



**CITY COUNCIL AGENDA  
DECEMBER 23, 2019 – 7:00 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
  - A. **Regular City Council Meeting of December 9, 2019**
5. MAYOR'S COMMENTS
6. CITY MANAGER'S COMMENTS
7. AGENDA CHANGES (ADDITIONS/DELETIONS)
8. GUEST SPEAKERS:
  - A. **Pastor Sarah Terlouw – First Congregational Church 160<sup>th</sup> Anniversary**
  - B. **Berthiaume & Company – 2019 Audit Presentation**
  - C. **Lt. Brett Ensfield – Allegan Co. Sheriff Department**
9. PUBLIC COMMENT *Agenda Items Only (Limit 3 minutes)*
10. REQUESTS FOR PAYMENT
  - A. **Approval of Accounts Payable**
11. INTRODUCTION OF ORDINANCES:
12. PUBLIC HEARINGS: **None**
13. UNFINISHED BUSINESS: **None**
14. NEW BUSINESS
  - A. **Resolution No. 191223-A – Donation Agreement with the David Balas/Jim Sellman Living Trust (ROLL CALL)**
  - B. **Resolution No. 191223-B – Blue Star Trail Revised Joint Agreement (ROLL CALL)**
  - C. **Resolution No. 191223-C - 2020 Advisory Water/Lucy Street-End Committee (ROLL CALL)**
  - D. **Blue Star Bridge 2020 Routine Safety Inspection (VOICE VOTE)**
15. CONSENT AGENDA: **None**
16. PUBLIC COMMENTS *(Limit 3 minutes)*
17. COMMUNICATIONS:
  - A. **Friends of Blue Star Trail Letter of Communication Regarding Joint Resolution– Accept as information**
18. BOARDS, COMMISSIONS & COMMITTEE REPORTS
  - A. **Fire Board, Planning Commission, KLSWA**
19. COUNCIL COMMENTS
20. ADJOURN

**NOTICE**

This facility is wheelchair accessible with accessible parking spaces available. 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 [monica@saugatuckcity.com](mailto:monica@saugatuckcity.com) for further information.

Proposed Minutes  
**Saugatuck City Council Meeting**  
**Saugatuck, Michigan, December 9, 2019**

The City Council met in regular session at 7:00 p.m. at City Hall, 102 Butler Street, Saugatuck, Michigan.

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

2. **Pledge of Allegiance**

3. **Attendance:**

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

Absent: Bekken

Others Present: City Manager Harrier

A motion was made by Johnson, 2<sup>nd</sup> by Peterson to excuse Council Member Bekken with prior notification. Upon voice vote the motion carried unanimously.

4. **Approval of Minutes:** A motion was made by Peterson, 2<sup>nd</sup> by Verplank, to approve the November 25, 2019 regular meeting minutes as presented. Upon voice vote the motion carried unanimously.

5. **Mayor's Comments:** Mayor Trester thanked Gregory Muncey and SDABA for the wonderful holiday festivities held on Saturday, December 7, 2019.

6. **City Manager's Report:** City Manager Harrier announced that the Army Corps of Engineers will be providing technical assistance to the city as a result of high-water levels and area flooding.

7. **Agenda Changes:** *(addition)* 8(C) Dean Kapenga – Allegan County Commissioner; *(placement)* 14(E) Closed Session prior to 19. Council Comments

8. **Guest Speakers:**

A. **Lt. Brett Ensfield – Allegan Co. Sheriff's Department:** Lt. Brett Ensfield updated Council on various department projects.

B. **~~Catherine Brockington~~ & Larry Blose – S/D Library Update:** Larry Blose, Saugatuck Representative on Library Board, provided Council an update on the new library construction project.

C. **Dean Kapenga – Allegan County Commissioner:** Dean Kapenga, County Commissioner, updated Council on various Allegan County projects.

9. **Public Comment:** None

10. **Request for Payment:** A motion was made by Johnson, 2<sup>nd</sup> by Peterson, to approve the accounts payable in the amount of \$98,338.01. Upon voice vote the motion carried unanimously.

11. **Introductions of Ordinances:** None

12. **Public Hearings:** None

13. **Unfinished Business:** None

14. **New Business:**

A. **Ordinance No. 191209-1 – Consumers Energy Franchise Ordinance:** A motion was made by Verplank, 2<sup>nd</sup> by Lewis, to approve Ordinance No. 191209-1 adding a new Special Ordinance, Table I, Entitled "Table of Special Ordinances; Franchises; Consumers Energy Company Electric Franchise Ordinance" as presented. Upon roll call the motion carried unanimously.

**B. Ordinance No. 191209-2 – Planning Commission Board:** A motion was made by Verplank, 2<sup>nd</sup> by Peterson, to approve Ordinance No. 191209-2 amending Section 31.31 of the Code of the City of Saugatuck as presented. Upon roll call the motion carried unanimously.

**C. Resolution No. 191209-A – 2020 Schedule of Meetings:** A motion was made by Peterson, 2<sup>nd</sup> by Verplank to approve Resolution No. 191209-A to adopt the regular 2020 City Council Schedule of Meetings as presented. Upon roll call the motion carried unanimously.

**D. Professional Services – Tree Service Maintenance Bid Approval:** A motion was made by Verplank, 2<sup>nd</sup> by Lewis to approve the professional services proposal from Axman Enterprise in the amount of \$7,800 and authorize the City Manager to effectuate the Agreement. Upon voice vote the motion carried unanimously.

15. **Consent Agenda:** None

16. **Public Comment:** None

17. **Communications:**

**A. Saugatuck Fire District Letter of Communication to Friends of Blue Star Trail –**  
*Accepted as information*

**B. Various City Boards/Commissions Vacancies –** *Accepted as information*

18. **Boards, Commissions & Committee Reports:** Council received reports from the following committee(s): HDC, Blue Star Trail Joint Committee

**E. Closed Session to Consider Purchase / Lease Real Property Pursuant to Section 8(d) of OMA:** A motion was made by Johnson, 2<sup>nd</sup> by Lewis enter into closed session pursuant to Section 8(d) of the Open Meetings Act, to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. Upon voice vote the motion carried unanimously.

Council reconvened into open session at 8:06 p.m.

**Attendance:**

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

Absent: Bekken,

Others Present: City Manager Harrier

A motion was made by Johnson, 2<sup>nd</sup> by Lewis, to approve closed session minutes of December 9, 2019 as presented. Upon voice vote the motion carried unanimously.

19. **Council Comments:** Council Member Lewis thanked SDABA for holiday activities this past weekend, she also presented Council with a copy of the City of the Village of Douglas' newsletter.

Council Member Johnson announced he would be attending MML training on December 12, 2019.

20. **Adjournment:** Mayor Trester adjourned the meeting at 8:10 p.m.

Respectfully Submitted,

Monica Nagel, CMC  
City Clerk

10A

Vendor Name	Description	Amount
1. ALLEGAN COUNTY NEWS	PRINTING	120.00
2. ALLEGAN COUNTY SHERIFF	SHERIFF CONTRACT	25,725.72
3. ALLEGAN COUNTY TREASURER	PROPERTY TAXES	31,852.83
4. BEKKEN JEANNINE L	2019 Win Tax Refund 57-009-016-10	280.16
5. BERTHIAUME & COMPANY	AUDIT	9,850.00
6. BLOOM SLUGGETT PC	LEGAL FEES	1,665.95
	LEGAL FEES	198.00
	LEGAL FEES	1,618.50
	TOTAL	3,482.45
7. CAPITAL ONE	HOLIDAY LIGHTS SIDEWALK SALT	1,365.45
8. CHEMICAL BANK	BANKING FEES	100.00
9. DIANNA MC GREW	ASSESSING SERVICES	2,611.13
10. DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	1,080.56
11. ELHART GMC	2014 GMC ALIGNMENT	99.95
12. FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	3,049.24
	MANCHESTER IMPROVEMENTS	152.00
	TOTAL	3,201.24
13. FRIS OFFICE OUTFITTERS	OFFICE SUPPLIES	16.32
14. IHLE AUTO PARTS	PARTS	101.75
15. INTERURBAN TRANSIT AUTHORITY	PROPERTY TAXES	10,140.17
16. K&R TRUCK SALES INC	PARTS	224.07
17. KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	943.43
18. MISS DIG SYSTEM INC	MISS DIGS	1,160.98
19. OTTAWA AREA INTERMEDIATE SCHOOL DIS	PROPERTY TAXES	566.16
20. PRINTING SYSTEMS, INC.	TAX FORMS	249.78
21. PRIORITY HEALTH	HEALTH INSURANCE	6,959.13
22. SAUGATUCK DOUGLAS LIBRARY	PROPERTY TAXES	16,111.65
23. SAUGATUCK FIRE	PROPERTY TAXES	45,918.10
	RENTAL INSPECTION	75.00
	TOTAL	45,993.10
24. SAUGATUCK PUBLIC SCHOOLS	PROPERTY TAXES	149,426.82
TOTAL - ALL VENDORS		311,662.85

FUND TOTALS:

User: Peter

EXP CHECK RUN DATES 12/10/2019 - 12/23/2019

DB: Saugatuck

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Vendor Name	Description	Amount
Fund 101 - GENERAL FUND		54,984.76
Fund 202 - MAJOR STREETS		300.00
Fund 203 - LOCAL STREETS		452.00
Fund 661 - MOTOR POOL FUND		1,897.56
Fund 701 - CURRENT TAX FUND		254,015.73
Fund 715 - ROSE GARDEN		12.80



# City Council Agenda Item Report

City of Saugatuck

**FROM:** Kirk Harrier, City Manager

**MEETING DATE:** December 23, 2019

**SUBJECT:** Resolution No. 191223-A Donation Agreement with the David Balas Jim Sellman Living Trust

## DESCRIPTION

The estate of Dave Balas and Jim Sellman has reached out to the City and would like to make a \$100,000 donation to the City for the purpose of “Enhancement of Outdoor Performing Art”. Specifically for making improvements to the City’s Wicks Park; consistent with the City adopted 5 year Parks and Recreation Master Plan erecting a performance bandshell structure. If Council is interested in accepting this donation, the approval of the attached resolution is necessary. A brokerage account will then be established to accept the donation in the form of securities that would be sold to produce the sum of \$100,000.



*Example Site Plan from City’s Park Plan*



*Example of a park bandshell structure*

**BUDGET ACTION REQUIRED**

N/A

**COMMITTEE/COMMISSION REVIEW**

N/A

**LEGAL REVIEW**

Municipal attorney Jeff Sluggett has prepared and approved the attached Resolution and Donation Agreement.

**SAMPLE MOTION:**

Motion to **approve/deny** Resolution No. 191223-A Accepting a donation from and approving a donation agreement with the David Balas and Jim Sellman living trust as presented.

December 23, 2019

City of Saugatuck  
102 Butler Street  
P.O Box 86  
Saugatuck, Michigan 49453

To:

Kirk Harrier, City Manager  
Ken Trester, Saugatuck Mayor  
Chris Peterson, Mayor Pro-Tem  
Jane Verplank, Council Member  
Mark Bekken, Council Member  
Barry Johnson, Council Member  
Holly Leo, Council Member  
Garnet, Lewis, Council Member

*My apologies for not being present in person to stand before you and speak about this matter. I've made a personal decision to go out of town during the holidays. I'd like this letter to be a part of the record for the Council Meeting of December 23, 2019.*

*When David and I were discussing our Trust revisions a while back, we talked of those organizations that we are both passionate about and who we would like to see receive money upon the first of our passing. The City of Saugatuck came up in our conversation. We put a lot of thought into how we would like to see those funds used by the City.*

*We both possess(ed) a very strong commitment to the performing arts. Our thinking is/was such an art form should be a meaningful experience for all members and visitors of our community. Therefore, we wanted to explore the possibility of an outdoor performing arts facility within the City as a use for the gifted funds. We met with Kirk Harrier, City Manager and shared our idea. He was enthusiastic about the prospect because the City had received a*



*master park plan that included such a facility. It was then we knew that this is what we wanted to propose to Council.*

*I want you all to know I am very proud of our decision and I know that David is too. When donating money to a governmental entity, one never knows how the approval processes are going to turn out. Your decision to accept this gift for the installation/construction of a "band shell" in Wicks Park is very moving. I (we) believe in making a performing arts experience as qualitative as possible for everyone. The addition of a specific structure in Wicks Park will not only enhance the experience, it will broaden the opportunities for what can be produced. For this reason, I want to personally thank each and every one of you. I know I speak for David too when I say I really can't wait to see the first performance. He was very proud to be a Saugatuck resident and I too hold that near and dear to my heart. Thank you very much for your positive action on this gift.*

*Best Regards,*

A handwritten signature in cursive script, appearing to read "Jim Sellman".

*Jim Sellman*

**CITY COUNCIL  
CITY OF SAUGATUCK  
COUNTY OF ALLEGAN**

**RESOLUTION NO. 191223-A**

**A RESOLUTION TO ACCEPT A DONATION FROM AND APPROVE A DONATION  
AGREEMENT WITH THE DAVID BALAS JIM SELLMAN LIVING TRUST**

Minutes of a \_\_\_\_\_ meeting of the City Council of the City of Saugatuck, County of Allegan, State of Michigan, held in the Saugatuck City Hall on \_\_\_\_\_, 2019.

PRESENT: Members: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members: \_\_\_\_\_  
\_\_\_\_\_

Member \_\_\_\_\_ offered and moved the adoption of the following preamble and resolution, seconded by Member \_\_\_\_\_:

WHEREAS, the City of Saugatuck (the "City") owns, operates and maintains Wicks Park, a public park which is of great benefit to the residents, businesses and visitors to the City; and

WHEREAS, the City has adopted a Master Plan for Park Improvement and Development which includes, among other matters, a recommendation for the installation of a band shell to promote the performing arts at Wicks Park; and

WHEREAS, the David Balas Jim Sellman Living Trust (the "Trust") has approached the City and generously offered to assist in the funding of the bandshell consistent with the Master Plan; and

WHEREAS, the City Council, on behalf of the City, wishes to accept with gratitude and appreciation the donation offered by the Trust; and

WEHREAS, to effectuate the donation it is necessary to take certain actions including entering into a donation agreement with the Trust.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The City Council, subject to the terms of this Resolution, hereby:

a. Approves the Donation Agreement with the Trust, attached to this Resolution (the "Agreement"), and authorizes the Mayor and Clerk to sign the Agreement on behalf of the City; and

b. Accepts the donation of securities from the Trust consistent with the terms of the Agreement; and

c. Directs and authorizes the City Manager and other City officers to take all actions reasonably necessary to effectuate the Agreement including, without limitation, execution on behalf of the City of those tax and similar forms necessary to document the donation by the Trust..

d. Authorizes and directs the City Manager and other necessary City officers to establish in the name of the City a brokerage or similar account with George A. Stoutin of Edward Jones to facilitate the conveyance of the securities to the City with the Mayor, Mayor Pro Tem, Clerk, City Manager and City Finance Director listed as signatories.

e. Directs and authorizes the City Manager and other City officers to take all other actions reasonably necessary to effectuate the purposes of this Resolution.

2. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Members: \_\_\_\_\_

RESOLUTION NO. 191223-A DECLARED ADOPTED

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Monica Nagel, Clerk  
City of Saugatuck  
County of Allegan

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Saugatuck, County of Allegan, at a \_\_\_\_\_ meeting held \_\_\_\_\_, 2019, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Monica Nagel, Clerk  
City of Saugatuck  
County of Allegan

## DONATION AGREEMENT

THIS DONATION AGREEMENT (“Agreement”) is made this 23rd day of December, 2019, by and between the David Balas Jim Sellman Living Trust (the “Trust”) and the City of Saugatuck, a municipal corporation in the County of Allegan, State of Michigan (the “City”).

### RECITALS

WHEREAS, the Trust holds sole title to certain securities (the “Securities”); and

WHEREAS, Trust intends to irrevocably convey the Securities to the City for the purpose of increasing the aesthetic appeal of Wicks Park and the promotion of the performing arts at Wicks Park; and

WHEREAS, the City intends to accept the Securities and utilize them for purposes not inconsistent with this Agreement.

### AGREEMENT

NOW, THEREFORE, in consideration of the respective covenants contained herein, and other good and valuable consideration, the sufficiency of which is acknowledged, the parties agree as follows:

1. This Agreement is deemed to have been adopted and entered into by the Trust upon the signature of its representative below and after the passage of a resolution by the City Council approving this Agreement. This Agreement is deemed to have been adopted and entered into by the City upon the signature of its representative below and after the passage of a resolution by the City Council approving this Agreement (the “Effective Date”)
2. The parties affirm and acknowledge the accuracy of the recitals set forth above and incorporate the provisions of the same herein as if fully restated.
3. The Trust conveys the Securities to the City to be used in a manner not inconsistent with this Agreement.
4. This Agreement, as of its Effective Date, shall serve as constructive conveyance of the Securities until such time as actual conveyance can be made.
5. The City, as of the Effective Date, accepts the Securities as conveyed by the Trust.
6. Implied in the conveyance of the Securities is the City’s right to and ownership of any funds derived therefrom.

7. The City shall not use the Securities, or any funds derived therefrom, for any purpose inconsistent with this Agreement.
8. The City shall use the Securities, and any funds derived therefrom, for the installation and construction of a permanent band shell (the “**Band Shell**”) in the City’s Wicks Park consistent with the City’s Master Plan for Park Improvement and Development.
9. The name of the Band Shell shall be the “Balas Sellman Band Shell at Wicks Park” in perpetuity.
10. The construction of the Band Shell shall be completed as soon as can be properly accomplished but no later than May 15, 2021 unless otherwise agreed to by the parties in writing. If construction of the Band Shell is not completed by May 15, 2021 or such other date as agreed to by the parties, the City shall return any outstanding Securities, or funds derived therefrom, to the Trust; however, the City shall not be liable for nor responsible to return any funds which have already been spent in a manner not inconsistent with this Agreement.
11. The parties acknowledge that this is a one-time gift of the Securities by the Trust.
12. The Band Shell shall be the exclusive property of the City and the Trust disclaims any interest in the same except as provided for in this Agreement.
13. Should there be remaining Securities, or funds derived therefrom, following the completion of the Band Shell, the City may utilize them for landscaping around the Band Shell, general maintenance and upkeep of the Band Shell, or reinvestment provided the future funds are used for purposes not inconsistent with this Agreement.
14. The parties shall take all actions reasonably necessary to effectuate this Agreement.
15. This Agreement may be altered or modified only in writing signed by the parties.
16. The signatories to this Agreement affirm that they are authorized to bind their respective parties.
17. This Agreement shall be construed in accordance with the laws of the State of Michigan

IN WITNESS WHEREOF, the parties execute this Agreement as of the day and year first above written.

CITY OF SAUGATUCK

By: \_\_\_\_\_  
Ken Trester, Mayor

By: \_\_\_\_\_  
Monica Nagel, Clerk

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF ALLEGAN     )

Acknowledged before me in Allegan County, Michigan, on \_\_\_\_\_, 2019, by Ken Trester and Monica Nagel, respectively the Mayor and Clerk of the City of Saugatuck, a Michigan municipal corporation, on behalf of the corporation, who are personally known to me or who produced their drivers' licenses as identification.

\_\_\_\_\_  
\* \_\_\_\_\_

Notary Public, Allegan County, Michigan  
Acting in Allegan County  
My commission expires: \_\_\_\_\_

(Remainder of page left intentionally blank.)

THE DAVID BALAS JAMES SELLMAN  
LIVING TRUST,

By: James Sellman

Its: \_\_\_\_\_

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Acknowledged before me in \_\_\_\_\_ County, \_\_\_\_\_, on \_\_\_\_\_, 2019,  
by \_\_\_\_\_, the \_\_\_\_\_, of the David Balas James Sellman Living Trust,  
on behalf of the trustee, who is personally known to me or who produced \_\_\_ driver's license as  
identification.

\_\_\_\_\_  
\* \_\_\_\_\_

Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

(Remainder of page left intentionally blank.)





## City Council Agenda Item Report

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City of Saugatuck

**FROM:** Kirk Harrier, City Manager

**MEETING DATE:** December 23, 2019

**SUBJECT:** Resolution No. 191223-B Blue Star Trail Revised Joint Resolution

### DESCRIPTION

At the direction of the Saugatuck City Council, Mayor Ken Trester and City Manager Kirk Harrier organized and attended a Blue Star Trail regional stakeholders meeting on September 19, 2019 at the Allegan County facilities in Allegan, MI. During this meeting the Friends of the Blue Star Trail requested a change in the project approach and proposed that Saugatuck Township, City of Douglas and the City of Saugatuck complete the “northern” section of the route as one project. Therefore all three jurisdictions would need to pass a joint resolution making the project a priority, dedicating sufficient staff and monetary resources and approve applying for grant funds and ultimately construct the project.

The stakeholders meeting adjourned with participants agreeing that the managers of the three jurisdictions involved in the “northern section” would work on a joint resolution that each manager might present to its governing board. The managers from Saugatuck Township, City of Douglas and the City of Saugatuck collaborated and developed a draft joint resolution.

Saugatuck City Council was the first governmental body to receive the draft joint resolution and passed it at their October 14 regular meeting. The Saugatuck Township Board voted to table the joint resolution and collaborate with the other two communities on producing a revised joint resolution.

The Saugatuck City Council approved a Blue Star Trail Joint Resolution Development Committee consisting of Mayor Ken Trester, Council member Holly Leo and City Manager Kirk Harrier per Saugatuck Township’s request. The members attended a joint meeting on December 9 at the Saugatuck Township offices in which the committee discussed and agreed on revised language for a joint resolution that could be brought back to the three separate units of government for approval.

That attached joint resolution is the result of the December 9 committee meeting. Saugatuck City Council is the first of the three communities being asked to approve this revised joint resolution concerning the Blue Star Trail. If all three communities approve the joint resolution, then the Saugatuck City Council will need to appoint a committee to serve on the “Joint Study Committee” as identified in the revised joint resolution.

### BUDGET ACTION REQUIRED

N/A

**COMMITTEE/COMMISSION REVIEW**

City of Saugatuck Blue Star Trail Joint Resolution Development Committee members recommend approval.

**LEGAL REVIEW**

N/A

**SAMPLE MOTION:**

Motion to **approve/deny** Resolution No. 191223-B as presented.

CITY OF SAUGATUCK RESOLUTION No. 191223-B  
SAUGATUCK TOWNSHIP RESOLUTION \_\_\_\_\_  
CITY OF THE VILLAGE OF DOUGLAS RESOLUTION \_\_\_\_\_

**A JOINT RESOLUTION ON BEHALF OF SAUGATUCK TOWNSHIP, THE CITY OF THE VILLAGE OF DOUGLAS, AND THE CITY OF SAUGATUCK TO PURSUE CONSTRUCTION OF A NON-MOTORIZED TRAIL SEGMENT WITHIN EACH JURISDICTION**

**WHEREAS**, the Friends of the Blue Star Trail (FOTBST) is a 501(c)(3) non-profit organization incorporated in the State of Michigan for the charitable purpose of advocating for the development and continuance of the Blue Star Trail from South Haven to Saugatuck; and

**WHEREAS**, the FOTBST is requesting that Saugatuck Township, the City of the Village of Douglas, and the City of Saugatuck (“Communities” or “Community” as appropriate) jointly accept responsibility to construct a section of the Blue Star Trail, from Washington Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Holland Street; and

**WHEREAS**, while unknown at this time, the FOTBST estimate the cost of the portion of the Blue Star Trail to be constructed within the Communities would be between \$1,000,000 and \$2,000,000, to be paid using state grants (75%) and a local match (25%); and

**WHEREAS**, the Communities need to collaborate regarding such topics as staff resources, engineering/construction costs, on-going maintenance costs and replacement costs in order to construct and operate the proposed section of Blue Star Trail, and recognize that these activities would involve expenditures for the Communities, which funds are currently not available or limited.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Communities reaffirm their support for the Blue Star Trail.
2. A Joint Study Committee will be formed by the Communities, the FOTBST, and the Allegan County Road Commission with two (2) voting members appointed by each municipality, agency, or corporation.
3. The Manager from each Community will serve as an ex-officio member with the right to discuss and debate but without the power to vote.
4. The Joint Study Committee will elect a chairperson and vice chairperson, and conduct meetings in compliance with the Open Meetings Act.

5. The Study Committee will be tasked with drafting an intergovernmental agreement, including but not limited to provisions that address:

- a. The scope and nature of the project;
- b. The potential lead (Act 51) agency for grant funding and oversight;
- c. Responsibilities for preparing grant applications and for bidding and awarding contracts;
- d. Indemnification and insurance requirements;
- e. Expenses and responsibilities for the construction, maintenance and future operations;
- f. Possible funding options available to the Communities, and the funding of the local match required;
- g. The route of the trail; and,
- h. The engineer of record.

6. The Joint Study Committee will use its best efforts to complete its work and present a draft agreement and written report to the Communities no later than July 1, 2020.

**BE IT FURTHER RESOLVED** that notwithstanding any specific resolution already rescinded by the Communities, this resolution supersedes any prior resolutions to the extent that it may conflict with the provisions of this resolution.

**BE IT FINALLY RESOLVED** this resolution shall become effective only in the event that the governing body for each of the Communities adopts it in the form and substance as set forth herein. Thereafter, the last date of approval shall be considered its effective date.

The foregoing resolution was proposed by \_\_\_\_\_, and seconded by \_\_\_\_\_.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ DECLARED ADOPTED

**CERTIFICATION**

As its Clerk, I certify that this is a true and complete copy of an adopted resolution by \_\_\_\_\_ at a regular meeting held on \_\_\_\_\_ in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended.

\_\_\_\_\_  
\_\_\_\_\_, Clerk



# City Council Agenda Item Report

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City of Saugatuck

**FROM:** Kirk Harrier, City Manager  
**MEETING DATE:** December 23, 2019  
**SUBJECT:** Resolution No. 191223-C 2020 Advisory Water/Lucy Street-End Committee

**DESCRIPTION**

Resolution to appoint a 2020 Advisory Water/Lucy Street-End Committee to work on issues with all stakeholders associated with the Water/Lucy Street-End and make recommendations to City Council.

**BUDGET ACTION REQUIRED**

N/A

**COMMITTEE/COMMISSION REVIEW**

N/A

**LEGAL REVIEW**

N/A

**SAMPLE MOTION:**

Motion to approve/deny Resolution 191223-C-A as presented.

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

**RESOLUTION NO. 191223-C**

**A RESOLUTION TO APPOINT A 2020 ADVISORY WATER/LUCY STREET-END  
COMMITTEE**

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

**WHEREAS**, the City of Saugatuck (City) has a policy in which it licenses certain street-ends; and

**WHEREAS**, the Saugatuck City Council (Council) has licensed the Water/Lucy Street-End (Street-End) in the past to the Saugatuck Township Fire District (STFD) for specific marine public safety operations; and

**WHEREAS**, the STFD currently has a dock structure that was approved by the Council in 2000 and received permits from the Department of Environmental Quality for construction in 2000; and

**WHEREAS**, the STFD dock is in need of repairs and possible reconfiguration; and

**WHEREAS**, the Council has been made aware of a public water line maintained by the Kalamazoo Lake Water Sewer Authority (KLSWA) that is also located in the Street-End area; and

**WHEREAS**, the Council has recently received a request from the property owners at 730 Water Street, adjoining the Street-End, to license the Street-End area in which the STFD occupies for private business operations; and

**WHEREAS**, the Council wishes to convene a meeting with all the stakeholders to discuss options that would benefit the STFD, private business, and water utilities; and

**WHEREAS**, per Section 4.28 of the Saugatuck City Charter, the Mayor, with the advice and consent of the Council may, from time to time, appoint such committees or boards as are deemed appropriate to advise and consult with them, and with appropriate departments, regarding any municipal activity, and such committees or boards shall be advisory, serve temporarily and without compensation unless otherwise provided by the Council.

**THEREFORE, BE IT RESOLVED** the Council does hereby authorize the appointment of a 2020 Advisory Water/Lucy Street-end Committee as follows:

1. The Committee shall review and make recommendations to the Council regarding terms of a possible 2020 license for the Street-End that accommodates short/long term public safety, private business interest and protecting public water infrastructure.
2. The Committee will elect a chairperson and vice chairperson, and conduct meetings in compliance with the Open Meetings Act.

3. The Committee's actions shall be advisory in nature only.
4. The Council does not delegate any authority to the Committee to make decisions on behalf of the Council.
5. The Committee shall terminate on June 1, 2020 unless otherwise extended by Council via resolution.

**BE IT FURTHER RESOLVED** The Committee will be comprised of Mayor Ken Trester, Mayor Pro-Tem Chris Peterson, STFD Board Council Representative Jane Verplank and KLSWA Board Council Representative \_\_\_\_\_.

**BE IT FINALLY RESOLVED** All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Council Members: \_\_\_\_\_

NAYS: Council Members: \_\_\_\_\_

ABSTAIN: Council Members: \_\_\_\_\_

ABSENT: Council Members: \_\_\_\_\_

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019

Signed: \_\_\_\_\_  
Monica Nagel, City Clerk

**CERTIFICATION**

I, Monica Nagel, the duly appointed clerk of the City of Saugatuck do hereby certify the foregoing is a true and complete copy of a resolution adopted by the Saugatuck City Council at a regular meeting held \_\_\_\_\_, 2019, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended. The minutes of the meeting were kept and will be or have been made available as required by said Act.

Signed: \_\_\_\_\_  
Monica Nagel, City Clerk





# City Council Agenda Item Report

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City of Saugatuck

**FROM:** Kirk Harrier, City Manager  
**MEETING DATE:** December 23, 2019  
**SUBJECT:** Blue Star Bridge—2020 Routine Bridge Safety Inspection

**DESCRIPTION:**

Attached is a proposal from Fleis & Vandenbrink for the required Michigan Department of Transportation inspection of the Blue Star Bridge for \$1,800 total. The City of Saugatuck and the City of Douglas will share the total cost. Each City will be invoiced \$800.

Looking out further, in 2022 the next routine inspection will be due along with the underwater inspection. For bridges over deeper waterways where it is impractical to inspect the piers from the surface, a diving operation is required at least every 5 years. The last one was done in 2017. That cost was \$3,600 (\$1,800 per City).

**BUDGET ACTION REQUIRED:**

N/A

**COMMITTEE/COMMISSION REVIEW:**

N/A

**LEGAL REVIEW:**

N/A

**SAMPLE MOTION:**

Motion to approve the proposal submitted by Fleis & Vandenbrink dated December 17, 2019 for the 2020 Blue Star Bridge safety inspection as presented and authorize the City Manager to effectuate the agreement.

December 17, 2019

Mr. Rich LaBombard, City Manager  
City of the Village of Douglas  
86 W. Center Street  
P.O. Box 757  
Douglas, MI 49406

Mr. Kirk Harrier, City Manager  
City of Saugatuck  
102 Butler Road  
P.O. Box 86  
Saugatuck, MI 49453

**RE: 2020 Routine Bridge Safety Inspection**

Dear Rich & Kirk,

As you are aware, the Michigan Department of Transportation requires that all bridge structures eligible for federal funds be inspected at least biennially in accordance with the National Bridge Inspection Standards.

Because we last inspected the Blue Star Highway Bridge over the Kalamazoo River (structure number 317) in June of 2018, it is due for inspection next June. We propose the following work plan and budget to complete the inspection work.

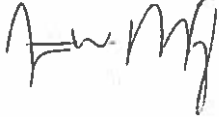
#### **WORK PLAN**

- Review the existing bridge file for the structure.
- Conduct a routine field inspection of the structure. During the inspection we will assess the physical condition of the various components of the structure and make maintenance recommendations. Inspection of underwater components shall be done visually, by boating and probing.
- Provide condition ratings for bridge components in accordance with National Bridge Inspection Standards (NBIS), the AASHTO Manual for Condition Evaluation of Bridges and the Michigan Bridge Analysis Guide.
- Identify and provide recommendations for any additional inspection or analysis (load rating, underwater inspection, scour analysis, etc.).
- Review the inspection frequency with the Bridge Inspection Frequency Guidelines and recommend revisions, if applicable.
- Prepare and submit the required inspection forms. These forms will be submitted electronically on the MiBRIDGE system in accordance with current procedures.
- Prepare a bridge inspection report. The report will consist of a letter with photographs, inspection reports, recommendations for further inspection and/or maintenance and related materials.

We propose to complete the work identified above for a fee of \$1,800. Half of the fee will be invoiced to each community. Approval to proceed with the work under our existing Professional Services Agreements can be given by returning a copy of this proposal signed where indicated. Please feel free to contact me with any questions.

Sincerely,

FLEIS & VANDENBRINK



Jonathan W. Moxey, P.E.  
Project Manager

Authorization to proceed with 2020 Routine Bridge Safety Inspection:

**City of the Village of Douglas:**

\_\_\_\_\_  
Mr. Rich LaBombard, City Manager

\_\_\_\_\_  
Date

**City Saugatuck:**

\_\_\_\_\_  
Mr. Kirk Harrier, City Manager

\_\_\_\_\_  
Date



December 16, 2019

By email

City Council  
City of Saugatuck  
Butler Street  
Saugatuck, Michigan

Re: Joint Resolution

Dear Council members:

Thank you for joining with Saugatuck Township and Douglas in drafting a new form of joint resolution that expresses support for the Trail and establishes a way forward in the drafting of an inter-governmental agreement. It was gratifying to hear, at the recent meeting of the drafting committee, the desire of all three communities to collaborate on this worthwhile project.

We hope and expect that you will pass the resolution at your December 23 meeting and that the other governments will do so within the next few weeks.

We look forward to working with the representatives of the tri-communities in the months ahead, to work out the terms on which the project will proceed and in particular the design for the route within each jurisdiction.

Let's connect the Trail!

Yours sincerely,  
*/s/ John Adams*  
John Adams, President

Clark Carmichael  
Richard Donovan  
Jack Eisinger  
Laura Jacobs  
Dan Keller  
Jeanne Van Zoeren

Members of the Board

cc: Kirk Harrier