



**CITY COUNCIL MEETING MINUTES
July 8, 2024**

The City Council met for Regular Council Meeting at 6:30 p.m.
City Hall
102 Butler St., Saugatuck, MI 49453.

Call to Order:

The meeting was called to order by Mayor Stanton at 6:30 p.m.

Pledge of Allegiance.

Attendance:

Present: Mayor Stanton, Mayor Pro-Tem Baldwin and Councilmembers Anderson, Dean, Gardner, Muncey and White.

Absent:

Others Present: City Manager & Director of Planning/Zoning & Project Management Cummins, Attorney Jake Witte and Clerk Wolters.

Mayor's Comments: Saugatuck had an incredible Fourth of July weekend. She thanked the organizer of the parade, April Gundy. She thanked the Convention and Visitor's Bureau and Lisa Mize for the fireworks display. She thanked all the businesses for their hard work and DPW for keeping the town clean and pristine. She will continue to use her voice and influence to promote the town the way she has for 20 years of living and visiting here.

City Manager Comments: He thanked the Convention and Visitor's Bureau, DPW and the Oval Beach team for their fantastic job. He also thanked the fire department and public safety personnel for keeping the events safe.

Agenda Changes:

Motion by Baldwin, second by Gardner to add Allison Furman as guest speaker. Via voice vote, motion carried unanimously.

Guest Speakers:

Allison Furman provided a legislative and budget update for representative Joey Andrews.

Public Comment on Agenda Item Only:

Glenna DeYoung, non-resident: in support of the airport property.

Kelly Roche, resident: in support of the airport property.

Marsha Casper, non-resident: in support of the airport property.

Chris Clark, non-resident: in support of the airport property.

Keith Charak, resident: in support of the airport property.

Chris Peterson, resident: wants more information on the airport property.

Jon Vanderbeek, resident: in support of the airport property.

Joe Leonatti, resident: would like clarification on the airport property information.

Sheila Denman, resident: opposed to short term rental caps.

Catherine Simon, resident: asked why the City did not reach out to all short-term rental owners with CAP discussion.

Ethan Barde, resident: opposed to short-term rental CAP.

Richard Williams, resident: opposed to short-term rental CAP.

Sherry Tedaldi, resident: provided an economic study for Saugatuck from 2019.

Bobbie Gaunt, resident: in support of short-term rental CAP.

Joe Clark, resident: in support of short-term rental CAP.

Paul Cares, resident: opposed to short-term rental CAP.

Jane Underwood, resident: in support of short-term rental CAP.

Greg Auer, resident: opposed to short-term rental CAP.

Kim Auer, resident: opposed to short-term rental CAP.

CJ Bagierek, resident: opposed to short-term rental CAP.

Severyn Nowicki, resident: opposed to short-term rental CAP.

Tammy Kerr, resident: opposed to short-term rental CAP.

Mark LaChey, resident: **in support of** short-term rental CAP.

Lisa Mize, non-resident: opposed to short-term rental CAP.

Austin Marineau, resident: in support of what City Council will decide on short-term rental CAPS.

Steven Ross, resident: in support of short-term rental CAP.

Joe Park, non-resident: opposed to short-term rental CAP.

Nancy Kimble, resident: in support of airport property and short-term rental CAP.

Lew Wessell, resident: Short-term rental CAP should be a resident vote.

Richard Waskin, resident: opposed to short-term rental CAP.

Michele Chitwood, resident: opposed to short-term rental CAP.

Consent Agenda:

A. Regular Meeting Minutes- June 24, 2024.

B. Historic District Commission Appointment.

C. Zoning Board of Appeals and Parks and Public Works Committee Reappointments- Richard Bont and Kelly Roche.

Motion by Anderson, second by Baldwin to approve the consent as presented. Via roll call vote, motion carried unanimously.

Staff Reports:

City Manager/Director of Planning & Zoning, City Clerk, Police and Engineer submitted status reports of current activities since the last Council meeting on June 24, 2024, for their respective departments.

City Manager Cummins added to his report:

- The results from the recent Trash and Recycling public survey:

- 159 responses.
 - 70% were either satisfied or very satisfied with current trash services.
 - 12% were neutral.
 - Desire for increase recycling pick-up and Republic is willing to increase to bi-monthly.
- City Manager Cummins would like to move forward with a negotiation to extend with Republic.
- On Wednesday, there will be interviews on Wednesday for the open Director of Planning and Zoning and Thursday for the open position of Treasurer.

Boards, Commissions & Committees:

Fire District Administration Board, Dan Fox:

- Thanked Ryan Cummins for mentioning the fire and police service.
- The safety and emergency response plan for the Fourth of July parade was a 40-page plan.
 - Candy throwing was a safety issue at the parade and needs to be prohibited.

Interurban Board, Councilmember Muncey:

- The next meeting is Tuesday July 16th.
- They provided a free shuttle service on July 5th from 7pm-12pm for the fireworks.
- Interurban is funded mostly by federal dollars.
- Moving forward with expanding the building with grant money.

KLSWA, Barry Johnson: None.

Kalamazoo Lake Harbor Authority, Councilmember White:

- The next meeting is Tuesday July 16th.

Zoning Board of Appeals, Ryan Cummins: None.

Historic District Commission, Councilmember Gardner:

- Next meeting August 1st at 6:00 p.m.

Planning Commission, Chair Councilmember Anderson:

- The next meeting is July 18th at 7:00 p.m.

Parks and Public Works Committee, Mayor Pro-Tem Baldwin:

- The next meeting is July 23rd at 10 a.m.

Tri-Community Non-Motorized Trail Study Committee, Councilmember Dean:

- Nothing more than what is noted in the City Manager report.

Request for Payment: None.

Approval of Accounts Payable:

- A. Accounts Payable in the amount of \$190,213.28.

Motion by Muncey, second by Dean to approve the accounts payable in the amount of \$190,213.28. Via roll call vote, motion carried 6-0.

Introduction of Ordinances: None.

Unfinished Business: None.

New Business:

Ordinance No. 240708-A, Amending the Water Regulations and Resolution No. 240708-A, Approving a Change in the City's Schedule of Fees to Establish a Water Capital Improvement Charge:

Motion by Baldwin, second by Anderson to approve Ordinance No. 240708-A, amending the water regulations and Resolution No. 240708-A, approving a change in the City's schedule of fees to establish a water capital improvement charge. Via roll call vote, motion carried 6-0.

Planning Commission Recommendation for Caps on short-Term Rentals in R-1 Residential Districts:

Mayor Stanton asked Council if any Councilmembers want to disclose a conflict of interest.

Councilmember White recused himself from the conversation due to the fact that he is currently in the process of applying for a short-term rental.

- Attorney Jake Witte provided the following summary of the City Charter:
 - The City Charter specifically defines a conflict of interest as an issue or matter in which a council member or a member of their family has a proprietary or financial interest or is the result of which they may receive or gain a financial benefit. That is the charter definition of a conflict of interest. Councilmember White cannot deliberate or vote on anything.
- Councilmember Dean noted he does not have a short-term rental interest. He lives in a single-family home where he is raising his kids, and does not have an ADU. He is a full-time resident and a voter.
- Mayor Pro-Tem Baldwin noted that she is a single-family homeowner, has never been a short-term rental owner, doesn't have an ADU and doesn't work for any real estate investment companies.
- Councilmember Muncey noted he doesn't work for any real estate company, his income doesn't depend on short-term rentals, and he doesn't own property in Saugatuck.
- Mayor Stanton noted she owns a home in Saugatuck, owned a short-term rental for three years and no longer has a short-term rental.

Motion by Gardner, second by Muncey to reject the Planning Commission for short-term rental CAPS.

- Councilmember Gardner noted he did not disclose his potential conflicts of interest. He does not have a conflict of interest. 245 Spear Street does have a rental certificate that has been in effect since a couple of months ago. It is an accessory dwelling unit. They are primary residents of the property. He has been a short-term rental owner in the past, he utilized that tool and long-term rentals while living in Chicago to be able to sustain and to be able to pay their

mortgage. I was not a money-making venture, just to cover costs. That option was important to him and his wife financially at the time.

- Attorney Jake Witte provided the following information:
 - Holding a short-term rental license, that is distinguishable from having an application, where the Council's decision tonight can determine whether or not Councilmember White will be able to utilize his property as a short-term rental at all. The impacts on Councilmember Gardner will be a lot more generalized, less specific and more indirect. Michigan law recognizes that a indirect financial impact does not necessarily create a conflict of interest.
- Mayor Pro-Tem Baldwin called the question.

Motion on the table:

*Motion by Gardner, second by Muncey to reject the Planning Commission for short-term rental CAPS. Via roll call vote, motion failed 4-2. Yes- Gardner, Muncey. No- **Anderson**, Baldwin, Dean, Stanton.*

*Motion by Baldwin, **second by Anderson** to direct City staff to prepare the necessary ordinance amendments, resolution language and policy necessary to implement a cap on the total number of STR licenses that may be issued within the City's R-1 Residential districts consistent with the following:*

- *The cap will be established by resolution of the City Council in an amount approximately equal to 20% of the dwelling units in each R-1 District.*
- *The cap will not operate retroactively, and existing STR licenses will remain valid unless there is a transfer of the property, or the license is revoked or lapses.*
- *The commercial property located at 560 Campbell in the Peninsula West district will be exempt from the caps, and any licenses granted to dwelling units at that address will not count toward the caps.*
- *Once available, new STR licenses will be issued by a lottery system.*
- *The Planning Commission will hold a public hearing on the zoning amendment necessary to implement the cap and will not assist with the preparation of the amendment to the STR police powers ordinance.*

*Via roll call vote, motion carried 4-2. Yes-Anderson, Baldwin, Dean, **Stanton**. No-Gardner, Muncey.*

Staff Wage Scale and Paid Holiday Adjustments:

*Motion by Gardner, second by Muncey to table this discussion to have as an agenda item at our next workshop for potential adoption at the next regular Council meeting. Via roll call vote, motion carried 4-3. Yes- Gardner, Muncey, Stanton, White. No-Anderson, Baldwin, **Dean**.*

Public Comment:

Jane Underwood, resident: League of Women Voters is sponsoring a meet and greet on July 17th at the Saugatuck Douglas Library from 6pm-8pm and also commented on the cell service at Oval Beach and described a fatal incident that happened two years ago.

Greg Auer, resident: noted that Council did not take his STR data information serious, and they have not advanced the town with their decision.

Severyn Nowicki, resident: does not believe that the Council's decision on STR solved any issues. He shared his concerns about the last City Manager's departure.

Keith Charak, resident: shared his residential impact study about his surrounding neighborhood.

Joe Leonatti, resident: shared his concerns regarding Council ethics.

Bobby Gaunt, resident: Thanked Council for their service. Supports the airport property not only as a citizen but also chair of the Coastal Alliance.

Diana Dekker, resident: she believes Ryan Cummins is the right person for City Manager, hopes Clerk gets a raise because the City lost a very good clerk to go somewhere else and the City lost a great Treasurer.

Liz Amundson, resident: she thanked Council for their service and expressed her thoughts about her history with short-term rentals and the community.

Correspondence:

Timothy O'Keefe-Navar

Greg Auer

Richard Williams

Jennifer Davenport & Stephen Boyd

Petition for a Pause – Airport Property

Council Comments:

- Councilmember Anderson:
 - Gave a shout out to the CVB and April Gundy for the Fourth of July events.
 - Also thanked all who showed up online, in person including Council and Staff.
 - She is proud to be a part of the team even though they don't always agree, she knows everyone has the best interests of the City.
- Mayor Pro-Tem Baldwin:
 - Appreciates the respectful discourse the Council had this evening as it is hard for all.
 - Would like to keep moving forward with respectful, decent conversations and be mindful of the fact that on the other side of the keyboard sits a real human being and to be aware of that and appreciate everybody else.
- Councilmember Gardner:
 - Said thank you and remains humbled to serve the citizens of Saugatuck including the people who voted for him as well as the people who live and work in Saugatuck.
 - Everyone is important to him as a citizen of this community.
 - He appreciated the opportunity to serve and hopes to continue in the foreseeable future.

- Councilmember Dean
 - City Government is a marathon not a sprint.
 - Thanked City staff for staying late for the meeting.
 - Thanked Council for their deliberations.
 - Thanked the community who spoke their minds this evening in a civil and democratic manner.

- Councilmember Muncey:
 - Music in the Park is this evening at 7pm with Nate Holley.

- Councilmember White:
 - Appreciates the comments from the community and they made themselves heard.

- Mayor Stanton:
 - She realizes the tough issue tonight and appreciates everybody who wanted to sit down with her and have great conversations. Council went back and forth on a lot of things and in a very respectful way. She appreciates everyone who took the time to do so.

Adjournment:

Motion by Muncey, second by Baldwin to adjourn the meeting. Upon voice vote, motion carried unanimously. Mayor Pro-Tem Baldwin adjourned at 9:19p.m.

Respectfully Submitted

Jamie Wolters, City Clerk