

Section 2.08 No Third Party Beneficiaries. Except as expressly provided herein, this Agreement does not, and is not intended to, create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right to be indemnified (i.e., contractually, legally, equitably, or by implication) and/or any right to be subrogated to any Party's rights in this Agreement, and/or any other right of any kind, in favor of any Person.

ARTICLE III PURPOSE

Section 3.01 Purpose. The purpose of the Authority shall be to take advantage of the provisions of State laws enabling the creation and implementation of water resource, economic development activities generally and of the development of Kalamazoo Lake in particular and to attract facilities engaged in waterfront and marine activities, and other tourist or nautical businesses in accordance with State laws, and shall also include the exercise of power granted by such State laws in the joint exercise of shared powers, privileges or authority of the Parties to perform successful, effective and efficient economic development programs and functions throughout the geographic boundaries of the Authority. Shared powers shall include the coordination of complementary local programs and functions of the Parties. To the extent that State laws are enacted or amended subsequent to the execution date of this Agreement to provide for additional powers which may be exercised by the Authority, as may be hereafter recognized by statute, the Parties desire and intend that the Authority created hereby be fully empowered and authorized to exercise such powers upon approval by the Parties.

ARTICLE IV GENERAL POWERS OF THE AUTHORITY

Section 4.01 Powers Granted Under Act 7. In carrying out its purposes, the Authority may perform, or perform with any Person, as applicable, any power, privilege, or authority related to economic development that the Parties share in common and that each might exercise separately to the fullest extent permitted by Act 7 and in accordance with relevant law, except as expressly otherwise provided in this Agreement. Except as otherwise provided herein, the enumeration of a power in this Agreement shall not be construed as a limitation upon the powers of the Authority, and is in addition to any powers authorized by law. Among other things, the Authority, in its own name, shall have the power to:

- (a) Make or enter into contracts;
- (b) Employ agencies or employees;
- (c) Acquire, construct, manage, maintain, or operate buildings, works, or improvements;
- (d) Acquire, own, hold, operate, maintain, lease, or sell real or personal property and dispose of, divide, or distribute any property;

- (e) Incur debts, liabilities, or obligations that, except as expressly authorized in writing by the Parties, do not constitute the debts, liabilities, or obligations of any of the Parties;
- (f) Cooperate with a Public Agency, an agency or instrumentality of the Public Agency, or another legal or administrative entity created by the Public Agency under Act 7;
- (g) Make loans from the proceeds of gifts, grants, assistance funds, or bequests in order to further its purposes;
- (h) Form other entities necessary to further the purposes of the Agreement; and
- (i) Sue and be sued.

Section 4.02 Additional Powers Granted Under Act 7. The Authority shall also have the power to:

- (a) Employ, engage, compensate, transfer, or discharge necessary personnel, subject to the provisions of applicable civil service and merit systems and Act 7;
- (b) Fix and collect charges, rates, rents, fees, loan repayments, loan interest rates, or other charges on loans;
- (c) Promulgate necessary rules and provision for their enforcement by or with the assistance of the Parties to accomplish the purposes of this Agreement;
- (d) Accept gifts, grants, assistance funds, or bequests and use the same for the purposes of this Agreement. The Authority may apply for and accept grants, loans, or contributions from any source. The Authority may do anything within its power to secure the grants, loans, or other contributions;
- (e) Make claims for federal or state aid payable to a Party on account of the execution of this Agreement;
- (f) Respond for any liabilities that might be incurred through performance of the Agreement and insure against any such liability;
- (g) Arbitrate disputes or disagreements, the effects of failure of the Parties to pay their shares of the costs and expenses, and the rights of the other Parties in such cases;
- (h) Engage auditors to perform independent audits of the financial statements of the Authority;
- (i) Invest surplus funds or proceeds of grants, gifts, or bequests and adopt an investment policy in connection therewith;
- (j) Employ legal, financial and technical experts, other officers, agents, or employees, and accept voluntary provision of such services and functions from donor individuals and entities;

- (k) Study, develop, and prepare the reports or plans the Authority considers necessary to further the purposes of this Agreement and to monitor and evaluate performance under this Agreement; and
- (l) Indemnify, as permitted by law, and procure insurance indemnifying any members of the Authority Board or officers or employees of the Authority from personal loss or accountability from liability asserted by any Person for any acts or omissions of the Authority.

Section 4.03 Powers Under Act 451. In addition to the powers enumerated under Act 7 referenced above, the Authority may exercise all powers vested through Act 451, as amended, subject to the limitations, if any, of this Agreement including, without limitation:

- (a) Vest authority for the maintenance, operation and regulations of the Kalamazoo Harbor Development Area in a board which shall, by resolution or ordinance, prescribe the duties and powers of the board to:
 - (1) Adopt all necessary rules, regulations, and ordinances for the management, government, and use of any waterways, harbors, channels, or other navigational facilities under its control; employ harbor guards or security, a harbormaster with full police powers; establish penalties for the violation of the rules, regulations, and ordinances; and enforce those penalties.
 - (2) Adopt and enact rules, regulations, and ordinances designed to safeguard the public in the Kalamazoo Harbor Development Area.
 - (3) Following adoption of a resolution by each Party consenting to the same, establish a special assessment district including all parcels of land and local units of government which will be benefitted by the improvement of the lake.
 - (4) Perform any other activity permitted under Acts 451 as amended.

Section 4.04 Powers Under Act 94. The Authority may exercise all powers vested in it through Act 94 including but not limited to :

- (1) Adopt a Water Resource Management Plan.
- (2) Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation or reconstruction of public facilities that may be necessary or appropriate to the execution of the Water Resource Management Plan.
- (3) Make and enter into contracts necessary or necessary to the exercise of its powers and the performance of its Plan.
- (4) Acquire by purchase or otherwise lease land or other property, real or personal, or rights or interest therein.

- (5) Fix, charge and collect fees, rents and charges for the use of any facility, building or property under its control or any part of the facility, building or property and, where necessary, pledge such fees, rents and charges for the payment of revenue bonds issued by the Water Improvement Tax Increment Finance Authority.
- (6) Consistent with all procedures contained in Act 94, adopt a tax increment finance plan or establish a special assessment district and/or borrow money through the issuance of revenue bonds.
- (7) Perform any other activity permitted under Act 94, as amended.

Section 4.05 Bonds or Notes: Limitations. The Authority shall not issue any type of bond in its own name or in any way indebted a Party except as provided herein. The Authority may borrow money and issue bonds or notes in its name for local public improvements or for economic development purposes provided that the Authority shall not borrow money or issue bonds or notes for a sum that, together with the total outstanding bonded indebtedness of the Authority, exceeds 2 mills of the taxable value of the taxable property within the Parties as determined under Section 27a of the General Property Tax Act, 1893 PA 206, MCL 211.27a, unless otherwise authorized by other financial authorities and acts encompassed hereunder through Act 7. Bonds or notes issued by the Authority are the debt of the Authority and not of the Parties. Bonds or notes issued by the Authority are for an essential public and governmental purpose. Pursuant to Section 7(7) of Act 7, bonds or notes, together with the interest on the bonds or notes and income from the bonds or notes, are exempt from all taxes. Bonds or notes issued by the Authority are subject to Act No. 34 of the Public Acts of Michigan, 2001, as amended, as required by Section 7(8) of Act 7. This section is not meant to limit the ability to issue bonds by its individual Parties as provided for by law.

Section 4.06 Tax Limitation. The Authority shall not levy any type of property tax millage within the boundaries of any Party except by majority vote of the members of its governing body or authorized by the voters of the municipality as may be permitted by the Acts identified herein. Nothing contained in this Agreement, however, prevents one or more of the Parties from levying taxes in their own right and assigning the revenue from such taxes to the Authority, to the extent permitted by law.

Section 4.07 No Waiver of Governmental Immunity. The Parties agree that no provision of the Agreement is intended, nor shall it be construed, as a waiver by any Party of any governmental immunity provided under Act 7 or other law. In accordance with Act 7, the Authority shall not be operated for profit, and it shall perform governmental and not proprietary functions.

ARTICLE V
SPECIFIC POWERS OF THE AUTHORITY; LIMITATIONS

Section 5.01 Master Development Plan. The Authority, in collaboration with the Parties, shall have the power to promulgate a Kalamazoo Lake Master Development Plan, a Water Resource Development Plan, Tax Increment Financing and Development Plan or similar plan as required by the specific Act being used for that area within the boundaries of

the Development Area of the Authority. The Development Plan may include proposed land uses to be recommended to the Parties' consideration in respect of the Parties' zoning regulations. The Kalamazoo Lake Master Development Plan or its equivalent shall be submitted to the Local Government Parties for approval prior to implementation.

If the Authority intends to include tax increment financing as a financing mechanism under the Act, the Water Improvement Tax Increment Finance Act, the Tax Increment Authorities of each Party or its equivalent must first adopt a tax increment financing and development plan pursuant to the procedures set forth in Act 94 to be administered by the Authority. Said plan shall mirror as close as possible the Kalamazoo Lake Master Development Plan.

Section 5.02 Application Criteria and Review; Incentives; Approval. The Authority shall have the power to promulgate application materials; to seek and accept applications from prospective developers and businesses; to establish criteria for development; except as such discretion is expressly limited by this Agreement or law; to consult with the State officials having subject matter jurisdiction in respect of applications and approvals; to monitor the performance of applicants; and to make recommendations in respect of applications to the State officials or entities, a Party, or any other Person having subject matter jurisdiction.

Section 5.03 Infrastructure Planning and Development. The Authority shall have the power to work with State and local government officials in the planning and development of infrastructure within the geographic territory of the Authority.

Section 5.04 Site Selection. The Authority shall have the power to assist prospective developers and businesses with selection of development sites within the geographic territory of the Authority.

Section 5.05 Marketing; Business Attraction. The Authority shall have the power to conduct marketing and business attraction efforts on behalf of itself and the Development Area.

Section 5.06 Real Estate Development. The Authority shall have the power to provide consultation to assist any Person in respect of the development of real estate within the geographic territory of the Authority.

Section 5.07 Regulatory Assistance and Processing. The Authority shall have the power to provide assistance to prospective developers and businesses in respect of applying for and obtaining any necessary or advisable licenses, permits or approvals from federal, State and local government entities.

Section 5.08 Local Government Assistance. The Authority shall have the power to provide assistance to the Parties with the implementation and coordination of economic development programs within the geographic territory of the Authority.

ARTICLE VI
AUTHORITY BOARD

Section 6.01 Authority Board Composition. The Board of Directors shall, for general purposes, consist of the following Board Members. The appointing authority of each Party shall appoint two (2) members to the Authority Board provided that not more than one (1) of those members is an elected official. The appointing authorities of each Party shall collectively agree on the appointment of one (1) additional member who shall be a person having ownership, residence or business interest in land abutting Lake Kalamazoo. Members of the Authority Board shall serve at the pleasure of the appointing Party for terms established by each Party, but not to exceed four (4) years.

- (a) Each Party entitled to membership on the Authority Board shall have the ability to appoint one (1) alternate member to serve in a permanent member's place and stead if the permanent member is absent from an Authority Board meeting. Appointment of the alternate shall be made by the appointing authority in writing.
- (b) The City Manager or Chief Administrative Official of each Party shall serve as an ex-officio non-voting member of the Authority Board.
- (c) A vacancy on the Authority Board shall be filled in the same manner as the original appointment for the balance of the unexpired term.
- (d) All Authority Board Members are eligible for re-appointment in accordance with the rules and procedures of the appointing Authority.
- (e) All Authority Board members may be removed by the appointing authority at will.
- (f) If the Authority Board is assuming the powers under a particular Act requiring additional board members, those members shall be appointed for the limited purpose of serving for the particular purposes required under that particular Act.

Section 6.02 Meetings. The Authority Board shall meet at least annually at the place, date, and time as the Authority Board shall determine. Meetings shall comply with the Open Meetings Act.

Section 6.03 Quorum and Voting. A majority of the Authority Board then in office and present in person shall be required to constitute a quorum for the transaction of business, and a majority vote at a meeting at which a quorum is present shall be necessary for the transaction of business.

Section 6.04 Authority Board Powers and Responsibilities. The Authority Board shall do all of the following by a majority vote unless otherwise provided:

- (1) Upon the recommendation of the Authority Board, adopt by-laws and rules of procedure governing the Authority Board and their respective actions and meetings. Initial by-laws and rules of procedure shall be adopted within six (6) months of the first meeting of the Authority Board.
- (2) Elect individuals to fill the positions of Chairperson, Vice Chair Secretary and Treasurer.

- (3) Cause to be conducted an annual independent audit of the Authority in accordance with the Budget Act.
- (4) Upon the recommendation of the Chairperson and the Treasurer, approve the annual budget in accordance with the Uniform Budgeting and Accounting Act, Act No. 2 of the Public Acts of Michigan, 1968, as amended.
- (5) Evaluate the Authority's performance under this Agreement and law and recommend changes.
- (6) Establish policies and procedures in respect of ethics and conflicts of interest consistent with Sections 2.09 and 7.09 of this Agreement.
- (7) Approve an investment policy in accordance with Act No. 20, of the Public Acts of Michigan, 1943, as amended.
- (8) Create committees and appoint individuals to serve thereon.

Section 6.05 Fiduciary Duty. The members of the Authority Board are under a fiduciary duty to conduct the activities and affairs of the Authority in the best interests of the Authority, including the safekeeping and use of all Authority monies and assets for the benefit of the Authority. The members of the Authority Board shall discharge this duty in good faith, with the care an ordinarily prudent individual in a like position would exercise under similar circumstances.

Section 6.06 Compensation. The members of the Authority Board shall receive no compensation for the performance of their duties, but each member shall be reimbursed for such member's reasonable expenses in carrying out those duties. A member of the Authority Board may engage in private or public employment, or in a profession or business.

ARTICLE VII OFFICERS

Section 7.01 The Authority Board, at the annual meeting, shall elect a Chairperson, Vice-Chairperson, a Secretary and a Treasurer who shall hold their offices for one year or until their successors are duly elected. Said officers shall exercise such powers and perform such duties as shall be determined from time to time by the Authority Board.

Section 7.02 Vacancies. Vacancies shall be filled by appointments made by the respective appointing entity for the balance of the unexpired term.

Section 7.03 Meetings. The Authority Board shall hold meetings at the place, date, and time as the Authority Board shall determine. Meetings shall comply with the Open Meetings Act.

Section 7.04 Compensation. The officers shall receive no compensation for the performance of their duties, but each officer shall be reimbursed for such officer's reasonable expenses in carrying out those duties.

Section 7.05 Conflicts of Interest. The Authority Board may adopt policies and procedures requiring periodic disclosure of relationships which may give rise to conflicts of interest. The policies and procedures shall require that a member of the Authority Board or the officer who has a direct or indirect interest in any matter before the Authority disclose the member's interest and any reasons reasonably known to the officer or member of the Authority Board why the transaction may not be in the best interest of the public before the Authority Board takes any action with respect to the matter. The disclosure shall become part of the record of the Authority's proceedings.

Section 7.06 Subject to the relevant provisions of State law, the policies and procedures also shall have the objective of precluding the opportunity for and the occurrence of transactions by the Authority that would create a conflict of interest involving members of the Authority Board, officers and employees of the Authority. At a minimum, these policies to be established for the Authority should include compliance by each member of the Authority Board, Officers, and employees of the Authority who regularly exercise significant discretion over the award and management of Authority projects with policies governing the following:

- (a) Immediate disclosure of the existence and nature of any financial interest of an individual or immediate family member that would reasonably be expected to create a conflict of interest.
- (b) Withdrawal by an employee or member from participation in or discussion or evaluation of any recommendation or decision involving an Authority project that would reasonably be expected to create a conflict of interest for that employee or member.

Section 7.07 Termination. An officer may be removed by the Authority Board by a majority vote of the Authority Board with or without cause at any time. An officer may resign at any time by written notice to the Authority Board. Any vacancy thereby created shall be filled by a majority vote of the Authority Board until the next annual meeting.

ARTICLE VIII
DURATION OF, WITHDRAWAL FROM, AND
TERMINATION OF INTERLOCAL AGREEMENT

Section 8.01 Duration. The Authority commences on the Effective Date and continues for a term of ninety-nine (99) years unless earlier terminated in accordance with this Article VIII.

Section 8.02 Withdrawal by a Party. Any Party may withdraw from the Agreement at any time upon notice given six (6) months in advance to the Authority, or in accordance with Section 14.10 of this Agreement, and the Authority thereafter shall exercise no power or authority within the territory of the withdrawing Party; provided that if the Authority has incurred debts or obligations which also are debts or obligations of a Party on account of having been expressly authorized by the Party in accordance with Sec. 7(2) of Act 7 and Sec. 4.01 of this Agreement, the Party shall remain obligated for any such payment following its withdrawal from the Agreement; and provided further that the withdrawal of a

Party shall not invalidate nor terminate prior to its stated termination date any Master Development Plan or TIF Plan or the collection of Tax Increment Revenues, or any other economic development incentive previously established or granted prior to the withdrawal of the Party, and the withdrawing Party shall be deemed to remain a Party if necessary for the limited purpose of preserving any of the foregoing incentives, and provided further that in the event of a withdrawal by a Party, the Authority shall not extend the effective term of any of the foregoing incentives beyond its stated termination date.

Section 8.03 Termination. This Agreement shall continue until terminated by the first to occur of the following:

- (a) If this Agreement is approved by majority vote of the elected members of the Party's legislative bodies but fails to be approved by a majority vote of the electors in a referendum as a result of a petition filed within forty-five (45) days of the approval of the Agreements, this Agreement shall be terminated and rescinded as a result of such vote.
- (b) When there is one (1) Party left;
- (c) A three-fourths (3/4) vote of the voting members of the Authority Board then serving in office; or
- (d) Expiration of the stated term of the Agreement.

Section 8.04 Disposition upon Termination. As soon as possible after termination of this Agreement, the Authority shall wind up its affairs as follows:

- (a) All of the Authority's debts, liabilities, and obligations to its creditors and all expenses incurred in connection with the termination of the Authority and distribution of its assets shall be paid first; and
- (b) The remaining assets, if any, shall be distributed among the remaining Parties in accordance with Act 7 or other relevant law, and otherwise in proportion to their contributions to the Authority.

ARTICLE IX CONTRIBUTIONS

Section 9.01 Entry Fees. Any local government which becomes a Party to this Agreement shall be required to pay an entry fee. The entry fee for each Party shall be such amount mutually agreed upon by the Parties and is intended to fund the initial costs expended to create, and the operational expenses of, the Authority until such time as other revenue sources have been established. The entry fee may be deferred, partially deferred or waived for initial parties in partial or entirely in consideration of the in-kind contributions made in support of creating the Authority as provided for in Section 9.02. The entry fee for Parties subsequently joining the Authority shall be determined by a recalculation into equal shares of the amount of the initial costs expended to create and fund the operational expenses of the Authority to the date joining which may be waived in whole or in part by the Parties to this Agreement in their sole reasonable discretion in consideration of in-kind contributions.

Section 9.02 Personal Property, Assets, Services, Employees. Any Party may make contributions of personal property, assets, services or employees deemed necessary to the creation or operational support of the Authority. The reasonable value of which shall be credited against the Party's entry fee as set forth in Section 9.01 or thereafter upon approval by the Authority Board. The reasonable value of personal property or assets shall be determined by the Authority Board, in its sole discretion, by reference to a published market rate of the items in question, competitive quotes, or other objective measure approved by the Authority Board. In the case of contributed employees or services, reasonable value shall be determined based upon a proration for the time worked of the annual total compensation of the employee being loaned, service being provided or other objective measure approved by the Authority Board. The Authority shall have full discretion to return to the Party any contributed employee or to make other arrangement for any services being contributed, in which case the Party shall be subject to and shall promptly pay the remaining entry fee.

Section 9.03 Marketing Costs. The Authority may annually prepare a marketing budget for the Authority for the purpose of paying for marketing efforts designed to attract users to Kalamazoo Lake. Expenditure of such budgeted moneys shall be subject to annual review and audit to assure compliance with State and federal law and regulation.

Section 9.04 Acts and Omissions. The Authority shall only be liable for its own acts or omissions which occur after the Effective Date and none of the Parties shall be liable for any acts or omissions of the Authority.

Section 9.05 Execution of Documents. The Authority and each Party shall cooperate in order to execute and deliver to the Authority any and all documents including bills of sale, assignments, and certificates necessary or appropriate to effectuate each Party's contribution to the Authority.

Section 9.06 Participation Agreement. The Authority and a Party may enter into a Participation Agreement for the purpose of executing the purposes and activities contemplated by this Agreement.

ARTICLE X ADMISSION OF OTHER PARTIES

Section 10.01 Procedure. Following the Effective Date, a Public Agency may become a Party by submitting a written request to the Chairperson or Authority Board and pursuant to guidelines established by the Authority Board, payment of the then applicable entry fee as provided for in Article IX, Section 9.01 and in accordance with law. The Authority Board may recommend approval to the Local Government Parties to this Agreement, who shall approve or deny the request. Approval of this Agreement shall be by resolution of the entity seeking to become a Party.

Section 10.02 Effective Date. The effective date of admission of a Party is the date on which a fully executed copy of this Agreement which contains the name and signatory of the newly admitted Party is filed with Michigan Department of State, Office of the Great

Seal, and filed with the County Clerk of each county which is a Party to this Agreement pursuant to Section 10 of Act 7.

Section 10.03 Not an Amendment to Agreement. The admission of additional Parties after the initial Effective Date of this Agreement shall not constitute an amendment to or alternative form of this Agreement nor change the Effective Date. Any amendment to or alternative form of this Agreement may be made only in accordance with Section 14.10.

Section 10.04 Opinion of Legal Counsel. The written request submitted to the Authority Board shall be accompanied by an opinion of legal counsel to the Public Agency in form and substance satisfactory to counsel to the Authority, and to the Attorney General of the State if approval by the Attorney General is then required, including but not limited to opinions to the effect that the Public Agency is validly formed, has the powers set forth in Articles IV and V of this Agreement, and that the Agreement, once duly executed and delivered, will be the valid and binding obligation of the Public Agency, enforceable in accordance with its terms.

ARTICLE XI SHARING OF REVENUE; LIMITATIONS

Section 11.01 Sharing of Revenue. The Parties agree conceptually that the Authority's success in attracting economic development will be measured in income from the Authorities projects, special assessment or bond proceeds, tax increment financing revenues, among other sources yet identified. The Parties therefore agree to investigate a fair and equitable means of sharing all or a portion of such revenue streams as permitted by law. Example, the dredging of Kalamazoo Lake benefits all parties and the cost should be shared proportionately according to the amount of submerged land falling within their jurisdiction. Funds secured for this purpose should be distributed in same proportionate fashion. The sharing of administrative costs is another example.

Section 11.02 Limitations. The Parties understand and agree to abide by any statutory limitations placed on financial proceeds collected from Special Assessment Districts (SAD) or Tax Increment Financing (TIF) or other statutory limitations set forth in comparable statutes. Example, SAD proceeds may only be spent on projects within the SAD district established by each party within their jurisdiction. TIF dollars can only be spent on projects set forth in each Party's Tax Increment Finance and development Plans within their TIF districts.

ARTICLE XII BOOKS AND REPORTS

Section 12.01 Accrual Basis. The Authority shall maintain its books of account on an accrual basis of accounting, except as otherwise required by law.

Section 12.02 Authority Records. The Authority shall keep and maintain at the principal office of the Authority all documents and records of the Authority. The records of the Authority shall include a copy of this Agreement along with a listing of the names and addresses of the Parties. Such records and documents shall be maintained until termination of this Agreement.

Section 12.03 Financial Statements and Reports. The Authority shall cause to be prepared at least annually, at Authority expense, audited financial statements prepared in accordance with the Budget Act and with generally accepted accounting principles and accompanied by a written opinion of an independent Certified Public Accountant. A copy of the annual financial statement and report shall be filed with the State Department of Treasury within six months after the end of the Authority's Fiscal Year in accordance with law, with copies filed with each Party.

Section 12.04 Freedom of Information Act. The Authority is subject to and shall comply with the Freedom of Information Act.

ARTICLE XIII FINANCES

Section 13.01 Annual Budget. The Authority shall be subject to and comply with the Budget Act. The Treasurer annually shall prepare and the Authority Board shall approve a budget for the Authority for each Fiscal Year. Each budget shall be approved not less than 15 days prior to the beginning of the Fiscal Year. The budget may not be approved by the Authority Board unless first approved by each Party by resolution.

Section 13.02 Deposits and Investments. The Authority shall deposit and invest funds of the Authority, not otherwise employed in carrying out the purposes of the Authority, in accordance with an investment policy established by the Authority Board consistent with State law regarding the investment of public funds.

Section 13.03 Disbursements. Disbursements of funds shall be in accordance with guidelines established by the Authority Board and in accordance with the Budget Act and law.

ARTICLE XIV MISCELLANEOUS

Section 14.01 Notices. Notice of all meetings of the Authority Board shall be given in the manner required by the OMA. In addition, at least three (3) days prior to the date set for the holding of any meeting of the Authority Board, written notice of the time and place of such meeting shall be sent by email or other electronic means to each Authority Board member, as the case may be, at the email or other appropriate address of such member appearing on the records of the Authority. Every notice by email or other electronic means shall be deemed duly served as of 5:00 p.m., prevailing Eastern Time, next following the actual time when the notice is transmitted, as recorded by the Authority's communication system. The Chairperson or his or her designee may, but shall not be required to, cause additional written notice to be provided to a member or members by mailing such notice via regular U.S. mail not less than seven (7) days prior to the date set for the holding of the meeting to the address of such member or members appearing on the records of the Authority. Mailed notice shall be deemed duly served on the second business day following the day when the same has been deposited in the United States mail with postage fully prepaid and addressed to the sendee as provided above.

Any and all correspondence or notices required, permitted or provided for under this Agreement to be delivered to any Party shall be sent to that Party by email or other electronic means at the email or other appropriate address of such Party appearing on the records of the Authority, with a written copy by first class mail, provided that notices required by Sections 5.12, 5.13, 5.14, 5.15 and 5.16 and notices of withdrawal shall be sent by email or other electronic means and by certified mail, return receipt requested, in lieu of first class mail. All such written notices including any notice of withdrawal as provided herein shall to be sent to each other Party's signatory to this Agreement, or that signatory's successor at the address as set forth above such Party's signature, or to such other address provided by the Party to the Authority from time to time. All correspondence shall be considered delivered to a Party as of 5:00 p.m., prevailing Eastern Time, next following the actual time when the notice is transmitted, as recorded by the Authority's communication system.

Section 14.02 Entire Agreement. This Agreement sets forth the entire agreement between the Parties and supersedes any and all prior agreements or understandings between them in any way related to the subject matter hereof. It is further understood and agreed that the terms and conditions herein are contractual and are not a mere recital and that there are no other agreements, understandings, contracts, or representations between the Parties in any way related to the subject matter hereof, except as expressly stated herein.

Section 14.03 No Presumption. This Agreement shall be construed without regard to any presumption or other rule requiring construction against the Party causing this Agreement to be drafted.

Section 14.04 Severability of Provisions. If any provision of this Agreement, or its application to any Person or circumstance, is invalid or unenforceable, the remainder of this Agreement and the application of that provision to other persons or circumstances is not affected but will be enforced to the extent permitted by law.

Section 14.05 Governing Law. This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced and governed under the laws of the State of Michigan without regard to the doctrine of conflict of laws. The language of all parts of this Agreement shall in all cases be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

Section 14.06 Captions and Recitals. The captions, headings, recitals and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement. They are solely for convenience of reference and do not affect this Agreement's interpretation.

Section 14.07 Terminology. All terms and words used in this Agreement, regardless of the number or gender in which they are used, are deemed to include any other number and any other gender as the context may require.

Section 14.08 Cross-References. References in this Agreement to any Article include all Sections, subsections, and paragraphs in the Article; references in this Agreement to any Section include all subsections and paragraphs in the Section.

Section 14.09 Jurisdiction and Venue. In the event of any disputes between the Parties over the meaning, interpretation or implementation of the terms, covenants or conditions of this Agreement, the matter under dispute, unless resolved between the parties, shall be submitted to the courts of the State of Michigan.

Section 14.10 Amendment. The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement of all Parties.

Section 14.11 Execution of Agreement: Counterparts. Each Party shall duly execute three (3) counterparts of this Agreement, each of which (taken together) is an original but all of which constitute one instrument.

[Remainder of this page left blank intentionally]

IN WITNESS WHEREOF, this Agreement is executed by each Party on the date hereafter set forth.

CITY OF THE VILLAGE OF DOUGLAS

WITNESS: [Signature]

BY: Martha Hoexter
Martha Hoexter

[Signature]

Its: Mayor Pro Tem

BY: Jean E. Neve
Jean E. Neve

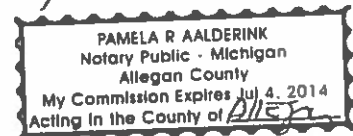
Its: City Clerk _____

DATE: November 15 2011

STATE OF MICHIGAN)
)ss.
COUNTY OF ALLEGAN)

On this 15th day of NOVEMBER, 2011, before me a Notary Public in and for said County, appeared Martha Hoexter and Jean E. Neve, to me personally known, who, being by me duly sworn, did each for herself say that they are, respectively, the Mayor Pro Tem and City Clerk of the City of the Village of Douglas, the corporation named in and which executed the within instrument, and that said instrument was signed and sealed on behalf of the City of the Village of Douglas by authority of its City Council; and said Martha Hoexter and Jean E. Neve acknowledged said instrument to be the free act and deed of the said City of the Village of Douglas.

Pamela R. Alderink
Notary Public, Allegan County, Michigan
Acting in Allegan County, Michigan
My Commission Expires: July 4 2014



Public Hearing in the City of the Village of Douglas held on October 10, 2011.

IN WITNESS WHEREOF, this Agreement is executed by each Party on the date hereafter set forth.

CITY OF SAUGATUCK

WITNESS: [Signature]

BY: [Signature]
Jane Verplank

[Signature]

Its: Mayor _____

BY: [Signature]
Monica Looman

Its: City Clerk _____

DATE: November 15 2011

STATE OF MICHIGAN)
)ss.
COUNTY OF ALLEGAN)

On this 15th day of NOVEMBER, 2011, before me a Notary Public in and for said County, appeared Jane Verplank and Monica Looman, to me personally known, who, being by me duly sworn, did each for herself say that they are, respectively, the Mayor and City Clerk of the City of Saugatuck, the corporation named in and which executed the within instrument, and that said instrument was signed and sealed on behalf of the City of Saugatuck by authority of its City Council; and said Jane Verplank and Monica Looman acknowledged said instrument to be the free act and deed of the said City of Saugatuck.

[Signature]
Notary Public, Allegan County, Michigan
Acting in Allegan County, Michigan
My Commission Expires: July 4 2014

Public Hearing in the City of Saugatuck held on October 17, 2011.

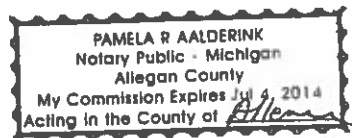


EXHIBIT A

LEGAL DESCRIPTION

The boundaries of the proposed water resource improvement district within which the Water Resource Improvement Tax Increment Finance Authority shall exercise its powers are as follows:

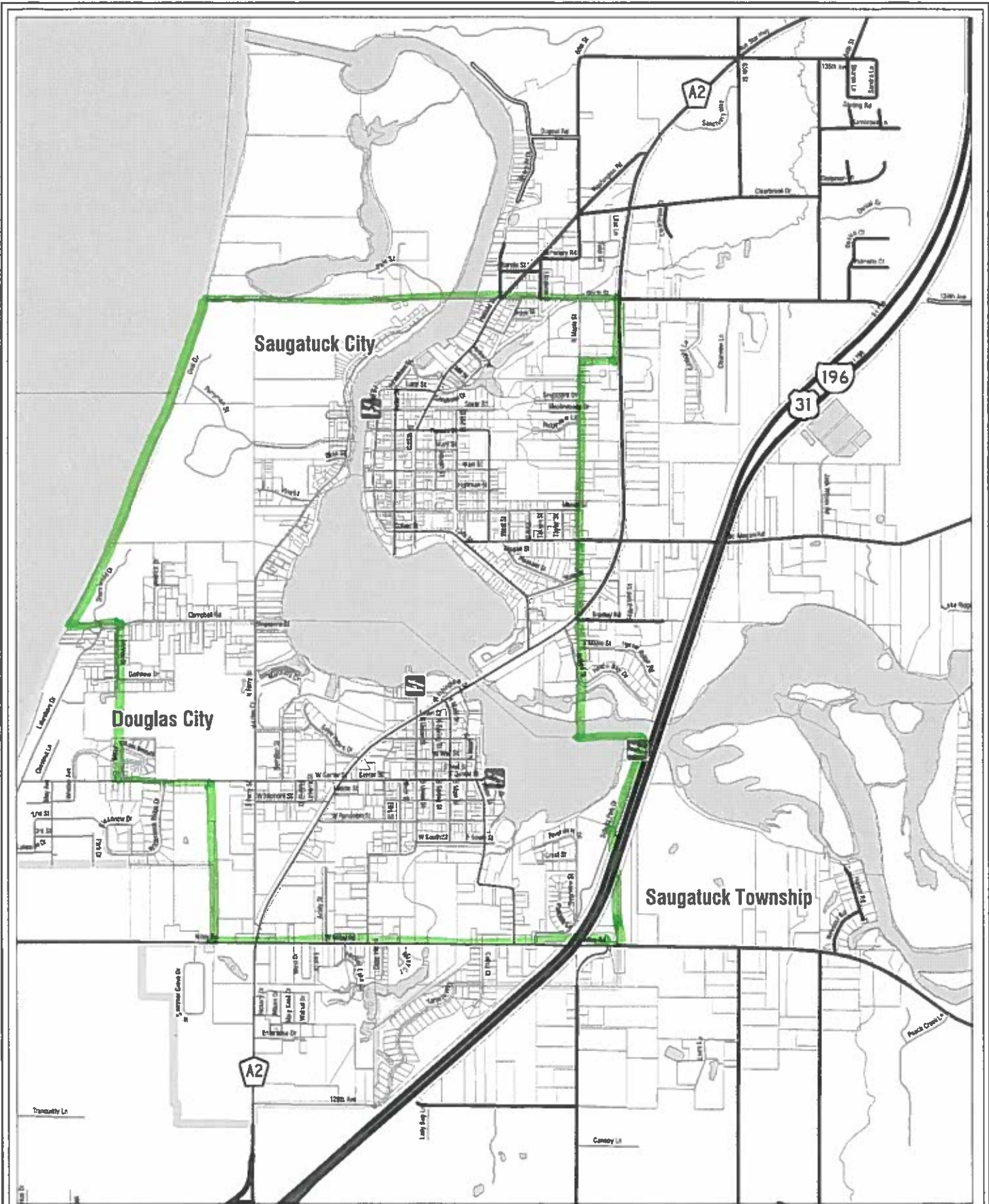
Beginning in the City of Saugatuck:

T3N, R16W, Section 8; Also all that part of Section 16 which lies north and east of the Kalamazoo Lake and the Kalamazoo River; and also a parcel of land in Section 10 described as beginning 701.91 feet north of the southwest corner of the north 5/8 of the west 1/2 of the northwest 1/4 of Section 10 on the west Section line, thence north to the northwest corner of Section 10, thence due east on the Section line to the westerly right-of-way of the Blue Star Highway (formerly known as old US 31), thence southeasterly along the westerly right-of-way of the Blue Star Highway to a point due east of the beginning, thence west to the beginning, and

Continuing to the City of the Village of Douglas:

all properties that fall within a district that would be created by drawing a line starting at the intersection of Ferry Street and Campbell Road and proceeding West along Campbell Road to a point approximately 200 feet West of McVea Dr., then turning South at that point and proceeding in a straight line to Center Street, then turning East on Center Street and proceeding to a point approximately 650 feet West of intersection of Center and Ferry Streets, then turning South at that point and proceeding in a straight line to Wiley Road, then turning East on Wiley Road proceeding to the eastern boundary of the City, then turning North and following the boundary of the city to a point in Lake Kalamazoo that marks the dividing line between the City of Douglas and Saugatuck Township, then following that line in Lake Kalamazoo that goes West and North West to a point that aligns with the point of beginning at Ferry Street and Campbell Road.

So that these descriptions when joined along their common boundaries combine form one Water Resource Improvement Tax Increment Finance Authority District as depicted on the following map:



Public Access Points

Allegan County Land Information Services assumes no liability for the conclusions drawn from the use of these data

1 inch = 2000 feet (1:24,000)
Map Created 11/15/2011



City Council Agenda Item Report

FROM: Cindy Osman, Planning and Zoning

MEETING DATE: November 9, 2020

SUBJECT: Correction of legal description for Lisa DeSoto – 870 Park Street

DESCRIPTION: In 1931 legal descriptions were created for two homes (cottages) that are in the middle of what is now the water tower/Mount Baldhead Park. Both properties are using a single easement.

When investigating the potential to get public water services to these homes, it was discovered that one of the houses is not on the property described in its legal description. Ms. DeSoto owns a piece of dirt that her house is not on, and the City owns the piece of dirt where her house is located. **This request for a land swap is to correct an error made almost 90 years ago.** Ms. DeSoto will also get her name on the easement that her family has been using for almost 90 years, the same easement assigned to the neighbor at 876 Park Street. Although the legal descriptions were not correct, the taxes have been assessed and paid, as if they were correct.

The only change is to the legal descriptions, the two houses will be used as they always have been used. The size of the properties to be swapped are identical, there are no proposed additions to the cottage, and the taxes will not be changed.

BUDGET ACTION REQUIRED

N/A

COMMITTEE/COMMISSION REVIEW

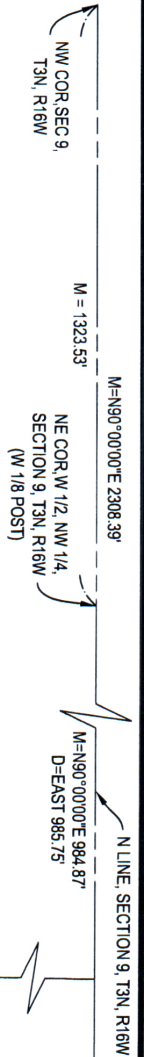
N/A

LEGAL REVIEW

Reviewed by City Attorney Jeff Sluggett

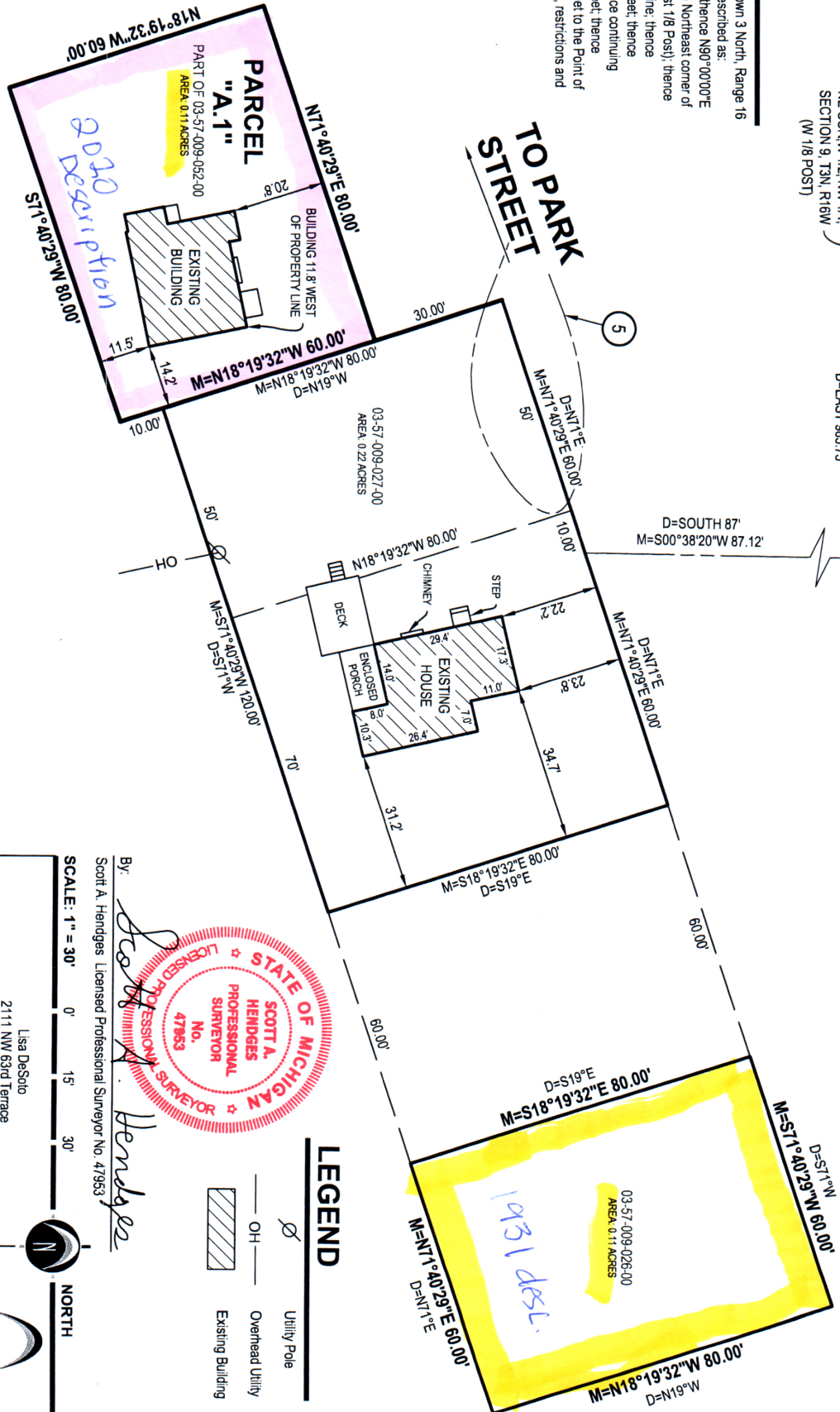
SAMPLE MOTION:

Motion to approve/reject the attached Agreement regarding real property to exchange parcels of land between the City of Saugatuck and Amey E. DeSoto, as shown in the attached Exhibits.



DESCRIPTION

Parcel "A.1", Part of the Northwest 1/4 of Section 9, Town 3 North, Range 16 West, City of Saugatuck, Allegan County, Michigan, described as: Commencing at the Northwest corner of said Section; thence N90°00'00"E 1323.53 feet along the North line of said Section to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section (West 1/8 Post); thence continuing N90°00'00"E 984.87 feet along said North line; thence S00°38'20"W 87.12 feet; thence S71°40'29"W 60.00 feet; thence S18°19'32"E 30.00 feet to the Point of Beginning; thence continuing S18°19'32"E 60.00 feet; thence S71°40'29"W 80.00 feet; thence N18°19'32"W 60.00 feet; thence N71°40'29"E 80.00 feet to the Point of Beginning. Contains 0.11 acres. Subject to easements, restrictions and rights-of-way of record.



This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

5 Terms, covenants, restrictions, conditions, and other provisions as contained in the Agreement for Right of Way recorded in Liber 1150, Page 786, Allegan County Records. OF SAID DRIVE IS SHOWN ON THIS SURVEY.)



By: *Scott A. Hendges*
 Scott A. Hendges Licensed Professional Surveyor No. 47953

LEGEND

- Utility Pole
- Overhead Utility
- Existing Building

SCALE: 1" = 30'



Lisa DeSoto
 2111 NW 63rd Terrace
 Gainesville, FL 32605
 870 & 876 Park Street

DRAWN BY: HM DATE: 08-23-2020 PRJ #: 192016130DSC.1
 REV. BY: JV REV. DATE: 10-09-20 1 OF 1

NEDERVELD
 www.nederveld.com • 800.222.1888
 347 Hooper Blvd
 Holland, MI 49423

City Manager

From: Greg Janik <gjanik@saugatuckfire.org>
Sent: Thursday, November 5, 2020 6:16 PM
To: Rich LaBombard; City Manager; Griffin Graham
Subject: FW: Stats for October...
Attachments: 2020 October Stats.pdf

Hi Rich, Kathy and Griffin,

I wanted to share our monthly emergency incident statistics with you. Here are the stats for October, 2020,

Highlights

- October was a month with above average call volume. The Fire District ended up with 77 calls (exactly like September), year to date call volume is 717, or 13% decrease from last year.
- Thursday is the most active day of the week, followed by Saturday. The hours between 9AM-9PM counts for the highest incident call volume of the day.
- Overlapping Incidents, (another emergency incident the requires fire department response that occurs within the time frame of the previous incident), is at 23% and has more than doubled from last month. This is significant from a resource (firefighters/emergency medical personnel/apparatus) allocation perspective.
- Location of calls shows Township is slightly ahead at 36% compared to Douglas, (including Douglas Cove) at 33% and Saugatuck City at 31%.
- Type of calls are again lopsided this month, emergency medical service calls counts for 69% of our volume, Motor Vehicle Incidents (MVI) are in the lower ranges, only 5 for October. Special Events included the Halloween Standby in the two cities. Our fire and rescue boats have logged in 19 calls for the year.
- Our response time is at the same level compared to previous years at 5:45 for October, 5:21 for the year. AMR (ambulance) response time is 11:25 of October, and 12:15 year to date. September showed 49 priority 1 and 2 calls.

Please let me know if you have questions or require more information.

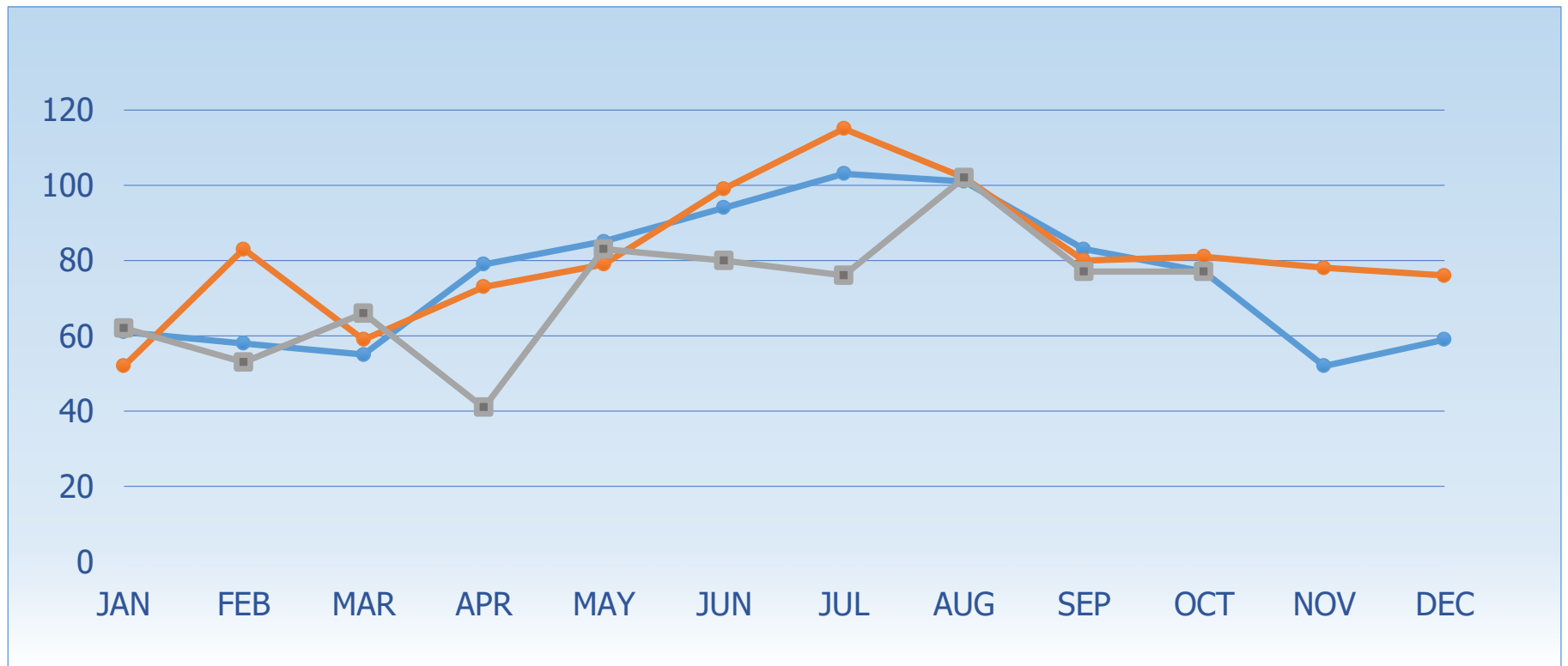
Thank you,
Greg

Greg Janik

Fire Chief/Fire Marshal
3342 Blue Star Highway

2020 Incidents by Month

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2020	62	53	66	41	83	80	76	102	77	77			717
2019	52	83	59	73	79	99	115	102	80	81	78	76	977
2018	61	58	55	79	85	94	103	101	83	77	52	59	907



2010-20 Incidents by month

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2020	62	53	66	41	83	80	76	102	77	77			717
2019	52	83	59	73	79	99	115	102	80	81	78	76	977
2018	61	58	55	79	85	94	103	101	83	77	52	59	907
2017	54	35	62	51	68	89	116	76	66	91	48	57	813
2016	47	51	53	64	76	95	113	105	82	64	60	65	875
2015	57	61	50	50	73	67	110	90	71	58	49	47	783
2014	62	51	49	56	85	77	84	59	72	52	59	39	745
2013	67	62	44	39	57	53	70	74	42	58	66	58	690
2012	52	33	58	55	54	74	104	77	54	40	52	76	729
2011	42	38	57	34	52	51	92	70	63	61	40	41	641
2010	36	26	46	52	50	48	98	72	58	54	40	32	612
Average	54	50	54	54	69	75	98	83	68	65	54	55	777

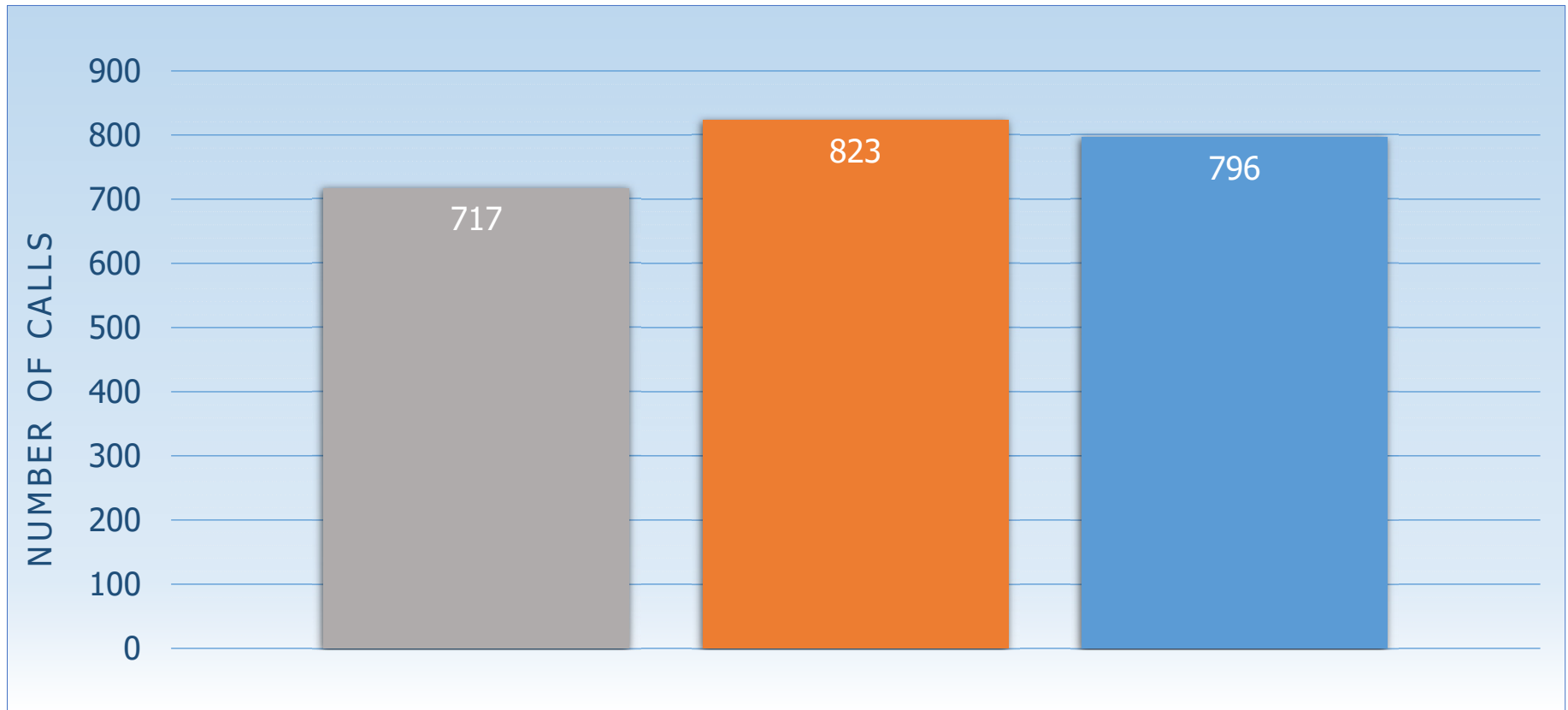
Lowest Highest

1999-2020 Incidents by month

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2020	62	53	66	41	83	80	76	102	77	77			717
2019	52	83	59	73	79	99	115	102	80	81	78	76	977
2018	61	58	55	79	85	94	103	101	83	77	52	59	907
2017	54	35	62	51	68	89	116	76	66	91	48	57	813
2016	47	51	53	64	76	95	113	105	82	64	60	65	875
2015	57	61	50	50	73	67	110	90	71	58	49	47	783
2014	62	51	49	56	85	77	84	59	72	52	59	39	745
2013	67	62	44	39	57	53	70	74	42	58	66	58	690
2012	52	33	58	55	54	74	104	77	54	40	52	76	729
2011	42	38	57	34	52	51	92	70	63	61	40	41	641
2010	36	26	46	52	50	48	98	72	58	54	40	32	612
2009	46	46	38	40	43	61	65	57	58	45	44	49	592
2008	46	35	23	32	41	53	101	54	43	48	29	53	558
2007	35	44	34	39	44	64	78	59	55	37	33	37	559
2006	41	33	41	23	58	48	64	46	42	43	47	42	528
2005	42	28	48	47	37	57	75	58	49	40	40	34	555
2004	41	28	34	34	51	45	50	48	46	51	30	41	499
2003	25	30	35	36	54	61	55	63	39	35	39	45	517
2002	36	27	41	35	35	54	62	65	53	44	36	30	518
2001	29	33	38	38	46	51	69	43	46	43	34	28	498
2000	44	40	44	50	42	48	64	38	41	42	46	45	544
1999	32	34	31	31	37	37	41	40	31	39	31	31	415
Average	46	42	46	45	57	64	82	68	57	54	45	47	645

Lowest Highest

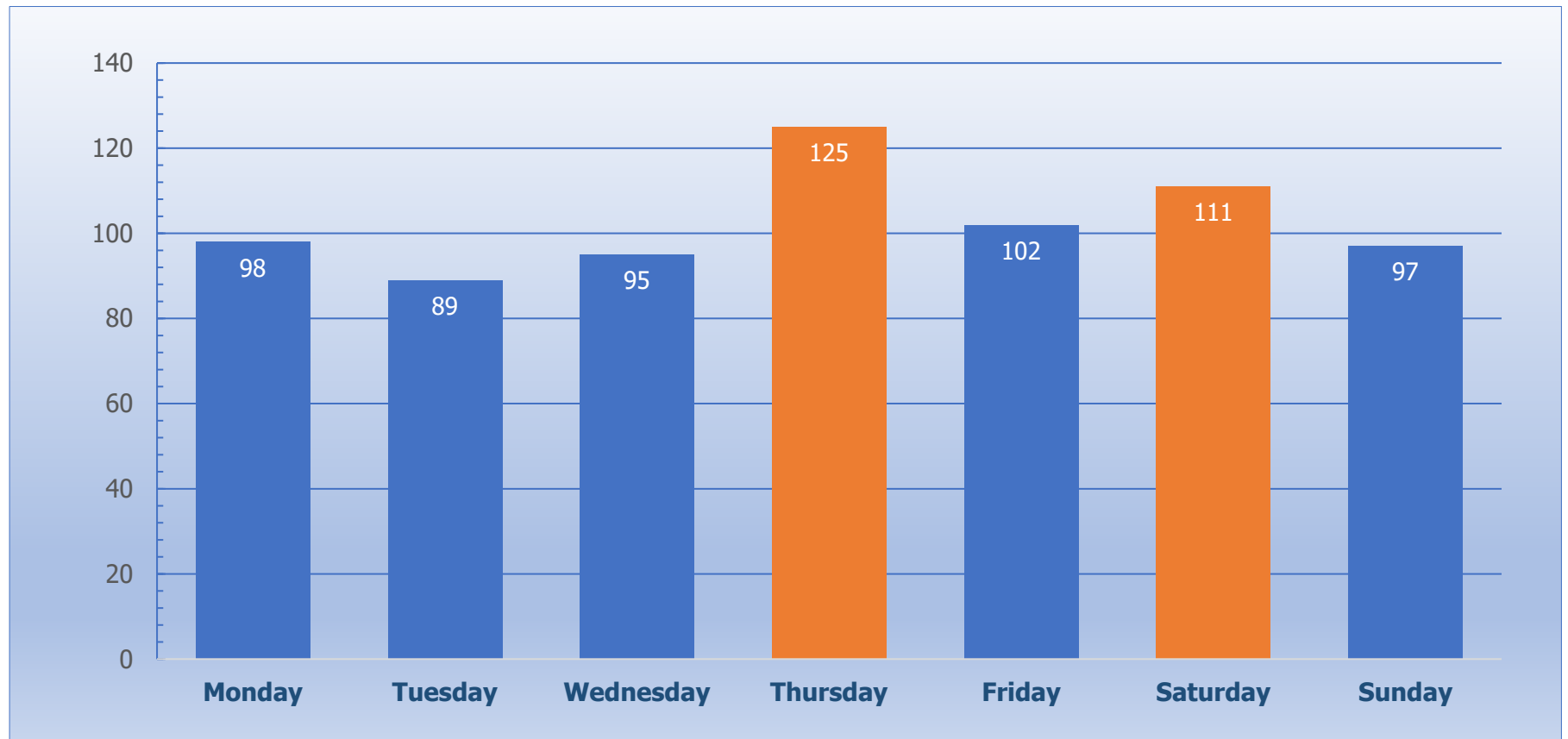
2018-2020 Incident Comparison



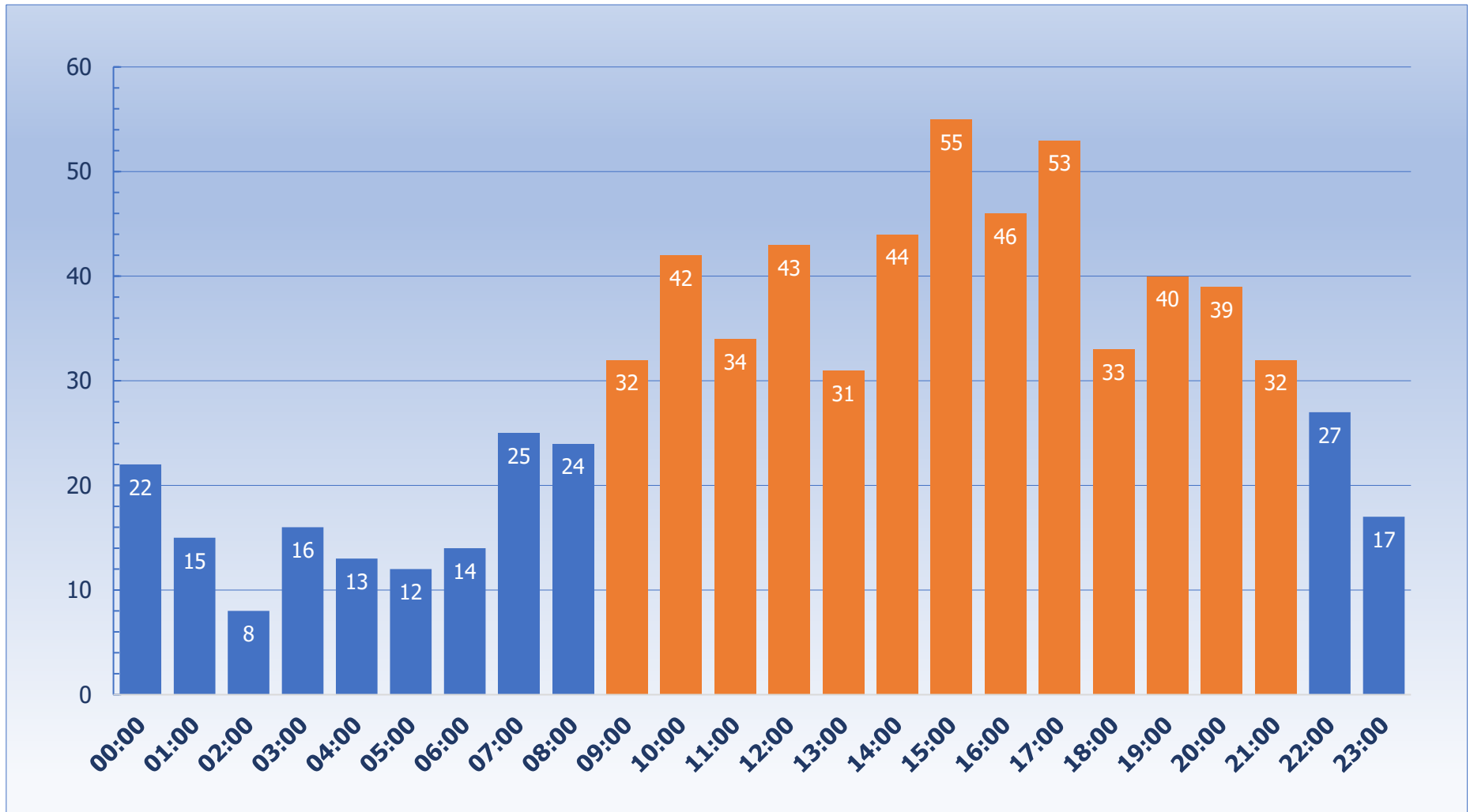
Year	October 31	+/-	+/- %
2020	717	(106)	(12.9)
2019	823	27	3.4
2018	796		

2020 Incidents per Day of the Week

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
98	89	95	125	102	111	97



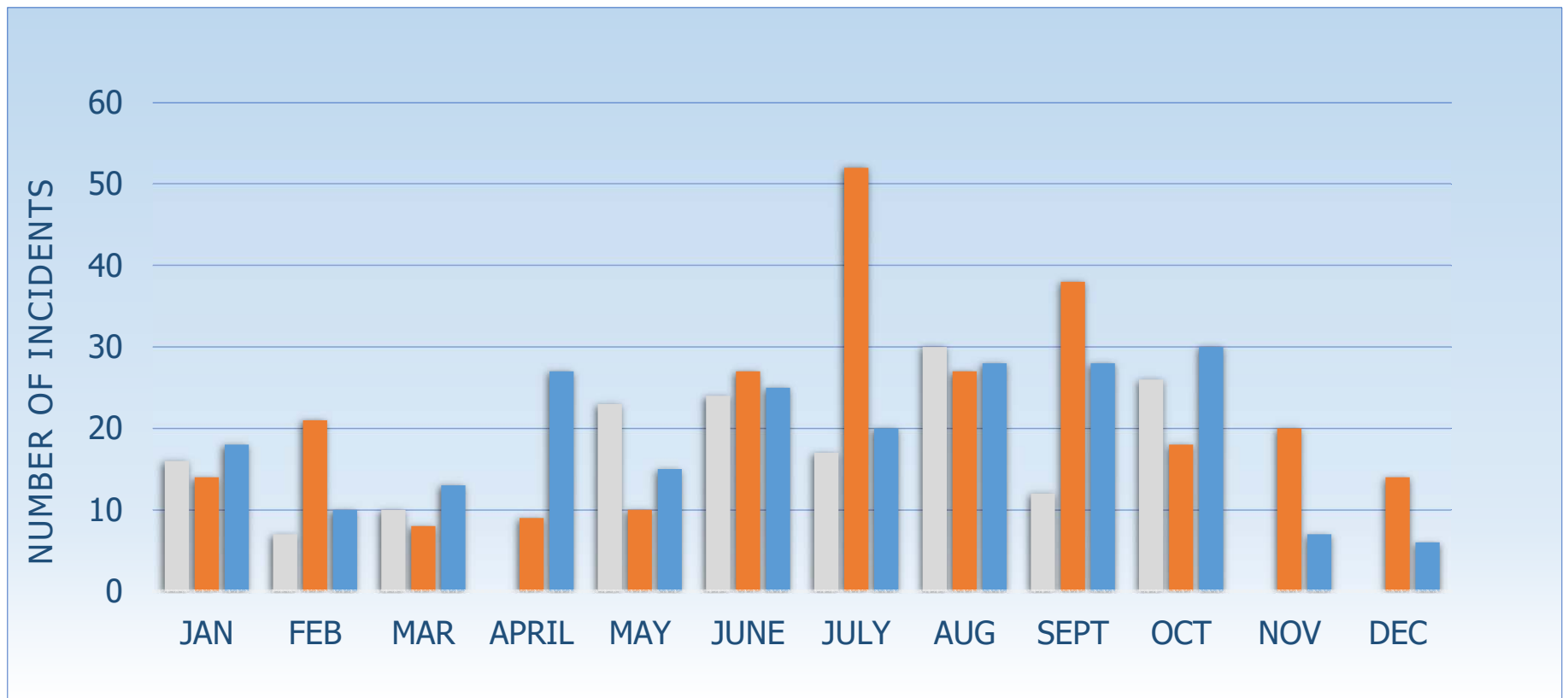
2020 Incidents by Time of Day



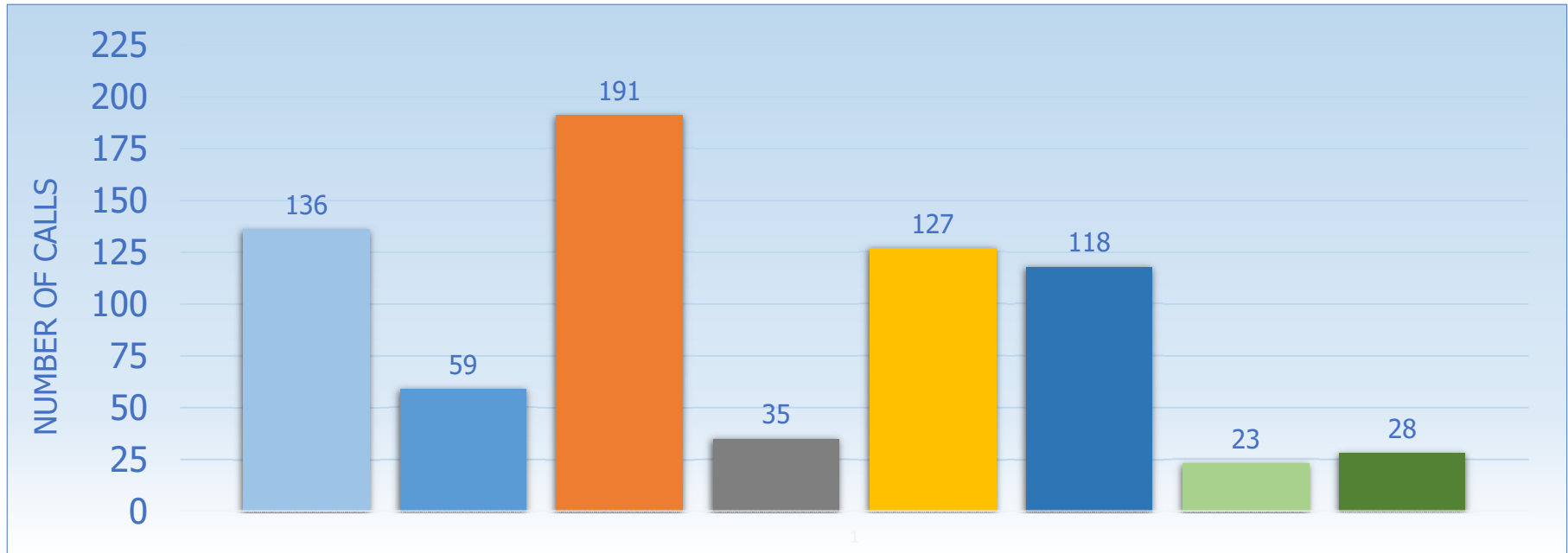
2020 Overlapping Incidents YTD

[Another emergency incident that requires fire department response that occurs within the time frame of a previous emergency incident.]

Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
2020	16	7	10	0	23	24	17	30	12	26			165
2019	14	21	8	9	10	27	52	27	38	18	20	14	258
2018	18	10	13	27	15	25	20	28	28	30	7	6	227



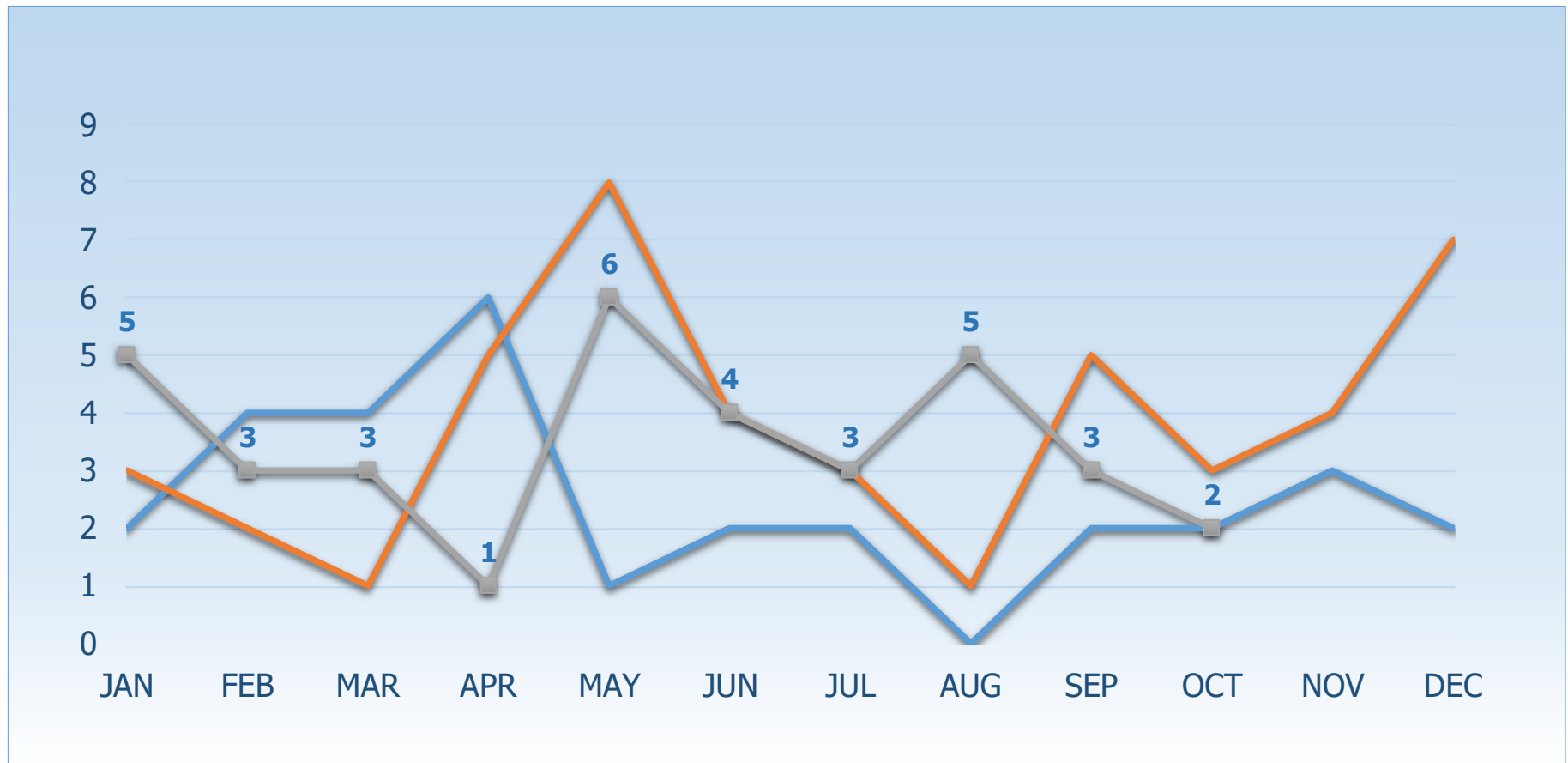
2020 Incidents by Area



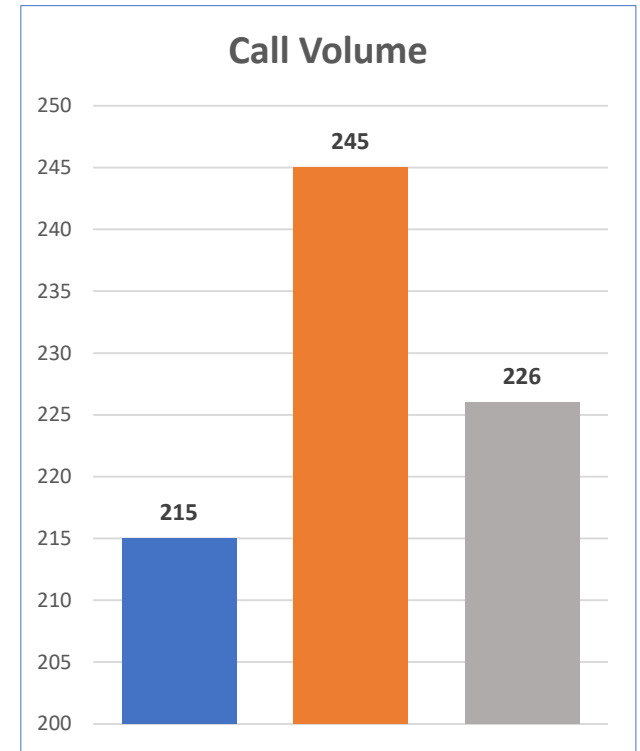
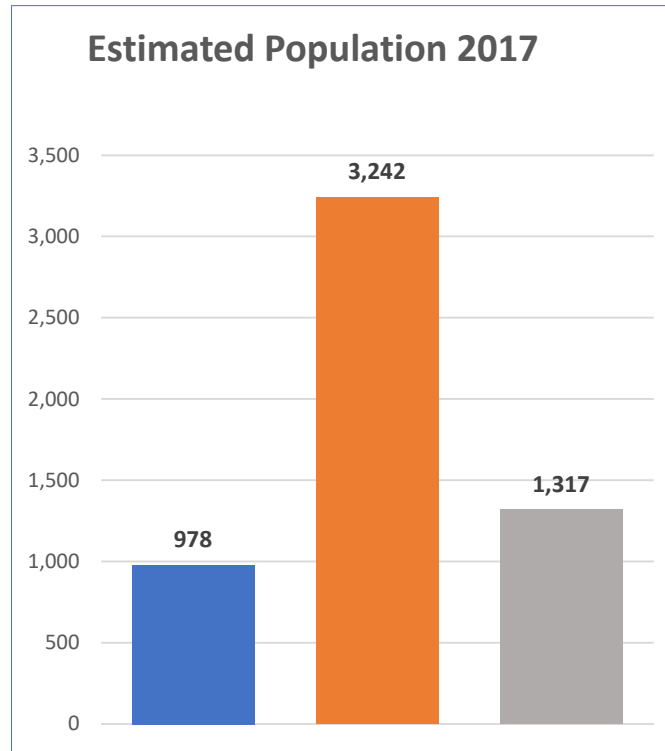
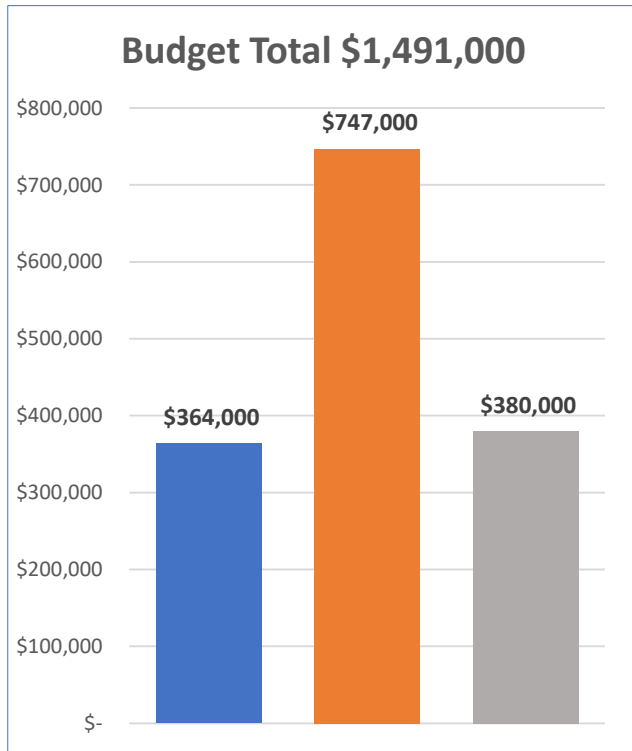
Area	October 31	%
Saugatuck North	136	19.0
Saugatuck South	59	8.2
Douglas	191	26.6
Douglas Cove	35	4.9
Township North	127	17.7
Township South	118	16.5
I-196	23	3.2
Outside Area	28	3.9
Total	717	100.0

2018-2020 Douglas Cove

Year	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2020	5	3	3	1	6	4	3	5	3	2			35
2019	3	2	1	5	8	4	3	1	5	3	4	7	46
2018	2	4	4	6	1	2	2	0	2	2	3	2	30

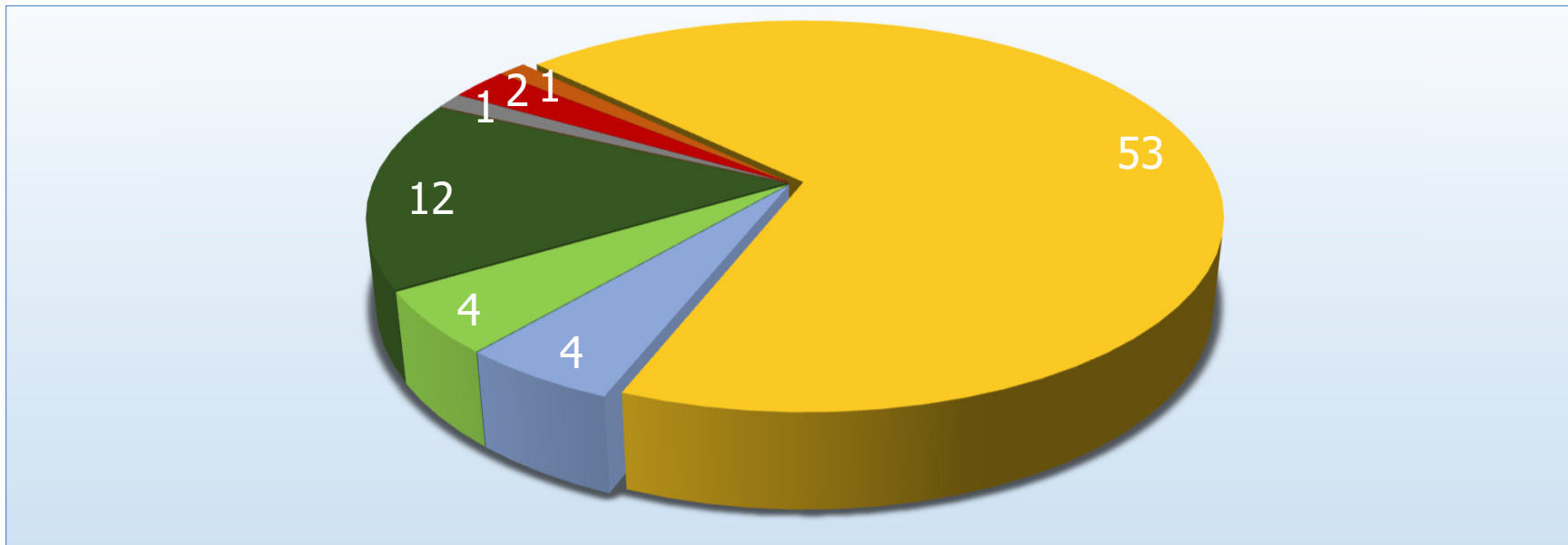











2020 Key numbers for Tri-Community



	Square Miles	Budget	%	Est. Population 2017	%	Call Volume	%
Saugatuck City	1.47	\$ 364,000	24.4	978	17.66	215	31.34
Saugatuck Township	24.21	\$ 747,000	50.1	3,242	58.55	245	35.71
City of Douglas	1.98	\$ 380,000	25.5	1,317	23.79	226	32.94
Total	27.66	\$ 1,491,000	100.0	5,537	100.00	686	100.00

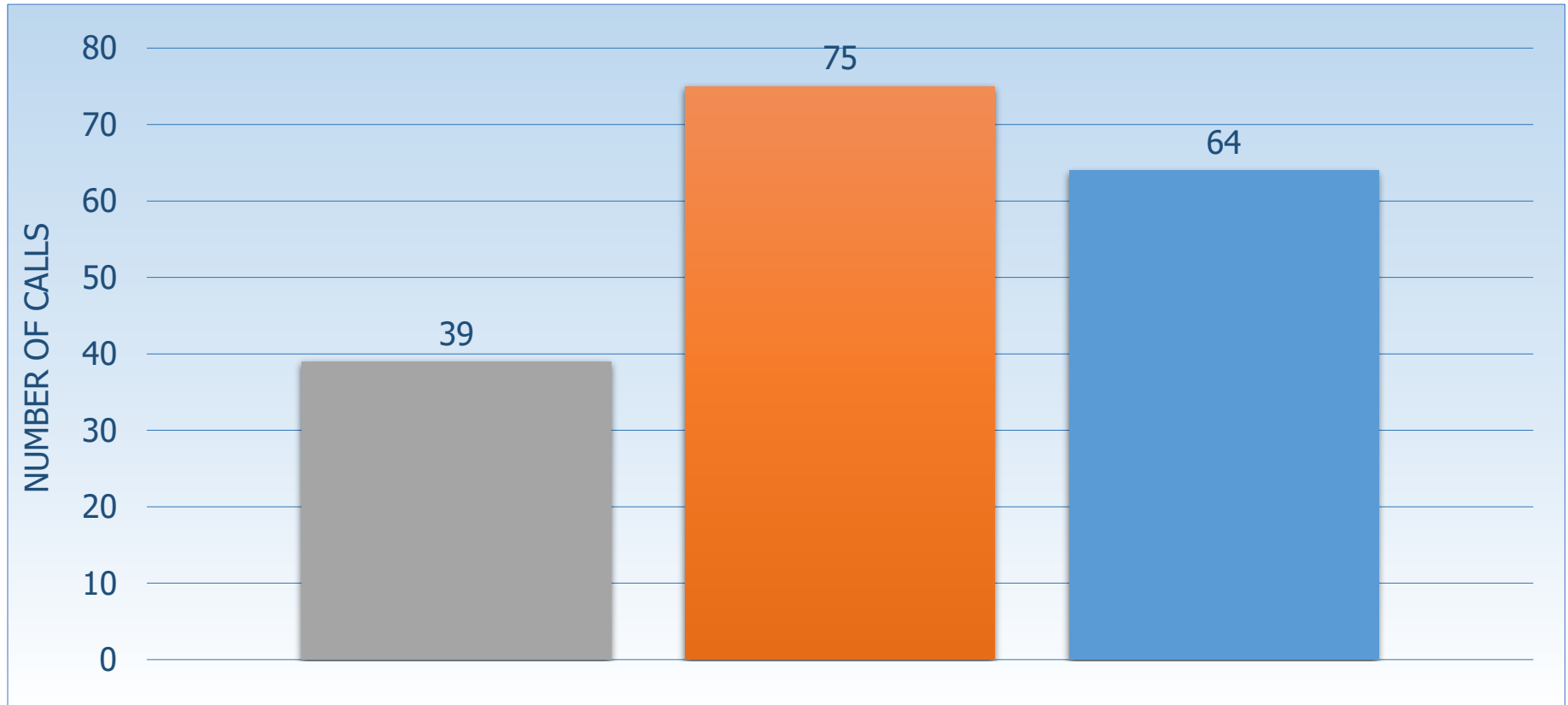
October 2020 Incident Report by Type



Type Of Incident:	Total Incidents:	Percentage Value:
 100 Series - Fire	2	2.6%
 200 Series - Explosion, Overpressure, Overheat (No Fire)	1	1.3%
 300 Series - Rescue & EMS	53	68.8%
 400 Series - Hazardous Conditions (No fire)	4	5.2%
 500 Series - Service Call	0	0.0%
 600 Series - Good Intent Calls	4	5.2%
 700 Series - False Alarm & False Calls	12	15.6%
 800 Series - Severe Weather and Natural Disaster	0	0.0%
 900 Series - Special Incident Type	1	1.3%
	77	100.0%

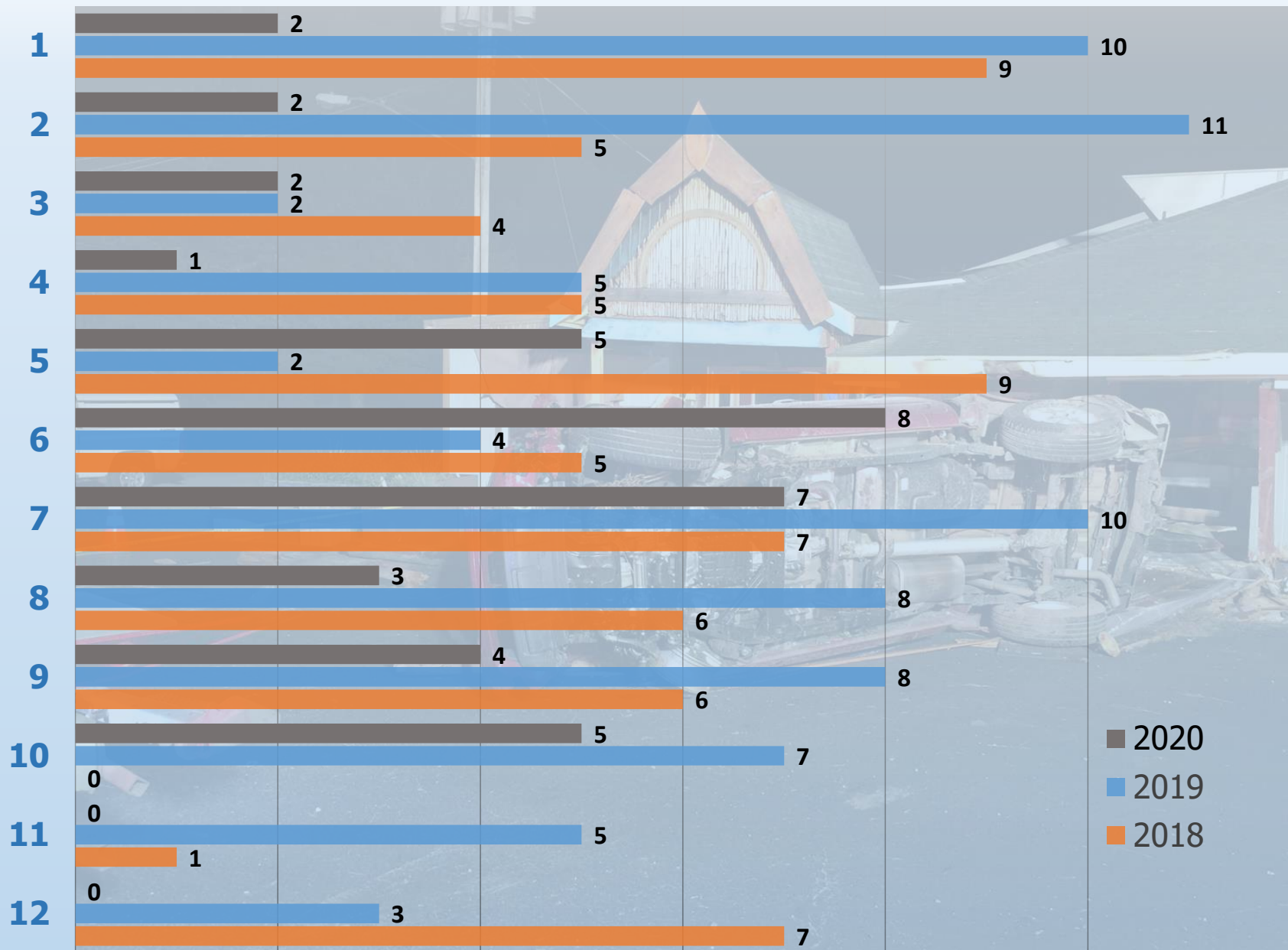
2018-2020 Motor Vehicle Incidents

[All incidents with any motorized vehicle involved in accidents, fires etc.]



As of:	# of Incidents	+/-	+/- %	Extrication	%
10/31/2020	39	(36)	(48.00)	0	0.0
12/31/2019	75	11	17.19	3	4.0
12/31/2018	64	12	13.48	5	7.8

MV Incidents by Month 2018-2020



2015-20 MVIIs by month

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2020	2	2	2	1	5	8	7	3	4	5			39
2019	10	11	10	5	2	4	10	8	8	7	5	3	83
2018	9	5	4	5	9	5	7	6	6	0	1	7	64
2017	4	4	2	2	7	7	8	4	2	3	2	7	52
2016	15	8	3	13	4	8	16	4	0	2	5	11	89
2015	6	11	3	1	3	6	7	7	4	2	1	2	53
Average	8	7	4	5	5	6	10	6	4	3	3	6	68

Lowest

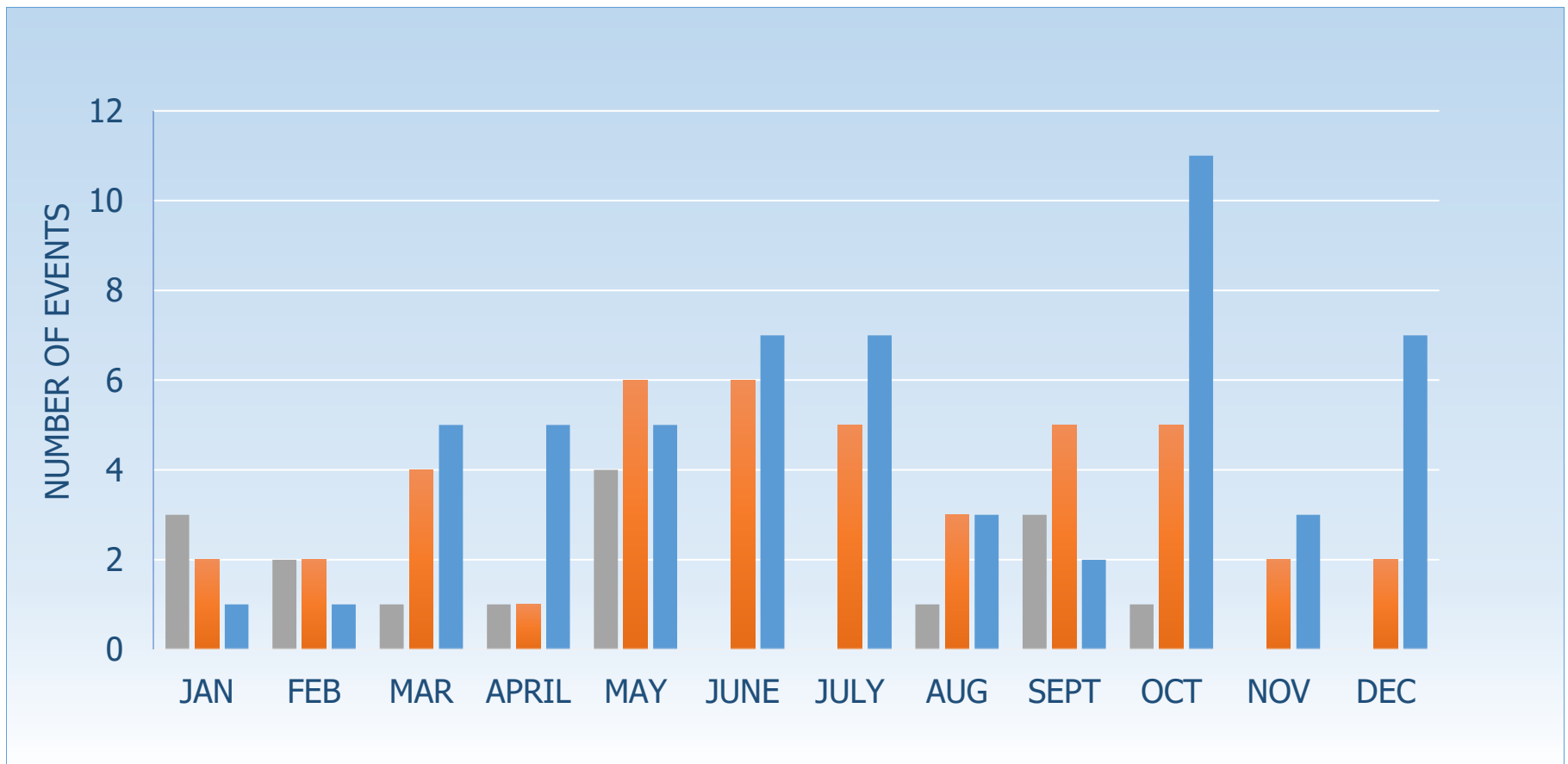
Highest

2020 Vehicle Fires - Value and Loss

NFIRS Category	Call #	Date	Address	Year	Make	Model	Blue Book Value	State	Loss
Fire									
131	0228	05/02/2020	I-196 @35MM	20xx	Ford	Escape	\$5,000	?	\$5,000
131	0338	06/14/2020	I-196 @38MM	20xx	Honda	?	\$5,000	?	\$5,000
131	0386	07/01/2020	220 Water Street	2020	KIA	Telluride SX V6	\$41,000	IN	\$3,000
131	0388	07/01/2020	I-196 @36MM	2019	Ford	Mustang Cobra	\$50,000	MI	\$3,000
			TOTAL				\$101,000		\$16,000

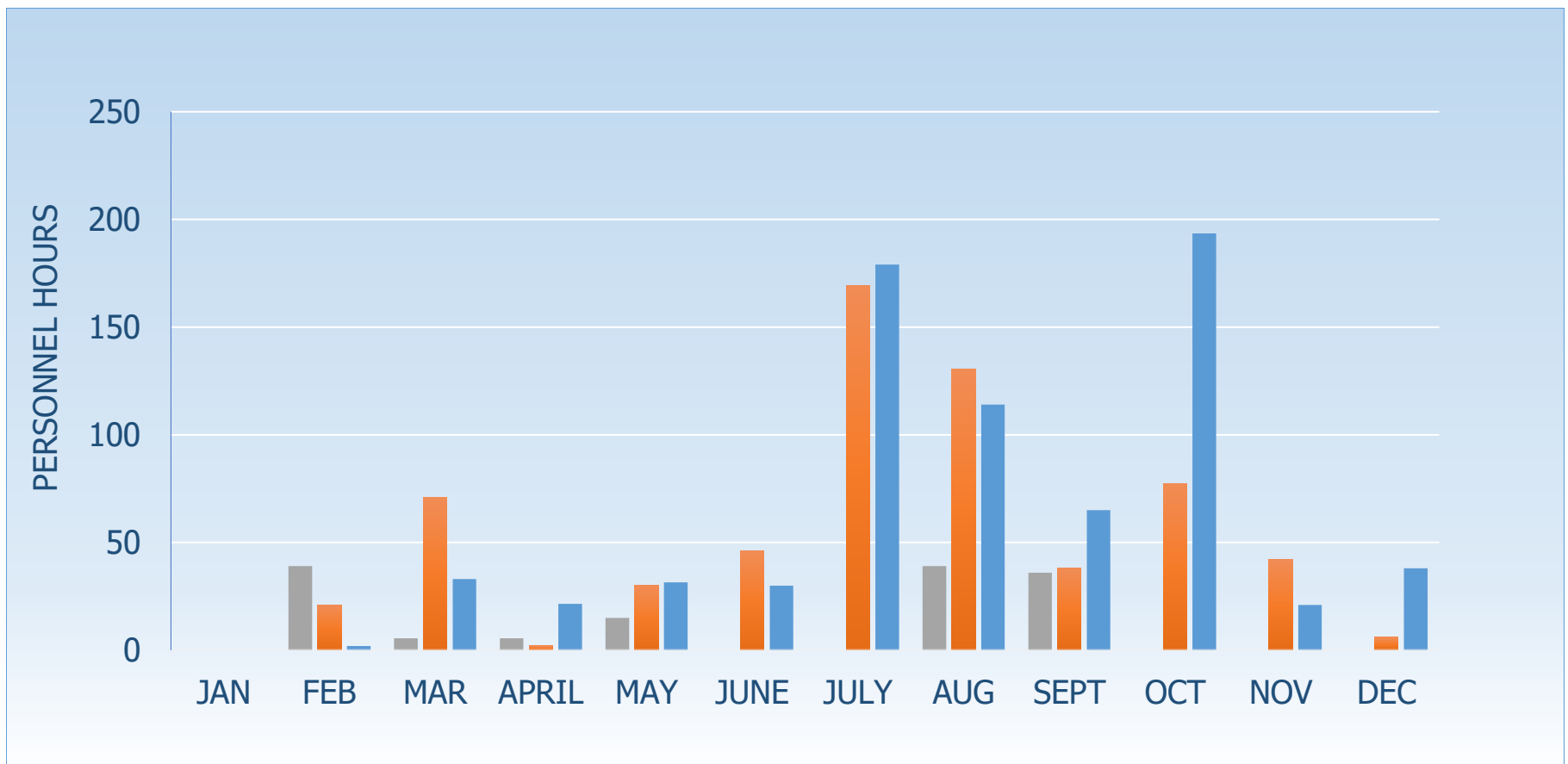
2018-2020 Special Events by month

Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
2020	3	2	1	1	4	0	0	1	3	1			16
2019	2	2	4	1	6	6	5	3	5	5	2	2	43
2018	1	1	5	5	5	7	7	3	2	11	3	7	57

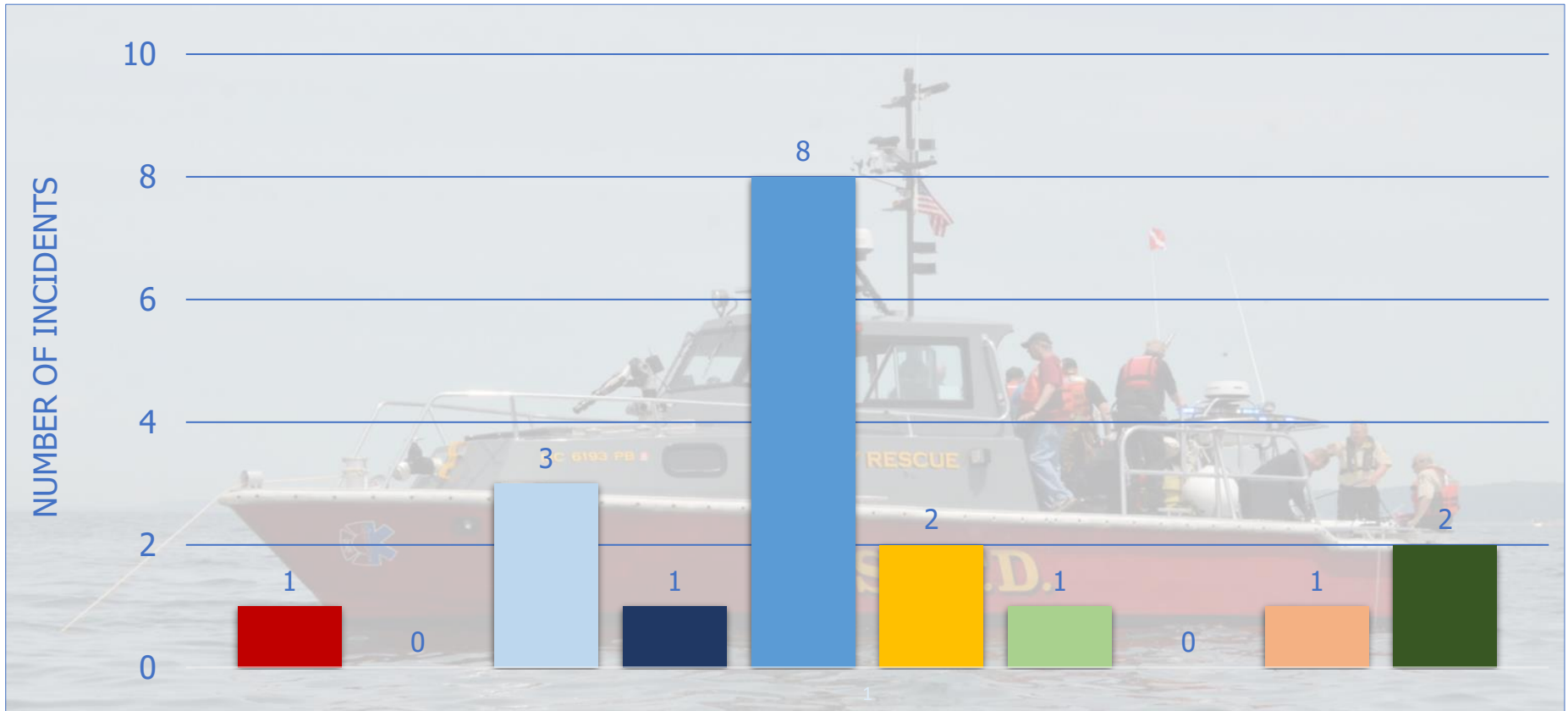


2018-2020 Special Events Personnel Hours

Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
2020	0	39	6	6	15	0	0	39	36				140
2019	0	21	71	2	30	46	170	131	38	78	42	6	634
2018	0	2	33	22	32	30	179	114	65	194	21	38	729



2020 Marine Responses

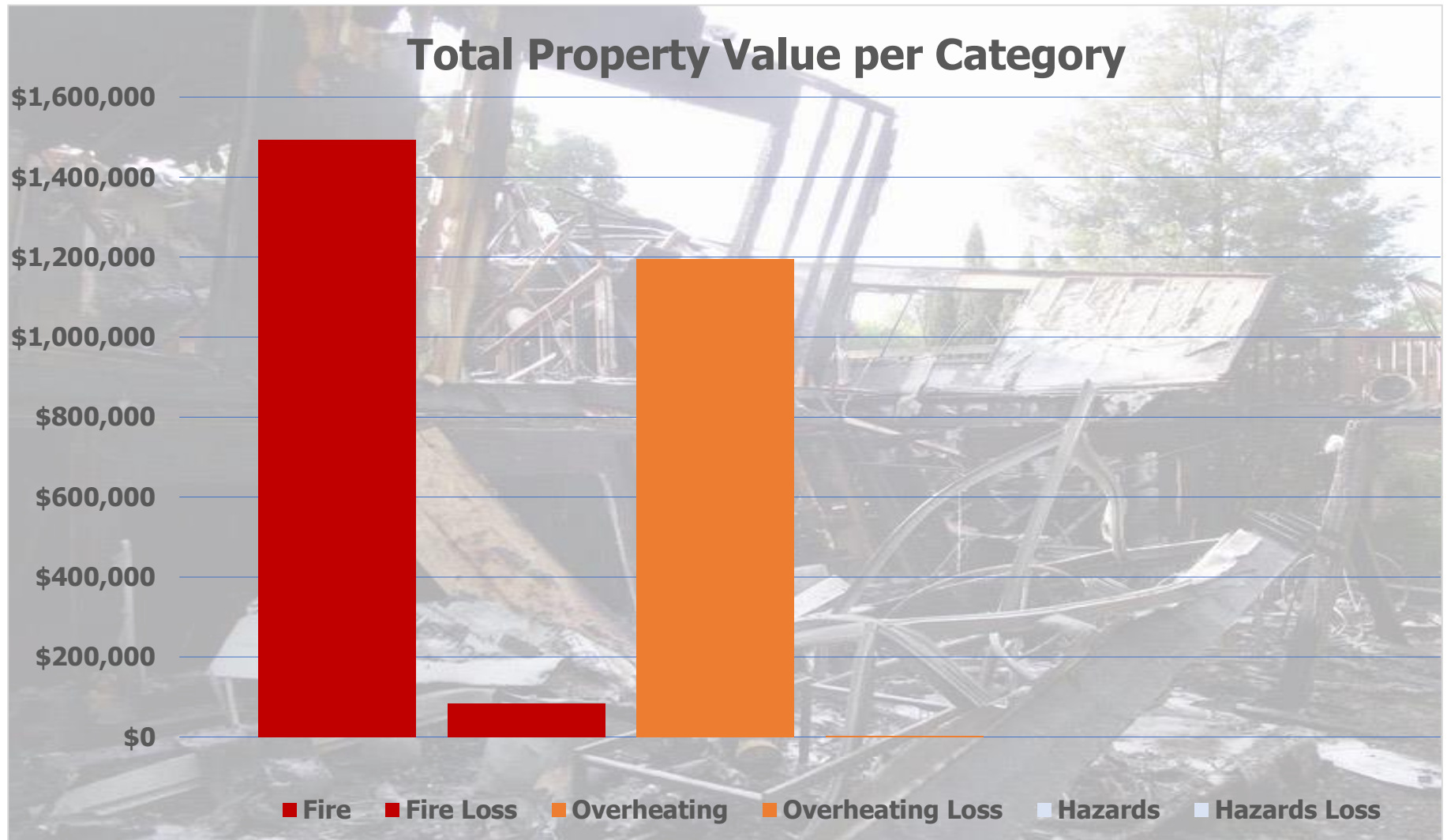


Boat Fire	1	Hazards	2	10/11/2020
Structure Fire	0	Events	1	Total: 19
Water Rescue	3	Dive Training	0	
Missing Person	1	Training	1	
Boat in Distress	8	Work Detail	2	

2020 Protected Property Value

NFIRS Category	Call #	Date	Address	Zillow Market Value	Loss
Fire					
111	0067	02/03/2020	3071 Lakeshore Drive	\$0	\$0
111	0247	05/10/2020	750 Allegan Street	\$603,000	\$5,000
111	0261	05/18/2020	2734 Cedar Street	\$60,000	\$3,000
111	0317	06/07/2020	202 Butler Street	\$500,000	\$40,000
111	0711	10/30/2020	2726 62nd Street	\$331,211	\$35,000
			TOTAL	\$1,494,211	\$83,000
Overpressure Explosion, Overheat - No Fire					
251	0614	09/20/2020	2755 Blue Star	\$724,855	\$1,500
251	0661	10/09/2020	6593 Clearbrook Drive	\$470,000	\$1,000
			TOTAL	\$1,194,855	\$2,500
Hazardous Conditions - No Fire					
			TOTAL	\$0	\$0

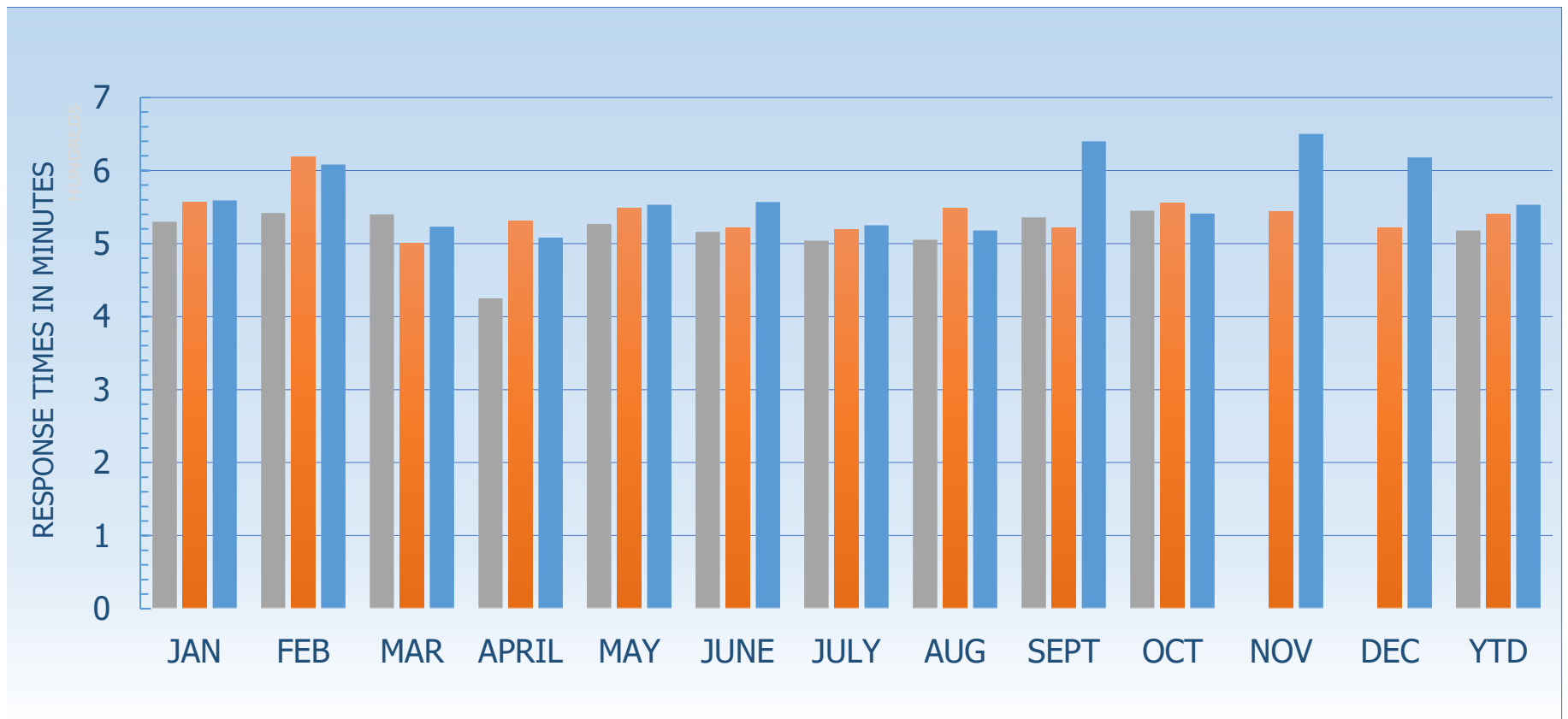
2020 Protected Property Value



2018-2020 Response Times by Month

[From 2019 Response Times are now emergencies that requires lights and siren.]

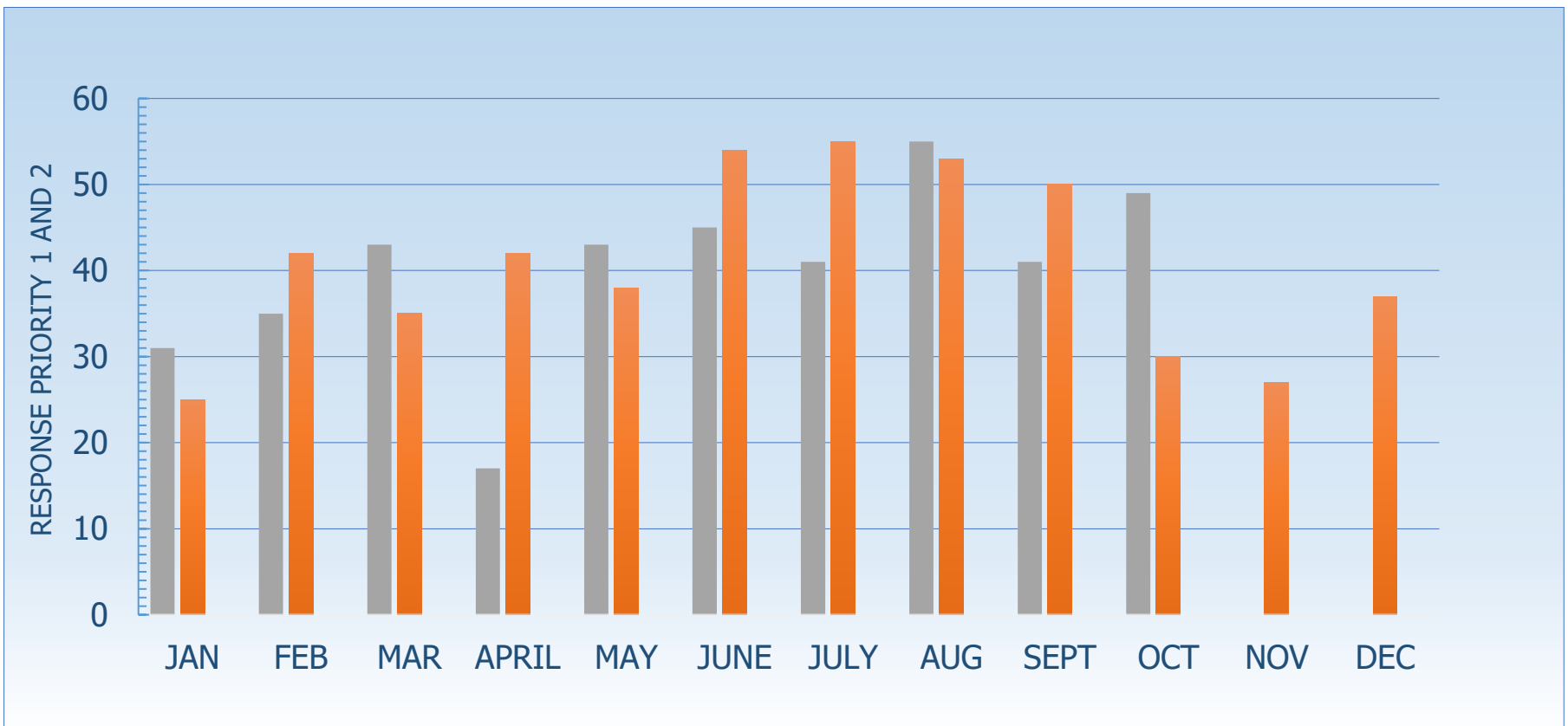
Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
2020	5:30	5:42	5:40	4:25	5:27	5:16	5:04	5:05	5:36	5:45			5:21
2019	5:57	6:19	5:00	5:31	5:48	5:21	5:19	5:48	5:22	5:56	5:44	5:22	5:40
2018	5:59	6:08	5:23	5:08	5:53	5:57	5:25	5:18	6:40	5:41	6:50	6:18	5:53



2020 Emergency Responses

[Priority 1 and 2 responses per month in our district. No data available for 2017/18]

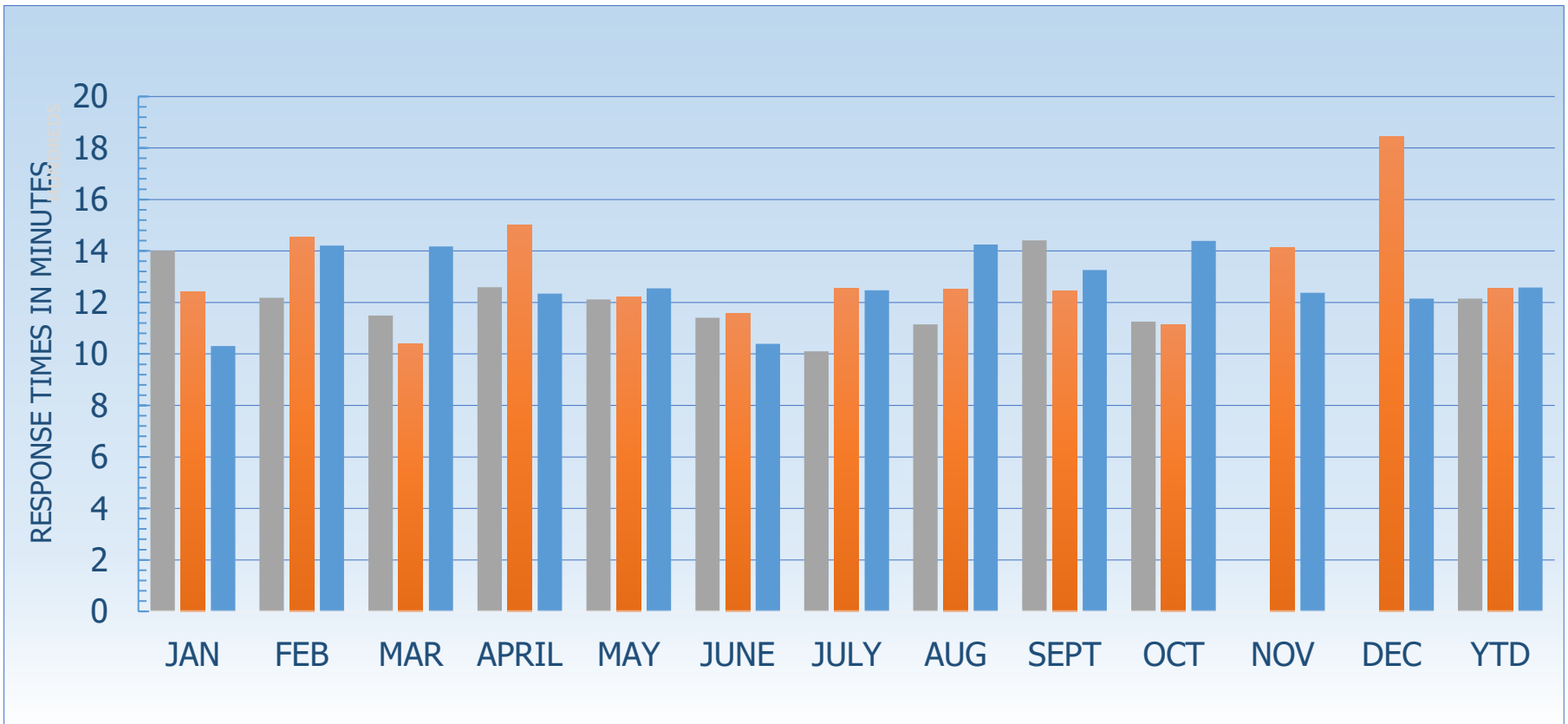
Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
2020	31	35	43	17	43	45	41	55	41	49			400
2019	25	42	35	42	38	54	55	53	50	30	27	37	488
2018													



2018-2020 AMR Monthly Response Times

[AMR Priority 1 and 2 response times provided monthly from AMR]

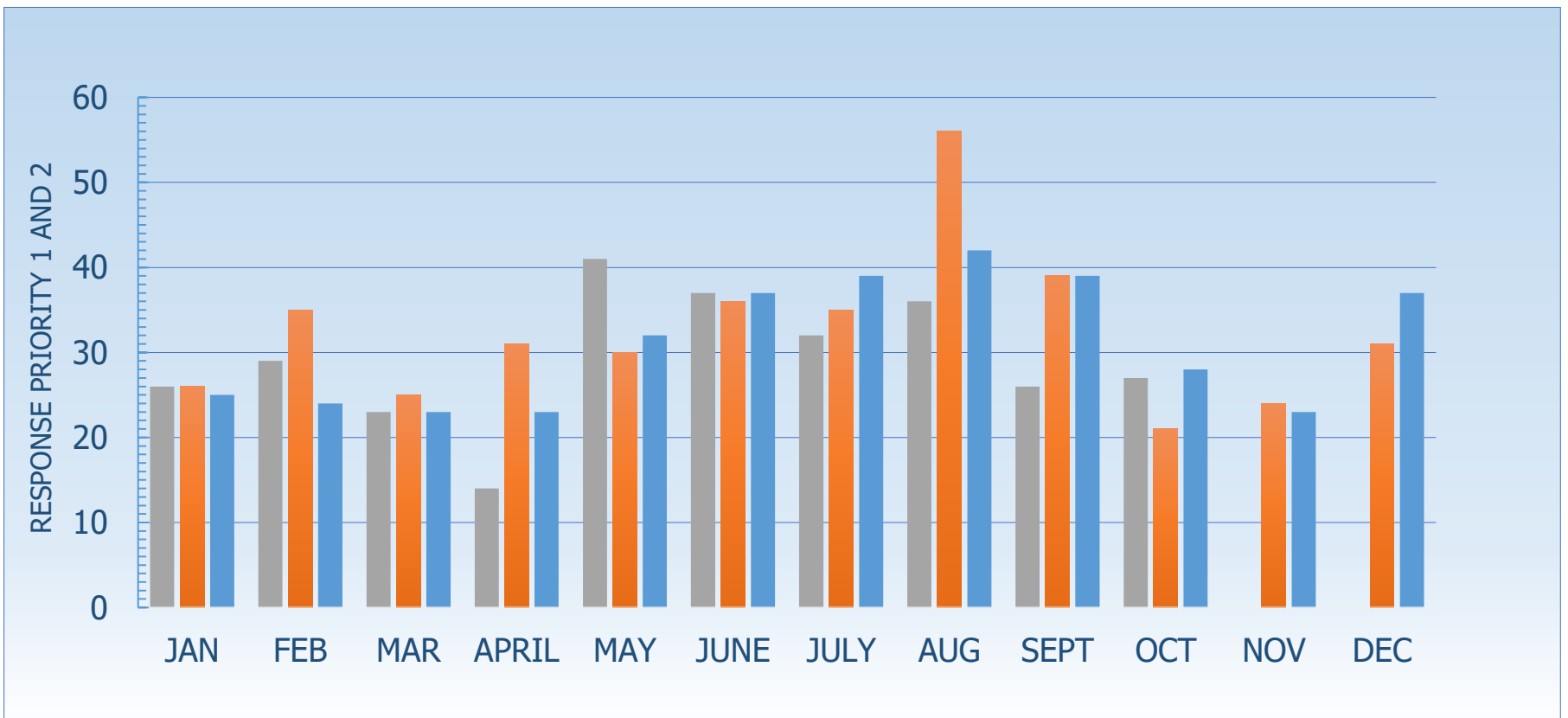
Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
2020	14:01	12:18	11:49	12:59	12:12	11:41	10:10	11:15	14:41	11:25			12:15
2019	12:40	14:54	10:40	15:01	12:20	11:58	12:54	12:52	12:44	11:15	14:14	18:46	12:54
2018	10:31	14:21	14:18	12:34	12:55	10:39	12:47	14:25	13:26	14:39	12:38	12:15	12:58



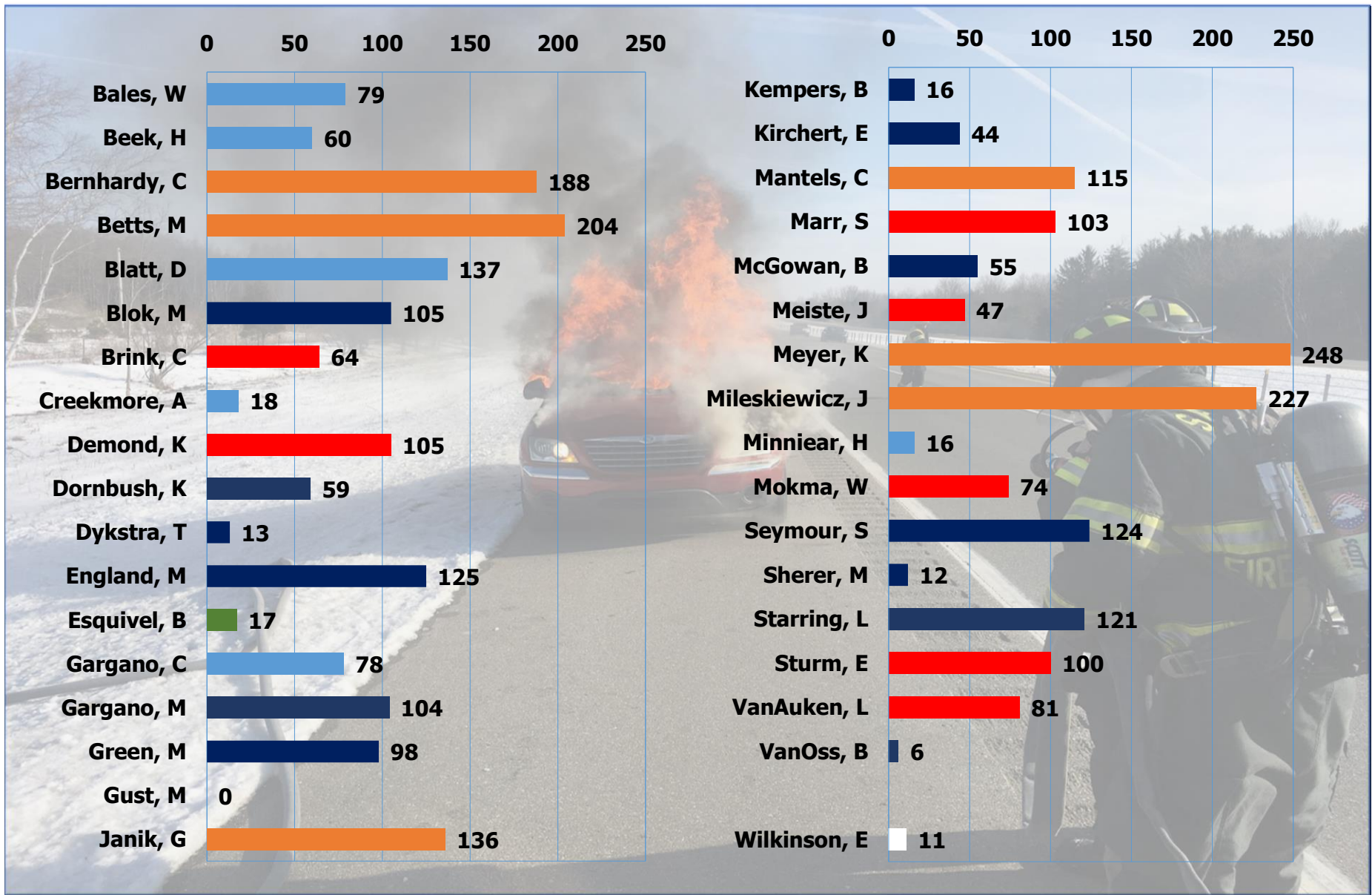
2018-2020 AMR Emergency Responses

[Priority 1 and 2 responses per month in our district.]

Year	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
2020	26	29	23	14	41	37	32	36	26	27			291
2019	26	35	25	31	30	36	35	56	39	21	24	31	389
2018	25	24	23	23	32	37	39	42	39	28	23	37	372



2020 Personnel Response to Incidents



Total Incidents: 717

Career Crew

Fire/EMS

EMS

Fire

Trainee

FISH SHANTY RESTORATION COMMITTEE

Date of the meeting: Wednesday, October 28, 2020; 10:30 a.m.

Attendees: Randy Dirosa, Barry Johnson, Holly Leo, Garnet Lewis & Cindy Osman.

The above-named individuals met, via Zoom, to review option(s) for the Fish Shanty. Per the Resolution,

THEREFORE, BE IT RESOLVED the City Council of Saugatuck does hereby authorize the appointment of a Fish Shanty Restoration Project Advisory Committee to review and make recommendations to the Saugatuck City Council regarding the manner in which the city might assist the Saugatuck Douglas History Center; provided that (i) the Committee's actions shall be advisory in nature only; (ii) the City Council does not delegate any authority to the Committee to make decisions on behalf of the City; and (iii) the Committee shall terminate on December 31, 2021.

Meeting summary

Randy provided a two-page proposed private venture between the Retro Boats, the owner of the Retro Boat property, the Harrington family, and the Saugatuck-Douglas History Center (SDHC). As described in the attachment, "The fishing shanty, now in storage, would be moved to the Retro Boat location at 730 Water Street, likely by Spring of 2021. The shanty would sit at the south end of the Retro Boats lot facing the sidewalk in place of what is now a white fenced enclosure. The front façade of the shanty is 14 feet wide and its depth is 26 feet." (See attachment)

Prior to being moved to the proposed location, the Fish Shanty would remain in storage at a location owned by the Harrington family.

Note: While there is no formal agreement to-date, Sean Steel is helping to save and restore the Fish Shanty and both the Demerest and the Harrington family are excited and fully support this proposed venture.

Recommendation

None at this time. Basically, because this is a private venture, the City has no need to be involved.

Next steps

Cindy Osman, Planning and Zoning Administrator, provided suggestions as to the "next steps" which include (1) amending the approved site plan, via the Planning Commission, and (2) presenting to the Historic District Commission for approval. This would require submitting a new application to the Planning Commission (\$300 fee) and submitting a new application to the HDC (no fee). Randy will coordinate with Cindy and will take the lead on getting those applications submitted.

Respectfully submitted,

--Garnet Lewis

Saugatuck-Douglas History Center/Retro Boat Rental Proposal for the Demerest
Fishing Shanty

This proposal is based on ongoing discussions between the Saugatuck-Douglas History Center (SDHC), the owners of the Retro Boat rental business, and the owner of the property upon which Retro Boats operates.

The fishing shanty, now in storage, would be moved to the Retro Boat location at 730 Water Street, likely by Spring of 2021. The shanty would sit at the south end of the Retro Boats lot facing the sidewalk in place of what is now a white fenced enclosure. The front façade of the shanty is 14 feet wide and its depth is 26 feet.

This proposal provides two distinct “wins” for Saugatuck and the SDHC.

- This proposal preserves an important piece of Saugatuck history--its commercial fishing heritage. SDHC staff would consult with Retro Boats on restoration and exterior design aesthetics to ensure historic integrity. SDHC will display interpretive photos and storyboards to tell the history of fishing in Saugatuck—native American subsistence, commercial, and charter/recreational. Fishing artifacts may also be used. Most of these displays would be installed on or near the exterior of the building, and some would be installed in a portion of the interior. Retro Boats has also agreed to periodically help us facilitate museum fundraisers at the site and partner with us in other ways going forward.
- This proposal incurs essentially no cost to the city of Saugatuck and minimal costs to the SDHC. Because most of the interior would be used as commercial space, Retro Boats will therefore incur the maintenance costs. Retro Boats initially intends to use the interior to sell smoked fish (prepared offsite) and possibly other fishing related items. Retro Boats may later install a commercial kitchen to prepare and sell fried fish and other food. Food would be consumed on Retro Boat’s premises or carried out, but no seating is intended to be installed inside the Shanty.

Page two shows the present site and a rendering of the shanty placed on that site. The rendering provides an approximation of the shanty’s placement and how it may look. Actual design elements would be intended to accentuate its historic context.

Site at present. Note edge of Retro Boats main building at right.



Rendering of shanty

