



**CITY COUNCIL MEETING MINUTES - *Proposed***  
**February 13 , 2023**

The City Council met for Regular Council Meeting at 7:00 p.m.  
City Hall  
102 Butler St., Saugatuck, MI 49453.

**Call to Order:**

The meeting was called to order by Mayor Dean at 7:00 p.m.

**Attendance:**

Present: Mayor Dean, Mayor Pro-Tem Stanton, Councilmembers Baldwin, Gardner, Leo, and Muncey.  
Absent: Lewis.

Others Present: City Manager Heise, Director of Planning, Zoning & Project Management Cummins, DPW Assistant Supervisor Hardy, Clerk Wolters, Allegan County Police Captain Ensfield and City Attorney Brennan.

*Motion by Baldwin, second by Leo to excuse councilmember Lewis's absence. Upon voice vote, motion carried 6-0.*

**Mayor's Comments:**

Mayor Dean wished everyone a Happy Valentine's Day.

**City Manager Comments:**

He is pleased with all the staff reports that are coming out of City Hall and the Department of Public Works. He referenced the paper easel in the Council chambers has a list of all the behaviors voted on during the strategic planning session is there as a reminder to all.

**Agenda Changes:**

Mayor Dean deleted item 18B from the agenda. This was to discuss the City Manager's evaluation. The reason being he is awaiting an analysis of municipal salaries. He is also awaiting a few evaluations from the City Manager as well.

*Motion by Gardner, second by Baldwin to approve the agenda with that deletion. Upon voice vote, motion carried 6-0.*

**Guest Speakers:** None.

**Public Comment on Agenda Item Only:**

Jane Underwood (resident)- Thanked Councilmember Baldwin for a very good plan regarding the short term rental task force.

Dick Waskin (resident)- He wants Council to pay attention to the condition of Bridge Street when discussing the capital improvement plan for roads. He is the secretary of The Heron Bay Association and noted they have been asking for probably two decades for attention to be paid to Bridge Street. He explained the recent home sales and noted the potential for more construction of new homes.

**Consent Agenda:**

**A.** Regular City Council Meeting Minutes – January 23, 2023.

*Motion by Muncey, second by Gardner to approve the consent agenda. Via roll call vote, motion carried 6-0.*

**Staff Reports:**

City Manager, Treasurer, Zoning Administrator, DPW Superintendent, Police Captain, Engineer, and Fire Chief submitted status reports of current activities since the last Council meeting on January 23, 2023, for their respective departments.

Police Captain Ensfield added to his report regarding his department, and he also introduced deputy Haskill who is replacing deputy Flokstra who was just promoted to another position. Deputy Haskill introduced himself.

City Engineer Jon Moxey added to his report. He and DPW superintendent Herbert met with the Mt. Baldhead study. They plan on updating the conceptual planning for the Mt. Baldhead area. The Blue Star Bridge navigation lighting is still being worked on and they are in the process of getting the Coast Guard's input.

**Boards, Commissions & Committees:**

Interurban Board, Councilmember Muncey- Saugatuck City Representative- The Board has a meeting next Tuesday.

KLSWA, Barry Johnson- Saugatuck City Representative- Briefed Council on the following information from the KLSWA meeting.

1. They moved their meeting up a week because of President's Day.
2. Operational staff completed the annual wastewater treatment plants clarifiers.
3. Well number five in Saugatuck is getting old.
4. February 7<sup>th</sup>, 449 Water Street requested a water shut off for 30 minutes due to construction which affected the whole block of businesses.
5. A wellhead protection team is a team of tri-community members. Mayor Dean, Saugatuck Township Manager DeFranco, City Manager LaBombard, Fire Captain Bernhardt and an Allegan County health official.

Kalamazoo Lake Harbor Authority: None

Zoning Board of Appeals: None

Historic District Commission: None

Planning Commission, Councilmember Gardner- Planning Commission meets this coming Thursday.

Parks and Public Works Committee, Councilmember Baldwin- Study groups are well underway. They are getting good traction and there is a lot of excitement. The next meeting is on the 28<sup>th</sup>.

Tri-Community Non-Motorized Trail Study Committee, Councilmember Leo- They had a meeting with the engineer and community partners. They had some shovel testing, they received the contract from the engineer and are doing their housekeeping and getting everything together so they can move forward.

Tri-Community Recycling Ad-Hoc Committee: None

**Request for Payment: None.**

**Approval of Accounts Payable:**

A. Accounts Payable in the amount of \$616,125.32.

*Motion by Baldwin, second by Stanton to approve the accounts payable. Via roll call vote, motion carried 6-0.*

**Introduction of Ordinances:** None

**Public Hearings:** None

**Unfinished Business:** None

**New Business:**

Capital Improvements- Road and Utility Proposals:

The proposal included in your packet from Fleis and Vandenbrink is for engineering work to design and bid the following road improvements: West Street, from Allegan Street to Mason Street, East Street, from Allegan Street to Mason Street, Takken Street, from Allegan Street to Mason Street and Taylor Street, from Allegan Street to Mason Street.

*Motion by Stanton, second by Muncey to approve the 2023 Street Improvement Engineering Proposal from Fleis and Vandenbrink in the amount of \$22,600.00. Authorize the Mayor or Mayor Pro Tem to execute proposal. Upon roll call vote, motion carried 6-0.*

It's recommended that the City apply for the Drinking Water State Revolving Fund (DWSRF) to make improvements to its water system; as infrastructure improvements are a top priority for the City. The DWSRF program provides government subsidized low-interest loans with a potential for a grant to assist water suppliers in completing improvements to meet the requirements of the Safe Drinking Water Act.

*Motion by Stanton, second by Muncey to approve the proposal for professional services from Fleis & Vandenbrink to assist in submitting the Drinking Water State Revolving Fund Project Plan in the amount of \$16,000.00. Authorize the Mayor or Mayor Pro Tem to execute proposal. Upon roll call vote, motion carried 6-0.*

Resolution 230213-A-Short Term Rental Task Force Recommended by Planning Commission:

On February 2, the Planning Commission held a special meeting and unanimously passed a resolution. The resolution makes a formal recommendation to City Council to form a short-term rental task force in accordance with section 4.28 of the City Charter. Forming a short-term rental task force under this provision of the charter will allow for a comprehensive review and set of recommendations on short term rentals. While the Planning Commission could review or form its own committee, they would be limited to reviewing zoning regulations. Short-term rentals also involve regulatory or police power regulations which are set by the City Council. Reviewing fees for short-term rentals was also established as an essential priority during the City Council's recent strategic planning session. A task force formed under this provision of the charter would allow for the zoning, regulatory, police powers, and fees to be reviewed and comprehensive recommendations made. The Planning Commission provided a formal resolution recommending the creation of a short-term rental task force. The City Attorney was present for the Planning Commission special meeting and has prepared a draft resolution for the City Council to discuss.

Councilmember Baldwin presented a document of eight suggestions of her recommended changes to the Resolution.

City Council discussed the Planning Commission proposed Resolution and decided on following changes:

1. 4<sup>th</sup> Whereas-

Planning Commission Proposed language:

- a. the City Council received a recommendation from the Planning Commission to form a short-term rental task force, and the City Council acknowledges the Planning Commission's recommendation and agrees that a short-term rental task force should be formed to assist the City Council and Planning Commission regarding short-term rentals; and

City Council Changes:

- b. the City Council received a recommendation from the Planning Commission to form a short-term rental task force, and the City Council acknowledges the Planning Commission's recommendation and agrees that a short-term rental task force, with assistance and facilitation by a professional planning consultant approved by City Council, should be formed to assist the City Council and Planning Commission regarding short-term rentals; and

2. 5<sup>th</sup> Whereas:

Planning Commission Proposed language:

- a. the purpose and priorities of a short-term rental task force should include identifying and prioritizing current short-term rental concerns, issues, opportunities, and objectives held by the residents, property and business owners of the City; and

City Council Changes:

- b. the purpose and priorities of a short-term rental task force should include identifying and prioritizing current short-term rental concerns, issues, opportunities, and objectives held by the residents, property and business owners of the City, schools, public safety and other community stakeholders; and
  
- 3. 12<sup>th</sup> Whereas- Planning Commission Proposed language:
  - Planning Commission Proposed language:
    - a. the makeup of a short-term rental task force should represent and balance different stakeholders within the community including:
      - City Council Changes:
        - b. the members of the short-term rental task force should be residents, property, or business owners of the City of Saugatuck, with preference given to City residents.
  
- 4. Now, Therefore, be it Resolved, item #3:
  - Planning Commission Proposed language:
    - a. The City Council adopts the Planning Commission’s recommendation that this short-term rental task force be selected in accordance with the City Council’s Boards and Commission Selection Policy, have parity as close as possible between short-term rental owners and non-short-term rental owners, report its recommendations to the Planning Commission on or before September 21, 2023, comply with Open Meetings Act requirements including public notices and gathering public comments, be voluntary and uncompensated, receive a budget for data and insights gathering and consultant planner assistance, and provide written and/or verbal reports to the Planning Commission during each monthly Planning Commission meeting.
      - City Council Changes:
        - b. The City Council adopts the Planning Commission’s recommendation that this short-term rental task force be selected in accordance with the City Council’s Boards and Commission Selection Policy, have parity as close as possible between short-term rental owners and non-short-term rental owners, report its recommendations to the Planning Commission and City Council on or before September 21, 2023, comply with Open Meetings Act requirements including public notices and gathering public comments, be voluntary and uncompensated, ~~receive a budget for data and insights gathering and consultant planner assistance~~, and provide written ~~and/or verbal~~ reports to the Planning Commission and City Council during each monthly Planning ~~Commission~~ meeting.

City Council decided to schedule a Special City Council meeting on Thursday February 16<sup>th</sup> at 6:00 p.m. to staff time to update the Resolution with their changes and to take action.

*Motion by Gardner, second by Muncey that Council table Resolution 230213-A-Short-Term Task Force recommendation recommended by Planning Commission until Thursday for a special meeting for City Council at 6pm. Via roll call vote, motion carried 6-0.*

Resolution 230213-B-2023 Poverty Exemption Guidelines:

PA 253 of 2020 amended MCL 211.7u which requires the City Council to approve and adopt Poverty Exemption Guidelines on an annual basis.

*Motion by Muncey, second by Baldwin to pass Resolution 230213-B Poverty exemption guidelines. Upon roll call vote, motion carried 6-0.*

Kalamazoo Harbor Authority Appointment:

Kalamazoo Lake Harbor Authority has a current vacancy for the City of Saugatuck representative with term expiring 2/1/2025. Mayor Dean has recommended Mayor Pro-Tem Lauren Stanton to fill that vacancy.

*Motion by Leo, second by Baldwin to appoint Lauren Stanton to the Kalamazoo Lake Harbor Authority with the term ending February 1, 2025. Upon voice vote, motion carried 6-0.*

Planning Commission Activity Report for 2022:

Zoning Director Ryan Cummins provided the Planning Commission Activity Report for 2022

**Public Comment:**

Barry Johnson (resident): He noted the interesting discussion on the Resolution and said there was no way to recite what Council discussed. He appreciates Councilmember Baldwin's comments.

Damon Potter (non-resident): He is alarmed that the 5% tax that short term rentals pay in the City isn't being addressed in the proposal. Asked Council to consider a way to replace that in the proposal.

Dick Waskin (resident): He addressed the comments from Council about residents and non-residents selection for the Short-Term Rental Task Force. He finds it offensive to hear comments that only people that count are the people who are voting residents. He asked Council to realize that everyone is a part of the community, everyone who pays taxes, everyone who has business and that means Saugatuck, Saugatuck Township and Douglas.

Ann Broeker (resident) (planning commission vice-chair): she was impressed with Councilmember Baldwin's comments. Her personal view is that they should take all great ideas from everybody and incorporate them into that proposal. She thought the makeup of the committee and making sure that it's not essentially tilted on way or another, and really does reflect the interests of residence as very compelling and hopes Council takes that into account.

Brian Elmore (part-time resident): As a part-time resident of the area but not a voting resident. He wanted to echo the comment that the Council has a duty to their constituents that actually voted for them, they have a greater duty to the overall community that they represent, which includes the taxpayers, the business owners, the residents, the non-residents, and even those that choose to come to our community for their holidays and spend a lot of money in our businesses and in our wonderful community.

Steve Manns (resident) (planning commission chair): Wanted to make clear that the formation of the task force is to put individuals together to go out and listen to the community through surveys, public forums and report back what issues and concerns there are. They will be listening to all business owners and makes no difference if you are a resident of the city or tri-community. If someone has input, they will be invited to come to the public forums and to respond to the surveys, the task force along with the consultant form will then summarize and take to the Planning Commission and City Council.

Holly Anderson (resident)(planning commission member): She thanked the Council for their workshop and meeting discussion and engagement. Thanked Councilmember Baldwin for her great thought and work. She has a background in corporate communications, she suggested that there are few topics with different points of view, may there is a way to get alternat paragraphs in the Council packets to discuss. She feels like 97% of the conversation was had but not the last 3%. She has enjoyed serving

her stakeholders with this kind of debate.

**Closed Session:**

*Motion by Gardner, second by Stanton to enter into closed session pursuant to MCL 15.268(h) to consult with the City Attorney regarding the litigation pending in the Allegan County Circuit Court in Dune Ridge SA, LP, et al v City of Saugatuck, Case No. 21-64709-CA. Upon roll call, motion carried 6-0.*

*Motion by Muncey, second by Stanton to enter into closed session pursuant to MCL 15.268(h) to consult with the City Attorney regarding the litigation pending in the Allegan County Circuit Court in Medler v City of Saugatuck, Case No. 12-66752-AA. Upon roll call, motion carried 6-0.*

Council entered closed session at 9:02 p.m.

Council entered back into regular session at 9:49 p.m.

**Correspondence:** Catherine Simon

**Council Comments:**

- Councilmember Baldwin: Thanked Council for listening to her objections to the draft resolution and to being heard.
- Councilmember Muncey: Thanked Steve Manns and the Planning Commission for coming to the meeting. He appreciates the conversation that happened at the workshop and tonight's meeting. Thanked Councilmember Baldwin for her input and her time spent on that. There is a gallery stroll in downtown Saugatuck and Douglas in the upcoming weekend.
- Councilmember Leo: She has been on every side of the rental issue. She owned an Airbnb and a long-term rental. She has stayed in a long-term rental and been a homeowner. She was a semi local who didn't have a vote. Everyone needs to be mindful of how interconnected the community is and how everyone relies on each other. There are many interests and thanked everyone.
- Mayor Pro-Tem Stanton: She noted all stakeholders will be able to voice their concerns.
- Councilmember Gardner: He appreciates the back and forth with everyone and their perspectives. He touched on the correspondence from Cathy Brockington, a lifelong resident and a long time server to our community. Her correspondence shows how crucial this issue is to the community. She is one of many people in the community that maybe doesn't necessarily come to meetings or speak up often and are the people that he really listens to because their perspective is important. The law enforcement deputy meet and greet is scheduled for Monday March 6<sup>th</sup> at the High School.
- Councilmember Lewis: Absent

**Mayor Comments:**

- Mayor Dean: Thanked Council and staff. He is proud of everyone for being able to sit down and hash out really difficult issues and be respectful and polite to each other. Everyone listened and Council does this as volunteers. He is proud to be a part of this team.

**Adjournment:**

*Motion by Stanton, second by Leo to adjourn. Upon voice vote, motion carried 6-0, and Mayor Dean adjourned at 9:54 p.m.*

Respectfully Submitted,

---

Jamie Wolters, City Clerk

